



**REGULAR MEETING OF COUNCIL
MONDAY, JANUARY 12, 2015
30 HONOUR HOUSE COURT
COUNCIL CHAMBERS
7:00 P.M.**

A Regular Meeting of Council was held on Monday, January 12, 2015 at Town Hall, 30 Honour House Court, Riverview, New Brunswick commencing at 7:00 p.m. The following persons were present at the meeting:

Russell Hayward	Deputy Mayor
Cecile Cassista	Councillor
Ian Macdonald	Councillor
Wayne Bennett	Councillor
Lana Hansen	Councillor
Andrew LeBlanc	Councillor
Tom Toner	Councillor
Colin Smith	Chief Administrative Officer
Robert Higson	Director of Finance
Michel Ouellet	Director of Engineering & Works
Shane Thomson	Director of Economic Development
Tina Smith	Director of Human Resources
Gerry Cole	Director of Parks, Recreation & Community Services
Chief Denis Pleau	Riverview Fire & Rescue
S/Sgt. Mark Janes	Codiac RCMP
Annette Crummey	Town Clerk
Denyse Richard	Deputy Clerk
Times-Transcript	

1. CALL TO ORDER

Deputy Mayor Hayward called the meeting to order at 7:01 p.m.

2. ADOPTION OF THE AGENDA

A **motion** was made by Councillor Toner and seconded by Councillor LeBlanc that the agenda be adopted.

- MOTION CARRIED –

3. DECLARATION OF CONFLICTS OF INTEREST

NIL

4. ADOPTION OF THE MINUTES

A) Regular Meeting of Council – December 8, 2014

A **motion** was made by Councillor Bennett and seconded by Councillor Macdonald that the minutes for the Regular Meeting of Council held on December 8, 2014 be adopted.

On the question, Councillor Cassista remarked that with respect to item 8A) RAC Signage she pointed out that she did not vote in favour of the motion; however, that does not mean that she does not support the arts (or RAC).

- MOTION CARRIED –

5) BUSINESS ARISING FROM THE MINUTES

NIL

6. CORRESPONDENCE

**A) Honourable Bill Fraser, Minister of Tourism, Heritage & Culture –
Invitation to participate in Heritage Week – February 9 – 16, 2015**

Taken as information.

Councillor Cassista suggested that the material could be referred to the Parks & Recreation Department as there are opportunities for funding and

there appears to be no deadline to apply. She also suggested that information could be posted on the Town's web site.

Mr. Cole remarked that he has reviewed the information and will take advantage of any funding opportunity, if possible. He indicated that staff will add to the web site as well.

7. PETITIONS, PRESENTATIONS AND DELEGATIONS

A) Presentation by representatives of NB Power – Launching of Community Challenge – “Beat the Peak”

Mr. Gaëton Thomas, President and CEO, of NB Power announced a community challenge entitled, “Beat the Peak”. He remarked that the purpose of the challenge is to create an awareness of peaks and to establish the need to change electricity consumption behavior in New Brunswick. Mr. Thomas remarked that the Tri-Communities of Moncton, Riverview and Dieppe will enter into a friendly competition with New Maryland and Fredericton. He remarked that the challenge will take place from January 19th – February 6th.

Mr. Thomas responded to a number of inquiries from the members of Council and staff on the challenge and the premise behind it.

8. RECOMMENDATIONS FROM COMMITTEE OF THE WHOLE

NIL

9. BY-LAWS

A) First reading, by title only, and second reading, in full, of By-Law 400-25, A By-Law of the Municipality of the Town of Riverview Respecting Water & Sewerage Systems

The Town Clerk remarked that the by-law was one of the last by-laws to be updated and among the revisions are provision to allow for quarterly billings.

A **motion** was made by Councillor LeBlanc and seconded by Councillor Cassista that **leave** be given to introduce first reading, by title only, and

second reading, in full, to By-Law 400-25, A By-Law of the Municipality of the Town of Riverview Respecting Water & Sewerage Systems.

On the question, Mr. Higson confirmed with Councillor Bennett that thus far there has been zero demand for residents asking for a discount for early payment by cash. Mr. Higson remarked that it would be something which could be looked at in the future.

On the question, Mr. Ouellet confirmed with Councillor Macdonald that section 15c) had been included in the water and sewerage by-law for many years. Councillor Macdonald indicated that he is not in favour of including provisions in by-laws which the Town has no intention of enforcing.

On the question, Mrs. Crummey pointed out that this section would be enacted by resolution of Council (to conserve water).

On the question, Mr. Smith remarked that the concern is a valid one. He recalls that a number of years ago this provision was made by the City of Moncton in response to issues of low water levels at the reservoir.

On the question, Mrs. Crummey confirmed with Councillor LeBlanc that the restrictions outlined in item 15c) would be effective only by resolution of the Town Council of the Town of Riverview.

-MOTION CARRIED -

A **motion** was made by Councillor LeBlanc and seconded by Councillor Cassista that **first reading**, by title only, be given to By-Law 400-25, A By-Law of the Municipality of the Town of Riverview Respecting Water & Sewerage Systems.

-MOTION CARRIED -

A **motion** was made by Councillor LeBlanc and seconded by Councillor Cassista that **second reading, in full**, be given to By-Law 400-25, A By-Law of the Municipality of the Town of Riverview Respecting Water & Sewerage Systems.

On the question, Mrs. Crummey confirmed with Councillor Toner that in order to give second reading, by section only, additional advertising was required for a period of time. She pointed out that there was not sufficient

time to provide for the additional advertising which, in turn, required the by-law to be read in full for second reading.

On the question, Mr. Ouellet concurred with Councillor Cassista that the by-law is technical in nature and not user friendly. He noted that the by-law provides the framework for the department to operate and sets the tone for development. Mr. Ouellet remarked that it also provides the By-Law Enforcement Officer with the means or the “tools” to follow up on infractions.

On the question, Mr. Ouellet confirmed with Councillor Bennett that the Town had adopted a policy on sewer back-ups and the local plumbers had been informed of the Town’s position. He pointed out that the Town is providing home owners whose pipes become clogged with tree roots planted by the Town with an incentive of up to \$1,000 to replace lateral pipe with PVC.

- MOTION CARRIED –

10. NOTICE OF MOTION

NIL

11. NEW BUSINESS

A) Authorization to Enter into Codiac Transpo Service Agreement

A **motion** was made by Councillor LeBlanc and seconded by Councillor Toner that the Town Council of the Town of Riverview enter into an agreement with Codiac Transpo to provide transit services for the Town of Riverview and that the Mayor and Town Clerk be authorized to sign all related documents.

On the question, Mr. Smith noted that he had provided the members of Council with a briefing report on this topic. He remarked that the Public Transit Interim Governance Committee, which the Town had representation on, developed the proposed Codiac Service Transpo Service Agreement. He indicated that the agreement is between the Town of Riverview, the City of Moncton, and the City of Dieppe and Codiac Transpo which reflects how the current services operate and, in this case, how the Town’s share of the Codiac Transpo budget is determined. Mr. Smith remarked

that for the past two years the Town has been operating under the terms of the agreement and budgeted accordingly. He noted that during the November 22nd budget deliberations, Council did touch on Codiak Transpo's operations and the bus services in Riverview. Mr. Smith stated that there were a number of take away items for staff such as rerouting options that Codiak has prepared and will be reviewed in the next couple of months with Council. Mr. Smith advised that he would also be reviewing operational models, comparative services in Canada, and formulating a comparison of municipal subsidies for bus services in Canada and provide in a report form to Council. Mr. Smith recommended that Council formally approve the Codiak Service Transpo Agreement that the Town is currently operating under. Mr. Smith acknowledged that there would be other opportunities to respond to the specific inquiries that Council had in looking at transit services in our community.

On the question, Councillor Cassista noted that she had voiced her concerns at the November 22nd meeting of Council regarding the services offered by Codiak Transpo. She commented on the Dillon report which, in her view, did not deal with Riverview issues as well as the transit report to Council in 2012. She commented that she had attended several meetings with regard to Codiak Transpo and the message was conveyed that a direct East West/Route was desirable. Councillor Cassista remarked that while there has been increased frequency as well as some routes adjustments, she is of the opinion that the Town is still not servicing the needs of our residents. Councillor Cassista indicated that public service is a social justice issue, and she is of the opinion that Council is not doing its job well in relation to this issue. She questioned the urgency to approve the document which was forwarded to Council in October of 2014 but never discussed at the Council level nor was the Director of Finance privy to its composition until recently. Councillor Cassista stated that she has real concerns about the document as it is a subject that should be taken very seriously as it has some significant financial implications.

On the question, Mr. Smith clarified some of items that were raised previously on linkages and route options, and the East/West route are some of the things that are being explored by Codiak which will be brought forward to Council for consideration as well as some of the items raised through the public consultation process.

On the question, Councillor Cassista noted that in all fairness Codiak Transpo did previously appear before Council on other occasions and provided limited information. However, she remarked that there was not

sufficient information in order to make an informed decision on this matter, and she would like to hear from her colleagues on the document.

On the question, Councillor LeBlanc remarked that some of the issues being raised by Councillor Cassista have, in fact, been raised in previous Council sessions. He assured Councillor Cassista that he had taken note of the issues and raised them with the staff at Codiac Transpo in order for additional information to be brought forward to Council. Councillor LeBlanc indicated that the intent of the contract is not to address the route issues but rather outlines a cost breakdown, and the formula that is being used and how the municipalities are charged. Councillor LeBlanc remarked that, in time, the route issues will be addressed through a presentation to Council. He stated that he is satisfied with the agreement and noted that the quality of service to our residents is a separate conversation from the approval of the contract.

On the question, Councillor Bennett concurs that there are two issues to be addressed. He advised that he is prepared to approve the contract with the understanding that the routes/services will be reviewed in the near future. He noted that this is a high profile issue which needs Council's immediate attention. Councillor Bennett noted that various service tests were conducted in the past but perhaps could be updated. He suggested that the service review should be a priority item for the CAO (& Council) and that a review of options, including smaller buses, be explored with Council. He recognized that it is a complicated issue which should be reviewed in great detail and, in fact, may take several meetings to come to an understanding and reach a decision.

On the question, Councillor Hansen stated that it is her understanding that the agreement is necessary for the daily operations and that it included a clause in the contract which would allow for a release of services after a six month period after such notification was formally given. She remarked that if the Town were to make a change or go in a different direction with this issue it would take at least a six month period to get a new service/plan in place. Therefore, she indicated that any real risk by signing the existing agreement is not high as it does provide a release clause after a six month period. Councillor Hansen concurs that the system is broken as it exists today. She pointed out that there is a need in this day and age of environmental concerns for a transit service. She further suggested that the Town should be able to support a transit service but for some reason the Town struggles with this issue and has since before she was an elected official. She noted that she would be proud and happy if Council could find a solution but recognizes it will be many months of looking at options

and will certainly take a concerted effort by Council and staff. Councillor Hansen indicated that she is in favour of supporting the motion as no one, in her opinion, has an appetite for discontinuing the service. She concluded by suggesting that Council needs to continue to move forward, examine service, the options and determine how we can do it better.

On the question, Mr. Smith reiterated that the contract reflects what we do today. He indicated that he is committed to move quickly and bring it in a report form to Council. He suggested that there would be opportunities to see the proposed/revised routes and also to examine the other alternatives so that Council can make an informed decision on the bus service. He clarified that Council is being asked to vote on the agreement which has been the framework for the past two years. He further commented that the Town has been operating in this manner as the budget was also built around the framework contained in the agreement. He proposed that Council approve the agreement and that Council continue to move forward in its deliberations in an effort to be comfortable with the future plan for transit services.

On the question, Councillor Toner remarked that the composition of the agreement has taken a great deal of work to get to this point and to develop an agreement that was fair to all parties (Moncton, Riverview & Dieppe). He concurs that Riverview must continue to analyze the service that we receive. Councillor Toner noted that similar questions being asked by Council had also been posed to the Committee and the end result was to continue with buses that we have. Councillor Toner indicated that we need to officially sign the agreement yet continue to examine our options and proposals which will be brought forward for consideration. He pointed out that there are two separate issues. He noted that what Council has before them is the operating agreement. Councillor Toner stated that he supports the motion but recognizes that it is up to Council to say what value we find in the service which can, and will be, examined by Council.

On the question, Councillor Bennett recounted his personal experience with the bus service in Riverview. He reiterated that Council must take a serious look at the transit service which is available to our residents.

On the question, Councillor Cassista sought clarification on an item referred to in the agreement as “replacement buses” which would be subject to availability and how that would impact the Town.

On the question, Mr. Smith pointed out that the City of Moncton currently has a fleet of 34 buses of which 15 are considered “replacement buses” and

would be called into service for Riverview should something happen to one of our buses. He suspects that if for some reason a replacement bus is not available then a possible rerouting of buses would take place in order to provide the required service to Riverview. Mr. Smith remarked that given the number of replacement buses he does not anticipate a problem.

On the question, Councillor Cassista said that she fails to understand the urgency to have the agreement approved since we have never had a formal agreement in place.

On the question, Mr. Smith indicated that the Committee has worked for a number of years to develop the agreement and further that the Town has been operating under the terms of the agreement for the past two years. He noted that there was a commitment and some discussions by the Committee that each of the municipalities would attempt to ratify the agreement before the end of 2014. Mr. Smith reported that the other two municipalities have approved the agreement. He pointed out that the agreement today reflects how Riverview is operating and its approval would be in fairness to the service provider.

On the question, Councillor Cassista reported, based on information provided to her, the Dieppe City Council has not approved the document and she wanted to make Mr. Smith aware of this fact.

On the question, Mr. Smith confirmed with Councillor Cassista that there are renewal clauses in place in the contract for the coming years. He noted that the agreement puts the existing arrangement in a formal contract with our service provider.

On the question, Councillor Cassista inquired as to a work stoppage and the Town's costs associated with it. Mr. Smith indicated that there would be core costs and as a customer the Town would be responsible for a portion of these costs as is reflected in the contract.

On the question, Councillor Cassista indicated that she is struggling with the document and is not comfortable with its contents. She inquired whether the Director of Finance was comfortable with agreement as it reflects a million dollars of tax payers' money.

On the question, Mr. Higson assumes the one million dollar figure next year to which Councillor Cassista made refer to would include the cost of a new bus. He stated that he did not participate in the development of agreement but we have, for the most part, been operating under the terms of

agreement for a period of approximately 18 – 24 months with some minor tweaks as are reflected in the agreement as presented. Mr. Higson remarked that he is comfortable with the structure of the agreement. He noted that the cost structure, albeit being relatively high for a town of our size, is a fair representation of our share of the overall costs of the Codiac service. He noted that as a community that is participating in this service, it is only reasonable that we should pay our fair share. Mr. Higson suggested that the way this can be addressed is by examining the level of the service being offered - which is up to Council. He remarked that this is a separate issue, as has been suggested by other Councillors, from the approval of the agreement. Mr. Higson pointed out that the agreement addresses the cost structure, and he is comfortable with the way the agreement has been developed.

A **motion** was made by Councillor Cassista and seconded by Councillor Macdonald **to table** the approval of the Codiac Service Agreement to the next meeting of Council in order to get answers to some of the questions she had brought forward.

On the question, Mr. Smith inquired as to which of the questions that were not already addressed does the Councillor seek a response.

On the question, Councillor Cassista suggested that she would like to have a commitment, in writing, as to when Codiac Transpo would be coming before Council to make a presentation and to consult with our people. She remarked that there are a number of things that we need to talk about as, to date, they have not done so.

On the question, Mr. Smith clarified that his Council briefing report refers to proposed routes. He suggested that Codiac will present options and together will dialogue and work through the process with Council. He indicated that it was his intention to schedule a meeting with representatives of Codiac Transit in the first quarter. Mr. Smith indicated that on the service side there is a plan to bring information back to Council for consideration. He stated that the approval of the service agreement is a reflection of how we currently operate and the two are not overlapping. Mr. Smith indicated that the discussions which will take place on the service will provide Council with the ability to formulate a plan and should the need arise the six month out clause would come into play.

On the question, Councillor Macdonald stated that he supports the motion to table and does not agree with the document which is back dated to January of 2014. He pointed out that we are buying a service yet we are

tied in like owners without any say. Councillor Macdonald has concerns about the agreement including the service deal and the direct billing costs. Councillor Macdonald suggested that if we are going to buy a service then it should be a basic service contract. He indicated that he would like to give 180 days' notice at this point as he doesn't believe it is a good service for the Town. Councillor Macdonald pointed out that the CAO mentioned the transit service is not a money making deal it is a social service that we provide to our residents. Councillor Macdonald suggested that we have to balance that need for this social service with our ability to pay for it. He questioned the absolute need and the criteria level of having public transit in Riverview, and certainly not this public transit. Councillor Macdonald suggests that the Town needs to enter into a more controlled situation, for instance, an entrepreneur with smaller buses catering to the needs of people going back and forth to Riverview. He remarked that we said that we would look at transit costs. However, Councillor Macdonald indicated that what we have is Codiac looking at Codiac with no other avenue to go and basically no control in this agreement. He pointed out that it is an ongoing cost that we have no control of, for a service that we may not even need. Councillor Macdonald stated that he supports tabling to get more information to get something better.

On the question, Mr. Smith noted that there is a lot of discussion on the service aspect, but pointed out that there is a plan to move forward by gathering information and options which will be presented for Council's debate and discussion in the near future. He noted that the contract is reflective of what we, as representatives on the Committee, agreed to which would be the governing structure for how Codiac Transit services are provided today and going forward. Mr. Smith commented that the 2015 budget, which was approved by Council, was approved with this agreement in mind. Mr. Smith stated that the numbers included in the budget are reflective of what the terms of the agreement were.

Councillor Cassista called a point of order. She pointed out that the motion to table currently on the floor is non debatable.

On the question, Deputy Mayor Hayward requested Councillor Cassista to sign in as there is a speaking order and Council is still on the question.

On the question, Councillor Bennett inquired as to what position the Town would be in if we did not ratify or approve the agreement. (i.e. would the service be discontinued)?

On the question, Mr. Smith was not exactly certain what would happen if the agreement were not signed as the terms of the agreement stipulate how it is expected to operate.

On the question, Councillor Bennett remarked on the comment to give termination notice to Codiac Transpo. He stated that, in his opinion, to do so without a plan in place for Riverview would be premature. He understands that his fellow colleagues are unhappy with the current service; however, Council agreed on this during budget deliberations. He commented that if Council is serious about this issue then we need to continue to move forward and ratify the agreement. Councillor Bennett stressed that Council must also commit to take a serious look at the service aspect even if we have to go to public sessions with the community to figure it out.

On the question, Councillor Hansen pointed out that a contract is designed to protect both parties.

On the question, Mr. Smith confirmed with Councillor Hansen that he could not speculate as to how Codiac would deal with the Town without a contract. He reiterated that the ongoing debate pertains to the service and there is a plan to move forward to gather more information. He emphasized that the agreement reflects how the Town is operating today.

On the question, Councillor LeBlanc reiterated that the agreement is a governing structure for Codiac Transpo. He suggested that the agreement is a risk management tool for the Town to make sure we don't find ourselves in a precarious situation with the service that we have. He further pointed out that it isn't meant to force anyone's hand on accepting a service that you like or don't like. He remarked that it is simply a management tool and a means of formalizing an agreement as none existed previously. Councillor LeBlanc sees the ratification of the agreement as a positive step and also a means to fix the service and all the concerns which have been addressed tonight.

On the question, Councillor Toner echoed the comments of Councillor LeBlanc. He remarked that the formulation of the agreement was a concerted effort by representatives of all three communities and the Governance Committee who strived to come up with a fair agreement for all parties. He noted that his colleague referred to the agreement as a governance structure. Councillor Toner reported that he is of the opinion that it is a good starting point and the Town should move forward.

On the question, Councillor Cassista commented that there is a motion to table on the floor which is non-debatable and Council continues to debate the issues and ignore the motion to table.

A vote was called on the motion to table.

**NAY VOTES: COUNCILLOR BENNETT
 COUNCILLOR HANSEN
 COUNCILLOR LEBLANC
 COUNCILLOR TONER**

- MOTION DEFEATED -

A vote was called on the original motion.

**NAY VOTES: COUNCILLOR CASSISTA
 COUNCILLOR MACDONALD**

- MOTION CARRIED -

12. COUNCIL STATEMENTS/INQUIRIES

Councillor Hansen remarked on the issue of the skating oval not being plowed in a timely manner as was discussed on social media.

Mr. Cole noted that the skating oval has been in operation for the past five years and since its inception a considerable amount of improvements have been carried out to the site. Mr. Cole confirmed that the outdoor rink is cleared; however, the department normally adheres to a priority listing which they follow during snow storms. He pointed out that unfortunately the outdoor rink was not cleared during the past weekend, due to other priorities, but today staff did finish clearing off what the volunteers started. He indicated that there is a cancellation page on the web site with a link to the Winter Wonderland Park page where additional information is available. Mr. Cole pointed out that there are two other features at the site which include a sliding hill and a snowboarding track– both of which are closed at the moment. Mr. Cole further commented that plans are underway to pack the ski trails at the other end of Town and also there will be the addition of a 3 km snow shoe route to compliment the cross country ski trail which will be signed in order for people to find their way through.

Councillor Hansen commented that it was great information and added a suggestion to include the fact that there is a priority listing during snow storms and that staff does its best to accommodate the workload.

Mr. Cole noted that the Riverview Recreation Department is committed to ensuring access to these facilities as we want people to use them. He noted that in the future if we have to call on additional resources to accomplish this then we would do so.

Councillor Hansen noted Riverview is the only community in the Greater Moncton area that does not have a helmet by-law/policy in relation to adults using our skating facilities. She inquired whether there were any plans to implement.

Mr. Cole confirmed that this item has been included as a topic on *Talk Riverview*. He indicated that there are mixed views on the topic. He confirmed that he is still researching the matter and has been in contact with Moncton and Dieppe. Mr. Cole noted that the City of Dieppe did not approve the by-law, and if Riverview were going to proceed he would like to see all three communities implement the same arena/helmet policy.

Mr. Ouellet confirmed with Councillor Cassista that there was a water main break on Ogden Drive which caused a significant amount of property damage. He indicated that it was difficult to find the actual source, and staff encountered complications during the lengthy time it took to resolve the issue. He noted that at this point he did not have a figure as to the costs to the Town, but we would undertake to provide this information.

Councillor LeBlanc noted that he wanted to pass along a comment about the move to implement quarterly billings for water & sewer. He remarked that while residents appreciated the notice about the quarterly billing it did not make mention of the new water & sewer rates.

Councillor LeBlanc announced that he had mailed a letter to IKEA Canada inviting them to locate a store in Riverview. He noted that the letter was supported by a petition which included 409 signatures.

Mr. Ouellet confirmed with Councillor Bennett that the department is continually clearing sidewalks.

Councillor Macdonald passed along a “thank you” to the Town staff for clearing the asphalt path on Pine Glen Road and Gunningsville Boulevard.

13. ADJOURNMENT

A **motion** was made by Councillor Toner and seconded by Councillor Macdonald that the meeting be adjourned at 9:20 p.m.

- MOTION CARRIED –