

# TOWN OF SHEDIAC

## REGULAR MEETING OF COUNCIL

DATE: AUGUST 29, 2016  
PLACE: COUNCIL CHAMBERS  
TIME: 7:00 PM

## M I N U T E S

**PRESENT:** Jacques LeBlanc, Mayor  
Roger Caissie, Deputy Mayor  
Paul Boudreau, Councillor  
Patricia Bourque-Chevarie, Councillor  
Gilles Brine, Councillor  
Sylvie Collette-Boudreau, Councillor  
Raymond Cormier, Councillor  
Germaine Gallant, Councillor  
Laura Gallant, Councillor

**AND:** Gilles Belleau, Clerk/Town Manager  
Connie Bourgeois, Assistant Clerk  
Réjean Godin, Finance Director  
Margot Allain Bélanger, Director of Municipal Operations  
Danny Pellerin, Director of Economic Dev. & Tourism  
Ninety (90) citizens  
Donald Cormier, Fire Chief  
Cpl. Alain LeBlanc, Shediac Detachment - Southeast  
District RCMP

### 1. CALL TO ORDER

The Chairman Mayor Jacques LeBlanc calls the meeting to order at 7:00 pm. The session opens with the singing of the National Anthem and the observance of a moment of reflection on the part of the members of council.

### 2. APPROVAL OF AGENDA

**C16-161** Moved by: Raymond Cormier  
Seconded by: Roger Caissie

THAT the agenda is approved as submitted.

### MOTION CARRIED

### 3. ADOPTION OF MINUTES

**C16-162** Moved by: Gilles Brine  
Seconded by: Sylvie Collette-Boudreau

THAT the minutes of the Regular Meeting of July 25, 2016 are approved as presented.

#### MOTION CARRIED

#### **4. PUBLIC PRESENTATIONS/PETITIONS/DELEGATIONS**

Public Presentation: Citizen Odette Pellerin addresses the meeting to raise concerns regarding the non conforming use of a fence erected along her property line on June 22 of this year. She maintains that the fence in question obstructs access to their garage. Ms. Pellerin is asking Council to amend the Zoning By-law in order to address the issue of the fence. She goes on to express her concerns in detail.

#### **5. READING OF CORRESPONDENCE**

- a) Andréa Comeau - SUBJECT: Thank-you letter. Ms. Comeau takes this opportunity to thank the members of Council for the beautiful retirement gift.
- b) Karen Robinson - SUBJECT: Thank-you letter. Ms. Robinson takes this opportunity to thank the members of Council for the beautiful retirement gift and the support provided to her during her years of employment with the CBDC.
- c) Cercles des artistes peintres de Shediac - SUBJECT: Thank-you letter. The group takes this opportunity to thank the municipality for the grant allocated to the organization in 2016 to help fund their project.
- d) Relay for Life - SUBJECT: Thank-you letter. The group takes this opportunity to thank the municipality for the grant allocated to the organization in 2016.
- e) 2016 Heart Heroes Challenge - SUBJECT: Thank-you letter. The group takes this opportunity to thank the municipality for the grant allocated to the organization in 2016 to go towards the 6<sup>th</sup> Edition of the Heart Heroes Challenge.
- f) Shediac Lobster Festival Inc. - SUBJECT: Thank-you letter. The Organizing Committee takes this opportunity to thank the municipality for its financial support in 2016.
- g) Greater Shediac Chamber of Commerce Inc. - SUBJECT: Thank-you letter. The GSCC takes this opportunity to thank the municipality for the grant allocated to the group for hosting the 4<sup>th</sup> Annual Golf Tournament which took place this past June.
- h) The United Church of Canada, 379 Main Street, Shediac - SUBJECT: Lobster Suppers. The President expresses sincere thanks to the municipality for its support during their annual event.



creation of a parcel of land to be set aside as land for public purposes; and, that said application was examined by the South East Regional Planning Review Committee;

WHEREAS the South East Regional Service Commission recommends that the municipality accept the parcel of land set aside for public purposes as set out in the subdivision plan Lotissement Camille Belliveau and Ella Belliveau Subdivision.

BE IT RESOLVED THAT the Council of the Town of Shediac approves the location of land for public purposes as recommended by the South East Regional Service Commission.

MOTION CARRIED

## **9. UNFINISHED BUSINESS**

Jeux NB Games 55+ Inc. - SUBJECT: The group inquires if the Town of Shediac is interested in hosting the 2017 Jeux NB Games 55+.

**C16-164** Moved by: Paul Boudreau  
Seconded by: Raymond Cormier

THAT the request for hosting the 2017 Jeux NB Games 55+ is tabled.

MOTION CARRIED

## **10. INTRODUCTION OF NEW BUSINESS**

Councillor Paul Boudreau inquires whether Council could appoint a municipal representative to sit on the organizing committee for the staging of major concerts and that said appointment be dealt with at item 14.

The Chairman would recommend that the topic be discussed at the next finance meeting.

Councillor Paul Boudreau takes this opportunity to congratulate the Town Manager and the municipal staff for the excellent work carried out during the Shediac Motorcycle Rally.

Councillor Laura Gallant takes this opportunity to congratulate the Director of Municipal Operations and her crew for the excellent work carried out on Pascal Poirier Street.

Councillor Gilles Brine inquires as to who is responsible for watering the sod along Pascal Poirier Street. The Director of Municipal Operations informs the meeting that according to the tender package set out, the contractor is responsible for watering the sod until the lawn has been mowed for the first time.

The Chairman inquires if it would be possible to install one (1) or two (2) benches along Pascal Poirier Street.

The Director of Municipal Operations informs the meeting that the municipality could add some benches along Pascal Poirier Street.

## **11. INQUIRIES FROM COUNCIL MEMBERS - None**

## **12. INTRODUCTION AND READING OF BY-LAWS**

At this time, Councillor Sylvie Collette-Boudreau withdraws from the meeting to avoid any possibility of a conflict of interest.

The Chairman takes this opportunity to present a brief report regarding the by-law proposed below. He explains that the applicant has submitted a request to extend the time frame for the commencement of construction work for the project by three (3) years. He adds that Council is duly authorized by law to impose conditions and to enact by-laws. He would advise the members of Council to carefully deliberate the matter and be open; and to feel free to ask questions on the subject.

Mr. Belleau mentions that all the other conditions attached to By-laws Z-14-44-1Z and Z-14-44-3Z will remain intact. He points out that the only condition that will change is the one requested by the Anglican Church. He adds that the law (*Municipalities Act*) is quite clear, Council has the right to add conditions to any by-law.

### Questions:

Councillor Gilles Brine inquires whether the municipality has obtained legal advice on this matter from our legal advisor. He inquires whether the municipality is protected in this matter.

The Town Manager informs the meeting that our legal advisor has been aware of the situation since the process was initiated. He adds that management is quite comfortable with the process. He mentions that according to our legal advisor, we are going in the right direction.

Councillor Gilles Brine inquires whether the other conditions will remain the same and be maintained.

The Town Manager informs the meeting that all the other conditions imposed by By-laws Z-14-44-1Z and Z-14-44-3Z will remain intact and be maintained. He mentions that the only condition that would change is the one relating to

the time frame for the commencement of construction work on the project; the time frame would be extended to five (5) years instead of the two (2) years initially imposed. He adds, if this is the wish of Council.

At this time Councillor Gilles Brine gives a brief report on the situation.

Deputy Mayor Roger Caissie inquires whether the time limit has expired. He adds that from what he understands, the request was made last June.

Mr. Kirk Brewer, Regional Planner, addresses the meeting. He explains that the application was filed last June 13, thus before the expiry date.

The Town Manager informs the meeting that the law does not require that the zoning by-law be revoked. According to the law, Council has the right to modify conditions in zoning by-laws.

Deputy Mayor Roger Caissie inquires as to whom filed the application for the amendment. He questions whether a landowner can give permission by proxy to the developers to file an application for a rezoning on behalf of the Anglican Church.

The Regional Planner, Mr. Kirk Brewer informs the meeting that the landowner is the one who filed the application for a rezoning; and that, this is sufficient.

The Town Manager informs the meeting that the Anglican Church gave permission by proxy to the developers for the first application for a rezoning in 2014. He adds that he has verified with the legal advisor; and that, this is permitted.

Second reading of By-law N° Z-14-44-11Z, a by-law amending By-laws Z-14-44-1Z and Z-14-44-3Z

**C16-165** Moved by: Laura Gallant  
Seconded by: Roger Caissie

THAT second reading of By-law N° Z-14-44-11Z, a by-law amending By-laws Z-14-44-1Z and Z-14-44-3Z of the Town of Shediac, is given by title and in its entirety.

**MOTION CARRIED**

The Clerk gives second reading of By-law N° Z-14-44-11Z by title and in its entirety.

**C16-166** Moved by: Laura Gallant  
Seconded by: Patricia Bourque-Chevarie

THAT approval is given to second reading of By-law N° Z-14-44-11Z by title and in its entirety.

MOTION CARRIED

Third reading of By-law N° Z-14-44-11Z, a by-law amending By-laws Z-14-44-1Z and Z-14-44-3Z

**C16-167** Moved by: Laura Gallant  
Seconded by: Germaine Gallant

THAT third reading of By-law N° Z-14-44-11Z is given by title.

MOTION CARRIED

The Clerk gives third reading of By-law N° Z-14-44-11Z by title.

**C16-168** Moved by: Laura Gallant  
Seconded by: Roger Caissie

THAT we accept third reading by title and pass By-law N° Z-14-44-11Z.

MOTION CARRIED

First reading of By-law N° Z-14-44-12Z, a by-law amending the Zoning By-law

**C16-169** Moved by: Laura Gallant  
Seconded by: Germaine Gallant

THAT leave is now given to introduce a by-law entitled By-law N° Z-14-44-12Z, a by-law amending the Zoning By-law of the Town of Shediac; and that same is read a first time by title.

MOTION CARRIED

The Clerk gives first reading to By-law N° Z-14-44-12Z by title.

**C16-170** Moved by: Laura Gallant  
Seconded by: Roger Caissie

THAT approval is given to first reading of By-law N° Z-14-44-12Z by title.

MOTION CARRIED

At this time, Councillor Collette-Boudreau returns to the meeting and retakes her seat at the council table.

### 13. MOTIONS AND RESOLUTIONS

#### Awarding of contract - Demolition of former NB Power building

**C16-171** Moved by: Raymond Cormier  
Seconded by: Laura Gallant

WHEREAS the municipality called for tenders for the demolition of the former NB Power building situated at 204 Ohio Road;

WHEREAS a total of three (3) bids were received; two (2) of which were admissible and one (1) which was rejected:

ARC-Atlantic Recycling Corporation  
- \$111,981.72 (plus HST);  
J.W. Lindsay Enterprises Limited  
- \$124,000.00 (plus HST);

WHEREAS after having examined the admissible bids, it is recommended to award the contract to the lowest bidder.

BE IT THEREFORE RESOLVED THAT Contract No. TS16-00226A is awarded to the company ARC-Atlantic Recycling Corporation in the amount of \$111,981.72 (plus HST).

MOTION CARRIED

#### Awarding of contract - Lino Road Project (Grading & Paving)

**C16-172** Moved by: Sylvie Collette-Boudreau  
Seconded by: Germaine Gallant

WHEREAS the municipality called for tenders for Contract No. TS16-23640 - Lino Road Project - Grading & Paving (between Beauséjour Camping and the South East Regional Correctional Centre);

WHEREAS five (5) companies submitted bids for the said contract (HST included):

MacDonald Paving and Construction Limited  
- \$541,696.00;  
MacArthur's Paving & Construction Co. Inc  
- \$546,882.50;  
Ste Anne Paving Construction Ltd.  
- \$563,551.75;

Modern Construction (1983) Limited  
- \$568,393.00;  
Dexter Construction Company Ltd.  
- \$596,878.75.

WHEREAS the engineer had estimated that the Lino Road Project - Grading & Paving would cost \$609,758.75 (HST included);

WHEREAS after having examined the bids received, it is recommended that the contract is awarded to the lowest bidder.

BE IT THEREFORE RESOLVED THAT Contract No. TS16-23640 is awarded to the company MacDonald Paving and Construction Limited in the amount of \$541,696.00 (HST included).

#### MOTION CARRIED

#### Awarding of contract - Ohio Road Project - Sewer Extension

**C16-173** Moved by: Germaine Gallant  
Seconded by: Sylvie Collette-Boudreau

WHEREAS the municipality called for tenders for the Ohio Road Project;

WHEREAS seven (7) companies submitted bids for the said contract:

Bowers' Construction	\$ 94,817.50;
Phillips Bros Excavating	\$129,812.00;
Monarch Construction	\$131,410.50;
Modern Construction (1983)	\$157,216.50;
Camille Leger Ltd	\$157,521.25;
MacArthurs Paving & Construction Co Inc.	\$161,977.50;
Dexter Construction Company Ltd.	\$197,328.50.

WHEREAS the engineer had estimated that the Ohio Road Project - Sewer Extension would cost \$137,080.00 (HST included);

WHEREAS after having examined the bids submitted, it is recommended to award the contract to the lowest bidder.

BE IT THEREFORE RESOLVED THAT Contract No. TS16-23640A is awarded to the company Bowers' Construction in the amount of \$94,817.50 (HST included).

MOTION CARRIED

The Director of Municipal Operations addresses the meeting to explain the project mentioned below.

Awarding of contract - Sackville Street Watermain Renewal

**C16-174** Moved by: Roger Caissie  
Seconded by: Laura Gallant

WHEREAS the municipality called for tenders for the above-mentioned project, including the resurfacing of Smith Avenue between Main Street and Providence Street;

WHEREAS five (5) companies submitted bids for the said contract:

Bowers' Construction Ltd.  
- \$543,518.75;  
MacDonald Paving & Construction Limited  
- \$556,876.00;  
Modern Construction (1983) Limited  
- \$586,603.50;  
MacArthur's Paving & Construction Co. Inc.  
- \$648,209.00;  
Dexter Construction Company Ltd.  
- \$767,958.50.

WHEREAS the engineer had estimated that the Sackville Street Watermain Renewal Project would cost \$678,327.50 (HST included);

WHEREAS after having examined the bids submitted, it is recommended to award the contract to the lowest bidder.

BE IT THEREFORE RESOLVED THAT Contract No. TS16-00170 is awarded to the company Bowers' Construction Ltd. in the amount of \$543,518.75 (HST included).

MOTION CARRIED

School Crossing Guard - École MFB

**C16-175** Moved by: Gilles Brine  
Seconded by: Roger Caissie

WHEREAS Mister Maurice Boudreau of Shediac has been hired to perform the duties of School Crossing Guard for the students of Mgr-François-Bourgeois for the last several years;

WHEREAS Mr. Boudreau's contract expired on June 17<sup>th</sup>, 2016;

WHEREAS Mr. Boudreau has indicated that he would be interested in continuing to provide this service.

BE IT RESOLVED THAT we hire the services of Mr. Maurice Boudreau as School Crossing Guard for the 2016-2017 school year; that the Mayor and Clerk be authorized to sign the contract and that the remuneration for providing these services be set at \$775.00 per month for the months of September to December, 2016 and \$790.00 per month for the months of January to June, 2017.

MOTION CARRIED

Linguistic Landscape

**C16-176** Moved by: Paul Boudreau  
Seconded by: Germaine Gallant

WHEREAS the Town of Shediac has set up a Committee responsible for the Linguistic Landscape, said committee consisting of two (2) members of Council and one (1) member of the administration;

WHEREAS Council adopted a policy in March of 2012 relating to the linguistic landscape;

WHEREAS according to the policy relating to the linguistic landscape, Council will reimburse up to 40% of the costs associated to signage for signs that meet the criteria as set out in the policy.

BE IT THEREFORE RESOLVED THAT the Town of Shediac reimburse the following business owners for signs installed at their place of business; and, that the funds used for reimbursements are deducted from budget item 1-26425, labeled Linguistic Landscape:

Bangkok Food Truck	- \$ 534 plus HST
Shediac Rentals and Sales	- \$4,000 plus HST
Maritime Muffler Sales	- \$1,000 plus HST
Racines Anciennes	- \$ 510 plus HST
Boutique du Cordonnier	- \$ 880 plus HST
Doris Dog Grooming Salon	- \$ 680 plus HST

MOTION CARRIED

Bell Mobility Inc. Agreement - Hotspots Installation

**C16-177** Moved by: Patricia Bourque-Chevarie  
Seconded by: Gilles Brine

WHEREAS Bell Mobility Inc. has approached the municipality for permission to possibly install hotspots on various publicly-owned property in order to improve accessibility to High Speed Internet at strategic locations within the Town;

WHEREAS it is to the municipality's advantage to provide for our citizens, as well as for our visitors, improved services provided by our suppliers;

WHEREAS the installation of this equipment will only be done once we have obtained management's approval.

BE IT RESOLVED THAT the Mayor and the Clerk are authorized to sign an agreement with Bell Mobility Inc. as long as said agreement is to our satisfaction.

MOTION CARRIED

Awarding of contract - Demolition of dangerous and abandoned building - 101 LeBlanc Avenue

**C16-178** Moved by: Raymond Cormier  
Seconded by: Laura Gallant

WHEREAS management has obtained three (3) bids for the demolition of a dangerous and abandoned building situated at 101 LeBlanc Avenue, said property bearing PID 973040;

WHEREAS the three (3) bids are as follows:

- Pierre Cormier Construction - \$8,300 (plus HST);
- Clairview Trucking & Excavating Ltd  
- \$9,800 (plus TVH);
- Joël LeBlanc Excavation - \$9,850 (plus TVH).

WHEREAS after having examined the bids submitted, it is recommended to award the contract to the lowest bidder.

BE IT RESOLVED THAT the contract is awarded to the company Pierre Cormier Construction in the amount of \$8,300 (plus HST).

#### MOTION CARRIED

#### Request for financial aid - Shediac Lobster Festival Inc.

**C16-179** Moved by: Roger Caissie  
Seconded by: Germaine Gallant

WHEREAS the Shediac Lobster Festival Inc. has approached the Town soliciting additional funding for manpower and services towards the staging of the 2016 Edition of the Lobster Festival;

WHEREAS the organizers have submitted a copy of the 2016 Operating Budget for the event to Council;

WHEREAS management has made an analysis of the costs involved with the organization's request;

WHEREAS the organizers of the Shediac Lobster Festival Inc. are aware of the policy on municipal grants and are willing to abide by the guidelines set out in said policy;

WHEREAS during budget deliberations, Council took the initiative that would see municipally subsidized organizations become

more self-sufficient and less dependent on funding from the municipality.

BE IT RESOLVED THAT the municipal grant allocated to the Shediac Lobster Festival Inc. for the year 2016 totals \$35,800, which represents a 10% reduction in funding from last year.

#### MOTION CARRIED

The Chairman takes this opportunity to congratulate the organizers of the Shediac Lobster Festival Inc., including the many volunteers and others, for the excellent work in staging the event.

#### Hiring of Temporary Employee - Casual 1

**C16-180** Moved by: Laura Gallant  
Seconded by: Patricia Bourque-Chevarie

WHEREAS the Union has asked management to hire a temporary employee (Casual 1) for a period of six (6) months in order to fill the vacancy brought about by the temporary absence of a permanent employee;

WHEREAS a job opening to fill the post of temporary employee (Casual 1) with the Town of Shediac has been advertised in the various media;

WHEREAS a Selection Committee was appointed; and, that said committee undertook the hiring process. The Selection Committee was comprised of Councillor Laura Gallant, Consultant Pierre Bertrand and Town Manager Gilles Belleau;

WHEREAS the Selection Committee received eleven (11) applications to fill the post and conducted three (3) interviews;

WHEREAS the Selection Committee is prepared to make a recommendation to Council for the hiring of a temporary employee (Casual 1) for a period of six (6) months.

BE IT THEREFORE RESOLVED THAT Council approves the recommendation of the Selection Committee and that Mr. Éric Hébert is hired on a temporary basis as Casual 1; and that

his salary is set at \$17.85 per hour plus employee benefits in accordance with the Collective Agreement in effect; and that, Mr. Hébert takes up his duties as of August 30, 2016.

MOTION CARRIED

**14. APPOINTMENTS TO COMMITTEES - None**

**15. ADJOURNMENT**

Councillor Germaine Gallant moves to adjourn the meeting at 8:20 pm.

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Jacques LeBlanc, Mayor

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Gilles Belleau, Clerk