



TOWN OF SAINT ANDREWS
REGULAR COUNCIL MEETING
MINUTES

November 22, 2023, 7:00 p.m.
W.C. O'Neill Arena Complex Council Chambers

A. RECORDING OF ATTENDANCE

A Regular Meeting of the Town of Saint Andrews Council was held on Wednesday, November 22, 2023, at 7:00 p.m. p.m. with the following members present:

Mayor Brad Henderson, Councillors Mark Bennett, Kurt Gumushel, Lee Heenan, Jamie Hirtle, Steve Neil, and Darrell Weare.

Chris Spear, CAO/Treasurer.

Electronic Attendance - Councillor Marc Blanchard, and Paul Nopper, Senior Administrator.

Absent - Deputy Mayor Kate Akagi and Councillor Annette Harland.

B. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION

C. APPROVAL OF AGENDA

Motion: 391 - 11/23

Moved by Councillor Bennett

Seconded by Councillor Heenan

That the Agenda for the 231122 Regular Council Meeting be approved as presented.

7 – 0

Carried

D. DISCLOSURE OF CONFLICT OF INTEREST

- 1. Councillor Hirtle - Curbside Waste Collection Contract Renewal for 2024 - FA231117**

E. PRESENTATIONS

- 1. James Geneau, Saint Andrews Civic Trust Presentation on Proposed Study for the Courthouse**

Mr. James Geneau and Mr. Ken Beaubien presented on behalf of the Saint Andrews Civic Trust on a proposed 12-month study to provide Council with options for the reuse of the Courthouse and Commons. It was noted that this property is a National and Provincial Historic Designated site. It is a part of the heritage fabric of the community with a large green space, judicial history, and has been used as a community space. This is one of the oldest Courthouses in Canada and the oldest in Atlantic Canada. The Saint Andrews Civic Trust just celebrated its 50th Anniversary and has a long history of being a resource for the community as it relates to heritage properties, for example, the Pendlebury Lighthouse on Patrick Street. There

are current challenges with the Courthouse and Commons including the grand space that is greatly underutilized. We would like to present a proposal that will connect us with financial and sustainable viability for success. This is a major focal point in the community that has the opportunity to link 6 other National Historic sites in Town. We are a heritage Town with a tremendous asset that can support tourism, business, and the local community. There is an opportunity to build on the success of Water Street with the Courthouse as a hub for the community. We see the opportunities that this can be a central part of tourism opportunities including attractions, heritage, and events. There are 128 Federally registered historic places in Saint Andrews. The Courthouse is almost geographically centred in the community and has the original Town Square. Positioning makes it an ideal place for an expanded venue for Indulge, Sparkle By-the-Sea, Christmas By-the-Sea, and Paddlefest. The underused Commons could be the front yard for many Saint Andrews residents who live in apartments or have small to limited greenspace. This is a great gathering area for the community to congregate, network, etc. We have provided an outline of a 12-month study for Council. As volunteers we need this time to be able to adequately review and provide Council with options for success. We want to leverage our resources to create a fiscally sound and independent option for the Courthouse's long-term preservation and then report back to the Town. The 12-month timeline also allows us to review granting opportunities and align with other levels of government based on their fiscal year cycles. Sustainability will look at three things, restoration, ongoing maintenance, and enhancements to make it a better experience. We will also provide Council with a series of potential funding sources. Key deliverables will include updates on the progress of our study, recommendations for future ownership processes, options for usage for tourism and locals, recommended funding vehicles to limit the impact on the taxpayer, and sustainability. Our hope is that this report can give guidance to Council and see the execution of the proposal in action by 2025.

Council thanked Mr. Geneau and Mr. Beaubien for the presentation on behalf of the Saint Andrews Civic Trust. Council noted concerns about a 12-month timeline as Council plans budgets for 2025 in September. Council also had concerns if the report is not completed by early fall 2024, that this could be a 2026 process which runs into an election cycle. Council noted that we can touch base in Quarter 2 and Quarter 3 to look at recommendations that could come forward to Council prior to the development of the 2025 budget. Mr. Geneau noted that we will meet after each Quarter to report back to Council on the processes and can give Council recommendations confidently by the fall of 2024. We want to provide consultation and updates with the Town. We see the partnership with the Town and want to engage the rest of the Town in this. See a strong partnership in this but it is up to Council on how they would like to be consulted and informed. Council noted that they liked the thoughts of the Commons area and how it can be a community gathering area and were glad it was highlighted in the proposal. Council was supportive of the initiative. A motion will be brought forward at the next Council Meeting to formalize the proposal.

- F. APPROVAL OF THE MINUTES OF PREVIOUS MEETING**
- G. COMMUNICATIONS**
- H. STAFF REPORT/FINANCIAL REPORT**

I. INTRODUCTION, CONSIDERATION AND PASSING OF BY-LAWS AND MOTIONS

1. Finance & Administration - Deputy Mayor Akagi

1. By-Law No. 23-06, A Procedural By-Law for the Organization and Operation of the Council of Saint Andrews, FA231017

Read by Mayor Henderson for First Reading by title.

Motion: 393 - 11/23

Moved by Councillor Bennett

Seconded by Councillor Neil

That the Council of the Town of Saint Andrews grants leave for the First Reading to By-Law No. 23-06, A Procedural By-Law for the Organization and Operation of the Council of Saint Andrews.

7 – 0

Carried

2. Union of Municipalities of New Brunswick Motions for Conference 2023, FA231122

Council discussed the motions that are to be presented at the UMN Conference in 2023. Mr. Spear commented that all the motions are good options and the meaningful reserves would be a good one and would be nice to see an increase from 5%. The housing motion is good. At the end of the day, the motions can be supported. Council will have the opportunity to discuss these motions at the conference. Council reviewed the motions for concerns with a discussion of downloaded services and the funding contributions with maximums to the Regional Service Commissions. It was noted that with the designated highways motion U-23-08, we should see an increase in both operational funding and capital funding so we can incorporate them into our asset management plans. There has been limited funding for the entire province. It would help with the predictability of funding and planning. Council noted that they did not want to limit the voting opportunities in the event of changes at the UMN Conference and thus Council moved to table the motion.

Motion: 394 - 11/23

Moved by Councillor Bennett

Seconded by Councillor Heenan

That the Council of the Town of Saint Andrews supports the following motions for the Union of Municipalities of New Brunswick Conference 2023:

- *U-23-01 Meaningful Reserves – Grand Bay-Westfield.*
- *U-23-02 Removing Barriers to Housing: Regulation 81-126 – Grand Bay-Westfield.*
- *U-23-03 Removing Barriers to Housing: Environmental Impact Assessment – Grand Bay-Westfield.*
- *U-23-04 Short-Term Rentals – New Maryland.*
- *U-23-05 RSC Social Focus Mandate – Quispamsis.*
- *U-23-06 Municipal Land Grants – Zone 4.*
- *U-23-07 Cellphone Service – Champdoré.*
- *U-23-08 Designated Highways – Grand Bay-Westfield and Tantramar.*

- *U-23-09 Moratorium on Regional service Commission Cost Increases – Zone 3.*
- *U-23-10 Removal of PST/HST on New Apartment Construction – Board of Directors.*
- *U-23-11 New Revenue Tools for Municipalities – Board of Directors.*

Amended

Motion: 395 - 11/23

Moved by Councillor Neil

Seconded by Councillor Heenan

That the Council of the Town of Saint Andrews tables the following motions for the Union of Municipalities of New Brunswick Conference 2023:

- *U-23-01 Meaningful Reserves – Grand Bay-Westfield.*
- *U-23-02 Removing Barriers to Housing: Regulation 81-126 – Grand Bay-Westfield.*
- *U-23-03 Removing Barriers to Housing: Environmental Impact Assessment – Grand Bay-Westfield.*
- *U-23-04 Short-Term Rentals – New Maryland.*
- *U-23-05 RSC Social Focus Mandate – Quispamsis.*
- *U-23-06 Municipal Land Grants – Zone 4.*
- *U-23-07 Cellphone Service – Champdoré.*
- *U-23-08 Designated Highways – Grand Bay-Westfield and Tantramar.*
- *U-23-09 Moratorium on Regional service Commission Cost Increases – Zone 3.*
- *U-23-10 Removal of PST/HST on New Apartment Construction – Board of Directors.*
- *U-23-11 New Revenue Tools for Municipalities – Board of Directors.*

7 – 0

Carried

3. 2024 Town of Saint Andrews Budget, FA231123

Council reviewed the 2024 budget and had further discussions as it relates to the Recreation Department's request for an outdoor movie theatre system and the proposed video sign for the arena area. CAO Spear noted that the movie theatre has been deferred to 2025 for consideration and that the video sign for the arena was still in the budget as Council wanted to discuss it further and did not remove it from the budget considerations. Councillor Weare brought up concerns regarding Bayside and Chamcook paying for highway costs versus the residents of Saint Andrews contributing only to the Public Works Department for streets. Councillor Weare noted that everyone uses the highways to get to and from Saint Andrews but the rural residents are paying the major cost for the upkeep. There was concern from a rumour regarding the Province's potential increase in the road portion of the mill rate in 2024. CAO Spear noted that he had not heard anything regarding a road mill rate increase but would investigate. CAO Spear also noted that a mill rate change to roads would need to be presented as part of the provincial process

for budgets with municipalities and this has not been brought forward. Councillor Weare also commended CAO Spear on the creation of the 2024 budget and the processes behind it. He noted that we do not have a budget officer and there are a lot of priorities that CAO Spear handles on a daily basis, and any additional support to help him offset some of his time would be welcomed. Council agreed that the budget process was well presented, developed, and debated. Council thanked staff for all their hard work in this process and understood that additional support is needed for staff.

Motion: 396 - 11/23

Moved by Councillor Bennett

Seconded by Councillor Heenan

That the Council of the Town of Saint Andrews approves the 2024 General Operating and General Capital Budget for the Town of Saint Andrews, as well as the projections for the same for 2025 – 2028 be approved;

And that, the 2024 General Operating Fund Budget totals \$7,657,668 including a Tax Warrant of \$6,261,554 on a mill rate of \$1.1178 for each \$100 assessment for Saint Andrews and on a mill rate of \$0.5562 for each \$100 assessment for Bayside and Chamcook. Council orders and directs the levying by the Minister of Local Government of said amounts on Real Property liable to taxation under the Assessment Act within the Town of Saint Andrews. And that, the General Capital Project 2024 Budget be funded by \$968,852 from the General Operating Fund, \$1,685,000 from long-term borrowings, \$2,632,433 from Government Grants, and \$439,715 from the General Capital Reserve Fund.

Amended

Motion: 397 - 11/23

Moved by Councillor Bennett

Seconded by Councillor Heenan

That the Council of the Town of Saint Andrews amends the 2024 General Operating and General Capital Budget for the Town of Saint Andrews, as well as the projections for the same for 2025 – 2028 be approved;

And that, the 2024 General Operating Fund Budget totals \$7,657,668 including a Tax Warrant of \$6,261,554 on a mill rate of \$1.1178 for each \$100 assessment for Saint Andrews and on a mill rate of \$0.5562 for each \$100 assessment for Bayside and Chamcook. Council orders and directs the levying by the Minister of Local Government of said amounts on Real Property liable to taxation under the Assessment Act within the Town of Saint Andrews. And that, the General Capital Project 2024 Budget be funded by \$958,312 from the General Operating Fund, \$1,685,000 from long-term borrowings, \$2,632,433 from Government Grants, and \$440,255 from the General Capital Reserve Fund.

7 – 0

Carried

Motion: 389 - 11/23**Moved by Councillor Bennett****Seconded by Councillor Heenan**

That the Council of the Town of Saint Andrews approves the amended 2024 General Operating and General Capital Budget for the Town of Saint Andrews, as well as the projections for the same for 2025 – 2028 be approved;

And that, the 2024 General Operating Fund Budget totals \$7,657,668 including a Tax Warrant of \$6,261,554 on a mill rate of \$1.1178 for each \$100 assessment for Saint Andrews and on a mill rate of \$0.5562 for each \$100 assessment for Bayside and Chamcook. Council orders and directs the levying by the Minister of Local Government of said amounts on Real Property liable to taxation under the Assessment Act within the Town of Saint Andrews. And that, the General Capital Project 2024 Budget be funded by \$958,312 from the General Operating Fund, \$1,685,000 from long-term borrowings, \$2,632,433 from Government Grants, and \$440,255 from the General Capital Reserve Fund.

7 – 0**Carried****Motion: 399 - 11/23****Moved by Councillor Bennett****Seconded by Councillor Heenan**

That the Council of the Town of Saint Andrews approves the 2024 Utility Operating Fund Budget consisting of a total revenue of \$1,172,990 and total expenditures of \$1,172,990.

And that, the Utility Capital Projects for the 2024 Budget be funded by \$295,061 from the Utility Operating Fund and \$19,989 from the Utility Capital Reserve Fund.

7 – 0**Carried****4. Curbside Waste Collection Contract Renewal for 2024 - FA231117**

Councillor Hirtle left the room due to a conflict of interest at 8:12 p.m.

Councillor Hirtle returned to the meeting at 8:14 p.m.

Council noted that this is a significant increase in the collection rate and that the Regional Service Commission is going to investigate further into the development of a regional collection strategy under their services.

Motion: 400 - 11/23**Moved by Councillor Bennett****Seconded by Councillor Heenan**

That the Council of the Town of Saint Andrews approves the 2024 Residential Garbage Contract with Southern Sanitation Limited be renewed for 1 year at a rate of \$7,944.95 per month plus HST.

6 – 0**Carried**

2. Public Works - Councillor Blanchard

1. Proclamation for Nature Canada Restoring and Protecting 30% of our Oceans by 2030, PW231115

Council debated the support of the Proclamation for Nature Canada. Some Councillors were not in favour of the proclamation, some in favour, and some neutral. Concerns surrounded the lack of consultation on the processes moving forward and the caution of the economic impacts the protection mechanisms can have. It was noted that the processes of consultation and decisions on the protections are done by the federal government and that Nature Canada is advocating for the federal government to continue this process. Council noted as consensus could not be identified for this motion, that a motion to table should be brought forward.

Motion: 401 - 11/23

Moved by Councillor Blanchard

Seconded by Councillor Hirtle

That the Council of the Town of Saint Andrews supports the Proclamation for the Nature Canada's Restoring and Protecting 30% of our Oceans by 2030.

Amended

Motion: 402 - 11/23

Moved by Councillor Heenan

Seconded by Councillor Blanchard

That the Council of the Town of Saint Andrews tables support for the Proclamation of the Nature Canada's Restoring and Protecting 30% of our Oceans by 2030.

5 – 2, Nay Councillor Blanchard and Neil

Carried

2. Canada Community Build Fund for Repairs to Dock Road in Chamcook, PW231119

Motion: 403 - 11/23

Moved by Councillor Blanchard

Seconded by Councillor Bennett

That the Council of the Town of Saint Andrews approves the use of the Canada Community Build Fund for 2023 to allocate \$15,000.00 to conduct repairs to Dock Road in Chamcook.

6 – 1, Nay Councillor Neil

Carried

3. Public Safety - Councillor Neil

4. Business, Tourism, Heritage and Culture - Councillor Hirtle

5. Recreation and Community Services - Councillor Gumushel

6. Planning & Economic Development - Councillor Heenan

1. By-Law No. 23-05, Subdivision By-Law, PED231010

Read by Mayor Henderson for First Reading by title.

Motion: 392 - 11/23

Moved by Councillor Heenan

Seconded by Councillor Hirtle

That the Council of the Town of Saint Andrews grants leave for the First Reading to By-Law No. 23-05, Subdivision By-Law for the Town of Saint Andrews.

7 – 0

Carried

J. NEW BUSINESS

K. QUESTION PERIOD

L. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

Councillor Weare - I think every Councillor got my email about the Planning Advisory Committee decision on the Cannabis business in the downtown. I have spoken to Mr. Henderson at the Planning Commission and studying Sections 120 of the Community Planning Act about appealing the decision for the Planning Appeals Board. I have spoken to members of the public who are willing to get petitions and submit them to the Appeals Board. As a Councillor I do not feel comfortable doing it myself but wanted to make the Council aware that there is a process residents may pursue. Most people did not know about the decision and the appeals process, which needs to be done within 10 days of the decision.

Mayor Henderson - Noted that he has heard from several members of the public on the concerns of the Cannabis business.

Councillor Heenan - Reflecting on the discussion brought forward by Councillor Weare, I know that there are people who are not supportive of the decision, but it is a Planning Advisory Committee decision and not Council. It is a buzz of conversation in the community.

Councillor Heenan - I am getting good positive feedback on the dog park and some negative but overall it is a good venue and appreciated by the community.

M. MAYOR'S COMMENTS

Mayor Henderson - Wanted to thank staff for all the work done on the budget. It is greatly appreciated by Council. You do make it easy to understand with different levels of understanding but you make it so everyone is engaged in the process. I do want to recognize this Council in recognition of the budget process under Local Governance Reform. Council spoke on the needs for their Wards and as a whole of the community. We looked for the greater good and everyone needs to be recognized for speaking up for residents and continuing to see the bigger picture. It went far easier and cohesive than I thought it would.

N. CLOSED SESSION

Motion: 404 - 11/23

Moved by Councillor Bennett

Seconded by Councillor Heenan

At 8:26 p.m. that the Council moves into Closed Session as per the Local Governance Act, Section 68(1)(d) the proposed or pending acquisition or disposition of land.

7 – 0

Carried

Motion: 405 - 11/23

Moved by Councillor Neil

Seconded by Councillor Gumushel

At 8:41 p.m. that Council returns to open session.

7 – 0

Carried

O. ADJOURNMENT

Motion: 406 - 11/23

Moved by Councillor Bennett

Seconded by Councillor Neil


At 8:42 p.m. that the meeting be adjourned.

7 – 0

Carried



Brad Henderson, Mayor


Paul Nopper, Clerk - Senior
Administrator