

TOWN OF SHEDIAC

REGULAR COUNCIL MEETING

DATE: MARCH 28, 2011
LOCATION: COUNCIL CHAMBERS
TIME: 7:00 P.M.

PRESENT: Peter Breau, Deputy Mayor
Jacques LeBlanc, Councillor
Charles LeBlanc, Councillor
Laura Gallant, Councillor
Ernie O'Brien, Councillor
André Caissie, Councillor
Michel Thibodeau, Councillor
Normand Belliveau, Councillor

AND: Réjean Godin, Acting Town Manager/Finance Director
Jeannette Bourque, Town Clerk
Claude Boudreau, Director of Public Works
Paul Boudreau, Director of Community Services
Paul Lang, Director of Economic Development
Donald R. Cormier, Fire Chief
Sgt. Harry Brown, RCMP officer, District 4
André Frenette, Director of Beaubassin Planning Commission
Marc Fougère, municipal representative on the BPC
Three (3) journalists
Five residents

ABSENT: Raymond Cormier, Mayor

1. CALL TO ORDER

In the absence of Mayor Raymond Cormier, Deputy Mayor Peter Breau declared the meeting open at 7:00 p.m. The meeting opens with the singing of the National Anthem followed by the special prayer of council.

2. ADOPTION OF AGENDA

C11-041 Moved by: Jacques LeBlanc
Seconded by: Laura Gallant

That the agenda be accepted with the addition of a topic at item 10: Hiring process for Town Manager.

MOTION CARRIED

3. ADOPTION OF MINUTES

C11-042 Moved by: Ernie O'Brien
Seconded by: Normand Belliveau

That the minutes of the Regular Meeting of March 1, 2011 be accepted with the following amendments: under "Inquiries by Members of Council" at page 8, in the last line of the third paragraph, replacing the word "March" with the word "April"; and under "Proposal from East Coast Precast Ltd." at page 7, inserting the added sentence "Councillor Normand Belliveau mentioned that this property, identified by PID 70289616, was transferred to the municipality in 2001 by Mr. Léandre Bourque." in the second paragraph between the sentences "A discussion ensued concerning the transfer of public land to the private sector for the purpose of commercial building and the precedent this would create." and "It was suggested that elected officials explore the possibility of leasing land subject to certain conditions as is contemplated for the Legion."

MOTION CARRIED

4. PUBLIC PRESENTATIONS/PETITIONS/DELEGATIONS –
None.

5. READING OF CORRESPONDENCE

a) Martin Latulippe, President of the Tree of Hope Campaign -
SUBJECT: Letter of thanks. The President offers his sincere thanks for the \$1,000 donation to the Tree of Hope Campaign.

b) Dan Fraser, Administrator, New Brunswick Community College Foundation - SUBJECT: Letter of thanks. Mr. Fraser offers his thanks for the support given to the New Brunswick Community College Foundation's scholarship fund.

c) Club de boulingrin William Ling Lawn Bowling Club, 96B Providence Street - SUBJECT: Request for financial assistance. The group solicits a grant of \$2,000 for 2011.

C11-043 Moved by: Normand Belliveau
Seconded by: Michel Thibodeau

That a grant of \$2,000 be awarded to Club de boulingrin William Ling for 2011.

MOTION CARRIED

d) Jean-Claude Bertin, President of Centre-Ville Shediac Downtown Inc.
SUBJECT: Snow removal on Main Street. The President congratulated the municipality for the good work in maintaining the street and sidewalks clean on Main Street this winter.

e) Pedestrians Diane, Raymonde, Yvon and Annette - SUBJECT: Letter of thanks for the good work with pedestrian trail maintenance this winter.

f) Anne McTiernan-Gamble, Executive Director of the Canadian Cancer Society, New Brunswick - SUBJECT: Proclamation of *Daffodil Month*. The Chair read the proclamation.

C11-044 Moved by: Ernie O'Brien
Seconded by: Jacques LeBlanc

That we accept the proclamation as read and proclaim April 2011 to be *Daffodil Month*.

MOTION CARRIED

g) Statistics Canada - SUBJECT: Proclamation – 2011 Census. The Chair read the proclamation.

C11-045 Moved by: Laura Gallant
Seconded by: Charles LeBlanc

That we accept the proclamation as read and proclaim the week of May 9 to 13, 2011 to be *Census Week*.

MOTION CARRIED

h) Normand Lévesque, Executive Director of Fédération canadienne pour l'alphabétisation en français - SUBJECT: The Canadian Adult Learners' Week will take place from April 2 to 9, 2011.

i) Ramona LeBouthillier, Executive Director of Université du 3^e âge du Sud-Est - SUBJECT: "Grouille ou Rouille" fitness program. The group solicits the municipality's financial assistance to help support the cost of the program.

C11-046 Moved by: Ernie O'Brien

Seconded by: Normand Belliveau

That the amount of \$300.00 be granted to the group in sponsorship of the "Grouille ou Rouille" program.

MOTION CARRIED

j) Paul Bourgeois, member of the Organizing Committee for Amis des Aigles Bleus Super Auction - SUBJECT: 12th auction organized by Amis des Aigles Bleus.

C11-047 Moved by: Ernie O'Brien
Seconded by: Jacques LeBlanc

That we grant two hours of ice time at the Festival Arena for the Amis des Aigles Bleus Super Auction.

MOTION CARRIED

k) Rebecca Lerner, Event Coordinator, Canadian Olympic Committee - SUBJECT: 2011 Olympic Hall of Fame. Gala Dinner & Induction Ceremony at Casino New Brunswick. A donation would cost \$2,500 and would include a table for nine, an invitation to the pre-event cocktail, and ten tickets to the kick-off concert.

C11-048 Moved by: Ernie O'Brien
Seconded by: Michel Thibodeau

That the request be rejected.

MOTION CARRIED

l) Cedric Mallais, President of Tri-County Ground Search and Rescue Group Inc. - SUBJECT: Request for financial assistance.

C11-049 Moved by: Laura Gallant
Seconded by: Charles LeBlanc

That the group be granted the amount of \$200.00 for 2011.

MOTION CARRIED

m) Monette Leger and her Snow Hackers team - SUBJECT: Letter of thanks. The group takes the opportunity to thank the municipality for its financial support in 2011.

n) Paul Cormier, Manager of the Patriotes hockey team - SUBJECT: Grant request. - Patrick Cassidy Scholarship Fund. The group is organizing an evening at the Festival Arena in memory of Patrick Cassidy. Mr. Cormier asks the municipality to cover the cost of three hours of ice time towards the scholarship fund.

C11-050 Moved by: Normand Belliveau
Seconded by: Jacques LeBlanc

That we agree to donate three hours of ice time, representing \$228, to the Patrick Cassidy Scholarship Fund.

MOTION CARRIED

o) Luc Michaud, Principal of Louis-J.-Robichaud High School - SUBJECT: Skating rink rental at Festival Arena. Mr. Michaud states that rental fees applicable to girls and boys are not equitable. To maintain a spirit of fairness between the genders, he proposes that girls be allowed to practice for free as is currently the case for boys.

Following a discussion on this topic, it was agreed to mandate the administration to submit a proposal to Council in April.

p) Robert Cormier, President of Stage 1 Construction Inc. - SUBJECT: Frontage fee - Breaux Bridge Street. The developer would like to build 16 single family dwellings on the new section of Breaux Bridge Street. A total frontage fee of \$39,227.70 is payable to the municipality. Mr. Cormier asks the municipality to reduce this amount to \$19,500.00. Director Claude Boudreau circulates a report explaining the situation. The report indicates that any developer who builds a subdivision on either side of the new section of Breaux Bridge Street must pay a frontage fee. In the case of Breaux Bridge Estates Inc., it would owe \$39,227.70. Since the municipality has refunded businesses for the cost of installing service laterals in the past, it would be recommended to remit the sum of \$15,000 to the developer of the Breaux Bridge Estates subdivision towards the cost of installing these services.

C11-051 Moved by: Normand Belliveau
Seconded by: Charles LeBlanc

That we accept the recommendation of the Director.

MOTION CARRIED

q) Nathalie LeBlanc, President of Société culturelle Sud-Acadie, and Joanne LeBlanc-Skyrie, Coordination Agent, “Célébrons nos quais” project
- SUBJECT: Request for funding in support of the project.

The Acting Town Manager highlights that the group has already received its \$1,000 grant provided for in the 2011 budget for.

r) Marc Girouard, 27 Westshore Drive, Pointe-du-Chêne, NB - SUBJECT: Rezoning request from East Coast Precast Ltd. Mr. Girouard reacts to the decision reached at the Regular Meeting of March 1st in relation to the above-captioned rezoning request. Firstly, he is disappointed that Council declined to proceed to review the matter. Secondly, he objects that a letter from the BPC which had not been shared with the developers was read at that meeting. Mr. Girouard asks that the motions be added to the agenda again, that a BPC representative be invited to attend at the Council’s meeting to address questions, and that a new vote be taken with full knowledge of the matter. He also requests a copy of the letter in question.

A discussion ensued about the content of Mr. Girouard’s letter. Mention was made the letter read at the Regular Meeting of March 1st was from the BPC’s Director and not from its Board. Mr. André Frenette, Director of the BPC, spoke to confirm that the “letter” consisted in a condensed report prepared by BPC staff to guide council members in their decision-making. According to the Director, since the rezoning request was in all likelihood the same as the one rejected in 2008, BPC staff could not recommend its approval by Council. Councillor Ernie O’Brien stated that his decision was based on four main considerations: (1) a majority of council members did not support the same request in 2008; (2) area residents did not want this type of project in their neighbourhood; (3) Mr. Frenette’s e-mail indicated that the project was the same as the one proposed in 2008; and (4) the new municipal plan provides no change to the zoning of the property at issue in the rezoning request.

Other council members explained their position on the request. Councillor Belliveau stated that he would like to see construction on the property in question as long as the project aligns with the principles established by the new municipal plan and that residents find it acceptable. It is suggested to initiate discussions with the developers to determine the type of project that would be acceptable both to them and to residents.

With respect to Mr. Girouard’s request for a copy of the letter circulated to elected officials at the Regular Meeting of March 1st, the following motion was put forth.

C11-052	Moved by:	Ernie O’Brien
	Seconded by:	Michel Thibodeau

That we check with the municipal solicitor and, if the answer is positive, that a copy of Mr. Frenette's e-mail be forwarded to Mr. Girouard.

MOTION CARRIED

(s) Yves-Martin Robichaud, President of Société historique de la Mer rouge, Nathalie LeBlanc, President of Société culturelle Sud-Acadie, Danny Pellerin, and representative of the Pellerin family - SUBJECT: The Pellerin family's fisherman's shed. The group asks the municipality to accept that the shed and its content (fishing-related objects and tools) be transferred and integrated into the existing tourist and historical attractions of the Town of Shediac.

A discussion ensued regarding this proposal. Mention was made that historical properties owned by the municipality, such as the Pascal-Poirier House and the former CN train station, require major repairs, which could result in considerable expenses for the municipality. It was highlighted that, although the fisherman's shed project has much merit, too many considerations come into play: the costs associated with such a project, the relocation of the building and the designated site, building maintenance, managing this type of project, and many other factors.

C11-053 Moved by: Ernie O'Brien
Seconded by: Normand Belliveau

That a letter be sent to the group advising that we are unable to consider such a project at this time.

MOTION CARRIED

6. REPORTS FROM STANDING AND SPECIAL COMMITTEES

Financial reports

The municipality's financial report ending March 18, 2011 is circulated to council members. Several questions are addressed to the Town Manager concerning the approved budget.

C11-054 Moved by: Normand Belliveau
Seconded by: Jacques LeBlanc

That the amount of \$18,300 in the 2011 budget at line item 26218, which was reserved for tent maintenance, be transferred to line item 28253 under Special Projects by Council.

MOTION CARRIED

A report of council members' expenses ending February 28, 2011 is also circulated. Councillor Ernie O'Brien had questions pertaining to the policy governing council members' expenses. He asked whether any provisions in the existing policy deal with the practice by council members of giving tickets they purchased to friends and neighbours. Councillor O'Brien strongly opposes this practice. He claimed that Council should have the last word as to who will represent the municipality at events. Councillor Thibodeau was in agreement with the views expressed by Councillor O'Brien and suggested that unused tickets be redistributed to not-for-profit organizations.

The Acting Town Manager advised that he was unaware of this practice but that the administration cannot police how tickets are used.

C11-055 Moved by: Ernie O'Brien
Seconded by: Michel Thibodeau

That the policy governing council members' expenses be amended to add a provision on the use of tickets to activities purchased, but not used, by elected officials.

MOTION CARRIED

Protection services

The Fire Department's monthly statistical report for February 2011 is circulated to council members.

The Police Service's monthly statistical report for February 2011 is circulated to council members.

7. REPORT FROM TOWN MANAGER

Mr. Godin submitted a report on building costs for the new multipurpose centre as at March 25, 2011. According to the numbers that were disclosed, expenses appear to be on target.

8. RECOMMENDATIONS FROM THE PLANNING COMMISSION

Town of Shediac – Notice pursuant to section 66

The Town of Shediac is interested in adopting a new municipal plan and a new zoning by-law. Pursuant to section 66 of the *Community Planning Act*,

a recommendation from the Commission on the proposed by-laws is required.

Decision 2011-014 - Given that the Department of the Environment gave preliminary approval, that the population was invited to express its views on the proposed municipal plan and zoning by-law, and that Council considered all comments received from residents, it is recommended that the municipality be notified to proceed with the approval process with respect to the proposed by-laws.

C11-056 Moved by: Ernie O'Brien
Seconded by: Jacques LeBlanc

That we accept the recommendation of the Beaubassin Planning Commission.

MOTION CARRIED

9. UNFINISHED BUSINESS

Invoice from Bien-être Gallie Wellness Inc.

C11-057 Moved by: Laura Gallant
Seconded by: Charles LeBlanc

Further to the information circulated at the in camera meeting of February 21, 2011 and to subsequent discussions, be it resolved that the payment of an invoice issued by Bien-être Gallie Wellness Inc. be approved in the amount of \$900.00, plus HST.

Question: Councillor Ernie O'Brien opposed the motion on the basis that he was under the impression that the person who was appointed to the selection committee had agreed to sit on the committee on a voluntary basis. He was opposed to the issuance of an invoice for services rendered in the amount of \$900,00, plus tax, to the municipality. It was highlighted that other committee members, except staff members, received a *per diem* for their participation on the selection committee. Mention was made that this person provided templates and other interview materials, which will be of use in the future.

The vote is recorded as six (6) in favour and one (1) against. Councillors Jacques LeBlanc, Charles LeBlanc, Laura Gallant, André Caissie, Michel Thibodeau and Normand Belliveau vote in favour of the motion. Councillor Ernie O'Brien votes against it. The motion is duly carried.

Request for services – 2011 Relay for Life

The 2011 Relay for Life is being organized at the Parlee Beach provincial park on June 10 and 11. The Relay for Life Organizing Committee has submitted a list of materials and services to the municipality in order to ensure the success of the event. The administrative staff has prepared a report costing out each service required, including labour and publicity. The request for services represents a total amount of \$10,172.

C11-058 Moved by: Normand Belliveau
Seconded by: Charles LeBlanc

That we approve the request from the 2011 Relay for Life.

MOTION CARRIED

Request for services - Sail East 2011

The group is organizing sailing competitions and races from August 4 to 7, 2011 at the Shediac marina. The Organizing Committee has submitted a list of materials and services to the municipality in order to ensure the success of the event. The administrative staff has prepared a report costing out each service required, including labour, publicity and a \$2,000 grant. The request for services represents a total amount of \$4,772.

C11-059 Moved by: Ernie O'Brien
Seconded by: Charles LeBlanc

That we approve the request from Sail East 2011 as presented.

Question: Councillor André Caissie raised concerns about the transportation of boats from the Saint-Pierre and Miquelon Club. The Councillor inquired with the Organizing Committee whether it is prepared to cover these costs, representing \$502.00. Organizers are prepared to accept responsibility for the transportation of these boats.

C11-060 Moved by: André Caissie
Seconded by: Jacques LeBlanc

That the main motion be amended by removing the words "as presented" and by adding the words "for a total amount of \$4,270".

MOTION CARRIED THE MAIN MOTION IS CARRIED

A council member raised the topic of non-compliant signs. A lengthy discussion ensued as to how the issue of non-compliant signs may be resolved. According to a report submitted by Beaubassin Planning Commission staff, 70 non-compliant signs would be posted throughout the municipality's territory. A Councillor expressed the view that the by-laws are very clear in this regard and that they should be enforced. A Councillor thought that the signage situation is very delicate and it may be appropriate to examine the question in detail before taking any measures. The Director of Economic Development and Tourism was mandated to initiate discussions with business owners with a view to identifying a solution that could satisfy both business owners and residents. Mr. Lang was asked to return to Council with suggestions and/or recommendations that may address the issue.

10. INTRODUCTION OF NEW BUSINESS

Space rental at the Rotary Park

Director Paul Land advised that a request for proposals for the rental of space at the Rotary Park will be published in local newspapers in the coming days. A recommendation to Council in this regard will follow.

Hiring process for Town Manager

The Chair spoke to advise that the Mayor intends to form a committee for the purpose of hiring a new Town Manager by June 1, 2011. The committee would be composed of the same members who served on the previous committee: Deputy Mayor Peter Breau, Councillor Laura Gallant, former Town Manager Gérard Belliveau and Ms. Monique Gallie. A Councillor raised the issue of fees. It was suggested that if any fees apply to the hiring process, Council should be notified in advance.

11. INQUIRIES BY MEMBERS OF COUNCIL

Councillor Charles LeBlanc inquired whether Public Works staff will undertake to repair potholes in streets. He mentioned specific problems on Breaux Bridge Street. The Director responded that the work should have already begun.

Councillor Michel Thibodeau raised the issue of the sidewalk at the corner of St.-Joseph Street in front of the former Tobias house. The Director advised that the municipality will need to refer the issue to the municipal solicitor. The Councillor also raised concerns about vehicles parked in the street during winter. He also mentioned the parking problem at the intersection of Main and Hamilton Streets. The Director indicated that he would look into it.

Councillor Laura Gallant inquired whether the municipality had begun the process to hire cadets for the summer. Director Paul Boudreau replied that offers had been posted in appropriate locations. The Councillor would like the Directors to circulate a report at meetings.

Councillor Jacques LeBlanc took the opportunity to congratulate the Department of Operations for its good work repairing faulty water pipes. Since the municipality is in a sound financial position, he proposed that serious consideration be given to the possible installation of a water line circling the territory to ensure proper circulation of drinking water.

12. INTRODUCTION AND READING OF BY-LAWS

1st reading of By-law No. P-11-36

C11-061 Moved by: Ernie O'Brien
Seconded by: Jacques LeBlanc

That By-law No. P-11-36, a by-law adopting the Town of Shediac Municipal Plan, be introduced and be subject to first reading by title.

Question: Councillor Michel Thibodeau raised concerns about the proposed document. He takes issue with the absence of any zone allowing light industry in the new municipal plan.

The vote is recorded as six (6) in favour and one (1) against. Councillors Jacques LeBlanc, Charles LeBlanc, Laura Gallant, Ernie O'Brien, André Caissie and Normand Belliveau vote in favour of the motion. Councillor Michel Thibodeau votes against it. The motion is duly carried.

The Town Clerk undertook first reading by title of By-law No. P-11-36.

C11-062 Moved by: Ernie O'Brien
Seconded by: Jacques LeBlanc

That we accept first reading by title of By-law No. P-11-36.

The vote is recorded as six (6) in favour and one (1) against. Councillors Jacques LeBlanc, Charles LeBlanc, Laura Gallant, Ernie O'Brien, André Caissie and Normand Belliveau vote in favour of the motion. Councillor Michel Thibodeau votes against it. The motion is duly carried.

13. MOTIONS AND RESOLUTIONS

Multipurpose centre building project

C11-063 Moved by: Jacques LeBlanc
Seconded by: Laura Gallant

Whereas programming at the new multipurpose centre requires the use of a mobile stand to ensure the quality of shows and other presentations to be offered;

Whereas staff has researched equipment and concert venues with various organizations;

Whereas the persons in charge of this equipment are in favour of using this type of product.

It is recommended that staff be authorized to purchase a mobile stand, including draperies, barricades, stairs and carts, from Wenger Inc. of Toronto, for the amount of \$19,890.88 plus HST in addition to \$2,093.30 in shipping and handling costs.

MOTION CARRIED

Awarding of contract - Road marking

C11-064 Moved by: Charles LeBlanc
Seconded by: Laura Gallant

Whereas the municipality launched a call for tenders for road marking within municipal boundaries;

Whereas three companies submitted tenders for the said contract: Stripe Works Ltd., for the amount of \$37,775.15 HST included; Northside Pavement Markings Ltd., for the amount of \$20,509.59 HST included; and Four Seasons Sports Ltd., for the amount of \$15,190.48 HST included.

Whereas following analysis of submitted tenders, it is recommended to award the contract to the company having submitted the tender with the lowest bid price.

Be it therefore resolved that contract No. 11-101 be awarded to Four Seasons Sports Ltd. in the amount of \$15,190.48 HST included.

MOTION CARRIED

Multipurpose centre building project

C11-065 Moved by: André Caissie
Seconded by: Michel Thibodeau

Whereas the municipality launched a call for tenders for window treatment at the multipurpose centre;

Whereas only the company Interior Visions of Moncton submitted a tender.

Be it therefore resolved that the contract for window treatment at the multipurpose centre be awarded to Interior Visions in the total amount of \$13,375.76 plus HST.

MOTION CARRIED

Pierre LeBlanc (Jean Coutu drugstore) rezoning – Main Street

C11-066 Moved by: Michel Thibodeau
Seconded by: Normand Belliveau

Whereas Municipal Council amended the Zoning By-law to allow the development of an existing building downtown;

Whereas certain rezoning conditions were stipulated in a development agreement;

Whereas the said agreement requires that the building's architecture and its exterior materials be approved by Council prior to a permit being issued;

Whereas the requisite documents were provided to the municipality.

Be it resolved that Municipal Council approve the exterior materials chosen for the new Jean Coutu drugstore and that its signage respect the bilingual character of our community.

MOTION CARRIED

14. NOMINATIONS TO COMMITTEES - None

15. ADJOURNMENT

Moved by Councillor Laura Gallant and seconded by Councillor Normand Belliveau that the meeting be adjourned at 11:10 p.m.

Peter Breau, Deputy Mayor

Jeannette Bourque, Town Clerk