



**REGULAR COUNCIL MEETING  
MINUTES**

**Tuesday, November 14, 2023, 7:00 pm**

Members Present: Mayor Robert Campbell  
Councillor Phyllis Bannister  
Councillor Sarah Colwell  
Councillor Joe D'Ettore  
Councillor John-Wiebe Dykstra  
Councillor Jason Gallant  
Councillor Nathan O'Blenis  
Councillor Stephanie Thorne

Staff Present: Austin Henderson, CAO  
Dianne Ayles, Clerk/Treasurer  
Scott Landry, Assistant Clerk

Staff Absent: Lorie Paterson, Administrative Assistant  
Trevor Douthwright, Manager of Infrastructure and Public Works  
Massimo Caracristi, Director of Recreation and Wellness  
Bradley MacLeod, Fire Chief

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**1. CALL TO ORDER**

Meeting was called to order at 7:00 pm.

**2. ADOPTION OF AGENDA**

**MOTION:** The Agenda be adopted.

**Moved by:** Councillor Gallant

**Seconded by:** Councillor Colwell

**Motion Carried**

3. **CONFLICT OF INTEREST DECLARATIONS**

Mayor Campbell noted that Conflict of Interest Declaration forms are on the Council Table should any councillor need to fill one out for submission to the Clerk.

4. **ADOPTION OF MINUTES**

1. Regular Council Meeting - October 10, 2023

**MOTION:** The Minutes for the Regular Council Meeting held October 10, 2023, be adopted.

**Moved by:** Councillor Thorne

**Seconded by:** Councillor Gallant

**Motion Carried**

2. Committee of the Whole Meeting - October 23, 2023

**MOTION:** The Minutes for the Committee of the Whole Meeting held October 23, 2023, be adopted.

**Moved by:** Councillor Thorne

**Seconded by:** Councillor O'Blenis

**Motion Carried**

3. Special Council Meeting - November 2, 2023

Councillor John-Wiebe Dykstra joined the meeting at 7:04 pm.

**MOTION:** The Minutes for the Special Council Meeting held November 2, 2023, be adopted.

**Moved by:** Councillor O'Blenis

**Seconded by:** Councillor Thorne

**Motion Carried**

5. **CONSENT AGENDA**

**MOTION:** Council adopt the Consent Agenda of November 14, 2023.

**Moved by:** Councillor Thorne

**Seconded by:** Councillor Gallant

**Motion Carried**

1. Letter to Ministers Steeves and Ames re: P380 Bridge

Letter from the Town of Salisbury to New Brunswick Government Ministers Ernie Steeves and Richard Ames stresses the importance of seeing a plan forward with regards to the P380 Bridge over the Petitcodiac River on Route 112, and that the bridge should be included in the Department of Transportation and Infrastructure's (DTI) "The Road Ahead" Plan.

2. Letter from Salisbury Arts and Culture Centre re: Demolition of structure at 33 MacDonald Rd

Letter from Salisbury Arts and Culture Centre dated October 24, 2023, requested an extension of 1-2 years on the demolition of the structure located at 33 MacDonald Road in Salisbury, arguing the building could be transformed into a vibrant cultural asset.

NOTE: Demolition of the building had already begun at the time this letter was received, having taken place between October 23 and October 27.

3. FCM Approval of Feasibility Study (Net Zero Ready Fire Hall)

Letter received from the Federation of Canadian Municipalities congratulates the Town of Salisbury on its successful funding application for a grant of \$85,530 to study the feasibility of building a Net Zero Ready fire hall in Salisbury.

4. Memo - Emergency Purchase, Bunker Gear (SFR)

Town will proceed to Small Claims Court to seek reimbursement via the adjuster for the negligent party in a motor vehicle accident on August 17, 2023, for which the emergency response resulted in the irremediable oil contamination of eight full sets of firefighter bunker gear, the replacement costs for which was \$37,876 plus HST, as approved as an emergency purchase by the CAO and Fire Chief.

5. Plan 360 - Development & Building Permit List, October 2023

Four development and building permits were issued in the Town of Salisbury by Plan 360 (Southeast Regional Service Commission) in October, 2023, carrying a total estimated project value of \$299,246.

6. **PUBLIC AND ADMINISTRATIVE PRESENTATIONS**

1. 2024 Operating and Utility budgets

CAO made a detailed final budget presentation to Council.

Councillor Phyllis Bannister joined the meeting at 7:21 pm.

In explaining the budget, the CAO noted that for every dollar paid in taxes in Canada, municipal governments only receive eight cents, while 60 per cent of all public infrastructure is municipal. Salisbury's core equalization grant from the Province has been reduced by 20 per cent. Expenses incurred locally have increased by a range of 2 per cent to 30 per cent.

Salisbury's budget as-proposed allows the Town to work on strategic priorities as identified by Council. While the increased property tax assessment provides a benefit, it is not sufficient to avoid increases, given the historically low tax rate in Salisbury. Salisbury's rate has been 30-40 cents lower than Moncton and Riverview, for example.

Fixed expenses account for 63 per cent of the Salisbury budget. These are contractual, tax-base based, and fiscal services. Meantime, semi-fixed expenses account for 21 per cent of the budget, and variable expenses, 17 per cent.

To Southeast Regional Service Commission, Salisbury has seen an increase of 4.85 per cent for new mandated services.

Salisbury's total Operating Budget is \$6.9-million, which includes \$2.19-million for Protective Services (which accounts for 31 per cent of the total budget); \$1.26-million for Transportation services (18 per cent); \$1.11-million for General Government (16 per cent); \$671,745 for Fiscal Costs (10 per cent); and \$670,602 for Environmental Health (garbage) (10 per cent). The remaining 15 per cent covers Recreation and Culture (8 per cent), Environmental Development Services (planning and development) (7 per cent), and Public Health (less than one per cent).

Included in 2024 Capital projects are the new fire hall, amphitheatre, trail, and a sidewalk snow-removal machine.

The Utility budget, which has been operating in a deficit position in recent years due to a spike in expenses, includes a \$400 per unit sewer rate for residents on municipal sewer in Ward 3 (former village sub-unit).

Wastewater projects in 2024 will focus on treatment plant polishing pond repairs, sludge removal, and updated CCTV recordings.

(NOTE: In the following motion, the tax rates for the former LSDs do not include the Special Provincial Levy, which goes to the New Brunswick Department of Transportation and Infrastructure.)

**MOTION:** On this 14 day of November, 2023, the Council of the Local Government of Salisbury RESOLVED that the sum of \$6,912,184 be the total operating budget for the local government, that the sum of \$6,449,515 be the Warrant of the Local Government for the ensuing year, and that the tax rates for the local government be:

- 675.00 (Salisbury V) - \$1.1599
- 675.01 (Coverdale LD) - \$0.6335
- 675.02 (Salisbury LD) - \$0.6346
- 675.03 (Moncton LD) - \$0.6394
- 675.04 (Elgin Parish LD) - \$0.6388

The Council orders and directs the levying by the Minister of Local Government of said amount on real property liable to taxation under the Assessment Act within the Local Government of the Town of Salisbury.

**Moved by:** Councillor Thorne

**Seconded by:** Councillor Gallant

On the question, Council discussion acknowledged that the tax rate increase is severe, but it was noted that the former municipal budget had hardly moved in 20 years while costs have increased steadily, requiring this correction in order to maintain municipal assets that are currently graded poorly in the asset management plan. The increases in fixed costs were also noted, as were the increases directly related to local governance reform and the resulting geographical and population growth. It was also noted that annual increases such as this are not foreseen as becoming the new normal. Communication will be key moving forward.

**Motion Carried**

**MOTION:** The Council of the Local Government of Salisbury set the annual Wastewater Disposal Rate at \$400 per unit for the year 2024 for the wastewater system under the jurisdiction of the Council of the Local Government of Salisbury.

**Moved by:** Councillor Bannister

**Seconded by:** Councillor Colwell

**Motion Carried**

**MOTION:** On this 14 day of November, 2023, the Council of the Local Government of Salisbury RESOLVED that pursuant to Section 117(4) of the Local Governance Act, the total budget for the Wastewater Utility for the ensuing year would consist of total revenues of \$522,640 and total expenditures of \$522,640, adopted this 14th day of November, 2023, by the Council of the Local Government of Salisbury.

**Moved by:** Councillor Dykstra  
**Seconded by:** Councillor O'Blenis

**Motion Carried**

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

1. Recommendation - Closed Session - September 11, 2023

CAO Performance Evaluation

Background:

During the Closed Session of September 11, 2023, Town Council met to deliberate the annual performance evaluation of the CAO, pursuant to the Town's Council-CAO Policy. Following the meeting of Council, the Mayor and the CAO met to deliberate the outcomes of the performance evaluation and determine the annual goals for the upcoming year.

**MOTION:** Council receive and ratify the annual CAO Performance Evaluation and file the results in the CAOs personnel file accordingly.

**Moved by:** Councillor O'Blenis  
**Seconded by:** Councillor Bannister

**Motion Carried**

2. Recommendations - Committee of the Whole Meeting - October 23, 2023

Adoption of Asset Management Plan

Background:

During the Committee of the Whole Meeting of October 23, 2023, Town Council received a presentation on the Asset Management Plan-Phase 2, presented by Englobe Corp. This Plan outlines the condition(s) of the Town's assets and was funded in part by the Federation of Canadian Municipalities. Throughout the plan, the Town developed Level of Service targets for its assets, created a 10-year capital plan, integrated climate risk assessments into the Plan, and updated the condition of assets for any that have been updated since the initial Asset Management Plan in 2019.

**MOTION:** The Town of Salisbury adopt the Asset Management Report 2023 as prepared by Englobe Corp.

**Moved by:** Councillor Colwell  
**Seconded by:** Councillor Thorne

On the Question, it was clarified that asset management goals are to get municipal assets to Fair condition after, as Mayor Campbell pointed out, having been hardly acted on since the first Asset Management Plan was produced in 2019. The plan's predictions and timeline are based on historical spending and any funding agreements that are in place.

**Motion Carried**

Ratification of Asset Management Policy

Background:

As part of the initial Asset Management Plan in 2019, a proposed Asset Management Policy was developed, but not ratified. As part of the updated process, a revised Policy has been created in alignment with the Town's policy template and based on the Town's organizational structure. This demonstrates a priority-setting exercise that will be undertaken by staff prior to recommending any updates to capital plans, and will also provide an accountability mechanism for ongoing updates to the Asset Management Plan.

**MOTION:** Council adopt the Asset Management Policy as-presented.

**Moved by:** Councillor Dykstra

**Seconded by:** Councillor O'Blenis

**Motion Carried**

Adoption of 10-Year Capital Plan

Background:

As part of the Asset Management Plan, a ten-year capital plan was developed. The intent of this plan is to be updated on an annual basis by Council, prior to, or as part of, budget deliberations. Where this is the initial 10-year plan, this has technically been adopted as part of the Asset Management Plan being adopted. However, it is being recommended that it be adopted separately, since this will be the case moving forward.

**MOTION:** Council adopt to 2023-2033 ten-year capital plan as integrated in the Town's Asset Management Plan.

**Moved by:** Councillor Bannister

**Seconded by:** Councillor Thorne

**Motion Carried**

## Regional Fire Dispatch Agreement with Codiac PSAP

### Background:

During the October 23, 2023 Committee of the Whole meeting of Council, Council received a verbal update and proposal to proceed with signing an agreement with Codiac PSAP (Public Service Answering Point) for the purposes of Regional Fire Dispatch. All neighbouring municipalities have been, or will be, switched to the Regional Fire Dispatch model by mid-November. This will formalize an agreement with Codiac PSAP, who will dispatch the Salisbury Fire Rescue Department over the TMR Radio System. Following the execution of the agreement, the Town will begin conversations with the NB-911 Bureau, Codiac PSAP, and the Salisbury Fire Rescue Department to determine an appropriate roll-out, activation, and training/information timeline.

**MOTION:** Council ratify the Regional Fire Dispatch Agreement between the Codiac Regional Policing Authority (CRPA) and the Town of Salisbury for Regional Dispatch Services and authorize the Clerk and Mayor to affix the corporate seal accordingly.

**Moved by:** Councillor Gallant

**Seconded by:** Councillor O'Blenis

**Motion Carried**

**MOTION:** Enter into a recess.

**Moved by:** Councillor Thorne

**Seconded by:** Councillor Bannister

**Motion Carried**

*RECESS*

**MOTION:** Return to the Regular Meeting.

**Moved by:** Councillor Bannister

**Seconded by:** Councillor Thorne

**Motion Carried**

Mayor Campbell noted that Council was enjoying Tim Hortons Holiday Smile Cookies, a portion of the proceeds of which support the food bank locally.



## 8. REPORTS FROM ADMINISTRATION

### 1. Standing Offer Contract for Engineering and Architectural Services

The purpose of this agenda item was to seek authorization from Council for Staff to use the Government of New Brunswick's (Strategic Procurement, Service New Brunswick) Pre-Qualifications List under Standing Offer PO #0403004 for the purposes of Engineering Professional Services.

Background:

Pursuant to the Town's Procurement and Financial Management Policy, the Town is encouraged to undertake competitive procurement for any expense that exceeds \$10,000. In light of challenges and the amount of time that it takes to undertake competitive procurement, whether by way of RFQ, RFE, etc. for the purposes of engineering professional services, the Town had the intent of proceeding with a Standing Offer Agreement with certain engineering firms. In consultation with the Strategic Procurement Branch of the Province of New Brunswick, it was confirmed that public entities, including municipalities, can use the Pre-Qualification list of the Province for engineering professional services.

With different projects, the Town works to diversify the engineering services that it retains. While there is a benefit to retaining the same firm, it is important from a procurement perspective to cycle through firms that can ensure they remain competitive while also having the advantage of having the Town's data and asset inventory. It can, though, be time consuming (both from staff time and the firms' time) to solicit quotes, and also adds additional time to projects while quotes are prepared and submitted to the Town.

In essence, a pre-qualification list or standing offer would enable Town staff to go directly to a firm on projects and circumvent the need to solicit quotes. Especially in the case of engineering where the cost for services is usually 10 per cent of overall cost, it can be cumbersome to undertake this work and is not an efficient use of time.

Using the Provincial pre-qualification list (of 25 firms) would enable staff to continue working with the same firms that have the Town's records and information, and continue rotating through as usual, but without the need to solicit quotes, especially for smaller projects.

Authorizing Administration to use the Provincial list will only authorize staff to use the vendors. It does not circumvent the Procurement Policy, meaning when a project exceeds \$30,000, the Town will still have a formal motion of Council to award a contract (as is the case with a subsequent agenda item during this meeting). It will, though, mean that the Town will present a rationale and/or case and provide only one proposal.

**MOTION:** Council authorize Administration to utilize the Government of New Brunswick's Standing Offer Contract (PO#0403004) for Engineering Professional Services at their discretion pursuant to the Town's Financial Management and Procurement Policy.

**Moved by:** Councillor Thorne

**Seconded by:** Councillor Bannister

**Motion Carried**

2. Route 106 Design and Engineering Services

Background:

In 2024, the Town has a confirmed project under the Provincial Designated Highways Program (PMHP). This is for re-surfacing of Main Street (Route 106) from Douglas Street to Granite Drive.

In the letter from 2022, the Town was advised that it is responsible for tendering and designing the project, including providing the tender package and drawings to the Department of Transportation and Infrastructure. This includes additional infrastructure (both underground and curb/sidewalk), which will require formal engineered drawings to DTI's standards.

The costs available for this project from DTI are \$499,000, plus non-recoverable HST. The Town's contribution is \$55,000 and \$60,000 has been allocated in the 2024 Operating Budget. In August of 2023, the Province issued a letter notifying that in light of inflationary increases, they would be providing additional funds towards the project with a top-up, to be confirmed during the budgetary deliberations of the Province (in March of 2024). By authorizing this, the Town will authorize Englobe to begin design work, notably survey pick-ups before snowfall. This will enable an early tender package to be issued, and therefore, secure a better price.

This contract for design and tendering equates to 10 per cent of the project cost, a standard amount for engineering work.

**MOTION:** Council retain Englobe Corp. Inc for engineering professional services for the Re-Surfacing Project on Route 106, scheduled to be completed in 2024 as part of the Provincial Municipal Designated Highways Program at a price of \$63,060+HST for three phases of work, including: project management, detailed design, tendering support, materials testing, and construction support.

**Moved by:** Councillor O'Blenis

**Seconded by:** Councillor Gallant

**Motion Carried**

3. RDC Applications - Resolutions for Council Endorsement

Background:

In October, the Town applied for two projects to the Regional Development Corporation (RDC). While the applications are received and considered to be eligible for funding, RDC would like to have a formal resolution of Council to demonstrate a formal commitment of Council. This will ensure RDC will not approve a funding application and then have Council refuse to sign the contribution agreement when that phase is reached.

Both of these projects will require a municipal contribution. As discussed with Council during budget talks, these contributions are, subject to ratification of the CCBF Plan, intended to come from existing funds in the CCBF agreement. As a reminder, CCBF funding has no impact on the tax rate and is not reflected in the Operating Budget. Following the completion of the CCBF Project at Highland Park (Washroom), the CCBF balance will be approximately \$219,082. The breakdown will be \$125,000 for amphitheatre and \$95,000 for Trail Construction. Given that the allocations from the Town will unlock additional funds, Administration is looking for a commitment to re-allocate these funds accordingly.

As such, the Town is soliciting the authorization of Council to formally process these applications and, if successful, authorize the signature of the agreement(s).

**MOTION:** THAT Council authorize Administration to submit an application to the Regional Development Corporation (RDC) for funding in the amount of \$115,205 for the purposes of an amphitheatre construction;

THAT Council authorizes a municipal contribution of up to \$125,000 in the existing funds available in the current Canada Community Building Fund (CCBF) agreement, to be formally ratified with an updated CCBF plan at a future meeting of Council, and;

THAT Council authorize the Clerk/Mayor to sign, execute, and affix the corporate seal accordingly on any funding agreement with RDC, if successful, and pending the confirmed contribution of other funders.

**Moved by:** Councillor Bannister

**Seconded by:** Councillor Colwell

**Motion Carried**

**MOTION:** THAT Council authorize Administration to submit an application to the Regional Development Corporation (RDC) for funding in the amount of \$230,000 for the purposes of constructing a trail between Highland Park and the Parkin Street Subdivision;

THAT Council authorize Administration to negotiate with funders potential phased approaches for the trail construction, in the event that tender bids require a multi-year approach, and in that event, budget accordingly for a municipal contribution in 2025;

THAT Council authorize a municipal contribution of up to \$115,000 from the 2022 and 2023 ParticipACTION prize, as validated by residents during public consultation, in addition to a \$95,000 contribution from the existing funds available in the current Canada Community Building Fund (CCBF) agreement, to be formally ratified with an updated CCBF plan at a future meeting of Council, and;

THAT Council authorize the Clerk/Mayor to sign, execute, and affix the corporate seal accordingly on any funding agreement with RDC, if successful, and pending the confirmed contribution of other funders.

**Moved by:** Councillor Dykstra

**Seconded by:** Councillor Thorne

**Motion Carried**

4. Amphitheatre Design Services

Councillor Nathan O'Blenis had previously declared a conflict with Item 8.4 and left Council Chambers at 8:34 pm.

Background:

The Town has been working with Viridis Design Studios for amphitheatre concept development. Applications have been submitted to Canadian Heritage, RDC, and the Atlantic Canada Opportunities Agency (ACOA). RDC and ACOA have indicated willingness to fund. However, engineered site drawings are required in order to determine excavation depth, which will determine if there is a duty to consult with the indigenous community.

The intent was to develop formal designs and tender package in 2024. However, funds are available now to undertake the design work (\$18,500+ HST) to bring the tender package to 50 per cent. This would be undertaken prior to year-end. This would provide the necessary excavation depth information and also allow for an early tender in 2024, increasing chances of a better price. With this expense, and an allocation to start Route 106, the engineering line is projected to be \$47,768 (budgeted at \$25,000). Where this exceeds the CAO threshold for unbudgeted expense(s), authorization is required from Council.

It is the recommendation of Administration to authorize this work to enable an earlier tender. If funding is not successful, the tender package can still be used in the future when other funding avenues become available.

**MOTION:** Council authorize Administration to work with Viridis Design Studios to begin the 50 per cent design package for the proposed amphitheatre at a cost of \$18,500, excluding HST.

**Moved by:** Councillor Thorne

**Seconded by:** Councillor Bannister

On the Question, Councillor Colwell asked about excavation and if this has to do with an environmental impact assessment. The CAO explained that federal funding requires excavation engineering to determine if there is a duty to consult with indigenous communities. While it is not expected to trigger a duty to consult or an EIA, based on the current experience with the Highland Park Washroom construction underway, which also involves federal funding, this is a required step.

**Motion Carried**

Following the completion of Item 8.4, Councillor O'Blenis returned to the meeting at 8:42 pm.

**9. BY-LAWS**

No by-laws to address this meeting.

CAO noted that the proposed By-Law No. 8: A By-Law Respecting the Operation of Off-Road Vehicles in Salisbury, which received first reading at the Regular Meeting of Council in October, is not ready for second reading at this point, that staff are meeting with Quad NB regarding maps and a user group request for a highway use permit. This followed the public consultation event held at Salisbury Lions Club. Second reading is expected to be ready for the December meeting of Council.

**10. CLOSED SESSION - Contractual (68(1)(c) Local Governance Act (LGA)), Land (68(1)(d) LGA), Land (68(1)(d) LGA), Contractual (68(1)(c) LGA), Land (68(1)(d) LGA), Contractual (68(1)(c) LGA)**

**MOTION:** Enter into a Closed Session.

**Moved by:** Councillor Thorne

**Seconded by:** Councillor O'Blenis

**Motion Carried**

*CLOSED SESSION*

Councillor Joe D'Ettore left the meeting at 9:04 pm.

**MOTION:** Return to the Regular Meeting.

**Moved by:** Councillor Colwell

**Seconded by:** Councillor Bannister

**Motion Carried**

**11. MAYOR AND COUNCILLORS' STATEMENTS/INQUIRIES**

Customer Service - Mayor Campbell noted that he had received word from a longtime local resident that they had received exemplary customer service from the Assistant Clerk.

Thanks to Council - Thanked Council for the great meeting tonight, which was hard.

**12. NOTICES OF MOTIONS AND RESOLUTIONS**

No Notices of Motions or Resolutions this meeting.

**13. ADJOURNMENT**

**MOTION:** Adjourn the meeting. (9:53 pm)

**Moved by:** Councillor Thorne

**Seconded by:** Councillor Bannister

**Motion Carried**

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Chair

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Clerk