

## MINUTES OF MAY 11, 2009

### REGULAR MEETING

A regular meeting of Council was held May 11, 2009 at 6:30 p.m. with Mayor Keating presiding. Councillor Lamb arrived later in the meeting. All other members of Council and Administrator/Clerk were present.

#### APPROVAL OF AGENDA

It was moved by Councillor Ayles and seconded by Councillor Wilson that the '*Agenda be approved.*' Motion Carried.

It was moved by Councillor Kitchen and seconded by Councillor Wilson that the '*Motion be amended to approve the Agenda with the addition of the Approval of Previous Minutes.*' Motion Carried.

#### DITCHING - Doug Duff

Doug Duff joined the meeting to discuss ditching. He feels the village is fortunate to have the services of Jason Coyle as Manager of Works. When he built a new home on Larsen Lane he spoke to Jason Coyle about ditching the front to make it more esthetically pleasing and easier to mow. The Manager of Works was not in favour of filling in the ditch and the by-law states he has the final say. I accepted his decision and spent a considerable amount of money hauling fill in order to properly slope the front yard so that it meets the roadway properly. Then I understand the Village in its wisdom, decided that piping ditches may be allowed. I understood the guidelines were being worked on and there may be some parameters to allowing piping of ditches in the village. I have a couple of concerns for Councils consideration. I was told to be allowed to put piping in my ditch I would be required to put in a drain at 90 feet so that it could be accessed. My concern is with people who may try to avoid installing proper drainage by installing small sections of ditching and leaving a small ditch on either end. If the neighbour also decides to do the same thing, suddenly between the two properties there is a two foot space with a four foot ditch. This could be dangerous for young children or pets. Also if properties adjoin each other, to make sure the proper piping is used to connect. If people are allowed to pipe the ditch, it should be the entire property and if the neighbour also wants it done, it should be a shared cost. Another of his concerns is in the event the property is sold. Under the current by-law, the property owner is liable should something happen to that piping. If the property is sold and the subsequent owner is not aware that it exists, they will go after the village. I don't think you could enforce the by-law to a subsequent owner who was unaware. Somehow, there should be something legally showing the responsibility of the homeowners.

Mayor Keating agreed that it is not fair for one person to put in the ditching and not the other. The Manager of Works has the final say as to what can and can't be done. He feels it is not right and not fair that the Village has to pay for other peoples mistakes. A homeowner or contractor who destroys or damages streets of ditches should be made responsible. Mayor Keating thanked Doug Duff for his comments and confirmed that the issue will be discussed further at length and a decision made.

#### RCMP/FIRE DEPARTMENT REPORT

The new S/Sgt Belliveau joined the meeting to introduce himself and meet Council. He gave a little background on himself and his family and explained that he will try to attend a meeting once a month.

Mayor Keating explained that one of Councils concerns for a long while has been the kids hanging around Tom's Corner Store doing illegal activities. Also mentioned, with the summer coming, Council is concerned with the ATV's on the roads and vehicles on the abandon tracks. S/Sgt Belliveau commented that digital photography can be of great use and helpful for the Officers. After some discussion, Mayor and Council thanked S/Sgt Belliveau for attending.

**APPROVAL OF PREVIOUS MINUTES - April 14, 2009, April 27, 2009**

It was moved by Councillor Kitchen and seconded by Councillor Wilson to 'Approve the minutes of April 14, 2009 and April 27, 2009.' Motion Carried.

**MANAGER OF WORKS REPORT**

Driveway Damage - Councillor Best explained that she spoke with Mrs. Ewart about her driveway and wondered if it was ok to give her the pictures that were taken that clearly show it is the driveway plow that caused the damage to her driveway.

Ditching - The Manager of Works explained there was a different set of circumstances for Mr. Duffs request for ditching. There were actually three requests at the same time and my point of view was that the by-law was not clear enough to dictate when approval could or couldn't be granted for ditching. That is why my point of view is to reject any request because the by-law does not state how one was to install the catch basin if they exceeded the distance. Mr. Duff's request was considerably more than ninety feet. Since that time we have progressed with some standards and they are still in the works. It is a work in progress. It is difficult to come up with a good set of standards. Ditching in the village is all we have as far as a storm sewer system. That type of piping is not intended to be in a ditch. These pipes are difficult to maintain for a home owner and for the village. After much discussion on ditching, Councillor Kitchen and Manager of Works will meet with a property owner, who recently placed culverts in their ditch to discuss the standards required.

**Mayor Keating - Office & Buildings**

Salisbury Fire Department - The contract for the roof was awarded to Zenith. Material has been ordered and work will commence in the next couple of weeks.

Summer Students - This is my first year dealing with hiring summer students. Clerk explained that we received one student through SEED for eight weeks and one through the Summer Career Program for twelve weeks. Former students from last summer are interested in working for the Works Department. One student is in university and is ready to go to work. It would be nice to have someone start earlier. After some discussion, Council agreed to hire one student through the Summer Career Program for 13 weeks, one for 8 weeks and one student for the office through the SEED.

**Councillor Kitchen - Transportation**

Fredericton Road Storm Sewer Project - ADI has completed the Topographic Survey and are working on the preliminary design. The Geotechnical investigation began today with the drilling of five bore holes to determine the soil conditions and groundwater elevation. They would like to do a video inspection of the existing sanitary sewer to determine the condition of the main and location of the laterals. There will be some additional cost to do the video inspection. He feels the estimation from DOT is a little lean for the entire project.

Horsman Street Reconstruction - Proposal for engineering design and construction was submitted by ADI Ltd April 15<sup>th</sup>, 2009. Does Council wish to proceed with the reconstruction of Horsman Street? After some discussion, Councillor Kitchen will prepare a motion.

Winter Maintenance - Trent Blakney has agreed to extend the winter maintenance tender contract for two more years.

Street Sweeping & Line Painting - Both activities are scheduled to begin the second week of May. Councillor Wilson explained that a local contractor has the equipment to do the job. He will ask him to come speak with Jason in case the other sweeper falls through.

NB DOT Summer Maintenance - Have not been able to meet with Ray Dorey regarding patching and grading under the summer maintenance agreement. He is not available and has been temporarily

replaced by Brad Carson. Spoke to Bob Seely and he said there was nothing scheduled this week so we are continuing to use cold patching. Mayor and Council feel a call should be made to Ross Fisher.

### **Councillor Ayles - Sewer & Street Lights**

Access Hatch Fall-Through Protection Grating - We received the units on May 7, 2009 and will be installing them as time permits.

Wastewater collection & Treatment System Power Rates - There seemed to be a couple of abnormalities in April billing for Parkin and Hopper lift stations. Trevor is still working on trying to get in touch with someone from NB Power. Some of the problems may have been from underestimating the meter readings in March. It seems that they have changed their rates effective April 1<sup>st</sup>.

### **Councillor Best - Community Planning & Environmental Health**

Hopper Subdivision, Unit 1, Phase 1 - Initial inspection was conducted on April 24 and a list of deficiencies was prepared by Touchie Engineering and passed on to the owner. There hasn't been any work done yet on the deficiencies.

Hilltop Subdivision, Phase III - I was contacted by Stephen Wilbur regarding the execution of a formal grant of easement prepared by NB Power and Aliant for the installation of primary hydro and telephone utilities in this area. Stephen and I are making arrangements for property owners to meet at the Village Office the evening of May 21<sup>st</sup> at 6:30 pm to have the documents signed.

Highland Subdivision, Unit 13 - I spoke with the developer, Todd Coates, today and he wants to proceed with construction in 3-4 weeks time. He has asked if the Subdivision Agreement is ready to be signed. It has been prepared, but I would like to have Councillor Kitchen's approval of the amount retained for the wearing surface.

Ducks Unlimited Project - Adam Campbell took over the project. There has been some concern from residence about the lagoon water level. I spoke to Adam Campbell last week about it and he explained that they dropped the water level to encourage vegetation growth. Once vegetation holds he will increase the water level. Highland Lagoon area is complete, but the level control structures to create wetlands at the polishing pond have been removed, possibly by spring ice flow. They will be need to be repaired. The only thing left to complete is south of the school on Fred Waddy's property.

Meeting - Council agreed to meet with the Manager of Works on Monday, May 25<sup>th</sup> at 1:00 pm.

### **BUSINESS ARISING FROM MINUTES:**

#### Gas Tax Rebate

We received our first cheque today for this year. Council will have to decide what it wants to do with the remainder.

#### Trueman Street

Council received a copy of the email from Stephen Wilbur. If nothing is done before Wednesday, the Mayor will speak with the Solicitor.

#### By-Law Reviews

The agreement with Trites Equipment is ready to be signed. It was moved by Councillor Best and seconded by Councillor Wilson to 'Have the third reading of By-Law 43-4, A By-Law to Amend the Village of Salisbury Zoning By-Law.' Motion Carried. Councillor Best gave the third reading at this time. Mayor signed the agreement. Clerk will get have the agreement registered. Clerk would like to have Dianne or someone else become a Commissioner of Oaths. Council agreed to have the Clerk look into it.

## **CORRESPONDENCE**

**The following items were discussed by Council and remaining correspondence placed on file**

### **AIMS - Annual Report Card on Atlantic Canadian High Schools**

Annual report card on JMA High School. Clerk called about the Municipalities Report and was told there will be further information explaining the report released in a month. If Council still has questions, they are willing to come meet with Council.

### **Environment - Letter to Jonathan Crosby regarding the Heritage Committees Application for Funding.**

Letter in response to the Heritage Committees Application for Funding. They did not receive funding. Council is disappointed as this was a great project. Councillor Best explained that the Heritage Committee met last week and this was discussed. Jonathan is writing an objection.

**Extend Meeting** - It was moved by Councillor Kitchen and seconded by Councillor Best that '*Council extend the meeting.*' Motion Carried.

### **580 Air Marshal Hugh Campbell RCACS -Annual Review**

Invitation from Capt. David Budd to the Annual Review. Everyone is invited to both events, the banquet cost \$5 per person. Mayor and his wife are paid for by the squadron. Mayor Keating will try to attend.

### **Local Government - Gas Tax Rebate**

First payment for 2009 was received today.

### **Sandra Kitchen - Letter of Concern Regarding Amendments for Walkout Basements, Retaining Walls.**

Letter of concern regarding walkout basements and retaining walls. A copy was sent to GMPDC.

### **Email from Nanaimo BC Regarding Baby Doe.**

Clerk gave a copy of this email to Staff Sgt. Belliveau as it mentions the RCMP. The letter states how everyone should be proud of themselves for showing respect for Baby Doe.

### **Email from Sonya Steeves Regarding Outreach Services for Families Affected by Violence.**

Outreach Services for Families Affected by Violence are looking for a space. Council have no problem with them using the building so long as they book the room in advance.

### **Maritime Lumber Bureau - Community Links Program**

Information from Maritime Lumber Bureau on a Community Links Program.

### **GMPDC - Staff Leave of Absence**

Jamie Burke will be taking a leave of absence. It is a very good opportunity for him, but unfortunate for us.

## **MAYOR'S REPORT**

**Meeting** - Attended the Council meeting April 28<sup>th</sup>

**In Camera** - Attended the In Camera meeting with the Fire Department May 3<sup>rd</sup>.

## **COUNCILLOR'S REPORTS**

### **Councillor Lamb**

Meeting - Attended the Council meeting April 28<sup>th</sup>

In Camera - Attended the In Camera meeting with the Fire Department May 3<sup>rd</sup>.

Fundraiser - Attended the fundraiser for Bud Kavanagh and brought greetings and best wishes from the Mayor and Council.

### **Councillor Wilson**

Meeting - Attended the Council meeting April 28<sup>th</sup>

In Camera - Attended the In Camera meeting with the Fire Department May 3<sup>rd</sup>.

### **Councillor Ayles**

Meeting - Attended the Council meeting April 28<sup>th</sup>

UMNB Meeting - Councillor Lamb and I attended the UMNB Meeting in Riverside Albert on May 2<sup>nd</sup>. It was a good meeting. Clerk to ask for minutes of that meeting.

Fundraiser - Attended the fundraiser for Bud Kavanagh. It was quite a community effort. It was packed solid and more people probably would have attended if they could have found a place to park.

Peter Street Parking - The RCMP came in twice to the fundraiser, warning everyone about parking on the no parking side of Peter Street. After the second warning, tickets were going to be given.

Transport for Christ Meeting - I attended the meeting May 9<sup>th</sup>. As you may or may not know, we have that facility here in the village and it is well known across the country.

### **Councillor Best**

UMNB Meeting - Attended the UMNB Meeting in Riverside Albert on May 2<sup>nd</sup>. Unfortunately there was no agenda. I was only expecting the meeting to go until noon and was scheduled to work at 1:00 pm. If I had known it was going to last longer I could have made arrangements.

Heritage Committee - As I said earlier, we had a heritage Committee Meeting and will be writing a letter about the funding request. We also will be looking for funding through Canadian Heritage.

Jonathan Crosby will be again completing the application. Our next meeting is tentatively set for May 18<sup>th</sup>.

### **Councillor Kitchen**

Meeting - Attended the Council meeting April 28<sup>th</sup>

In Camera - Attended the In Camera meeting May 3<sup>rd</sup>.

Winter Maintenance - I also had a meeting with our Manager of Works about the winter maintenance contract. It was moved by Councillor Kitchen and seconded by Councillor Best that *'The Village of Salisbury extend, for an additional two years as per the tender, the winter maintenance contract to the current contractor Trent Blakney.'* Motion Carried.

Paper Depot - A while back I discussed with Council a paper depot. I suspect this person will be running it as a business. It is a good idea to have it, but I don't know if Council would like to discuss available land or rental space. Councillor Ayles would like to discuss this with Bill Slater and he will be meeting with him tomorrow night. He has some concerns.

Horsman Street Design - It was moved by Councillor Kitchen and seconded by Councillor Lamb that *'The Village of Salisbury acquire ADI Ltd for the design of Horsman Street Reconstruction Project for the quoted price of \$19,295 plus HST as outlined in their memo.'* Motion Carried.

Bud Kavanagh Benefit - Councillor Lamb wanted to mention that Judy & The Boys (Includes Judy Ayles and Councillor Ayles) did a fantastic job singing and playing at the fundraiser.

**CLERK'S REPORT**

Fruit Basket - We sent a fruit basket to Wayne Gladstone when he was recuperating and Council received a home made thank you card.

Riverkeepers Membership - The last funding request that we received from the Riverkeepers was for \$1,000. That is not membership fees.

Conference Registration - Clerk gave Council the registration for the conference for them to fill out what sessions they wish to attend.

New Date for Public Hearing - Because the advertising did not get published, a new date for the Public Hearing must be set. It was moved by Councillor Best and seconded by Councillor Wilson to *'Amend the motions of March 23, 2009, changing the date of the public hearing for amendments to the Municipal Development Plan and Zoning By-Law for walk-out basements, retaining walls, erosion protection works and Maritime Cash to June 8, 2009 at 6:30 P.M.'* Motion Carried.

Sears National Kids Cancer Ride - Dianne spoke to Dyson Jones about the event. He did not know much about it, but had agreed to have water and fruit available for the riders. They will be here on June 23<sup>rd</sup> from 6:30-7:30 p.m. They are all professional riders, but if someone wishes to ride along, they can for a minimum donation.

WASWC Representative - Our representatives on WASWC's term is up on August 1, 2009. This is Councillor Ayles second term and he can remain representative for three continuous terms. Councillor Ayles would like to continue. It was moved by Councillor Kitchen and seconded by Councillor Wilson that *'Allan Ayles, our current representative, remain on the board of the WASWC for another three year term.'* Motion Carried. The Annual General Meeting will be May 28<sup>th</sup>. The invitation will be sent soon.

Flowers - Dianne and I would like to thank you for the flowers for Administrative Professionals Week.

Volunteer BBQ - We have a few ideas for gifts. Some options are tote bags, first aid kits and beach towels. Council agreed to hold the BBQ September 12<sup>th</sup> from 11-1, but did not decide what to get for a thank you gift.

**ADJOURN**

It was moved by Councillor Kitchen and seconded by Councillor Wilson to *'Adjourn the meeting.'* (9:30 P.M.)