

1. Call to Order - 7:00 pm

Mayor Merrifield called the meeting to order at 7:01 pm.

2. Acknowledgement of Treaty Land

We respectfully acknowledge that Grand Bay-Westfield exists on the traditional Wolastoqey (WOOL-US-TOOK-WAY) land.

The lands of Wabanaki (WAH-BAH-NAH-KEE) people are recognized in a series of Peace and Friendship Treaties to establish an ongoing relationship of peace, friendship and mutual respect between equal nations.

The river that runs by our town is known as Wolastoq (WOOL-LUSS-TOOK), along which live Wolastoqiyik (WOOL-US-TOO-GWEEG) – the people of the beautiful and bountiful river.

We, the staff and elected representatives, pay respect to the elders, past and present, and descendants of this land.

3. Mayor's Comments

4. Record of Attendance

Councillor Balemans, Councillor Balcomb, Councillor Day, Councillor McIntosh Lawrence and Deputy Mayor Toole were in attendance.

Staff Attendance: Gary Clark, Bruce Gault, John Enns-Wind, Troy Gautreau, Marcia Mason, David Taylor, and Greg Yeomans.

Guests: Cory Ryan – RCL Legion
John Webber, Kelly Goddard – RVCC
Stephen Stone – Dillon Consulting Ltd
Marlo Glass – News Reporter
Via Zoom – Meghan Carey and Mike Roma – RC Strategies

5. Agenda Approval

That the Council of the Town of Grand Bay-Westfield approve the Agenda of October 25, 2021 as presented. Amend to include items 13.b and 13.c.

Motioned by: Councillor Balemans

Seconded by: Deputy Mayor Toole

Carried

6. Disclosure of Conflict of Interest

- a) Councillor Jim Balcomb stated a Conflict of Interest with item 7.c on the agenda

7. Public Hearings/Presentations/Delegations/Petitions

a) Parks & Recreation Master Plan – RC Strategies (30 mins)

That the Council of the Town of Grand Bay-Westfield receive and file the information as presented.

Motioned by: Councillor McIntosh Lawrence

Seconded by: Deputy Mayor Toole Carried

b) RVCC – John Webber, Tanya Oliver & Kelly Goddard

That the Council of the Town of Grand Bay-Westfield receive and file the information as presented and refer the item to the Budget Process.

Motioned by: Deputy Mayor Toole

Seconded by: Councillor Balemans Carried

c) Cenotaph Project – Cory Ryan

That the Council of the Town of Grand Bay-Westfield receive and file the information as presented and move the item to 11.d for a motion.

Motioned by: Deputy Mayor Toole

Seconded by: Councillor Balemans Carried

d) Amendments to Zoning Bylaw #122 – Stephen Stone – Dillion

That the Council of the Town of Grand Bay-Westfield amend the Zoning By-Law #122 as approved by PAC. No written objections or approvals were received for the Public Hearing.

Motioned by: Councillor McIntosh Lawrence

Seconded by: Councillor Balcomb Carried

8. Minutes of Previous Meeting

a) October 12, 2021

That the Council of the Town of Grand Bay-Westfield adopt the Minutes of the Regular Council Meeting of October 12, 2021 as presented.

Motioned by: Deputy Mayor Toole

Seconded by: Councillor Balemans Carried

b) **Email Poll: 4 Bayview Road**

That the Council of the Town of Grand Bay-Westfield ratify the email poll : 4 Bayview Road.

Motioned by: Councillor Balcomb

Seconded by: Deputy Mayor Toole Carried

9. Unfinished Business

None

10. Bylaws

a) **PAC Memo with Recommendations**

That the Council of the Town of Grand Bay-Westfield proceed with the enactment of Amendments to the Zoning Draft By-law No 122 A, inclusive of the proposed changes as outlined by Dillon Consulting Ltd., for the text changes as proposed for the Draft By-law with the exception of Section 3 – Definition #112 Portable or Temporary Garage and Section 4.8.6 Definition Portable Garages with the recommendation to remove the dates October 30 and April 30, inclusive.

Motioned by: Councillor McIntosh Lawrence

Seconded by: Deputy Mayor Toole Carried

11. New Business/Recommendations

a) Parks & Recreation Master Plan

That the Council of the Town of Grand Bay-Westfield Council adopt the Parks and Recreation Master Plan as presented and approve its implementation with funding to be determined.

Motioned by: Councillor McIntosh Lawrence

Seconded by: Councillor Balcomb

Carried

b) River Valley Community Centre

That the Council of the Town of Grand Bay-Westfield approve, as a condition of Funding to the River Valley Community Center, and at the expense of the Town, that a Strategic Plan as per the proposal from RC Strategies at a cost of \$12,312 plus applicable taxes is completed.

Motioned by: Deputy Mayor Toole

Seconded by: Councillor McIntosh Lawrence

Carried

c) 140 George Street

That the Council of the Town of Grand Bay-Westfield proceed with the removal of a bus from PID#00077370, 140 George Street.

WHEREAS David Sowerby, being the owner of the property located at 140 George Street, Grand-Bay Westfield, N.B. (PID #00077370);

AND WHEREAS the condition of the property contravenes subsections 190.01(1), 190.01(1.1) and 190.01(2) of the *Municipalities Act*, as adopted by the Dangerous and Unightly Premises By-Law No.115;

AND WHEREAS, in compliance with section 190.01(3) of the *Municipalities Act*, David Taylor, Development Officer for the Town of Grand Bay-Westfield, issued letters by mail, on June 30, 2020; September 21, 2020; April 15, 2021; August 11, 2021, advising the owner to have the bus removed;

AND WHEREAS the Notice to Comply (Form 1) was served on the owner(s) of the property on September 9, 2021 by Process Server;

AND WHEREAS the owner failed to observe the Notice to Comply, and did not request an appeal of the contents of the Notice within the specified time frame, being 14 days;

AND WHEREAS the owner failed to effect the remedy sought in the Notice to Comply within the 30 days specified for doing so;

AND WHEREAS on October 18, 2021, the Department of Finance was notified the Town of Grand Bay-Westfield intends to undertake the cost of removing the bus located at George Street and will make a claim against the owner to recover the expense, with confirmation by the Department of Finance has been received.

IT IS HEREBY RESOLVED AS FOLLOWS:

The Town of Grand Bay-Westfield authorizes Loyalist Towing Ltd. to proceed with the removal of the bus showing license plate L132796, from the property located at 140 George Street, PID No. 00077370, for the estimated amount up to \$1,500.00 plus HST, pursuant to sections 190.04(1)(a), 190.04(1)(a.1) and 190.04(1)(b) of the *Municipalities Act*.

Motioned by: Councillor McIntosh Lawrence

Seconded by: Councillor Balemans

Carried

d) Cenotaph – Cory Ryan

Councillor Balcomb departed the meeting at 9:12pm due to a stated Conflict of Interest.

That the Town of Grand Bay-Westfield authorize the Mayor to write a letter of support to Cory Ryan, RCL Legion to approve the use of Land at the Cenotaph for Grant Approvals.

Motioned by: Deputy Mayor Toole

Seconded by: Councillor McIntosh Lawrence Carried

Councillor Balcomb rejoined the meeting at 9:13pm.

12. Bills for Payment

That the Council of the Town of Grand Bay-Westfield authorize the October 25, 2021 bills for payment as presented in the amount of \$88,604.25.

Motioned by: Deputy Mayor Toole

Seconded by: Councillor Balemans Carried

13. Consent Agenda

- a. Letter – Canadian Mental Health Association New Brunswick
- b. Halloween Guidance
- c. GNB Vaccination Policy Update

That the Town of Grand Bay-Westfield receive and file the consent agenda items for October 25, 2021.

Motioned by: Councillor Balcomb

Seconded by: Deputy Mayor Toole Carried

14. Council Reports

15. Business Arising from Committee of the Whole

None

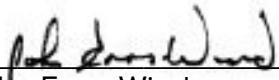
16. Adjournment

That the Council of the Town of Grand Bay-Westfield adjourned the meeting at 9:27 pm.

Motioned by: Councillor Balemans

Seconded by: Councillor McIntosh Lawrence

Carried



John Enns-Wind
CAO



Brittany Merrifield
Mayor

Vision: A welcoming place to live, grow and thrive
Mission: Facilitating growth, wellness, and prosperity through effective and forward-thinking leadership.

Council Meeting: October 25, 021

Date: 10/22/21

TITLE: DRAFT PARKS AND RECREATION MASTER PLAN

PREPARED BY: TROY GAUTREAU

DEPARTMENT: GENERAL GOVERNMENT

For Information

For Discussion

For Decision

RELATED TO STRATEGIC PLAN:

- Community Vitality

ATTACHMENTS:

1. Draft Parks & Recreation Master Plan
2. Community Lens Framework
3. Logic Model
4. Amenity Prioritization Framework
5. Program Development Framework

BACKGROUND

In the spring of 2021, the Town embarked on the journey to develop a Parks and Recreation Master Plan. In recognizing parks and recreation are significant contributors to enhancing the quality of life of individuals, families, and the community a steering committee was formed, and a consulting firm (RC Strategies) was contracted to facilitate the project. RC Strategies specializes in Parks and Recreation planning and brought wide-ranging experience and skillsets to the table.

COMMENT

Following extensive community engagement, stakeholder engagement, planning sessions with staff and the steering committee RC Strategies has presented their final Strategic Plan for consideration. A draft copy of the plan was provided to the steering committee and Council for review and feedback.

The plan achieved the goal of providing a long-term strategy to be used as a guide in developing parks and recreation programs, services and facilities. The adoption and implementation of the plan is supported by the committee.

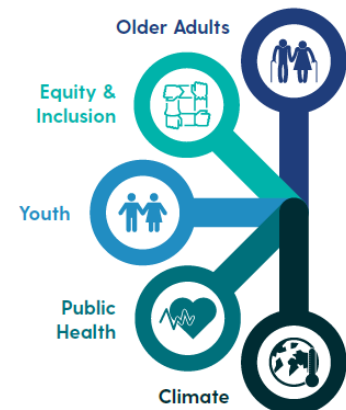
The Grand Bay – Westfield Parks and Recreation Comprehensive Master Plan is intended to provide a long-term strategy that is used as a guide in developing parks and recreational programs and services that will encourage a healthy, vibrant community while supporting growth and development in the Town. The Strategy will be built upon the foundation of the Town's vision and mission statements and with the aim to support the strategic priority of community vitality.

Highlights:

- The planning process clearly identified strong community support for enhancing Grand Bay-Westfield's Parks and Recreation services through four engagement channels.

Draft Parks and Recreation Master Plan

- In developing its final recommendations also reviewed data gathered through community research, planning and policy review, trends & leading practices, comparative research, inventory, partnerships, and service delivery. This yielded key findings:
 - The public provision of parks and recreation amenities and services is essential to public health; it supports fundamental **lifelong sport and physical activity participation** for residents.
 - **Equitable access to public recreation facilities, parks and trails** and **inclusive programming** should be a priority regardless of ability, race, gender, orientation, or age.
 - **Multi-sector partnerships** to deliver recreation services and programming to individuals and communities are essential.
 - **A value-based** approach to management of community and regional partnerships will ensure intended outcomes are met.
 - Outcome based and **evidence driven decision making** should focus on fostering healthy, active residents and supporting the wellbeing of communities and citizens. **Environmentally sustainable** building practices and facility management protocols need to be prioritized to minimize ecological footprint of activities.
 - Recreation has unique role to play in **fostering a diversify, strengthened local and regional economy** through tourism and as part of a broader strategy to attract and retain a skilled workforce.
- Planning included regional context was considered.
- The Parks and Recreation Master Plan provides a new recreation model for the Town, which will:
 - Enhance service delivery capacity.
 - Expand diversity of recreation opportunities for residents and visitors.
 - Identify strategies to enrich regional and community partnerships.
 - Promote stewardship of natural assets.
 - Empower the community to work together to improve the wellbeing of all.
- Role of the Recreation Department: “Provide residents of Grand Bay – Westfield with a diverse offering of recreation, wellness and leisure opportunities that enrich their lives. Individuals of all ages and abilities will be considered when developing these opportunities, with a goal of providing pathways not only to physical health, but also improved social and mental health. We are committed to providing quality programming, facilities, parks and trails, and events. We value and support our community partners who contribute to and share our passion for an inclusive, innovative, healthy, and sustainable community.”
- The plan offers a new decision-making framework to consider the impact of potential policy, program, or practice through various community and environmental perspective or “lens” The five lenses identified and applied were: older adult; equity and inclusion; youth; public health; climate.



Draft Parks and Recreation Master Plan

Each lens has a series of questions that should be applied before and after actions are taken.

- Role of the Recreation Department: “Provide residents of Grand Bay – Westfield with a diverse offering of recreation, wellness and leisure opportunities that enrich their lives. Individuals of all ages and abilities will be considered when developing these opportunities, with a goal of providing pathways not only to physical health, but also improved social and mental health. We are committed to providing quality programming, facilities, parks and trails, and events. We value and support our community partners who contribute to and share our passion for an inclusive, innovative, healthy, and sustainable community.”
- Five strategic themes emerged through the planning process:
 - Inclusion and Accessibility
 - Communications & Engagement
 - Optimization of Services & Facilities
 - Partnership Cooperation
 - Sustainability
- Recommended actions for Inclusion and Accessibility:

Action	Timeline	Responsibility	Resources/Considerations
Develop inclusion policies and procedures for Town supported/operated programming and facilities.	Medium	Town Partners Community Groups	<ul style="list-style-type: none"> • Seek input from community organizations such as BGC Greater Saint John.
Adopt the Community Lens Framework as part of decision making and evaluation processes.	Short	Town	<ul style="list-style-type: none"> • See Parks and Recreation Master Plan Section 6
Establish intergenerational programming which could include special events, physical and creative activities.	Ongoing	Town Partners Community Groups	<ul style="list-style-type: none"> • Work with community groups to support development of intergenerational programming. • Create programming where gaps exist. See Appendix E: Program Development Framework.
Conduct a physical accessibility audit of facilities, parks, and trails.	Medium	Town Partners	<ul style="list-style-type: none"> • Para NB has sport and recreation facility and programming checklists available.
Conduct a review of user and rental fees.	Medium	Town Partners	<ul style="list-style-type: none"> • Develop guidelines to ensure fair and equitable access to the recreation facilities, services and programs.
Encourage a greater range of activities for older adults.	Ongoing	Town	<ul style="list-style-type: none"> • Work with community partners and service providers to determine appropriate range of activities and services. • NB Plays provides resources to support older adult programming development.
Develop training to ensure staff and community recreation leaders positively contribute to delivering high-quality, safe, and meaningful recreation experiences for all residents.	Medium	Town	<ul style="list-style-type: none"> • The Canadian Parks and Recreation Association has many professional development resources available. • The Government of Canada offers a free gender-based analysis plus (GBA+) course online.

Draft Parks and Recreation Master Plan

- Recommended actions for Communication and Engagement:

Action	Timeline	Responsibility	Resources/Considerations
Coordinate a roundtable with all relevant stakeholders to communicate the outcomes and recommendations from this Master Plan.	Short	Town	<ul style="list-style-type: none"> Include relevant Town departments, regional and community partners to support continued collaboration.
Provide an interactive online Grand Bay – Westfield Parks and Recreation Activity Guide.	Short	Town	<ul style="list-style-type: none"> Work with regional partners to identify opportunities available to residents.
Align the promotion of recreation and parks with the Framework for Recreation in Canada (2015) and Parks for All (2017) to highlight the benefits for all.	Short	Town	<ul style="list-style-type: none"> See Appendix A: Policy Review Framework for Recreation in Canada (2015) Parks for All (2017)
Develop interactive online maps for parks, trails, and open spaces.	Medium	Town	<ul style="list-style-type: none"> Residents and visitors should be able to easily plan their desired parks and trails experiences. Several online map applications, such as Google Maps, allow for the easy development of online maps
Improve access to online information on recreation, parks, and trail amenities.	Short	Town	<ul style="list-style-type: none"> Consider increasing the availability of all related information contained online.
Support the promotion of community group and partner programming and services.	Ongoing	Town	<ul style="list-style-type: none"> Leverage Town social media to support community groups. Work with community groups to determine promotional needs.
Research the potential for a new data management system to better maintain and utilize comprehensive data on community partners and stakeholders.	Short	Town	<ul style="list-style-type: none"> Many data management systems exist, ranging from Customer Relation Management (CRM) systems to more robust suites offering analytic capabilities. Cost, user friendliness, and functionality should be key considerations.
Conduct community engagement to determine shifting needs and preferences of residents.	Ongoing	Town	<ul style="list-style-type: none"> Facility/program satisfaction surveys. Town/regional Resident Recreation Survey repeated every five to seven years.
Create meaningful opportunities to engage youth to identify barriers, experienced challenges and demands for recreation opportunities.	Ongoing	Town	<ul style="list-style-type: none"> Work with community groups and partners to identify opportunities to engage youth. Consider how engagement findings will be reported or shared back with youth to maximize 'buy-in'.

Draft Parks and Recreation Master Plan

- Recommended actions for Optimization of Services and Facilities:

Action	Timeline	Responsibility	Resources/Considerations
The Parks and Recreation Policy should be reviewed and updated to reflect the updated mandate and objectives contained within this Master Plan.	Short	Town	<ul style="list-style-type: none"> Parks and Recreation Comprehensive Master Plan Adopt proposed new role for department contained within Parks and Recreation Comprehensive Master Plan.
Facility User Policy should be revised and updated.	Short	Town	<ul style="list-style-type: none"> More operational directions could be presented as a form or check list. Consider adopting a 'Code of Conduct Policy' to guide user behaviour in facilities.
Grant Policy should be revised and updated.	Short	Town	<ul style="list-style-type: none"> Consider adding language or criteria on group alignment with strategic documents such as the Parks and Recreation Comprehensive Master Plan.
Complete an operational review of the RVCC and develop a Strategic Plan to guide future use and development.	Short	Town Partner - RVCC	<ul style="list-style-type: none"> Support enhancement of current operations and maximize benefits for the community. Identify gaps and opportunities.
Invest in trail enhancement through the development of a Trails Master Plan.	Medium	Town Community Groups Partners	<ul style="list-style-type: none"> Parks and Recreation Master Plan, particularly Appendix A: Policy Review to support grant applications.
Develop a facility feasibility study for a multi-purpose community recreation Center.	Medium	Town	<ul style="list-style-type: none"> Work with community groups and partners to identify needed amenities. See Appendix G: Feasibility Triggers See above.
Develop an outdoor recreation feasibility study for a community beach and hand launch.	Short	Town	<ul style="list-style-type: none"> Consider utilizing online mapping to engage residents on where they would like to see investment.
Ensure all activity spaces and rooms do not have specific labels (e.g., youth/senior room).	Short	Town	<ul style="list-style-type: none"> Will maximize flexibility of current inventory of spaces. Allow for opportunities for cross-programming and intergenerational programming.

Draft Parks and Recreation Master Plan

- Recommended actions for Partnership:

Action	Timeline	Responsibility	Resources/Considerations
Hire a Community Liaison and Programming Coordinator.	Short	Town	<ul style="list-style-type: none"> Assist in building capacity with partners who provide services to the community. Consider engaging regional partners to determine if this could be a shared position.
Develop resources and tools to support community groups and partners.	Short	Town	<ul style="list-style-type: none"> Focus on areas such as volunteer recruitment and training, board development, fundraising, planning and community engagement.
Establish an annual process to gather data from community partners/groups.	Medium	Town	<ul style="list-style-type: none"> Will ensure decision making, policy and program evaluation and benefit measurement are rooted in accurate information.
Create a regional recreation leadership team that is united by a common vision and acts as an advisory body for parks and recreation.	Short	Town Partners	<ul style="list-style-type: none"> Could inform the decision making of Council as related to parks and recreation matters, including the development and operations of infrastructure and programs, and service delivery. Should provide a regional perspective.
Contribute to the development of a Town Volunteer Strategy that includes other sectors that rely on volunteers.	Medium	Town	<ul style="list-style-type: none"> Multi sector/department volunteer strategy will benefit the Town and ensure consistency in operations and opportunities.
Develop a Partnership Framework to guide existing and future community partnerships that support the delivery of parks and recreation.	Medium	Town	<ul style="list-style-type: none"> The framework could contain guidance related to: <ul style="list-style-type: none"> » Criteria to identify potential partners » Expectations and responsibilities » MOU template » Evaluation metrics

Draft Parks and Recreation Master Plan

- Recommended actions for Sustainability:

Action	Timeline	Responsibility	Resources/Considerations
Develop a lifecycle reserve for all recreation (indoor and outdoor) and park amenities.	Medium	Town	<ul style="list-style-type: none"> Canadian Infrastructure Report Card recommends reinvestment of between 1.7 and 2.5% of capital value back into facilities on an annual basis.
Develop a strategy and workplan to guide maintenance and park/facility improvements over the next 10 years.	Medium	Town Partners	<ul style="list-style-type: none"> Climate ready adaptations and accessibility should be a priority. See Appendix F: Amenity Prioritization Framework to support planning.
Adopt a project feasibility framework for all potential major infrastructure projects.	Short	Town	<ul style="list-style-type: none"> See Appendix G: Feasibility Triggers
Incorporate recreation facilities and services into emergency management plans to improve community resilience.	Medium	Town Partners	<ul style="list-style-type: none"> Recreation integration into emergency preparedness Lessons learned from pandemic response Town Climate Change Action Plan
Develop a Facility and Field Allocation Policies to ensure effective and efficient use of City and Town resources.	Short	Town Partners	<ul style="list-style-type: none"> Engage partners to identify if there are any existing conflicts between user groups and identify strategies for addressing them.
Research leading sustainable practices to operations and facility management and design.	Ongoing	Town Partners	<ul style="list-style-type: none"> Support staff training on best practices. Canada Green Building Council has many resources available online at no or low-cost.
Establish strategies and procedures to ensure public safety and functionality of parks	Ongoing	Town	<ul style="list-style-type: none"> Park design can have direct impact on people's perception of safety. WorkSafe NB has many resources available for occupational health and safety and other topics.

- A Program Development Framework is included in the plan, along with a prioritization framework.

Of particular interest in reviewing the plan, is how well it aligns with Council's Strategic plan and subsequent workplan. The plan contributes to each strategic pillar in a meaningful way. Adoption of the Parks and Recreation Master Plan provides a high likelihood of success in realizing Council's vision of providing a welcoming space to live, grow and thrive.

FINANCIAL IMPLICATIONS

There are no financial implications in adopting the plan, the plan does however, aid in future financial decision making which will be funded through budget deliberation processes.

RECOMMENDATION

That the Council of the Town of Grand Bay-Westfield adopt the Parks and Recreation Master Plan as presented.

Draft Parks and Recreation Master Plan

MOTION

That the Council of the Town of Grand Bay-Westfield adopt the Parks and Recreation Master Plan as presented and approve its implementation.

CAO COMMENTS

APPROVAL

CAO: 

for John Enns-Wind, CAO

Date: 10/22/21

Vision: A welcoming place to live, grow and thrive
Mission: Facilitating growth, wellness, and prosperity through effective and forward-thinking leadership.

Council Meeting: October 25, 2021

Date: 10/21/21

TITLE: RIVER VALLEY COMMUNITY CENTER FUNDING CONDITION – STRATEGIC PLAN

PREPARED BY: TROY GAUTREAU

DEPARTMENT: GENERAL GOVERNMENT

For Information

For Discussion

For Decision

RELATED TO STRATEGIC PLAN:

- Community Vitality

ATTACHMENTS:

1. RC Strategies Strategic Plan proposal for River Valley Community Center.
2. FYI: Angus Reid: Hockey Culture

BACKGROUND

The River Valley Community Center (RVCC) has historically received approximately one quarter of its annual funding from the Town. As outlined in an administrative report for the Council meeting of April 26, 2021, the Town, as per Section 102(1) of the Local Governance Act, can impose conditions on organizations for which the Town contributes funding.

COMMENT

The Council of the Town of Grand Bay-Westfield has recently completed a strategic planning process. It has been widely agreed upon the process and resulting plan is proving invaluable to Council in guiding them through decision-making processes.

The RVCC needs to update their Strategic Plan. In providing the level of financial contributions the Town does, it would be prudent of the Town to financially support the completion of a Strategic Plan for the RVCC to ensure the best return on investment for the Town. This will provide the RVCC with the necessary data and direction to enhance recreation experiences in the community.

FINANCIAL IMPLICATIONS

RC Strategies has provided a project cost of \$12,312.00 for completion of a strategic plan for the RVCC.

RECOMMENDATION

That the Council of the Town of Grand Bay-Westfield add a onetime condition to the approval of the annual funding request of the River Valley Community Center:

- The RVCC agrees to complete a Strategic Plan proposal from RC Strategies dated August 26, 2021.
- The cost of the Strategic Plan to be paid by the Town of Grand Bay-Westfield.
- The plan to be completed by early 2022.

River Valley Community Centre Funding Condition - Strategic Plan

MOTION

That the Council of the Town of Grand Bay-Westfield approve, as a condition of Funding to the River Valley Community Center, and at the expense of the Town, that a Strategic Plan as per the proposal from RC Strategies at a cost of \$12,312.00 plus applicable taxes is completed.

CAO COMMENTS

This plan has been discussed and agreed upon by relevant RVCC leaders.

APPROVAL

Department Head:

CAO: 

for John Enns-Wind, CAO

Date: 10/21/21

Vision: A welcoming place to live, grow and thrive
Mission: Facilitating growth, wellness, and prosperity through effective and forward-thinking leadership.

Council Meeting:

Date: 10/25/21

TITLE: 140 GEORGE STREET, DANGEROUS & UNSIGHTLY PREMISES BY-LAW VIOLATION

PREPARED BY: DEVELOPMENT OFFICER

DEPARTMENT: PLANNING

For Information

For Discussion

For Decision

RELATED TO STRATEGIC PLAN:

- Community Vitality

ATTACHMENTS:

1. Copy of quote from Loyalist Towing Ltd. received October 22, 2021
 2. Copy of FORM 1 - NOTICE TO COMPLY, served on owner on September 9, 2021
-

BACKGROUND

This condition has been a recurring item for the Town, including taking the matter to the Court of Queen's Bench in 2006 where the presiding Judge permitted the vehicle to remain on the property based on the owner's suggestion that it was his personal use vehicle.

COMMENT

Repeated attempts to gain voluntary compliance with each successive change to Provincial Legislation and renewed By-laws has resulted in this final attempt through the summer of 2020 and 2021. Initial Notices, in-person meetings and finally service by Process Server has provided Mr. Sowerby repeated opportunities to have the bus removed. Mr. Sowerby did contact Loyalist Towing Ltd. prior to the Town's request for a quote to do the work, but he did not act on the work required to removed the bus.

FINANCIAL IMPLICATIONS

The quote received from Loyalist Towing resulted from numerous requests from scrap metal dealers etc. but because the bus has not been operational, the chassis has settled into the ground, it is not a simple vehicle pick-up. Both a float truck and wrecker are required to dislodge it from the site. The estimate is provided based on hourly rates and a tentative estimate of time. All Remedial costs for removal and disposition and related charges including expenses for preparing legal documents, filing fees and interest on the unpaid amount of the debt may be claimed by the Town. Federal portion of the HST can be reimbursed by the Federal Government. The Town has notified the Provincial Department of Finance of our intent to proceed with the clean-up, as required to put a hold on Tax sales until this item is concluded. The Town can apply to the Province for all remaining costs after "all reasonable efforts to gain payment from the property owner have failed". A claim for reimbursement to the Town could be expected from the Department of Finance in 2023, when costs will be applied to the Property Taxes.

The Quote provided by Loyalist Towing Inc. Estimates a base amount up to \$1,500 plus HST, based on a minimum of 3 hours at a rate of \$350.00 for Rotator and \$150.00/hr for a float truck.
Total estimate \$1,500.00 +HST.

RECOMMENDATION


That the Council of the Town of Grand Bay-Westfield proceed with the removal of a bus from PID #00077370, 140 George Street.

MOTION

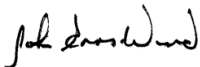
WHEREAS David Sowerby. being the owner of the property located at 140 George Street, Grand-Bay Westfield, N.B. (PID #00077370);
AND WHEREAS the condition of the property contravenes subsections 190.01(1), 190.01(1.1) and 190.01(2) of the *Municipalities Act*, as adopted by the Dangerous and Unsightly Premises By-Law No.115;
AND WHEREAS, in compliance with section 190.01(3) of the *Municipalities Act*, David Taylor, Development Officer for the Town of Grand Bay-Westfield, issued letters by mail, on June 30, 2020; September 21, 2020; April 15, 2021; August 11, 2021, advising the owner to have the bus removed;
AND WHEREAS the Notice to Comply (Form 1) was served on the owner(s) of the property on September 9, 2021 by Process Server;
AND WHEREAS the owner failed to observe the Notice to Comply, and did not request an appeal of the contents of the Notice within the specified time frame, being 14 days;
AND WHEREAS the owner failed to effect the remedy sought in the Notice to Comply within the 30 days specified for doing so;
AND WHEREAS on October 18, 2021, the Department of Finance was notified the Town of Grand Bay-Westfield intends to undertake the cost of removing the bus located at George Street, and will make a claim against the owner to recover the expense, with confirmation by the Department of Finance has been received.
IT IS HEREBY RESOLVED AS FOLLOWS:
The Town of Grand Bay-Westfield authorizes Loyalist Towing Ltd. to proceed with the removal of the bus showing license plate L132796, from the property located at 140 George Street, PID No. 00077370, for the estimated amount ~~up to~~ \$1,500.00 plus HST, pursuant to sections 190.04(1)(a), 190.04(1)(a.1) and 190.04(1)(b) of the *Municipalities Act*....

CAO COMMENTS

APPROVAL

Department Head: 

Date: 10/25/21

CAO: 

Date:10/25/21

TOWN OF GRAND BAY-WESTFIELD
BILLS FOR PAYMENT

BILLS FOR PAYMENT				
October 25, 2021				
	ACCOUNT NAME	DEPARTMENT	\$	DESCRIPTION
1	CITY OF SAINT JOHN	GEN.GOV.	28,264.50	Funding
2	CITY OF SAINT JOHN	FIRE	7,421.25	Dispatch Services
			28,264.50	
BILLS FOR RATIFICATION				
October 25, 2021				
	ACCOUNT NAME	DEPARTMENT	\$	DESCRIPTION
3	AMHERST SOD LIMITED	TRANS.	481.44	Sod
4	ANIMAL RESCUE LEAGE, SPCA SJ	PROT. SVCS.	345.00	Animal Shelter Service
5	ATLANTIC PROVINCES ECO. COUNCIL	GEN.GOV.	120.00	Registration Fee-Conference
6	AUDIO CINE FILMS INC.	ENV.DEV.	307.62	Movie
7	BELL ALIANT (monthly) 4	VARIOUS	874.67	Telephone
8	BELL MOBILITY INC. (monthly) 3	VARIOUS	458.10	Telephone
9	BELL MOBILITY INC. (monthly) 3	TRANS.	67.76	Telephone
10	BELL MOBILITY INC. (monthly) (2)	REC./CUL.DEV.	43.64	Telephone
11	BELL MOBILITY INC. (monthly) (1)	ENV.DEV.	46.03	Telephone
12	BELL MOBILITY INC. (monthly) 1	SEW.REV.	292.50	Telephone
13	BROWN, GARY	FIRE/BLDG.	750.00	Clean Siding
14	CANADA POST CORPORATION	GEN.GOV.	7.27	Priority Post
15	CARL THIBAUT INC.	FIRE	408.63	Parts
16	CINTAS CANADA LIMITED	BLDG.	233.07	Medical Supplies
17	CLINTAR LANDSCAPE MANAGEMENT	REC.	1,437.50	Line Painitng-Tennis Courts
18	CODIAC PRINTING INC.	TRANS.	171.26	Signs
19	DENIS OFFICE SUPPLIES	GEN.GOV.	130.93	Office Supplies
20	DILLON CONSULTING LIMITED	BUILD CANADA	557.35	Professional Services
21	ENGLLOBE CORP.	TRANS.	2,834.18	Professional Services
22	GAULT, BRUCE	TRANS.	97.70	Clothing Allowance
23	G.LEBLANC FIRE TRUCK REPAIR LTD.	FIRE	1,387.31	Repairs & Maintenance
24	GRAND BAY HOME AND SCHOOL	LEGIS.	298.50	Grant
25	GRAND BAY PRIMARY SCHOOL	LEGIS.	298.50	Grant
26	GREEN LEE SHOE LTD.	FIRE	252.95	Boots
27	GREEN LEE SHOE LTD.	TRANS.	298.95	Boots
28	INGLEWOOD SCHOOL	LEGIS.	298.50	Grant
29	INTERMAX WATER GROUP INC.	BLDG.	80.50	Service Call
30	IRON MOUNTAIN CANADA CORP. (monthly)	GEN.GOV.	109.64	Shredding
31	JONES, PETER	SEW.REV.	128.69	Clothing Allowance
32	MARK'S COMMERCIAL	TRANS./ENV.DEV.	349.39	Clothing Allowance
33	M&C FOODS INC. (Pizza Delight)	FIRE	48.70	Meals - Officer's Meeting
34	MEGA LAB MANUFACTURING CO. LTD.	FIRE	249.55	Supplies
35	MEGA LAB MANUFACTURING CO. LTD.	BLDG.	212.75	Supplies
36	MYLES HOME HARDWARE	TRANS.	46.12	Supplies
37	MYLES HOME HARDWARE	BLDG.	135.94	Supplies
38	NB POWER (monthly)	TRANS.	10,254.01	Power
39	PUMPKIN PATCH LTD.	TRANS.	81.60	Flowers
40	QUALITY AGGREGATES	TRANS.	168.34	Gravel
41	RATHBURN, KARL	TRANS.	55.17	Clothing Allowance
42	RAY-TEK, DIV. OF READY JOHN	REC.	517.50	Toilet Rentals
43	RELIABLE OVERHEAD DOORS LTD.	BLDG.	149.50	Repairs
44	RIVER VALLEY COINS	LEGIS.	126.00	Grant
45	RIVER VALLEY MIDDLE SCHOOL	LEGIS.	298.50	Grant
46	RIVER VALLEY MIDDLE SCHOOL	LEGIS.	298.50	Grant
47	ROYAL CANADIAN LEGION - BRANCH 22	LEGIS.	298.50	Grant
48	SAINTE JOHN FIRST CLASS CLEANERS (monthly)	VARIOUS	5,375.90	Janitorial
49	SANDS CANADA	FIRE	279.22	Surgical Masks
50	SCHOLTEN'S GRAND BAY LTD.	FIRE	25.11	Supplies
51	SHADES OF GREEN LTD. (monthly)	BLDG.	1,167.25	Monthly Landscape
52	SHADES OF GREEN LTD. (monthly)	BLDG.	276.00	Monthly Landscape
53	SHADES OF GREEN LTD.	REC.	218.50	Maintenance-Cenotaph
54	SIGNS BY ANDREW	GEN.CAP./FIRE	225.00	Decals - New Logo
55	SOBEYS-FOODLAND	TRANS.	76.94	Supplies
56	SQUEAKY KLEEN LAWN CARE	VARIOUS	3,835.76	Monthly Mowing
57	SQUEAKY KLEEN LAWN CARE	REC.	419.75	Trail Maintenance

TOWN OF GRAND BAY-WESTFIELD
BILLS FOR PAYMENT

BILLS FOR RATIFICATION				
October 25, 2021				
	ACCOUNT NAME	DEPARTMENT	\$	DESCRIPTION
58	STAR-KEY ENTERPRISES LTD.	FIRE	91.67	Oil Change
59	STAR-KEY ENTERPRISES LTD.	TRANS.	68.66	Oil Change
60	TELUS	VARIOUS	867.13	Telephone
61	TELUS	VARIOUS	841.80	Telephone
62	UNIVERSAL SALES LIMITED	FIRE	299.36	Repair Oil Leak
63	WEED MAN SJ	BLDG.	1,205.08	Fall Maintenance
64	WEED MAN SJ	REC.	6,035.36	Fall Maintenance
65	WESTFIELD SCHOOL	LEGIS.	200.00	Grant
66	WESTOAK BUILD DESIGN	BLDG.	1,003.08	Purchase/Install New Door
67	YELLOW PAGES	GEN.GOV.	35.77	Advertising
68	YEOMANS, GREGORY	GEN.GOV.	11,684.15	Moving Expenses
	BILLS FOR PAYMENT		28,264.50	
	BILLS FOR RATIFICATION		60,339.75	
	TOTAL BILLS FOR PAYMENT		88,604.25	