



TOWN OF SAINT ANDREWS
REGULAR COUNCIL MEETING
MINUTES

December 2, 2024, 6:30 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 Monday, December 2, 2024, at 6:30 p.m. with the following members present:

Deputy Mayor Kate Akagi, Councillors Mark Bennett, Kurt Gumushel, Annette Harland, Lee Heenan, Jamie Hirtle, Steve Neil, and Darrell Weare.

Chris Spear, CAO/Treasurer and Paul Nopper, Clerk - Senior Administrator.

Electronic Attendance: Mayor Brad Henderson

Absent: Councillor Marc Blanchard

B. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION

C. APPROVAL OF AGENDA

Motion: 393 - 12/24

Moved by Councillor Heenan

Seconded by Councillor Hirtle

That the Agenda for the 241202 Regular Council Meeting be approved as presented.

Amended

Motion: 394 - 12/24

Moved by Councillor Weare

Seconded by Councillor Bennett

That the Council of the Town of Saint Andrews adds under New Business a discussion on the appointment of a Municipal Engineer.

8 – 0

Carried

Motion: 395 - 12/24

Moved by Councillor Heenan

Seconded by Councillor Hirtle

That the Amended Agenda for the 241202 Regular Council Meeting be approved as presented.

8 – 0

Carried

D. DISCLOSURE OF CONFLICT OF INTEREST

1. **Deputy Mayor Akagi - Community Assistance Grant Requests Over \$3,000 for the 2025 Budget, FA241128**

E. PRESENTATIONS

1. **Chris Spear, CAO/Treasurer Presentation on the 2025 Town of Saint Andrews Budget**

CAO Spear presented the 2025 Town of Saint Andrews General and Operating Fund Budgets for Operations and Capital.

F. APPROVAL OF THE MINUTES OF PREVIOUS MEETING

1. **Minutes of the 241104 Regular Meeting of Council Monday, November 4, 2024, 6:30 p.m.**

Motion: 396 - 12/24

Moved by Councillor Harland

Seconded by Councillor Heenan

That the Minutes of the 241104 Regular Council Meeting on Monday, November 4, 2024, at 6:30 p.m. be adopted.

8 – 0

Carried

2. **Minutes of the 241112 Special Council Meeting Tuesday, November 12, 2024, 6:00 p.m.**

Motion: 397- 12/24

Moved by Councillor Gumushel

Seconded by Councillor Hirtle

That the Minutes of the 241112 Special Meeting of Council on Tuesday, November 12, 2024, at 6:00 p.m. be adopted.

8 – 0

Carried

3. **Minutes of the 241118 Regular Council Meeting Monday, November 18, 2024, 6:30 p.m.**

Motion: 398 - 12/24

Moved by Councillor Gumushel

Seconded by Mayor Henderson

That the Minutes of the 241118 Regular Council Meeting on Monday, November 18, 2024, at 6:30 pm. be adopted.

8 – 0

Carried

G. COMMUNICATIONS

- H. **STAFF REPORT/FINANCIAL REPORT, PWPS241204, PWPS241206, RE241201, PWPS241203, RE241203, PCD241201, PWPS241205, PWPS241202, FA241221, FA241222, RE241204**

Motion: 399 - 12/24

Moved by Councillor Gumushel

Seconded by Councillor Harland

That Council accepts all the Staff Reports and Financial Reports as presented.

8 – 0

Carried

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

1. Finance & Administration Committee - Deputy Mayor Akagi

1. Community Assistance Grant Requests Over \$3,000 for the 2025 Budget, FA241128

Deputy Mayor Akagi left at 7:11 p.m.

Deputy Mayor Akagi returned at 7:24 p.m.

Councillor Bennett - Giving out \$40,000 in grants for a town of 3000 is excessive when we have increased debt loads and borrowing more funding. We are taking \$40,000 from our tax base and giving it away, but borrowing more than that to cover off other issues. I feel that this is wrong and the requests specifically for Katy's Cove Inc. of \$15,000 are excessive. I believe that makes the Town a benefactor. I do not believe this is charity. I believe that is making us a benefactor and the taxpayers should not be a benefactor. For these reasons I will not support this motion.

Councillor Weare - I want to question one item, and it is to do with the \$15,000 contribution to Katy's Cove Inc. Not sure if this is an economic development initiative for the tourism industry or a social program for the Town. Certainly, the Local Governance Act does have a requirement that for Economic Development Grants, we do have a requirement that we be provided with an annual report containing financial information from them on the grant and how it was spent and the finances of the organization. Have we received that from Katy's Cove Inc.?

CAO Spear - They presented and provided documentation of their finances and budget for next year back in October. We can supply that again.

Councillor Harland - I appreciate Councillor Bennett's perspective in terms of the fact that the \$40,000 is a significant amount of money for us as a small municipality, however, I also think that we as a Council have a responsibility to assist our community in growing and in establishing opportunities for our residents and organizations to develop the services that they are providing. I was amazed at the work that they were doing and the presentations that they provided us. We are a small town of 3000 people, and the amount of volunteer hours is incredible. While I appreciate that the \$40,000 is a significant amount of money, I am pleased we are able to find it in our budget to support these organizations.

Councillor Weare - I just want to make a general statement with respect to \$40,000. We heard a presentation by the CAO that we are falling behind, we are pushing capital projects ahead. There will be a time that we will be in financial difficulty if we do not start acting in a more fiscally responsible manner and start setting aside money, or start spending it on some of our infrastructure that we are going to get to the point, where some other municipalities in this province, were in dire straits. This has been going on for a number of years and it cannot go on forever. We are not a provincial or a federal government that can run deficits. We must have a balanced budget. Eventually water mains and street paving and other infrastructure are

going to catch up with us. A previous Council had decided to spend \$1.5 million on paving. We do not come anywhere near it. When is this all going to suddenly collapse on us? I am not against any of the grants specifically, but we need to become much more prudent and more fiscally responsible in how we administer the Town's finances.

Councillor Heenan - Councillor Weare brings up a point about being fiscally responsible. I believe investing money into the Town and into some of these organizations is really being perfectly fiscally responsible because it allows us to grow as a town. It allows us to keep our programs going. It allows us to keep residents living here. We are talking \$40,000, so \$0.005 on our mill rate to make sure that clubs and organizations stay in this town. I really feel that this is being responsible.

Motion: 400 - 12/24

Moved by Councillor Heenan

Seconded by Councillor Neil

That the Council of the Town of Saint Andrews approves the following Community Assistance Grants for 2025 for funding requests over \$3,000.00:

- *Charlotte County Transportation Dial-A-Ride - \$3,000.00 and up to \$5,000.00 if Eastern Charlotte or the Municipal District of St. Stephen matches a \$5,000.00 donation.*
- *Katy's Cove Inc. - \$15,000.00 plus additional Town support for garbage collection, grass cutting, and minor maintenance.*
- *Big Brothers Big Sisters of Charlotte County - \$2,000.00 to support the Propel Program.*
- *Sunbury Shores - \$2,000.00 to support heat pump repairs.*
- *St. Croix Blades - \$500.00 to help with bridge funding.*
- *St. Andrews Pickleball - \$1,000.00 to help with rental costs.*
- *Vincent Massey Elementary School - \$2,000.00 plus in-kind support from Public Works for the development of an outdoor classroom space along Carleton Street.*

6 – 2, Nay Councillors Bennett and Weare

Carried

2. 2025 Town of Saint Andrews Budget, FA241220

Councillor Bennett - Going back to being fiscally accountable at this time I feel that I cannot support this budget as presented. Councillor Weare brought up over the past couple of months quite well and asked for discussions on fiscal accountability; what we call the buckets. Even though we moved to a model where now Bayside and Chamcook pay 1/3, Town pays 2/3, I do not disagree with that formula. However, associated costs with services such as Town water and Public Works, are very singular and really only pertain to the Town. Yet all the administration of it is shared by everyone on this. For example, Town Office, expense of \$1.8 million so therefore \$600,000 gets billed out to Bayside and Chamcook. That would be great if we received all the same services, however we do not. We fall far short of those services. I have brought up the roads and services in Bayside and Chamcook and the poor services we are receiving from DTI, and here we are now almost exactly two years

from the start, and we have not even had a meeting with DTI. Bayside and Chamcook services are lacking, and I do not believe that we are receiving fair and just representation by that Town Office or by this Council. I am not blaming Town Staff or the Council for the poor services we are receiving from DTI. If we are not pro-active, if we are not fighting, if we are not out there raising a stink about it, then our services will just continue to diminish. This medical clinic that we are sitting in right now that is just adjacent to us is a beautiful building and it is a wonderful testimony to what the Town can do. The fact that they were given \$500,000 for a grant to build the medical facility but that also left a debt of \$500,000 that the Town pays for in debt. Debt that is spiraling out of control. I brought up earlier about how St. George gives \$20,000 for their grants and they are 4 times our population and 10% more of a tax base than us. Just like they pay \$20,000 for their grants, they give \$20,000 towards their medical clinic. If we gave free housing to our medical clinic here it would equal out to be far more than \$20,000. On top of that we pay \$87,000 towards most of the expenses of that medical clinic. That is \$87,000 that I do not believe is fair that the taxpayers should be subsidizing this medical clinic to the point that it is. That \$87,000 is contributing to the overall debt that we are going to bring forward this year and next year and every other year until we do something about it. I am not saying that we do not need a medical clinic, I am not saying that it is not a valuable thing for the community. However, paying \$87,000 of expenses on top of giving them free housing is excessive especially when most people do not have access to that medical clinic. I have also already brought up about being a benefactor for Katy's Cove Inc. I am not saying that they and every other thing that was brought up are not valuable to the community. There are wonderful things that these community groups do, however again there is a big difference I see from being a community grant of a thousand or two thousand dollars for a community group and being a benefactor of tens of thousands of dollars like Katy's Cove Inc. I do not believe that this Council should be creating more debt that is going to be carried forth in Councils to come because of that money that we are borrowing. The Tourism Accommodation Levy, on a reoccurring basis now we are collecting approximately \$500,000 in the Tourism Accommodation Levy, however Council decided in the past that 1/3 of the money would come to Council to be spent on things that we need and 2/3 would go to Explore St. Andrews. That half a million dollars if it were spent on all the items in town that pertain to tourism then the people who live in Bayside, Chamcook and Saint Andrews would not be borrowing more money and being taxed to provide those tourist services. I do believe that the Tourism Accommodation Levy should be paying for the services that are directly related to tourism in the community and if we did so, then it would be much fairer for the residents who have nothing to do with tourism. Fiscal responsibility is something that is important. The debt is spiraling out of control and the only way to solve that issue with debt is if we tackle it; if we get tough with the numbers and we start spending our money very fiscally responsible. And for those reasons as the way the budget sits right now I will not support it.

Councillor Weare - Fiscal responsibility is one of our main duties here as a Council. We have been hearing that we are falling behind in our

attempts to keep our infrastructure up to date. We should be spending \$1.5 million on paving. Only spending 1/2 to 3/4 of a million half as much as we should. There will come a day when potholes are going to become innumerable. I feel we have to make tough decisions every year. We cannot pass this lack of infrastructure or this poor infrastructure onto future Councils and to the youth that are growing up in this town. It is our responsibility to pay for it. It is our responsibility to do it in a fiscally responsible manner without putting taxes completely out of line. With respect to DTI, I have two concerns; 1. We do not get the support at the municipal level to get things done with DTI. I know Councillor Bennett and I have them on speed dial, but they do not pay that much attention to us as we are just Councillors calling in. What really irks me is that many times I have sat here and heard well our rate in town is only \$0.20 mill rate for transportation. It is the province's fault that you are paying \$0.41. But we are also paying 1/3 of the cost of Town Hall and Town Hall spends a substantial portion of its time on transportation, streets, etc. All we have to do is think back over the last 5 - 6 weeks we have had presentations on 4 way stop signs, speeding, speeding traps set up coming into Town, moving trees, etc. But we are paying 1/3 of the cost of Town Hall doing all that work but yet, if I have a pothole or a shoulder that needs fixing out on 127 in Bayside, I have to call the district engineer myself. Or if there are bushes in the way, I have often thought of calling Public Safety as opposed to DTI because it is a public safety matter. This should be part of the duties as staff. That is why I made the comment a month ago that there is a structural bias in the operations of the Town. It is biased towards the old Town Ward. We only get any action if we request it, there is not much done proactively. I think we are doing a disservice to the future citizens of this town by not doing our infrastructure and by letting it get pushed ahead every year. I find it unattainable. I cannot accept it. With respect to the budget, I did bring up the 1/3 that we are paying and maybe that should be reduced. I was told those \$27,000 being charged over I thought \$27,000 to both the utility and \$27,000 to the transportation department, turns out it was only \$27,000 to the utility. When I look at the budget that is presented here tonight, there is in the Utility Budget a \$50,000 charge payment to the Town Hall for the services they provide. I am in no position to judge that, but it sounds like a step in the right direction. Yet when I go to the budget for the Town, there is only \$27,594 in income reported in the Town. The two budgets are not even in agreement with one another. How can we pass budgets that do not correspond? The numbers are not the same. If there is \$50,000 in one there should be \$50,000 in the other. There are structural errors in the budget, and we have to eliminate those structural errors. In my profession, I cannot vote for a budget that has mathematical errors in it. As simple as that. I have been trying to read the Local Governance Act, I thought I read at one point in time that we had until the second Friday in December to get this in which would be Friday, December 13th, but perhaps I am wrong. I am just getting to learn that Act, but I assure you I will know it by the end of my term. That is why I am having a real problem with the budget.

Councillor Harland - Mr. Spear, can you help us understand a couple of things? Have we requested meetings with DTI with respect to the roads in Chamcook and Bayside in particular?

CAO Spear - I am in touch at least monthly with DTI with usually minimal response.

Councillor Harland - Is that the case with your counterparts in other municipalities is anyone else having greater uptake with DTI?

CAO Spear - No.

Councillor Harland - Can you just clarify in terms of Councillor Weare speaking to errors in the budget, can you help me understand what that speaks to?

CAO Spear - There are two different things that \$27,000 versus \$50,000 is a typo. Keeping in mind we are talking 1,000 of a cent difference on a \$7,000,000 budget. It is erroneous, but 700 lines something like this can happen. Council has made the decision it should be noted that as we have explained that and the Mayor has talked about, that if we follow the strict formula of the Province that the rate for Bayside and Chamcook could technically be above over and above the old Ward of Saint Andrews. There is a reduction although the formula starts off at 1/3 of the cost we reduced the mill rate to offset that some. We have committed to working in the spring as discussed about looking at and trying to come up with a more formalized policy moving forward so for future budgets and future councils can look at this, but I have cross referenced about 90% of the budget even as of today and as far as errors throughout except for that one, no. Even that can be if it is passed by Council tonight which I think it should be, it can be offset by debt, as you know that budgets go up and down tremendously, so even going into 2025, we can adjust it so that the \$50,000 is correctly transferred across which will eventually work its way through to all taxpayers.

Councillor Harland - We have met 6 - 8 times, specifically on the budget. We have gone through exercises of going through budget reports, line by line. From my perspective there has been tremendous transparency by Town Staff in terms of helping us through the process. Staff have helped us to understand what makes up the budget. From your experience in terms of counterparts in other municipalities, are we in any different position than many of our counterparts across the province, in terms of structural biases? What is appropriate or fair for Bayside and Chamcook to be paying versus the former Town of Saint Andrews? One of the challenges I have with that is that we are one municipality now and we need to move forward. From my perspective what happens here in the Town of Saint Andrews, if a road gets fixed by Town Crew, I benefit from that because I drive on these roads. I might not benefit when I go home, but I benefit when I come in to do my grocery shopping, to do all the things that I do here in Town. I do not have the same perspective in terms of structural bias, but this is a process. Generally, it takes about 10 years for municipalities to figure out amalgamation and move forward. If that is correct, I feel this budget that you have currently presented is a good iteration for this year. Not perfect but we will continue the discussions in 2025 in terms of this bucket discussion

around what should be in what bucket. But from my perspective we have diligently reviewed the budgets, and I feel quite confident that this is a good budget going forward for 2025.

CAO Spear - The allocation of costs to the new wards is a discussion among most municipalities. Many of them are doing as we have proposed. They allocate it based on the assessment on what we call the shared costs and then adjust mill rates accordingly. Whatever they think is fair. Spoke to 3 - 4 fairly large municipalities and that is how they are doing it. In the end it is a discussion and policy by Council. No operating manual provided with Local Governance Reform. They left it up to each local government to figure it out and what worked in their local case. That is what we are going to try to do in the first quarter of next year to analyze it at a deeper level and figure out what is next.

Councillor Weare - This is the 3 - 4 time in the last two months I have been told that I am out in left field. I really do not know how to deal with it. I believe I have a rational mind. I believe I have the professional training to do this. I have worked on the budgets of municipalities as big as Halifax, Bathurst and as small as Blacks Harbour. This is not my first rodeo. I do not know how Councillor Harland can say she represents the people of Chamcook. I do not drive on the streets of Saint Andrews. I have no reason to come here. When I moved here 15 years ago I did not look at a house in Saint Andrews. It is a beautiful town. It is historic, but that is not who I am. I am a country boy, and I like living out in the sticks. Even though I have worked in New York and Toronto and everywhere, I like it out in the sticks. I am always getting reprimanded by other Councillors for my views and I have reached the point where I am not going to put up with it anymore. I think back to the discussion on the deer matter, where a Councillor made a great speech on Darwin, and it was 100% wrong. I am saying fiscal responsibility, but every time I bring up fiscal responsibility I get attacked. I am not used to that. On Friday December 6 I will have been in by profession 50 years. My brain has not deteriorated. Anyone who wants to debate the fiscal aspects of this town I am certainly willing to debate it. I think we have to have respect for other Councillors, but at the same time respect earns respect.

Councillor Harland - My comments in no way were intended for them to indicate that you are out to left field. I was asking for clarification from Mr. Spear because of some of the things that you said. If they were taken that way, my apologies. That was not the intent. I always appreciate hearing from all of my fellow Councillors. Mayor Henderson has said many times that healthy dialogue and debate is important and is encouraged at the Council table. I feel that has happened here tonight. In no way was that directed at you. I was expressing my opinion and getting clarification from Mr. Spear..

Councillor Heenan - In light of what has been said this evening, I assure Council that I will not be hushed by fear of anyone threatening me with the way that I am spoken or what I have said. I am 64 years old and been through a lot. You may have had the numbers. You may have the initials after your name, but I have sat on many a budget, so when I say I look at the budget then that is what I do. I take it very

seriously; the numbers are very serious to me, and I look at every one of them.

Councillor Hirtle - The real issue is conflicting points of view, and I think that we reach compromise by considering and embracing all points of view. We are getting caught up here, what I am seeing, is that you have been forced into a partnership, same with Councillor Bennett, you have been forced into a partnership that you did not necessarily want or at least you are going to fight your best to make sure that you represent the people that you represent as fairly as possible. That is reasonable, but I have a reasonable point of view as well. I think that you are not separate members of the community, you are residents of all of Saint Andrews. This is not something that any of the Councillors at this table decided. But it has happened. When you are saying that Bayside or Chamcook should not pay for services, what I hear is that you are saying that a resident of Saint Andrews should not pay for services in the Town of Saint Andrews. That is the reality of where we are right now. That does not mean that I do not absolutely respect your point of view and do not think you should not be fighting the fight you are fighting. Because fiscal responsibility is absolutely important. In terms of my point of view I just think it is conflicting that I do not see residents of Bayside as residents of Bayside now. I see them as members of the Town of Saint Andrews. In order for us to get along we are going to have to start to think more that way. It is the situation the Province has forced us to be in. If we continue to look at ourselves as three distinct communities, we are going to need to have three distinct governments to manage those three distinct communities. That was not the outcome of this, and I get that is not what you wanted. That is not what most people in the communities wanted either, but it is where we are and if we continue to not try to compromise on this, and not give and take, which we have done well to this point, I think we are going to be holding each other hostage and we are not going to get anywhere. In terms of the budget if I look at this from all members of the Town of Saint Andrews are residents of the community, I have to support it because that is the way that I look at it. It does not mean I do not see your point of view and the way you are looking at it. You should fight for your constituents of your areas as well, but I do not think that is the way forward.

Mayor Henderson - Council this has been tough to watch. Most municipalities across New Brunswick have been dealt a tough hand with municipal reform. Some of the stuff that was brought up today about the taxation I completely agree and that is why we call it the bucket conversation. It is not left field at all. I completely agree that there is allocation that needs to be done better. The model in which we are doing is the model that we inherited from the Province of New Brunswick. It is the model that is being used. As a Council I believe we do have consensus in the new year to get into that. That 1/3 / 2/3 cost is not what Chamcook and Bayside are paying today. That would make their mill rate significantly higher. We do have time before that actually is the situation where Chamcook and Bayside are subsidizing Saint Andrews. We do need to have that conversation. We have committed again that we will do that exercise in 2025, and we will have to look at everything. That is something

that we are all committed to doing. The other things are completely right. It is beyond frustrating that Chamcook and Bayside have joined Saint Andrews and if they have a problem with the roads, they call the Province. The Province has absolutely no responsibility to Staff or Council. Even when they do update a road as far as repaving we do not necessarily get notification it is happening. This is something that is in front of UMN. It is not a Saint Andrews problem; it is a provincial wide problem. We as a municipality can get more vocal on it and we will get more vocal on it. This is all stuff that are growing pains of all coming together with a model that was not properly cascaded. There was no dialogue. It was just this is what is going to happen. These are growing pains that municipalities across New Brunswick are having, and Saint Andrews happens to be one of them. Would have been great to get an email about any errors in the budget so that it could have been adjusted before the meeting tonight, but it came across in dialogue tonight. Is this the situation where we table it and get that corrected and quickly have a special meeting to get this passed as I am not comfortable passing a budget even with a small error in it.

CAO Spear - It is whatever Council wishes. It is so insignificant compared to a \$7,000,000 budget. What we can do is make a motion to adjust the amount that comes from the General Capital Reserve Fund to offset it and pass the budget tonight so we can amend that line item and then I can lower it and then the whole budget stays the same.

Mayor Henderson - I would recommend that we do that.

Motion: 401 - 12/24

Moved by Councillor Heenan

Seconded by Councillor Gumushel

That the Council of the Town of Saint Andrews approves the 2025 General Operating and General Capital Budget for the Town of Saint Andrews, as well as the projections for the same for 2026 – 2029 be approved;

And that, the 2025 General Operating Fund Budget totals \$8,018,161 including a Tax Warrant of \$6,436,880 on a Mill Rate of \$1.0506 for each \$100 assessment for Saint Andrews and a Mill Rate of \$0.5395 for each \$100 assessment for Bayside and Chamcook. Council orders and directs the levying by the Minister of Local Government of said amount on Real Property liable to taxation under the Assessment Act within the Town of Saint Andrews.

And that the General Capital Project 2025 Budget be funded by \$1,222,371 from the General Operating Fund, \$1,117,000 from long-term borrowings, \$1,830,000 from Government Grants, \$185,000 from Canada Community Building Fund, \$203,000 from the Tourism Development Fund, \$50,000 from donations, and \$695,029 from the General Capital Reserve Fund.

Amended

Motion: 402 - 12/24

Moved by Mayor Henderson

Seconded by Councillor Gumushel

That the Council of the Town of Saint Andrews amends the 2025 General Operating Fund to increase the Administration Fee from

the Utility to \$50,000.00 and to reduce the funds from the Operating Reserve by the same amount.

6 – 2, Nay Councillor Bennett and Weare
Carried

Motion: 403 - 12/24

Moved by Councillor Heenan

Seconded by Councillor Gumushel

That the Council of the Town of Saint Andrews approves the Amended 2025 General Operating and General Capital Budget for the Town of Saint Andrews, as well as the projections for the same for 2026 – 2029 be approved;

And that, the 2025 General Operating Fund Budget totals \$8,018,161 including a Tax Warrant of \$6,436,880 on a Mill Rate of \$1.0506 for each \$100 assessment for Saint Andrews and a Mill Rate of \$0.5395 for each \$100 assessment for Bayside and Chamcook. Council orders and directs the levying by the Minister of Local Government of said amount on Real Property liable to taxation under the Assessment Act within the Town of Saint Andrews;

And that the General Capital Project 2025 Budget be funded by \$1,222,371 from the General Operating Fund, \$1,117,000 from long-term borrowings, \$1,830,000 from Government Grants, \$185,000 from Canada Community Building Fund, \$203,000 from the Tourism Development Fund, \$50,000 from donations, and \$695,029 from the General Capital Reserve Fund.

7 – 1, Nay Councillor Bennett
Carried

Motion: 404 - 12/24

Moved by Councillor Heenan

Seconded by Councillor Gumushel

That the Council of the Town of Saint Andrews approves the 2025 Utility Operating Fund Budget consisting of a total revenue of \$1,258,180 and total expenditure of \$1,258,180;

And that, the Utility Capital Projects for the 2025 Budget be funded by \$353,143 from the Utility Operating Fund, \$115,000 from long-term borrowing, \$11,107 from the Canada Community Build Fund, \$320,360 from Government Grants and \$1,290 from the Utility Capital Reserve Fund.

8 – 0

Carried

3. Appointment of Auditors Teed, Saunders, and Doyle for 2025, FA241223

Councillor Hirtle - Is there any reason we do not go to RFP now?

CAO Spear - Just a timing issue. Auditors take a lot of time to get prepared. If we went to an RFP, we would not appoint them until February. We would probably be into the end of next year before we get our audit completed. Think it would be good to appoint them one last year and bring to new RFP process over the year.

Motion: 405 - 12/24

Moved by Councillor Heenan

Seconded by Councillor Bennett

That the Council of the Town of Saint Andrews appoints Teed, Saunders, and Doyle Chartered Professional Accountants and Advisors to be the designated Auditors under the Local Governance Act for 2025.

8 – 0

Carried

4. Cancellation of Regular Council Meeting for Monday, December 16, 2024, FA241224

CAO Spear - For our next meeting to pass the resolutions for the reserve funds, we are talking Thursday December 19th. We would like to do it at noon if we can get a quorum.

Councillor Weare - I do think our By-Laws allow us to hold a meeting by Zoom.

Clerk Nopper - They do however we would still have to hybridize it. There would still have to be opportunity for Council to appear in person and via Zoom.

Deputy Mayor Akagi - Special Meeting of Council set for Thursday, December 19th at 12:00 p.m.

Motion: 406 - 12/24

Moved by Councillor Heenan

Seconded by Councillor Gumushel

That the Council of the Town of Saint Andrews cancels the Regular Council Meeting for Monday, December 16, 2024, as per By-Law No. 23-06 Procedural By-Law.

8 – 0

Carried

2. Public Works & Public Safety Committee - Councillors Bennett and Neil

1. Policy P-24-05 Work Alone Policy for the Town of Saint Andrews, PWPS241207

Councillor Harland - Will it be in-person training or will staff be required to read the Policy?

Clerk Nopper - We will do in person training. All staff will receive a copy of the Policy. We will walk them through the Policy.

Councillor Harland - I think it is better if it is done in person. It is a very important policy for all staff to be aware of.

Motion: 407- 12/24

Moved by Councillor Neil

Seconded by Councillor Bennett

That the Council of the Town of Saint Andrews approves Policy P-24-05, Work Alone Policy for the Town of Saint Andrews.

8 – 0

Carried

2. Update on Market Wharf and Market Square Project, PWPS241208

CAO Spear provided an update concerning the issues around the infill required for the wharf; whether to scale back the project or to

proceed with mitigation. If the infill is scaled back, it affects the project. Would cost \$1,100,000 to change the project from infill to a concrete and steel structure. A mitigation proposal was received by Ducks Unlimited. Estimated cost of mitigation with Ducks Unlimited would be \$268,400 which would allow the fill in Market Square and for it to go out to the wharf as in the originally proposed Hybrid Model. Process needs to get going in terms of design and mitigation. Decisions need to be made. DFO has earmarked a project in Campobello. A salt marsh that is completely isolated with no tidal action. Create a channel so that it would be 100% under tidal action. The ratio for this project is 1:1. This would give us the credit we need to complete the Market Wharf and Market Square project. Overages are a possibility as this would be a tender project and is only an estimate of the cost. Run the tenders for the wharf project and DFO project close together so we can see what the actual cost will be.

Clerk Nopper - The engineering work with the infill project can run concurrently with the DFO project together so that we can jointly get to a point where the projects can meet with approvals at the same time. The \$268,400 includes the cost for the construction work plus the monitoring that has to occur afterwards.

CAO Spear - As long as we commit to doing the work and put down a financial in a certified bond, DFO would allow us to delay the mitigation project. Would not have to be done before the work could proceed on the wharf project.

Mayor Henderson - Concerned with overages that may occur. Would like to recognize Marc Sorensen who stepped up to put us in touch with Ducks Unlimited for this project.

Councillor Weare - I would like to echo what the Mayor has said. I have dealt with Marc Sorensen on a couple of small things. He passes along his knowledge in a congenial and helpful manner. Marc deserves a lot of credit.

Councillor Neil - The approach to this is something that I am wrestling with. Environmental protection and habitat restoration are very high on my list of things. But logistically the approach suggested here is not one I am not really in favour of. We are being asked to spend taxpayers' dollars on restoring the habitat in a neighbouring community so that we are allowed to infill habitat in our own community. The whole thing feels a bit like environmental blackmail. When the engineers brought this forward, they did come with another more expensive option. From all the public meetings we had when we were putting the original wharf options forward the option that we chose, the hybrid model, was primarily chosen based on cost. I think if cost was not an option, the model the engineers have come to now that does not require any mitigation was the preferred option. It is what traditionally looks more like the wharf we have now. The other issue I have is with the monitoring of this. I have worked in a few areas where this has been done. The fact that they want to open up a portion of this manmade road, which leads me to believe that it is going to be an ongoing project. It is going to continue to silt over and fill in naturally. This will not be a one-time cost. I can see this having to be dug out numerous times. Example I can think of in Nova Scotia, it was a saltwater marsh that was isolated. They excavate it yearly to

keep it operational. For those reasons I do not think it is the best option for us. I am not a fan of infilling habitat to begin with, but to pay for restoration in another community to infill our own, environmentally, politically, and ethically does not sit right with me.

Mayor Henderson - When do we need a firm answer?

CAO Spear - DFO permitting can take quite a while so if we do not make a decision until January it could push us. We are still talking of October. We can talk to everyone to see if we can hold off by a month if it is going to be that big of a deal, or we can hold a special meeting later this month to focus harder on this. Maybe Ducks Unlimited would be willing to come in virtually to discuss it with you.

Mayor Henderson - Councillor Neil's comments were really good. I appreciate them. DFO is the one that approves this project. Ducks Unlimited is the one that manages it. Just to be clear we do have to pay for the monitoring, and if this needs to be dug out every year, do we have to do that?

CAO Spear - We will have to look at the agreement.

Mayor Henderson - We should look into that as that is a major concern as this could end up costing \$30,000 a year forever. I am sure there is risk with every mitigation project. Before we make a decision, we need to know what the risk is involved with this long term. If DFO says this is going to work and Ducks Unlimited says this is going to work, I think if it does not work, I think we need to make sure that we will not pay the monitoring but it is not our problem as we did what they said for us to do. They as experts told us this is the project that will mitigate it. I would like to know if they are wrong and if that is something that we pay. If they say this is a project that will increase habitat and they are wrong, that should not be on us.

Councillor Weare - Concerned with monitoring cost and if there is a definitive timeline on it. Will DFO or Ducks Unlimited give us a definitive timeline otherwise are we in this for perpetuity?

CAO Spear - An informal telephone call for about 15 minutes this afternoon, they said monitoring years 1, 3, and 5. But do not know if that is all they are willing to look at or if that is something someone is willing to commit to that after year 5 it is done. Not sure on the commitment and we will get the answers.

Mayor Henderson - Do they have the ability to extend this on us or at the end of 5 years are we done?

3. Economic Development, Business, & Culture Committee - Councillors Hirtle and Weare

1. By-Law No. 24-04, Heritage Conservation By-Law Call for Third and Final Reading, EBC240902

Read by title by Deputy Mayor Akagi for the Third and Final Reading.

Motion: 408 - 12/24

Moved by Councillor Hirtle

Seconded by Councillor Heenan

That the Council of the Town of Saint Andrews removes the designation of 134 Carleton Street as a Local Historic Place.

8 - 0

Carried

Motion: 409 - 12/24

Moved by Councillor Hirtle

Seconded by Mayor Henderson

That the Council of the Town of Saint Andrews removes the designation of 94 King Street as a Local Historic Place.

8 – 0

Carried

Motion: 410 - 11/24

Moved by Councillor Hirtle

Seconded by Councillor Harland

That the Council of the Town of Saint Andrews grants leave for the Third and Final Reading to By-Law No. 24-04, Heritage Conservation By-Law for the Town of Saint Andrews.

Amended

Motion: 411 - 12/24

Moved by Councillor Heenan

Seconded by Mayor Henderson

That the Council of the Town of Saint Andrews adds the updated map of Town of Saint Andrews Municipal Conservation Area to Schedule A of By-Law 24-04, Heritage Conservation By-Law for the Town of Saint Andrews.

8 – 0

Carried

Motion: 412 - 12/24

Moved by Councillor Hirtle

Seconded by Councillor Harland

That the Council of the Town of Saint Andrews grants leave for the Third and Final Reading to Amended By-Law No. 24-04, Heritage Conservation By-Law for the Town of Saint Andrews.

8 – 0

Carried

2. Discussion on Courthouse Proposal from the St. Andrews Civic Trust, EBC241201

Clerk Nopper - Spoke on the proposed next steps for the Courthouse project by St. Andrews Civic Trust.

1. *Look at a building condition report from a structural engineer.*
2. *Potentially look at an architectural design.*
3. *Material take-off study.*

First ask is for \$80,000 for information gathering, analysis of the building, and the next steps. Staff are still waiting for a response back from the funding partner in regard to the extra funds that we have left over from the Courthouse project for the roof that was the painting for the Courthouse.

Mayor Henderson - I recommend that we have a meeting just on this topic. The members of the Civic Trust have put in a significant amount of time into this proposal and would only want them to proceed if it had the support of Council.

Topic will be brought forward in January.

4. Recreation & Environment Committee - Councillor Gumushel and Blanchard

5. Planning & Community Development Committee - Councillor Harland and Heenan

J. NEW BUSINESS

Discussion on the appointment of new engineers.

Councillor Weare - When I saw the appointment of the auditor, I know some municipalities appointment an engineer, maybe we should do that. We have gone through quite a year with respect to engineering and I am very disappointed. I do not know whether we will get any discounts on the extra work they generated for themselves. I would hope they would. They were told point blank in April by Councillors that they needed an EIA, and they did not react. They continue to do work on the trail, they misestimated the quantities. I am not an engineer, but not sure how they did it. But they certainly missed the point by a lot. Fortunately, we did have funding for a lot of that, but it still cost us engineering fees and it cost us money. I think we do have to have a very serious discussion with our engineers. If they are going to continue to provide services to us they have got to do it at a higher level then what they are now. They have to be more aggressive, and they have to be more cost conscious. It is something that should be on the agenda and something we should discuss whether it is in closed session or open council.

Add to registers a discussion on the formal appointment of engineers.

Mayor Henderson - I completely concur with Councillor Weare that overall, the service that we have been receiving from our current provider has not been up to the standard that we have received over the last decade. There was a key member who retired. I do not know if it is related to that, but the service that we have been receiving as a municipality has not been consistent with what we have received in the past. I think having a sit-down meeting with them on it and then reporting back to Council would probably be the best. I concur we are paying a significant amount of money. That amount of money does deserve a certain amount of customer service that we are not receiving today. Have a meeting with them and find out if this is the status quo. We can also look around and see what other options we have.

CAO Spear - I do not disagree. It was on our agenda to make an appointment and speak to them between now and Christmas and express our concerns over some of the events that have happened. Express that it is Council and staff both that want to have a discussion if we move forward what it will be. Although they have been our go to engineers, we do occasionally run RFPs. Maybe we need to run more of them on a project-by-project basis or find a new civil engineer who looks after the inground stuff.

K. QUESTION PERIOD

Brett Vottero - I am one of the Directors of the newly formed Saint Andrews Historical Society. Want to say I am a bit perplexed about the process. I wanted to get a copy of the report. Submitted a lengthy proposal to the Civic Trust and have been waiting anxiously to see the result. I have asked the Civic Trust for it. I sent

an email today to the Town and was told I cannot get it until after tonight. Not sure whether tonight is enough so that now the report can be released. We would like to see it so that we can offer feedback. Obviously, we have great interest in the Courthouse and how it will be used in the future.

CAO Spear - Until Council has accepted the report has been our practice not to release reports. It is still in Civic Trust's hands it was their document of submission. Council has not formally accepted it yet. Until Council has accepted the recommendations, we do not release reports.

Brett Vottero - I have asked the Civic Trust, and they told me to check with the Town. I encountered this problem once before, when there was a report that I wanted to see that you were going to consider related to the Courthouse. Perhaps you need to review your policy. It denies people in the town who are interested the chance to see what you are seeing and discussing. We come to hear, and we know you have it, but we do not know what it is. Maybe in the future consider when organizations submit a report I think it as a public record at that point. That is the concern, and we look forward to seeing it and hopefully we can offer feedback on it before the next meeting that you will be having on it.

Mayor Henderson - One of the challenges being on Council if someone gets a report they will call a Councillor right away and if we released it before we had a chance to talk about it, sometimes you are not prepared to answer questions. When you are on Municipal government if someone does a report for you for whatever reason when that goes out to the public, it gets transcended that this is what we are planning to do. But it might not be what we are planning to do. Just in general when people see even a motion, or a report, it really quickly turns into this is what they are doing. Agree it is a tough one, but on this specific one we could release it. If Civic Trust are saying go to Town Hall, I have no problem releasing it so people can see what is before us.

CAO Spear - The original meeting they presented a draft report and were looking for feedback from Council before they made it public. Will get in touch with Civic Trust and if they have no trouble releasing it, we will release it.

Stan Choptiany - I have three items that I would like to comment on.

1. I still sit on the Technical Advisory Committee for the landfill. The Committee over the last 8 or 9 years have had a number of issues with engineering firms. Collectively the landfills in New Brunswick hired a consulting engineer and it seems to be working quite well. He is independent and gives advice. The advantage that he has because he represents the 5 or 6 other landfills, he gets a variety of information that is greater than that one landfill offers. As a possible question, Councillor Weare's suggestion about hiring an engineer for this town, it may be something to consider discussing with St. Stephen and St. George and other towns you might be able to share the expertise of a particular person. Would you consider moving in that direction as I have certainly seen the benefits at the landfill, and I think there could be similar kinds of benefits here.

2. Concerning the discussion on the budget, in my experience in 2012 when I started as Mayor, we had about 12 years of a political attitude of not raising the Mill Rate and we will try and keep things under control. What that meant was for 12 years very little got done. There were people who thought that was good as the financial aspect was good, but nothing got done. I inherited that and we have been playing catch up. That deficit is still here. What you are doing is at a far higher level of complexity. You have better tools, excellent decisions, excellent processes being implemented but it is a frustrating reality with climate change, expenses, supply chain costs, those are things that far exceed what the Town is ever going

to be capable of to pay for the things you would like to be able to do. It is a comment to commend you. I think there is excellent consideration of trying to be fiscally responsible but there is not a simple answer. You are doing a great job.

3. People in the community appreciate the time and efforts you are putting in as a Council. As a member of the community, I wanted to thank you for the hard work that you do, and you do it impressively.

Joan Schwartz - I am very grateful that the Council has passed the Heritage By-Law. At the same time what is the implication or irony that on the same night that the By-Law is passed, two incredibly historic buildings in town have been de-listed. One is 200 years old and the other built in 1829. Not sure what the implications are now for having a Heritage By-Law where someone can come along and pretty much do anything they want now with the Tilly House or with Windrose and what is the next house that is going to go. There is a bit of irony and how do we reconcile that?

CAO Spear - It was easier to delist those that were interested prior to the By-Law being passed. After it has been enacted there will be a lot more steps to delist a property. It will be harder now

Councillor Hirtle - Great question, and one we almost did not have time to answer. It has been a long process. There was a lot of public consultation throughout the last year and a half. Some people missed the public process. Speculation, myth, rumour start to spread about what it is that we do or that we are trying to, and it becomes a fact that maybe now is not the right time to try and debunk all that in this exact moment. But knowing that we are also not trying to pass a by-law through coercion, but collaboration. Thought process behind it that there is time to get back on. If we can just show and prove in the work that we are doing that we continue to create a culture of sustaining these properties. The more that we show what we are doing works the hope is that through a collaborative approach, we get more homeowners on board and we are able to as a community speak to why this really matters as opposed to getting in conflict which is how it felt when these houses were being asked to delist is that there was a conflict. They felt like we were not being transparent. The work is not over. We hope to have everybody that has a historic heritage property to be on this. Open to have all historic property owners to come on board but think we did a good approach to get here. We show what this is through the work that we do.

Mayor Henderson - On asset management, holding the Mill Rate consistent like the town did for a number of years, it is important to note that this is not a Saint Andrews thing. Asset management 15 - 20 years ago was something that was not done at any level of government. Thank you for the kind comments.

Mayor Henderson - To answer the question why these specific properties were allowed to remove their designation, at the information sessions, the Heritage Committee did say that this is something homeowners can do. Very important for Council and the Heritage Committee to be consistent to foster trust. The reality is the best course ahead for the Heritage By-Law is to find a way to incentivize being a heritage property whether it be through municipal, provincial, or federal funding. Hopefully, we can get to a situation where homeowners who have just been removed will come back onto the list and be on board as there is a real incentive to be a part of it. The key from the Heritage Committee to Council, is that this is something that the majority of the community wanted for a very long time. What this really is a By-Law that will allow people to not just buy and bulldoze. This By-Law will help prevent that from happening and will also protect the character defining elements that make these homes as historic as they are. If people want

to alter them, at least there is a process that they will have to go through before the board to explain why they want to make the changes and will have to present a case to the board versus just modify a complete home.

David Welsh - I have a large front yard and have raked a lot of leaves off that yard and I put those leaves in bags and those are from trees that are chopped down to create the paper bags that I am putting the leaves that are falling into which are put at a town dump somewhere. We have a vacuum truck; would you consider putting leaves in the ditches and vacuuming them out? Wastage of paper bags is something to consider

CAO Spear - The truck, maybe in its glory days could have done something like that, but it is now 30 years old and cannot do that. Not sure if there would be sufficient resources to go all through town. That truck is up for replacement in the next couple of years so we will take that under advisement and have a discussion about what we can do. Maybe we can do it with the next truck

L. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

Mayor Henderson - Thank staff for the budget there is a lot of work that goes into it. It is quite a process. A lot of the comments are not directed towards staff it is more to the process that we have inherited. Thank you Mr. Spear and your entire staff for the amount of time you put into the budget. It does not go unnoticed.

Mayor Henderson - Congratulate the Heritage Committee who put this By-Law together and Town Council on passing a Heritage By-Law that has been 50 years in the making and has failed several times. The fact that you were able to implement the first ever Heritage By-Law needs to be recognized. Not everyone was supportive of it, but the Heritage Committee got it right and I need to acknowledge all of you for implementing something that has not been able to be done in the past. The heritage homes in Saint Andrews are going to be protected at a level that they never have been before for future development.

Councillor Harland - A special thank you to the Christmas By-the Sea Committee, Town Staff, Public Works, Kevin Simmonds, Ally Spear, and all the volunteers who worked to build the lobster trap tree and decorate the community. This Town looks amazing. At the best of times, we have a very special amalgamated community that has a phenomenal look and feel. It is because we have a force of volunteers who never seem to tire, who continue to provide lots of support to these activities. We have an amazing Public Works crew, and a great Christmas By-the-Sea Committee. Love the warm lights, it is a great addition and makes the downtown feel very special. Congratulations to everyone involved in those activities.

Councillor Heenan - There was a journalist that came and explored nine hidden New Brunswick villages and Saint Andrews is number one. Makes you proud to live in the Town of Saint Andrews.

M. MAYOR'S COMMENTS

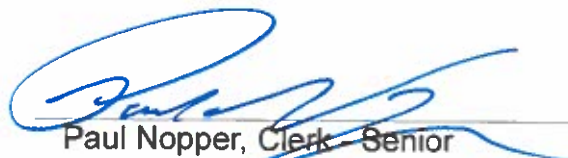
Deputy Mayor Akagi - Do not forget to visit the Ross Museum Christmas event this weekend. It will be a great time and staff have done a great job on this.

Deputy Mayor Akagi - The Anglican Church is having a Christmas dinner on Christmas Day for those of you who do not want to cook a turkey and who want some social time with a whole bunch of people. Go to the Anglican Church and have a great meal and share in some socializing. They are doing a great job for Christmas. The town looks spectacular, and we could not do it without all the volunteers.

N. CLOSED SESSION

Motion: 413 - 12/24**Moved by** Councillor Neil**Seconded by** Councillor Bennett*That the Council of the Town of Saint Andrews extends the Council Meeting past two and a half hours as per the Procedural By-Law.***8 – 0****Carried****Motion: 414 - 12/24****Moved by** Councillor Heenan**Seconded by** Councillor Harland*At 9:17 p.m. Council moves into Closed Session per the Local Governance Act, Section 68(1)(f) information concerning legal opinions or advice provided to the local government by its solicitor or privileged communications between solicitor and client in a matter of local government business.***8 – 0****Carried****Motion: 415 - 12/24****Moved by** Councillor Heenan**Seconded by** Councillor Gumushel*At 9:54 p.m. that Council returns to Open Session.***8 – 0****Carried****O. ADJOURNMENT****Motion: 416 - 12/24****Moved by** Councillor Hirtle**Seconded by** Councillor Bennett*At 9:55 p.m. that the meeting be adjourned.***8 – 0****Carried**


Brad Henderson, Mayor


Paul Nopper, Clerk – Senior
Administrator