

TOWN OF NACKAWIC
REGULAR COUNCIL MEETING
FEBRUARY 16, 2021

VIA ZOOM MEETING (COVID-19)

PRESENT: Mayor Kitchen
Deputy Mayor MacFarlane
Councillor Simpson
Councillor Farnsworth
Councillor Toole
Councillor McConaghy

IN ATTENDANCE: Randy Wilson
Dallas Cakes
Stephen McAlinden, RSC 11
Robin Canavan, RSC 11

TO ORDER: Mayor Kitchen called the regular meeting to order at 7:00 pm.

APPROVAL OF AGENDA:

21-17 Motion: Councillor McConaghy
Second: Councillor Farnsworth

“That the agenda be approved with the 2 additions:

-under New Business; add A) 2020 Financial Audit;

-under Closed Session; add D) CAO/FO Job Descriptions.”

Motion carried.

DECLARATION OF CONFLICTS OF INTEREST:

Deputy Mayor MacFarlane declared a conflict under Closed Session, 9. C) The Nursing Home Project.

APPROVAL OF THE MINUTES OF FEBRUARY 1ST, 2021 REGULAR COUNCIL MEETING:

21-18 Motion: Councillor Simpson
Second: Deputy Mayor MacFarlane

“That the minutes of the February 1st, 2021 regular council meeting be approved as presented.”

Motion carried.

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BUSINESS ARISING:

Councillor Simpson asked if Mr. Alward's property was serviced with water.

Randy Wilson stated yes

With Council's permission Mayor Kitchen moved to item 8. A) To the Floor.

TO THE FLOOR:

A) Robin Canavan & Stephen McAlinden, RSC 11

Robin Canavan reported on the Norquay Holdings Subdivision as for the Nackawic Subdivision By-Law per subsection 3. Land for Public Purposes. Robin Canavan stated the Town has 3 options when selling the land: 1) 8% of the area of land that is being subdivided; 2) 8% of the market value of the land that is being subdivided or 3) A combination of part land/part cash. An average price per square metre would be \$12.16 per sq. metre. Based on this information, the market value of similar properties that has been sold in Nackawic in the past year, 3432 sq. metres was sold for \$50,000 and 6769 sq. metres was sold for \$66,000. The Norquay Holdings Ltd. subdivision, which is 4799 sq. metres of land would be \$58,355.84 and 8% of that would be \$4,668.47. It is recommended the Town of Nackawic request an amount of \$4668.47 (8% of \$58,355.85).

Councillor Toole asked where it is commercial property, what would the Town have to do to put it in to residential.

Robin Canavan stated the subdivision plan that is being done, Norquay Holdings Ltd. have also applied for a rezoning of the property.

Councillor Toole stated ok, thank you.

Councillor Simpson asked if the Town has an option of waiving these options.

Robin Canavan stated as per the Town's Subdivision By-Law, there are three options which she has outline in the report, but the Town also has an option of waiving it. The three options information came from what is in the Town's By-Law.

Deputy Mayor MacFarlane asked Robin Canavan to explain the land for public purposes.

Robin Canavan stated most municipalities have something for land called 'public purposes', they are all a little different. For the town of Nackawic, land that is vacant and being subdivided to create new lots, the Town may accept 8% rather than taking land.

Stephen McAlinden stated provincially, all municipalities have this 8%. Most municipalities will take the cash, because they are offered a small portion of land, which

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is not big enough. It is better to take the cash only, rather than taking the small sliver of property.

Mayor Kitchen asked if the Town of Nackawic is responsible for preparing for the driveway and water & sewer hook-up from the Town side.

Stephen McAlinden stated you would have to look at the Town's by-law. There should be a culvert by-law in terms of how much the client should pay for the culvert for the access.

Mayor Kitchen asked if the shoulder would have to be removed as well.

Stephen McAlinden stated yes, the client would be responsible for that as well.

Randy Wilson stated the Town is responsible for getting services to their property line.

Mayor Kitchen stated so there will be a cost to the Town.

Randy Wilson stated yes, the last property that was done, the Town went the least expensive route and it cost the Town approximately \$5000.

Stephen McAlinden stated the Town should review that by-law and have it state that there is no cost to the Town.

Councillor Simpson stated he has some views on this but he would like to discuss it in closed session.

Mayor Kitchen stated the Town has waived the different options in the past. If the developer comes back, to waive the option then.

Stephen McAlinden stated they have run into this situation with other municipalities where they are looking for development. Nackawic is starting to boom and right now is looking at another 3 rezoning's. He cautioned Council on waiving fees because it sets a precedence.

Mayor Kitchen stated they have done it in the past and was wondering what to do.

Councillor Farnsworth stated where it is going to cost the Town \$5000, Council should go with option #2

Mayor Kitchen stated he agrees with her.

Councillor Simpson stated the item he would like to discuss in closed session, may have a bearing on the decision of Council and to make the decision now, they may end up making it anyway. He would like to have the opportunity to express his thoughts on it.

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Mayor Kitchen stated they will discuss it in closed session, then make a decision, and make the motion after, when they move back to regular session.

Mayor Kitchen thanked Robin Canavan & Stephen McAlinden for coming and guiding them on this decision and informed them that Council would like to start the process of the By-Law review.

Stephen McAlinden stated he wouldn't have an issue to meet in person to discuss By-Law review, the Town has a large Council Chambers. Also, the Town has 3 re-zonings coming up, and RSC 11 is being asked to move them quicker. If they were in rural communities it would take 6-8 months, when it comes to Council, you can do this quicker. If Council is open to this, you would still have to go through our process of sending out letters to residents and to advertise which will take 21 to 30 days. It would be great if Council is open to expediate this process. RSC 11 wouldn't support something outside of the Town's municipal plan.

Mayor Kitchen stated he doesn't think anyone on Council would not want to expediate this process.

All of Council agreed.

Deputy Mayor MacFarlane thanked Stephen McAlinden and RSC 11 for all their work for Nackawic and it is positive to hear that Council has made a difference and people are hearing the great things that Nackawic is doing.

Stephen McAlinden & Robin Canavan left the meeting at 7:25 pm.

CORRESPONDENCE:

There was no correspondence.

COMMITTEE REPORTS:

Finance –

Deputy Mayor MacFarlane stated he received several emails from Kathryn Clark regarding the regionalization of the Fire Department and would like to have a meeting and discuss it and have the report ready for the next Council meeting.

Mayor Kitchen stated in the UMNb bulletin, the Town of Nackawic will receive \$6700 from PCAP.

Deputy Mayor MacFarlane asked if Kathryn Clark did our own evaluation on that.

Randy Wilson stated yes, but there was quite a discrepancy with her report and what the

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Town received and he will have it on the agenda for the next finance meeting.

Deputy Mayor MacFarlane stated there was a reason why they went through that exercise and we thought the number was significantly higher.

Mayor Kitchen stated it goes back to show what portion of our property taxes the Town will actually receive.

Councillor Simpson stated speaking with Kathryn Clark today, it would appear, the Town is also going to lose approximately another \$8000 of the unconditional grant.

Mayor Kitchen stated it looks like they are going to balance it out, give the Town more on the tax side and take it out of the unconditional grant.

Library – No report

Protective Services –

FIRE

Mayor Kitchen reported on the minutes of February 9th meeting and asked if there was COVID protocols in place.

Randy Wilson stated yes, it is from the Office of the Fire Marshall.

Recreation –

Councillor Farnsworth stated WeeHawks has started the second round.

Randy Wilson stated the condenser needs some minor repairs and he will take it to the finance meeting and go from there.

Deputy Mayor MacFarlane asked if the \$8000 motion that was passed at the last meeting was for the condenser repair.

Randy Wilson stated no, it is two separate repairs.

Public Works –

Councillor Simpson reported on the minutes of February 4th meeting and stated the three-year term for the two appointed committee members has ended and asked if Council had any issues with proceeding with another three-year term. He will speak to both members and have it ready for the next Council meeting.

All of Council was in agreement to proceed with another three-year term.

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Mayor Kitchen stated there was discussions on purchasing a 1/2-ton truck and trailer.

Councillor Simpson stated yes, it has been an issue for the past 6 months and both departments need a trailer and the truck is not safe to be on the roads.

Mayor Kitchen asked if it was recommended to go out to tender

Councillor Simpson said no, there was no recommendation, there was an agreement that the CAO would continue to look for a suitable truck and trailer. It will be expensive, so it will come back to Public Works committee and/or Council.

Councillor Farnsworth asked if it was budgeted for.

Mayor Kitchen stated he believed it was, but it was taken out.

Randy Wilson stated yes, but it was set aside for those items then ELG asked us to take it out and if we purchase it, and we need money at the end of the year, we can do a transfer.

Mayor Kitchen asked if it should go out to tender.

Randy Wilson stated we are trying to buy something with not a lot of miles on it but haven't found anything yet.

Mayor Kitchen asked should we send out a tender with the specs that you would want on the truck to different dealers.

Randy Wilson stated yes, he has a small write-up he uses when he speaks to dealerships.

Mayor Kitchen stated maybe there should be a rush on it, where the Town is running a truck that has a rejection sticker on it.

Councillor Simpson stated perhaps there should be a tender drawn up for the truck and see what comes forward.

Mayor Kitchen stated if a tender is out there, it might put pressure on the dealerships and if they know they can make a deal they will find a truck.

Deputy Mayor MacFarlane stated he understands the truck is old, why is it coming up now, he doesn't recall it being discussed in the budget.

Mayor Kitchen stated the truck was on there because there needs to be several thousands of dollars in repairs to be road worthy.

Randy Wilson stated yes, that is correct.

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Councillor Toole stated it has a rejection sticker on it that is only good for one month.

Randy Wilson stated the repairs are approximately \$6000 and the truck is not worth a lot to start with.

Mayor Kitchen directed the CAO to write up the tender, send it out to different dealerships and see what comes back.

All of Council was in agreement.

Special Reports –

WELLNESS

Councillor Farnsworth stated the Free Tax Clinic will be starting March 1st and it will be held at the Town Hall with COVID protocols in place. They have offered the service to Canterbury to take advantage of it. She applied for a grant to continue the meal program and they have interest from Meals on Wheels in Fredericton to provide meals in Nackawic. The meals for the essential workers were well received and it is coming to an end.

Councillor Farnsworth stated she received an email from River Valley Sun, community page, and they are asking for the Town's support of \$400, the same as last year, to advertise in the paper.

Mayor Kitchen stated they should write up a request for Council to make a motion.

Councillor Farnsworth stated she will notify them about it.

DNEDC

Deputy Mayor MacFarlane stated they have made a request for funding to run the corporation, unfortunately they haven't had the same response as last year. Their request this year was for \$175,000 and \$75,000 of that was to off set the reduction in revenue through the tax assessment that was reduced again this year. To hear Stephen McAlinden from RSC 11, speak of tonight, about how he feels Council's work is showing benefits to the community, speaks to why they feel we should receive SEED funding to develop the Town's tax base and economy. He asked if Council has any thoughts on how to proceed next. He finds it discouraging when the Town's unconditional grant goes down when we are in the financial shape that we are in and trying to do things differently. After 4 ½ -5 years speaking to government, he is not sure if they are hearing the message.

Councillor Farnsworth asked if they have been refused, or just ignored.

Deputy Mayor MacFarlane stated they haven't gotten a 'no' yet but a lot of none answers and no reply's on emails.

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Councillor Simpson stated he suspect this whole question is still available for Cabinet decision and suspects they have no instruction of what to say and they can't go on their own and promise things.

Mayor Kitchen stated some of these initiatives are working well and asked if DNEDC could submit a report to Council of their financial needs.

Deputy Mayor MacFarlane stated he asked Brent Sansom to have a look at the budget and he will have him make a presentation at the next Council meeting.

Chief Administrative Officer's Report

Randy Wilson stated:

- he attended a meeting with the Glenn Group and Lonnie Forbes (RSC 11) to get Lonnie up to speed with the waterfront project.
- he attended meetings with SurTek and members of the DNEDC to discuss the sub-division plan up by the middle school.
- the Town received \$51,085 from the COVID restart program to aid with expenses incurred on revenue lost as a result of COVID.
- he attended a meeting with Cummings Contracting concerning the waterfront project and the middle school property. He just provided information and they would like to meet with members of Council or the Corporation to advance this discussion.
- he has been working with Dillon with regards to the trickle filter. The plan is to apply to the bi-lateral for funding. We will also apply for a debenture. We will add the point of sale/washroom facility and the septic field to the bi-lateral application. The septic field will also be part of the debenture. He has been working with Dillon, Cummings Contracting and Riverbend to complete the applications.
- he is looking for guidance from Council on whether to proceed with the condenser replacement through RDC.
- the Town has been asked to take part in Census studies on the arena and Town Hall.
- he has been asked to take part in Zoom meetings regarding Climate Action Planning.
- he has set up a meeting with Ginger Agency to discuss service contracts with our website for Wednesday, February 17th.

Councillor Farnsworth asked if the Town has heard anything else back from Simon Mitchell and the study they were doing.

Randy Wilson stated no, he hasn't.

Councillor Farnsworth stated she will send him an email.

Mayor's Report

Mayor Kitchen reported that:

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-he attended the UMNB – Municipal Reform for Zones 3 & 6. The Town should submit a report on what we think should happen and he will forward it to UMNB because they are lobbying on behalf of all municipalities.

Councillor Simpson asked if Council agreed at the last meeting, to have a report ready, that represents our position.

Mayor Kitchen stated it was discussed that Council would think about what we wanted but Council can now sit down and put the presentation together to be sent off.

Councillor Simpson stated the document should be very well written so it will gather their attention, also, Council should be able to make suggestions.

Deputy Mayor MacFarlane stated Council has spend a lot of time on this whole topic over the last 5 years and now we are going into municipal reform. He asked if Council should hire someone to help with this document and when is the deadline for submission?

Mayor Kitchen stated Council does not have the time to hire someone.

Deputy Mayor MacFarlane asked if Council should ask Brent Sansom to write up the report.

Mayor Kitchen stated he was going to suggest Councillor Simpson what his thoughts were.

Councillor Simpson stated Council could easily put together the topics that need to be mentioned and possible give it to Brent Sansom or someone else who is a professional writer to put it together, in a way, that government is used to receiving.

Deputy Mayor MacFarlane stated he suggested Council should ask Brent Sansom to lead this.

Councillor Farnsworth stated he is also familiar with the information and what is happening, that way you don't have to re-introduce it.

Deputy Mayor MacFarlane stated yes, and asked Councillor Simpson if he would speak to Brent Sansom to do this or he could.

Councillor Simpson stated he can speak to him about it.

Mayor Kitchen thanked Councillor Simpson for doing this.

NEW BUSINESS:

A) 2020 Financial Audit

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21-19 Motion: Councillor Farnsworth
Second: Councillor McConaghy

“That Nackawic Town Council move to engage Shannon & Buffett, LLP of Fredericton NB, to complete a Financial Audit of the financial statements of the Town of Nackawic, including those of Destination Nackawic Economic Development Corporation (DNEDC) for the period ending December 31, 2020. The proposed audit fee is set at \$9,900.”

Motion carried.

21-20 Motion: Councillor Farnsworth
Second: Councillor McConaghy

“That Council move to Closed Session.”

Motion carried.

Mayor Kitchen informed Councillors, before they moved to Closed Session, make sure there wasn't anyone else in the room with them during the session.

Council moved to Closed Session at 8:08 pm and Dallas Cakes left the meeting.

CLOSED SESSION:

- A) Municipal Reform Discussion
- B) Waterfront Project
- C) The Nursing Home Project
- D) CAO and FO Job Descriptions

Deputy Mayor MacFarlane left the meeting at 8:40 pm before nursing home discussions.

21-21 Motion: Councillor Simpson
Second: Councillor Farnsworth

“That Council move back to regular session.”

Motion carried.

Council moved back to regular session at 8:50 pm.

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Land for Public Space

21-22 Motion: Councillor Farnsworth
Second: Councillor Toole

“That Nackawic Town Council move to adopt the recommendation from RSC 11 with regards to Norquay Holding Ltd., Proposed Subdivision, that a sum of money up to 8% of the market value of the land – in this case \$4668.47 (8% of \$58,355.84) be the amount levied to said property. Please make reference to the Town of Nackawic Subdivision By-Law as per section 3 – Land for Public Purposes.”

Motion carried.

D) Job Descriptions: 1) The Chief Administrative Officer (CAO) / Town Clerk and 2) Chief Financial Officer / Assistant Town Clerk

21-23 Motion: Councillor McConaghy
Second: Councillor Farnsworth

“That Nackawic Town Council adopt the recommendation of the Human Resource Committee to accept the revisions to the job responsibilities of both the Chief Administrative Officer (CAO)/Town Clerk and the Chief Financial Officer/Assistant Town Clerk.”

Motion carried.

21-24 Motion: Councillor Simpson
Second: Councillor McConaghy

“That the meeting be adjourned.”

Motion carried.

The meeting adjourned at 8:57 pm.

Ian Kitchen
Mayor

Randy Wilson
CAO