

Minutes

Regular Meeting of the Council of Fundy Albert
Multicultural Building, 13 School Street
February 6, 2023, at 6:00 P.M.

PRESENT:

Robert Rochon – Mayor
Loretta Elderkin – Councillor, Ward 2
Jeff Jonah – Councillor, Ward 4
Heather Ward Russell – Councillor, Ward 6

John Ereaux – Councillor, Ward 1
Jeff Land – Councillor, Ward 3
James Coates – Councillor, Ward 5
Hanna Downey – CAO/Clerk

CALL TO ORDER

Mayor Rochon called the meeting to order at 6:01 P.M.

ADOPTION OF AGENDA

IT WAS MOVED by *Councillor Elderkin* and seconded by *Councillor Land* **THAT** the agenda be approved as circulated. **MOTION CARRIED** (unanimously).

CONFLICTS OF INTEREST DECLARATIONS

No conflict declared at this time.

ADOPTION OF MINUTES

IT WAS MOVED by *Councillor Coates* and seconded by *Councillor Ward Russell* **THAT** the minutes from the Regular Meeting of Council on January 17, 2023, be approved. **MOTION CARRIED** (unanimously).

IT WAS MOVED by *Councillor Ward Russell* and seconded by *Councillor Land* **THAT** the minutes from the Special Meeting of Council on January 24, 2023, be approved. **MOTION CARRIED** (unanimously).

PUBLIC AND ADMINISTRATIVE PRESENTATIONS

Public Presentation

Mrs. Stephen Chrysostom – Agenda order of Public Questions/Comments; *Mayor Rochon* stated that the Council intends to review the agenda format.

Business Arising from the Minutes of January 17 and January 24, 2023:

Mayor Rochon reviewed business arising from the minutes of January 17, 2023.

Page. 4 – Fundy Albert Budget. *Mayor Rochon* stated that staff continue to unpack and attempt to understand the 2023 budgets for the Village of Fundy Albert. The budget was prepared by a Provincially-appointed Facilitator without involvement of staff. *Mayor Rochon* stated there is evidence of errors being made in their preparation that may result in a shortfall of funds. Work is ongoing to identify these errors and these will be brought to the attention of the Department of Local Government and Local Governance Reform. *Mayor Rochon* stated he reached out to the Transition Facilitator, through the CAO, for source documents. The Facilitator responded that he

PUBLIC AND ADMINISTRATIVE PRESENTATIONS – Cont'd

is in the process of turning over relevant information to the Province. Council is in agreement that **Mayor Rochon** corresponds with the Department of Local Government and Local Governance Reform to request such documents.

Page. 4 – Storm sewer issue on Main Street in Alma. Upon investigation of the culvert, it was determined there are two problem areas in the culvert where large debris has accumulated. Englobe Corp has estimated that a spot repair would cost approximately \$30,000 and a more comprehensive repair would cost approximately \$100,000. **Mayor Rochon** stated the District Engineer at the Department of Transportation and Infrastructure has been contacted and referred to the *Department of Transportation & Infrastructure and New Brunswick Municipalities Reference Manual*, Section 4.6.3., that indicates if culverts underneath a road in a municipality is connected to an underground drainage system on either side of the road, then the cleaning, thawing, and maintenance of said culvert is a municipal responsibility. **Mayor Rochon** has asked for further discussion with the Department of Transportation and Infrastructure.

Page. 5 – Hillsborough water exploration project. The preliminary site assessment and geophysical survey report was provided to members of Council. A new target location has been identified for water exploration. This will be brought to the property owner's attention. Phase 1 of the water exploration will impact water rates in Hillsborough, as identified in the Hillsborough Utility budget.

Page. 5 – Riverside-Albert water line project and filtration system upgrade. A meeting with Mr. Gordon Wasson of EXP is scheduled for February 8 to bring Council up to speed on the project.

Page. 6 – Incubator Space rental. The CAO advised that ACTA has stated they are not positioned to rent an incubator space.

IT WAS MOVED by **Councillor Ereaux** and seconded by **Councillor Coates** **THAT** the Fundy Albert Council dispose of the 2007 Chevrolet Silverado through a competitive independent tender process. **MOTION CARRIED** (unanimously).

Truck Purchase – Public Works Fleet

The Director of Operations obtained quotes from three dealerships for trucks suitable for the needs of a reliable water operations truck.

IT WAS MOVED by **Councillor Jonah** and seconded by **Councillor Land** **THAT** the Fundy Albert Council approve the purchase of a 2022 GMC Canyon from McDonald Buick, in the amount of \$46,154 plus HST with funds from Hillsborough's reserves. **MOTION CARRIED** (unanimously).

Mayor Rochon stated that confirmation was received on January 11, 2023, that the General Operating and the Water and Wastewater (Utility) budgets for the Village of Fundy Albert were approved by the Province of New Brunswick. **Mayor Rochon** stated these budgets were prepared by the Provincially-appointed Transition Facilitator with limited input from the elected officials from the three former incorporated municipalities of Alma, Hillsborough, and Riverside-Albert.

REPORTS FROM ADMINISTRATION

Reports were provided by the CAO/Clerk, and the Director of Community Services.

REPORTS FROM ADMINISTRATION – Cont'd

A letter was received from the Crown Lands Branch for a License of Occupation application made by the former Village of Hillsborough to maintain a non-motorized recreation trail on Crown Land.

IT WAS MOVED by *Councillor Land* and seconded by *Councillor Coates* that **WHEREAS** the Crown Lands Branch has completed its evaluation of the Fundy Albert Council (formerly the Village of Hillsborough Council) License of Occupation application to maintain a non-motorized recreational trail on Crown Land PIDs 00627810 and 00627802, within the Village of Fundy Albert, and **WHEREAS** the Crown Lands Branch has provided authorization to maintain the recreational trails which shall expire on March 31, 2043, the Fundy Albert Council so authorizes the Clerk to provide written acceptance of the offer. **MOTION CARRIED** (unanimously).

The Clerk provided the cost to purchase a Meeting Owl (microphone and camera) to broadcast meetings of council.

IT WAS MOVED by *Councillor Coates* and seconded by *Councillor Land* **THAT** the Fundy Albert Council approve the purchase of a Meeting Owl, in the amount of \$1500.00 plus HST. **MOTION CARRIED** (unanimously).

The Albert County Chamber of Commerce membership cost for one-year is \$150.00. The Council stated they prefer to wait until a grants and donation policy has been established.

A local group of parents are interested in using the Alma Activity Centre weekly for a duration of 8-10 weeks, beginning in March, for a children's DanceEast program. The Council have no concerns with the group using the space, as long as the group is responsible for clean-up.

IT WAS MOVED by *Councillor John Ereaux* and seconded by *Councillor Loretta Elderkin* **THAT** the Municipality of the Village of Fundy Albert submits to the Municipal Capital Borrowing Board an application for authorization to borrow money in an amount not to exceed \$281,910 for Well Exploration Interim Financing in the amount of \$262,910 for a term not to exceed three (3) years and for Well Exploration cost increase in the amount of \$19,000 for a term not to exceed five (5) years. **MOTION CARRIED** (unanimously).

MAYOR & COUNCILLOR STATEMENTS & INQUIRIES

Councillor Jonah requested that the Facebook pages for Alma, Hillsborough, and Riverside-Albert be taken down to avoid confusion. *Councillor Jonah* indicated that he was supportive of the resident who had sent Council a letter suggesting a prayer be introduced into the council meeting proceedings. On offering from *Mayor Rochon*, *Councillor Jonah* introduced a motion to introduce prayer to council meetings.

IT WAS MOVED by *Councillor Jonah* and seconded by *Councillor Land* **THAT** the Fundy Albert Council institute a Council Prayer. **MOTION CARRIED** (Nay Votes: *Councillor Ereaux*, *Councillor Heather Ward Russell*, *Mayor Rochon*).

Question on the motion: *Councillor Ward Russell* – Asked if this something the Council will do, or will clergy come in; per *Mayor Rochon* the approach would be determined by Council.

Question on the motion: *Councillor Ereaux* raised concerns about the lawfulness of such a practice given a Supreme Court of Canada ruling on a similar situation in another community.

MAYOR & COUNCILLOR STATEMENTS & INQUIRIES – Cont'd

Mayor Rochon added that the case referred to by *Councillor Ereaux* involved the municipality of Saguenay, Quebec. *Mayor Rochon* outlined an option to table the motion pending further study of the matter. *Mayor Rochon* also briefly explained past practices concerning prayer in the former village of Hillsborough council meetings.

Councillor Ward Russell stated she had various concerns brought to her attention by residents. There were trees on power lines, and that she contacted NB Power and they were removed within 24 hours. There was a misunderstanding that household waste collection schedule change and that the large garbage pick-up was cancelled; She stated that she contacted the contractor who confirmed there are no changes for household collection or large garbage pick-up.

Councillor Ward Russell stated she had some phone calls concerning the tax rate issued for the former Local Service District areas (LSDs). There were concerns of a mess at the IWK clothing donation bins located on Niagara Road. **Councillor Ward Russell** confirmed the mess has been addressed.

Councillor Elderkin stated there was a power outage in January in areas of Fundy Albert for some, up to seven days, due some very unfortunate circumstances. **Councillor Elderkin** expressed appreciation for the linesman and passed on thoughts and prayers for the families of the linesman. During the prolonged power outage, concerns were expressed for the Seniors' complex in Riverside-Albert for not having a generator. **Councillor Elderkin** stated it would be beneficial to continue to lobby for NB Housing to provide proper back up services at the complex to prepare for future outages and other disasters. The Riverside-Albert Rec Centre was open as a warming center from January 18 and remained open daily until January 22, when power was restored for all of Ward 1 and 2. **Councillor Elderkin** thanked the volunteers, local businesses, and Council members for servicing the community during difficult times for all.

Councillor Ereaux expressed gratitude to the Alma Recreation Council for opening a warming centre at the Alma Rink, and to local businesses, volunteers, and Fundy National Park.

Councillor Ereaux stated that there are many lessons to be learned from the prolonged power outage related to emergency preparedness. **Councillor Ereaux** stated that residents have expressed concern with not knowing if the events that usually take place in Ward 1, such as Canada Day, Fleet Launch, etc. will continue in 2023. **Councillor Ereaux** stated that the Clerk continues to work out of the Alma office every Monday.

Mayor Rochon stated that both he has also been contacted by residents concerned about the tax rates of the former local service districts. **Mayor Rochon** advised that the 2023 General Operating and Utility Fund budgets were developed by the Provincially appointed Transition Facilitator. There was no involvement of members of the elected officials advisory committee, nor by the employees of the former local governments. The 2023 budgets have been approved by the Province and cannot be changed. **Mayor Rochon** stated that when the 2024 budgets are prepared, they will be prepared in a more transparent manner. **Mayor Rochon** stated that the principles used in preparing budgets have changed. The Province of New Brunswick has mandated that costs for certain services are to be shared by all taxpayers, including those in the former local service districts. Examples of these are costs of the general government services (not including public works), solid waste collection, planning, protection services and the cost of recreational and cultural facilities they have access to. **Mayor Rochon** stated that there was a

MAYOR & COUNCILLOR STATEMENTS & INQUIRIES – Cont'd

recording of a recent council meeting without Council's notice. **Mayor Rochon** stated it seems the motivation to do so was due to the audio quality of the equipment used by Council to broadcast the meeting on Facebook. If Council wishes to restrict the practice of recording meetings of Council, the procedural bylaw will need to be amended. The purchase of the equipment mentioned during the Clerk's report may eliminate this practice. **Mayor Rochon** provided Council with proposed committee assignment recommendations for Council's consideration. In addition to the

recommendations provided to Council, **Mayor Rochon** recommends a personnel committee. **Mayor Rochon** stated that the Mayor may sit on any committee as an ex-officio member. Each committee should develop a terms of reference for review and approval by Council, including committee makeup and the frequency of meetings. **Mayor Rochon** provided Council with proposed Board assignment recommendations for Council's consideration. **Mayor Rochon** reviewed a list of organizations in the community that would benefit from having an elected official as a liaison person. **Mayor Rochon** also provided proposed assignments to these organizations for Council's consideration. **Mayor Rochon** stated that the recent extended power outage exposed vulnerabilities as they relate to the Village of Fundy Albert's emergency preparedness. These vulnerabilities include:

- The need to revise the emergency measures plan (to include all of Fundy Albert);
- The need to identify a new emergency measures coordinator; and
- Create a municipal emergency measures committee;

Mayor Rochon's recommendations include:

- Identify options to ensure emergency power at a warming centre in Alma;
- Backup power for sewerage lift stations in Riverside-Albert;
- Hold community meetings with residents of Ward 1 and 2 to listen to resident concerns, which are already planned;
- Hold an internal debriefing to review the local government's response to the event; and
- Establish an EMO Committee.

Mayor Rochon stated that **Councillor Jonah** was contacted by a resident concerned about the trail at White Rock that washed away. **Mayor Rochon** stated this trail has washed out before. If a repair was done through an engineer firm, the cost would be in excess of \$200,000. **Mayor Rochon's** recommendations include:

- Approaching the SERSC to explore the possibility of having this trail recognized as a regional asset;
- Approaching user groups including ATV, snowmobile and mountain bike to cost-share in the repair;
- Explore the possibility of installing a pedestrian/off-road vehicle bridge.

Mayor Rochon stated that on January 20th, he participated in a meeting with staff of Horizon Health about the potential for the relocation of the Hillsborough Satellite Office of the Albert County Community Health Centre to 60 Academy Street, a building owned by the Village of Fundy Albert. Horizon Health were reminded that there are no provisions for the Village to prolong the current lease of the old Hillsborough Baptist Church beyond the end of June 2023. While the current lease does not require a notification that the lease will not be extended beyond June 2023, **Mayor Rochon** advises that the property owner be provided with written notice. **Mayor Rochon** stated that he met with the Regional Trails Coordinator, Marc Leger, on January 25 to discuss developments with the Hillsborough segment of the Shoreline Trail and Trans

MAYOR & COUNCILLOR STATEMENTS & INQUIRIES – Cont'd

Canada Trail designation. **Mayor Rochon** stated he was approached by a Riverside-Albert resident on January 30 about the sewerage lift stations and the lack of emergency power during extended power outages. **Mayor Rochon** stated that during the 6-day power outage, there was no power to the lift stations which is concerning. **Mayor Rochon** stated that he attended a funding announcement by the Department of Post-secondary Education, Training and Labour. A total of \$40 million will be provided to Regional Service Commissions over a 10-year period to support economic development, labour force development and newcomer retention services. The

Chairperson of the SERSC commented that the efforts of the RSC would include rural economic development. **Mayor Rochon** attended the SERSC Board of Director's meeting on January 31. This was the first meeting of the Board in 2023, with new members in attendance. Topics discussed included a planned strategic planning retreat, social development (homelessness), and potential board committee assignments. **Mayor Rochon** stated he had a conversation with the Southeast Rural District Local Services Manager who explained that he would like to organize a meeting with the CAOs from the communities of Fundy Albert, Salisbury, and Three Rivers to discuss options for solid waste collection, as the current contracts expire at the end of 2023. The idea being that the four communities could benefit from one signed solid waste contract, instead of attempting to develop individual ones. **Mayor Rochon** stated this could be a good step in addressing the different methods used within Fundy Albert. **Mayor Rochon** stated that following a request that was sent to the MLA, Mike Holland, about the possibility of accessing disaster relief funding for people who had spent considerable funds fueling their generators during the prolonged power outage, **Mayor Rochon** had a video conference on February 2 with representatives of the Province of New Brunswick's Department of Justice and Public Safety Community, Capacity, and Resiliency initiative. **Mayor Rochon** received confirmation that there are no provisions for disaster relief funding because the criteria used to trigger funding had not been met. The Department suggested that if there were people who lost food or who were in need of food, they could turn to local agencies for assistance. **Mayor Rochon** stated that as a local government, Council can prescribe the power and duties of the Chief Administrative Officer. **Mayor Rochon** stated there are examples where municipalities have achieved this through a bylaw or by a policy that has been developed and passed through a resolution. **Mayor Rochon** stated the personnel committee can provide advice to the Council on the matter.

NOTICES OF MOTIONS AND RESOLUTIONS

IT WAS MOVED by **Councillor Ereaux** and seconded by **Councillor Land** that **WHEREAS** the Province of New Brunswick has repealed all regulations related to building standards, permits, and inspections from the *Community Planning Act* and adopted them under the *Building Code Administration Act*; **AND WHEREAS** Hano Derckson, Denis Frenette, Samuel Frenette, Patrick Gaudet, Martin Picot, Adrien Robichaud, and Bill Wright have been accepted by the Southeast Regional Service Commission as Building Inspectors; **BE IT RESOLVED** that the Municipal Council of Fundy Albert appoint the above-named Inspectors as Building Inspectors for the Village of Fundy Albert under Section 71 of the *Local Governance Act*; **BE IT FURTHER RESOLVED** that the Municipal Council of Fundy Albert hereby gives authority to the Building Inspectors to issue orders and lay information for offences under Section 41 of the *Building Code Administration Act*. **MOTION CARRIED** (unanimously).

CLOSED SESSION

IT WAS MOVED by **Councillor Elderkin** and seconded by **Councillor Land** **THAT** the meeting enter Closed Session at 7:46 P.M. per the NB *Local Governance Act*, SNB 2017, 68 (1)(j) labour and employment matters. **MOTION CARRIED** (unanimously).

IT WAS MOVED by **Councillor Land** and seconded by **Councillor Coates** **THAT** the Closed Session cease at 9:11 P.M. **MOTION CARRIED** (unanimously).

Council returned to regular session at 9:11 P.M.

IT WAS MOVED by *Councillor Elderkin* and seconded by *Councillor Coates* **THAT** the Fundy Albert Council approve pay increases as discussed in-camera that will be effective immediately and retroactive to January 1, 2023; and **THAT** the Fundy Albert Council will review, update and provide employees with details of their employment contracts and current policies that are to be followed. **MOTION CARRIED** (unanimously).

ADJOURNMENT

IT WAS MOVED by *Councillor Land* **THAT** the meeting be adjourned at 9:13 PM.

Robert Rochon, Mayor

Hanna Downey, Clerk

