

Minutes

Regular Meeting of the Council of Fundy Albert

March 5, 2024 at 6:00PM

Riverside-Albert Recreation Centre, 9 Bicentennial Road, Riverside-Albert, NB

PRESENT

Robert Rochon – Mayor

John Ereaux – Councillor, Ward 1

Loretta Elderkin – Councillor Ward 2

Jeff Land – Councillor Ward 3

Jeff Jonah – Councillor, Ward 4

Jim Coates – Councillor Ward 5

1. CALL TO ORDER

**Mayor Rochon** called the meeting to order at 6:00pm.

2. ADOPTION OF THE AGENDA

IT WAS MOVED by **Councillor Elderkin** and SECONDED by **Councillor Jonah** THAT the agenda be adopted, with the following additions:

11.g. Appointment of By-Law Enforcement Officers

12. Public Statements and Comments

MOTION CARRIED

3. CONFLICT OF INTEREST DECLARATIONS

None

4. ADOPTION OF THE MINUTES

a. February 6, 2024

IT WAS MOVED by **Councillor Land** and SECONDED by **Councillor Coates** THAT the Minutes of the Regular Meeting on February 6, 2024 be approved.

MOTION CARRIED

b. IT WAS MOVED by **Councillor Elderkin** and SECONDED BY **Councillor Jonah** THAT the Minutes of the Committee of the Whole Meeting on February 20, 2024 be approved.

MOTION CARRIED

5. CONSENT AGENDA

None

6. PUBLIC AND ADMINISTRATIVE PRESENTATIONS

a. Chipoudy Communities Revitalization Committee (CCRC) – 3 Season ATV Trail

**Mayor Rochon** began by asking the presenters to respect the 5-minute time limit. Mrs. Joanne Butland introduced Aaron Tavender, member of the BOD of Quad NB, as well as David Knickle and Donnie DeHaitre, president and Vice President of the Albert County Trail Blazers. Mrs. Butland thanked

members of Council for attending the public meeting that was held at the Fundy Curling Club in support of a 3 season ATV trail from Hillsborough to Alma. She then provided an overview of CCRC and the Albert County Trailblazer ATV Club plans to develop the trail. CCRC and the Albert County Trail Blazers are asking Council to adopt a motion to support the group's request, and pursue the development of a municipal By-Law that would permit the operation of ATVs on certain streets in Riverside-Albert, Alma and Hillsborough. There were a few questions by Councillors, followed by **Mayor Rochon** thanking Mrs. Butland for their group's presentation.

b. Unregistered 2-minute presentation by Mrs. Carrie Howard on the topic of glyphosate testing. Mrs. Howard stated she was following up with Council in relation to her presentation at the February Committee of the Whole Meeting, stating that now would be an ideal time to test water for the presence of glyphosate. Mrs. Howard indicated that she would like to see Council move forward with a motion to perform tests, ideally for testing to be done after a heavy rain event. Mrs. Howard was informed that the topic would be brought up at the Committee of the Whole meeting in 2 weeks for further discussion. **Mayor Rochon** thanked Mrs. Howard for her presentation.

#### 7. REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

None.

#### 8. REPORTS FROM ADMINISTRATION

##### a. Report on Generator – Alma Activity Centre

**CAO/Clerk Sabourin** had provided Council a report outlining the scope of work and update in relation to the type and configuration of generators being acquired for the Alma Activity Centre and the Hillsborough Kiwanis Centre, both of which are designated warming centres. Members of Council asked questions about the procurement process, suitability for the intended purpose, and our ability to ensure that the fuel source (propane) doesn't run out. **Councillor Ereaux** asked to ensure that these new generators become part of the municipality's maintenance plans to ensure they are periodically, and regularly tested. **CAO/Clerk Sabourin** also mentioned that she continues to pursue the possibility to a warming centre in Ward 5.

##### b. Council Committee Assignments

Mayor Rochon recapped the list of committees that were put in place in 2023 and the varying degrees of progress made. The procedural By-Law requires that Council committees be appointed annually. Mayor Rochon asked Council members to give some thought to the need for committees for further discussion at the Committee of the Whole meeting on March 19, 2024.

#### 9. BY-LAWS

None.

#### 10. MAYOR AND COUNCILLOR STATEMENTS AND INQUIRIES

Councillor Ereaux commented having received a regular update from Fundy National Park, including that their reservation system is active, that the golf course is opening on May 17<sup>th</sup>, the pool on June 21<sup>st</sup>, and that they have numerous activities planned for the season.

Lastly, Mayor Rochon commented property tax bills being received by residents and plans to do presentations in various wards in the community to present and explain the budget.

#### 11. NOTICES OF MOTION AND RESOLUTIONS

##### a. Adoption of the 2022 Alma audited financial statements

IT WAS MOVED by **Councillor Ereaux** and SECONDED by Councillor Coates that the Council of the Village of Fundy Albert accept the 2022 Audited Consolidated Financial Statements for the former incorporated Village of Alma as prepared and presented by Donna L. Floyd, Chartered Professional Accountant, Professional Corp.

MOTION CARRIED

##### b. Motion to allocate Remaining Canada Community Building Fund 2019 to 2023

IT WAS MOVED by **Councillor Land** and SECONDED by **Councillor Ereaux** that **WHEREAS** the Council of the Village of Fundy Albert approved the document titled Fundy Albert - Five-Year Capital Investment Plan for the Canada Community-Building Fund (CCBF) 2019-2023 during a regular meeting of Council on December 5, 2023; and

**WHEREAS** a review by Canada Community Building Fund identified an omission in the amount of \$4,514 in the Village of Fundy Albert's submission; and

**WHEREAS** Canada Community Building Fund requires a reassignment of \$4,514 to a current project or a new project;

**BE IT RESOLVED** that the amount of \$4,514 be assigned to a new project titled Alma Gazebo update and that the document titled Fundy Albert – Five-Year Capital Investment Plan for the Canada Community-Building Fund (CCBF) 2019-2023 be amended accordingly.

MOTION CARRIED

**Councillor Land** voted Nay

**Councillor Jonah** voted Nay

Councillor Land inquired about where the funds are that were previously assigned for this project. Per the CAO, it is believed the funds were spent for other purposes. There was also a question about the need for repairs, instead of the removal of the gazebo. Councillor Elderkin believes this would only amount to a reallocation of monies from the general operating fund to the Canada Community Building Fund.

##### c. Motion to allocate Canada Community Building Fund 2023/2024 Top-Up Funds

IT WAS MOVED by **Councillor Jonah** and SECONDED by **Councillor Ereaux** that

**WHEREAS** Canada Community Building Fund Allocated a Top-Up of \$143,696 for 2023/24 to Fundy Albert; and

**WHEREAS** the original applications for Fundy Albert were for Alma Activity Centre Electrical Upgrades, White Birch Estates Playground Equipment, Scada System Upgrade and a generator for the Lower Coverdale Church; and

**Councillor Jonah** provided an update on a proposed monument in memory of the linemen who tragically lost their lives during the ice storm event in early 2021. There had been some discussion around placing it in front of the Hillsborough Volunteer Fire Department, and there now being a requirement to find an alternate location because of its size. The Peace Park in the community of Hillsborough was suggested. **Mayor Rochon** suggested that they ensure the other two volunteer departments be consulted, as they were involved in the event that unfolded that day.

**Councillor Coates** mentioned that on February 29, 2024 the EMO Committee handled an event that, in his opinion, was handled professionally. **Councillor Coates** added that if Route 114 had been closed that day because of the rain event and rapid thaw, matters could have been much worse.

**Councillor Elderkin** provided an explanation of a new program being sponsored by the provincial government called Nursing Home Without Walls. Nursing Home Without Walls is an effort to keep seniors in their homes for as long as possible, while providing them access to the services they need. The program works in collaboration with community groups to encourage active living. Councillor Elderkin provided the contact information for the Coordinator, Shelley McNaught and encouraged fellow councillors to share this information.

**Councillor Elderkin** also commented on a local online bingo program that operates in the winter months, with proceeds going to support local projects. To date, the organizer has raised more than \$25,000.

**Councillor Elderkin** closed by commenting on the impact that a malfunction at the Harvey Dam had on flooding in the community of Riverside-Albert. The automated dam failed to open to release flood waters, which ended up impacting the community. In response to Councillor Elderkin's question, CAO Sabourin indicated that contact had been made with those responsible for the dam to ensure this does not happen again. **Councillor Elderkin** requested that the EMO Committee inform other Councillors when matters such as what they dealt with, occur.

Councillor Land Echoed Councillor Elderkin's concerns about being kept informed. He also mentioned the washout of the culvert on the Golf Club Road in Hillsborough and requested an update.

**Mayor Rochon** commented on being contacted by one of the organizers of the Hillbilly ATV Run asking for permission to use village-owned property to hold an event at the closing of the day's activities. The property in question is near the Hillsborough water reservoir. Questions of liability on the community and communication with area residents was brought up. Some Councillors are familiar with the group and had a good impression of its organization.

Mayor Rochon provided a synopsis of the rain event on February 28<sup>th</sup>, and the work of the EMO committee. Follow up with management of the Harvey Dam as well as with the Department of Transportation and Infrastructure is needed. Mayor Rochon had reached out to our local MLA and commented that residents who sustained property damage should report it with the province. Mayor Rochon closed by thanking the CAO and all those who were involved in the response to the event.

**WHEREAS** the Lower Coverdale Church Generator Project was not approved by the CCBF;

BE IT RESOLVED that the remaining funds of \$24,632 from Canada Community Building Fund Top-up for 2023/24 be allocated to update the asset management plan for Fundy Albert.

MOTION CARRIED UNANIMOUSLY

Councillor Ereaux indicated support for this motion. Councillor Jonah asked if the upgrades to 61 Academy would have qualified for these funds. Per the CAO, it would not.

d. Motion related to Code of Conduct Investigation

IT WAS MOVED by **Councillor Coates** and SECONDED by **Councillor Ereaux** that

In the matter of a public complaint received by the Council of the Village of Fundy Albert on January 31, 2024 in accordance with By-Law 2022-02, a Code of Conduct By-Law for the Council of Fundy Albert;

**BE IT RESOLVED** that the sanction imposed by Council on Councillor Jeff Land is that a letter of apology be issued by Councillor Land to the party named in the complaint.

**BE IT FURTHER RESOLVED** that all members of Council will read and acknowledge having read the contents of By-Law No. 2022-02 referred to herein, with the Clerk of the Village of Fundy Albert.

MOTION CARRIED

e. CAO appointment as the Director of Municipal Emergency Measures Organization for Fundy Albert Pursuant to Section 9(b) of the NB Emergency Measures Act.

IT WAS MOVED by **Councillor Elderkin** and SECONDED by **Councillor Land** that

Linda Sabourin, Chief Administrative Officer for the Village of Fundy Albert be appointed as the Director of the Municipal Emergency Measures Organization, pursuant to Section 9(b) of the Emergency Measures Act, RSNB 2011, c 147

MOTION CARRIED

Councillor Ereaux indicated that while he will support this motion, he reiterated his belief that a better fit would be to have a Director of Protective Services.

f. Proposal to grant partial billing relief to Alma water and sewer rate payers who are not connected to the system.

IT WAS MOVED by **Councillor Ereaux** and SECONDED by **Councillor Elderkin**

That under the provisions allowed for under Section 27(a) of the Alma By-Law #88A, that water and sewer rates for rate payers who are not connected to the Alma water system, and thus not using the system, at all for any period during the calendar year 2024, be held at the 2023 rates.

Councillor Ereaux explained the rationale for the motion. Discussion ensued about the merits of the motion to provide rate relief, whether this will affect rate payers in other municipalities and, most importantly, how many other utility rate payers would possibly be impacted by approving the motion.

IT WAS MOVED by Councillor Elderkin and SECONDED by Councillor Coates  
That the motion and discussion be tabled to obtain the additional information requested.

MOTION CARRIED

**Councillor Land** voted Nay

**Councillor Jonah** voted Nay

Councillor Ereaux questioned what value the additional information would provide to the decision-making process, given the three separate municipal utilities.

Councillor Coates left the room at 7:38pm

Councillor Coates reentered the room at 7:42pm

g. Appointment of By-Law Enforcement Officers

IT WAS MOVED by **Councillor Elderkin** and SECONDED by **Councillor Land** that

**WHEREAS** Council has adopted various By-Laws; and

**WHEREAS** Council may appoint By-Law Enforcement Officers for the Local Government and determine their mandate;

**BE IT RESOLVED THAT** the following persons are appointed as By-Law Enforcement Officers of the Local Government in accordance with Local Governance Act (Act) & its Regulations, the Police Act, the Community Planning Act & its Regulations, and the Building Code Administration Act & its Regulations:

Jordan Langlois, Derrick Gibson and Keith Picco

**BE IT ALSO RESOLVED THAT** the above-mentioned appointment includes all generalities as prescribed by the Act, the Regulations of the Act, the Police Act and any other Act and Regulation of the Province of New Brunswick,

**BE IT ALSO RESOLVED THAT** the above-mentioned appointment includes inspection, documentation and enforcement services related to the enforcement of assigned by-laws by the Clerk of the Village of Fundy Albert which may include issuing penalty notices, dialoguing with property owners or tenants, serving various documents, acting as witnesses for various court proceedings and such other related tasks pertaining to Municipal Enforcement;

**AND THAT** the position of By-Law Enforcement Officer is employed for the preservation and maintenance of the public peace;

**AND THAT** the By-Law Enforcement Officer of the Local Government exercise their discretion according to the files given to them by the Clerk or during patrols of the Local Government;

**AND THAT** the above-mentioned appointment continues as long as the Officer is an employee or is retained by the Local Government.

MOTION CARRIED

Discussion was had around enforcement limitations given the fact that a new by-law Dangerous or Unightly Premises provisions of the Local Governance Act are currently limited to the three former incorporated municipalities.

12. Public Comments and Statements

None

13. CLOSED SESSION

None

14. ADJOURNMENT

IT WAS MOVED by **Councillor Land** to adjourn the meeting at 7:46pm.



---

Robert Rochon, Mayor



---

Linda Sabourin, CAO/Clerk