

COVID-19 Update: The Rural Community of Hanwell is following measures outlined by Public Health. Mask use and social distancing is still recommended but will be at the discretion of the individual. Meetings are open to the public. All Council meetings will be audio recorded for the public. Please tune into Hanwell Radio daily at 7:00 p.m. for the broadcast at <https://hanwell.nb.ca/hanwell-radio-listen-live/>

HANWELL
Rural Community
Regular Meeting of Council
September 21, 2022
Minutes

Attendance:

Mayor Dave Morrison, Deputy Mayor Susan Jonah, Councillor Holly Hyslop, Councillor Tim Fox, Councillor Morgan MacPherson, Councillor Darren MacKenzie, Councillor Pat Septon, Clerk/Treasurer Terri Parker, Assistant Clerk/Treasurer Sherri Johnston, Assistant Deputy Chief Steve Johnston and 5 members of the public.

1. Calling to Order

Mayor Dave Morrison called the Regular Meeting to order at 7:00 p.m.

2. Approval of the Agenda

Moved by Councillor Holly Hyslop and **seconded by** Councillor Morgan MacPherson to approve the agenda with the following amendment:

Remove #17. Veterans' Memorial (as this is under closed session)

Unanimously Carried #14-09-2022

3. Adoption of Minutes:

a) **Moved by** Councillor Darren MacKenzie and **seconded by** Deputy Mayor Susan Jonah to adopt the minutes of the August 17, 2022, Regular Meeting of Council.
Unanimously Carried #15 -09-2022

b) **Moved by** Councillor Morgan MacPherson and **seconded by** Deputy Mayor Susan Jonah Councillor Pat Septon to adopt the minutes of the September 7, 2022, Special Meeting of Council.
Unanimously Carried #16-09-2022

4. Public Input/Inquiries (10 minutes max.)

September 20, 2022

Mayor and Council Members

With the start of a new school year and the opening of Hanwell Park Academy numerous citizens have expressed their concerns with respect to pedestrian safety along Hwy 640 especially near the new School.

As we are all aware New Brunswick Department of transportation and Infrastructure has stated that a pedestrian crosswalk will not be installed on Route 640 across from Hanwell Park Academy until a sidewalk is put in place on the Eastside (sic) of Route 640.

According to New Brunswick Highway Act section 47(1) Subject to subsection (3), the Minister may construct, reconstruct, repair and maintain a provincial-municipal highway, including storm drainage systems, catch basins, curbs and gutters associated with the highway, but shall not carry out or provide for

- (a) flushing or sweeping of the highway,*
- (b) cleaning or maintenance of catch basins, storm sewers or drainage ditches, or*
- (c) lighting, traffic signals, sidewalks, boulevards or tree planting.*

47(2) Subject to this Act, a local government may carry out or provide for the services listed in paragraphs (1)(a), (b) and (c).

47(3) In addition to the services under subsection (1), the Minister and a local government may carry out or provide for the services by regulation.

47(4) The Lieutenant-Governor in Council may make regulations

- (a) prescribing the services in relation to a provincial-municipal highway; and*
- (b) Specifying the roles and responsibilities of the Minister and a local government in relation to carrying out or providing for services.*

There are some that may be under the impression that this does not apply to Hanwell as we are a Rural Community. The Highway Act defines a rural community as a rural community incorporated or continued under the Local Governance Act.

The Local Governance Act defines local government as a municipality, rural community or regional municipality.

The Highway Act is clear sidewalks are the responsibility of local government, in this case Hanwell Rural Community.

As I am sure we can all agree that the current situation along route 640 is a safety concern for all pedestrians. Now with the opening of the Hanwell Park Academy more foot traffic can be anticipated. The possibility of a pedestrian being struck crossing route 640 has increased greatly.

In order to provide a safer way for pedestrians to get across route 640 I would suggest that a sidewalk on the Eastside (sic) of route 640 from Eddington Rd to Cobblestone Dr could provide added safety for pedestrians. Once the sidewalk installation would be completed I believe the Department of Transportation and Infrastructure would undoubtedly support the installation of a pedestrian crosswalk at the entrance of Hanwell Park Academy in order to provide a safer way to get across route 640.

Some will ask why from Eddington Rd to Cobblestone Dr. These 2 streets are interconnected with the rest of the subdivisions streets.

I hope Council will look at this proposal seriously as a pedestrian's life may depend on it.

Sincerely,

J.E. Claude Robichaud

63 Golden Eagle Dr

Hanwell, NB

(506) 875-1895

We also had a resident enquire about the audio recording and minute taking of the administration session.

5. Disclosures

Councillor Darren MacKenzie declared a Conflict of Interest with item #16d and #19b.

6. Reports:

Fire Department: Assistant Deputy Chief Steve Johnston

In the month of August, the Upper Kingsclear Fire Department responded to 12 calls in Hanwell and Upper Kingsclear. There were four motor vehicle accidents, two assists, two medical assistance calls, two fire alarms, one downed power line and an explosion/no fire. The fire department is training this evening at the Radisson. We have had 145 calls to date.

Moved by Councillor Darren MacKenzie and **seconded by** Councillor Pat Septon to receive the Fire Department report for August 2022 as presented.

Unanimously Carried #17-09-2022

7. Presentations:

a) RSC11 – Subdivision Plan – Greer Subdivision

Moved by Councillor Pat Septon **seconded by** Deputy Mayor Susan Jonah that the Planning Review and Adjustment Committee of the Regional Service Commission 11 approve a variance of 44-meters in the width of a lot to leave the remnant with a width of 10-meters at minimum setback from Wedge Street.

Unanimously Carried #18-09-2022

b) *Presentation to Hanwell Community Council re: Starlite Ralph Gorman playground redesign Sept.21/22.*

Thank you for the opportunity to address Council.

Recently the council took on a project to refurbish an existing playground across from Lake Herkert in Starlite Village. Unfortunately there was an unintended consequence to this project. The adjacent pond, which had value, was destroyed.

This pond has been an important habitat to several varieties of frogs, other amphibians and birds as well as healthy aquatic plants and insects for close to 30 years. The network of ponds, wetlands and Lake Herkert are what make Starlite Village special and why people choose to live here.

Hanwell Council applied for a wetland alteration permit and arranged for the draining and filling of the pond. It has taken 3 days of draining the water into large tanker trucks and dozens of truck loads of large rocks and dirt to fill in the pond, with more work to be done.

Hanwell Council did not live up to its motto "Inspired by Nature" with this project in Starlite Village that sadly caused the destruction of a wetland

Moving forward I'd like to present a solution focussed suggestion.

We know that Hanwell is developing and growing and we can foresee that there will be future projects to consider and plan. In order to ensure that in future projects Hanwell can live up to its motto "Inspired by Nature" I'd like to propose that Hanwell Rural Community Council creates an Environmental Stewardship sub-committee.

This committee would look at issues, policies, programming and projects through an environmental lens and offer their advice to council. For example, with the issue of street lights, the environmental committee could look into dark sky approved lighting and research those options through NB Power to ensure neighbourhoods who approve street lighting would get the best lights to reduce impacts on the environment.

This doesn't need to be a cumbersome process. The committee could be composed of councillors and community volunteers. There are many local environmental specialists who would be willing to help. The Executive Director of Nature Nb would be willing to answer any questions Council has about forming such a committee.

If we want to create a community that truly is inspired by nature - one that respects, protects and encourages nature, a community that minimizes our environmental impact, then Council should include the consideration of nature in decision making and form this Environmental subcommittee.

Thank you, Julia Haggerty.

Assistant Clerk/Treasurer Sherri Johnston left council chambers at 7:15 p.m and returned at 7:17 p.m.

8. Permit Applications

- a) There were 11 building permits, and 0 development permits for August 2022.

9. Proclamations

10. Petitions and Delegations

None

11. Business Arising:

a) By-Law #23-2022 – Amendment to “A By-Law to Regulate the Emissions of Dust from Construction and Private Roads” – 3rd Reading by title, in summary and enacted.

Moved by Councillor Darren MacKenzie **seconded by** Councillor Tim Fox that By-Law #23-2022, Amendment to “A By-Law to Regulate the Emissions of Dust from Construction and Private Roads” be given its third reading by title, read by summary (section 2) and enacted, pursuant to Section 15(4) of the *Local Governance Act*.

Unanimously Carried #19-09-2022

By-Law #23-2022 – Amendment to “A By-Law to Regulate the Emissions of Dust from Construction and Private Roads”

12. Correspondence:

a) Email from resident – re: pond at Ralph Gorman Park.

Moved by Councillor Pat Septon **seconded by** Councillor Tim Fox to receive the correspondence from a resident with respect to the pond at Ralph Gorman Park.

Unanimously Carried #20-09-2022

13. Meetings and Special Events:

Mayor’s Report

Moved by Deputy Mayor Susan Jonah and **seconded by** Councillor Darren MacKenzie to receive the Mayor’s report as presented.

Unanimously Carried #21-09-2022

14. Committee Reports:

a) **Age Friendly:** Did not meet.

b) Communication:

Moved by Councillor Tim Fox and **seconded by** Councillor Pat Septon that Council accept the resignation of Cindy Hackett from the Communications Committee effective September 2022.

Unanimously Carried #22-09-2022

Moved by Councillor Pat Septon and **seconded by** Councillor Darren MacKenzie to receive the Communication report as presented.

Unanimously Carried #23-09-2022

c) **Economic Development:** Did not meet.

d) **Emergency Measures:**

Moved by Councillor Pat Septon and **seconded by** Councillor Tim Fox that Council accept the resignation of Doug Wilson from the Emergency Measures Committee effective August 2022.

Unanimously Carried #24-09-2022

Moved by Councillor Morgan MacPherson and **seconded by** Deputy Mayor Susan Jonah to receive the Emergency Measures Committee report as presented.

Unanimously Carried #25-09-2022

e) **Finance:** Did not meet.

f) **Governance and Policies:** Did not meet.

g) **Parks and Recreation:**

Moved by Councillor Holly Hyslop and **seconded by** Councillor Darren MacKenzie to receive the Parks and Recreation report as presented.

Unanimously Carried #26-09-2022

15. Treasurer's Report:

Moved by Deputy Mayor Susan Jonah and **seconded by** Councillor Tim Fox to approve the fuel subsidy payment to Brewster Marine (BMI) for the period Feb-July 2022 in the amount of \$2,756.73 and direct and authorize the clerk to continue monitoring the diesel costs for the period of August - January 2023 when the contract expires and pay accordingly.

Unanimously Carried #27-09-2022

Moved by Councillor Darren MacKenzie and **seconded by** Councillor Morgan MacPherson accept the treasurer's report as presented.

Unanimously Carried #28-09-2022

16. Old or Unfinished Business

- a) Accessibility Trail – The accessibility trail is completed now and the ribbon cutting ceremony was scheduled to be next Friday, however the minister is unable to meet so arrangements will be made and an announcement will be brought forward.

- b) Recreation Building (Church) – The recreation building, the church, there has been no further update on this project.
- c) Multi Purpose Hard Surface – The multi purpose surface, the project is 95% completed. The trails are almost completed, the paving surface has been installed. The area has a slope that is not acceptable to council, so further action must be taken. We will discuss this contract in closed session.

Councillor Darren MacKenzie declared a Conflict of Interest with item #16d.) and left council chambers at 7:32pm.

Councillor Darren MacKenzie returned to council chambers at 7:35pm.

- d) Solar Array – The solar array project is 95% completed, we are waiting for the final inspection and then the invoice to Clear Power Solutions can be paid in the amount of \$99,299.95 + HST from our General Operating Fund as this was a budgeted item. We also received funding from the Regional Development Corporation in the amount of \$41,422 which the Clerk will finalize the documentation and remit for payment.

Whereas Council has been investigating the concept of solar power since 2018, and
Whereas funding was available through various grants, and

Whereas a company and invoice had to be submitted with the grant application, and

Whereas Council authorized and directed the Clerk to start a new application for funding to move forward with a NET METERING Solar Array to be located on top of the Hanwell Place Community Centre (Motion #17-01-2022)

Moved by Councillor MacPherson and **seconded by** Deputy Mayor Susan Jonah that the Clerk be authorized to pay the invoice for the Solar Array system in the amount of \$99,299.95 + HST less \$10,000 deposit to Clear Power Solutions once the final inspection is completed.

Unanimously Carried #29-09-2022

- e) Ralph Gorman – The work is almost completed. The Clerk will contact JIL Engineering and Construction about moving the play climber and springers and hopefully have the fence installed before winter. They are just moving the climbers and springers closer to the actual playground so that kids won't be in the parking area as much.

17. New Business

- a) Policy 2022-08 "Conflict and Complaint Resolution Procedure Policy" - Amendments
Moved by Councillor Tim Fox and **seconded by** Councillor Morgan MacPherson to
adopt the Amendments to Policy 2022-08 "Conflict and Complaint Resolution
Procedure Policy"

Unanimously Carried #30-09-2022

- b) Storage Facility

Moved by Councillor Pat Septon and **seconded by** Councillor Darren MacKenzie
WHEREAS the Rural Community of Hanwell has been having increased break-ins and
vandalism to equipment, and

WHEREAS a storage building is included in the Capital Plan and has budget allocated
for it, and

WHEREAS the cost for this project can be broken up into two areas of funding, and
WHEREAS an increased need for additional storage space is increasing as the
community continues to expand,

I HEREBY motion to authorize and direct the clerk to put out to tender a single-level
storage building of roughly the size of 32 feet by 42 feet, with our additional specific
electrical requirements to be supplied in the tender, that also includes an attached
16 feet by 32 feet heated "warming hut" that can be used for recreational activities,
with the budget for the "warming hut" to be separately subtotaled in the tender.

Unanimously Carried #31-09-2022

- c) Building Exterior – Tabled to October 19, 2022, regular meeting.

18. Upcoming Activities:

- a) Zoomers – September 26 at 12:00 pm
- b) Communications Committee meeting – October 3 at 5:30 pm
- c) Zoomers – October 4 at 12:00 pm
- d) Zoomers – October 6 at 12:00 pm
- e) Zoomers – October 11 at 12:00 pm
- f) Parks and Recreation Committee meeting – October 11 at 7:00pm
- g) Administration Meeting – October 12 at 7:00pm
- h) Zoomers – October 13 at 12:00 pm
- i) Terry Fox Run – Hanwell Trails - September 18 at 12:00 pm

The Mayor advised the public that the meeting would be moving into closed session. The public left at 7:45 p.m.

19. Closed Session:

- a) Matter pursuant to s.68(1)(c) of the Local Governance Act (information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract)

Moved by Councillor Holly Hyslop and **seconded by** Councillor Pat Septon to move into Closed Session.

Unanimously Carried #32-09-2022

Moved by Councillor Morgan MacPherson and **seconded by** Councillor Darren MacKenzie to move from Closed Session and return to Open Session.

Unanimously Carried #33-09-2022

Moved by Councillor Holly Hyslop and **seconded by** Councillor Darren MacKenzie to request Perfection Paving correct the grading of the multi purpose sports surface to be level and to authorize and direct the Clerk to not pay the invoice until it corrected.

Unanimously Carried #34-09-2022

Moved by Councillor Darren MacKenzie and **seconded by** Councillor Tim Fox to authorize and direct the Clerk to accept the tender bid dated September 19, 2022 from Turfworks Landscape and Design Ltd. in the amount of \$49,000.00 + HST, for the supply and installation of concrete pavers for the Veteran's Memorial, including all labour and materials, and a completion date of October 19, 2022.

Unanimously Carried #35-09-2022

Councillor Darren MacKenzie declared a Conflict of Interest with item #19b. under closed session and left council chambers at 8:40 p.m. and did not return.

- b) Matter pursuant to S. 68(1)(j) of the Local Governance Act (labour and employment matters, including the negotiation of collective agreements).

Moved by Councillor Holly Hyslop and **seconded by** Councillor Pat Septon to move into Closed Session.

Unanimously Carried #36-09-2022

Moved by Councillor Tim Fox and **seconded by** Deputy Mayor Susan Jonah to move from Closed Session and return to Open Session.

Unanimously Carried #37-09-2022

Moved by Councillor Pat Septon and **seconded by** Deputy Mayor Susan Jonah to authorize and direct the clerk to contact the Complainant to advise that council

agrees with the findings of the clerk in that there has not been a conflict of interest by the Respondent.

Unanimously Carried #38-09-2022

20. Date, Time, and Location of next meeting

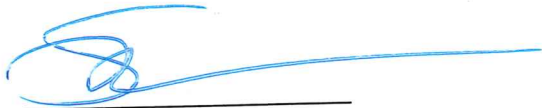
Regular Council Meeting, October 19, 2022 @ 7:00pm
Council Chambers

21. Adjournment

Moved by Councillor Holly Hyslop and **seconded by** Councillor Tim Fox to adjourn the meeting at 9:00p.m.

Unanimously Carried #39-09-2022

Respectfully submitted by,



Sherri Johnston
Assistant Clerk/Treasurer

Certified Correct,



Terri Parker
Clerk/Treasurer



Dave Morrison
Mayor