

## **MINUTES – VILLAGE OF HARVEY**

**Regular Meeting  
February 12, 2020  
7:00 P.M. Village Office**

1. Call to order, adopt agenda, approval of previous Minutes.

In attendance: Deputy Mayor Corey, Councillor MacMullin, Councillor Howse, Village Clerk-Katherine Henry and Village Manager-Tom MacDonald. Mayor Gamblin was not in attendance due to a work commitment

The Meeting was called to order by Deputy Mayor Corey at 7:05 pm.

**Councillor Howse motioned to approve the adoption of the Agenda. Seconded by Councillor MacMullin. Motion carried.**

**Councillor Howse motioned to approve the previous Minutes from the January 8, 2020 Regular Meeting as circulated. Seconded by Councillor MacMullin. Motion carried.**

2. Manager's Report

- Snowmobile Trail on sidewalk

Tom asked Council if they had approved use of the sidewalk in front of the green apartment building as the snowmobile trail. Deputy Mayor Corey said they had approved it for the short distance between the tracks and Candlelight Lane only. He thought there was a signed agreement and Katherine was asked to find out if it has an expiry date. Councillor Howse asked if the Village has liability if a snowmobile were to strike a pedestrian. Deputy Mayor Corey replied that as long as they have a trail license and are on the marked trail, they will be covered by insurance from the Snowmobile Association. Tom said that the snowmobiles pack the snow into ice on the sidewalk and it makes it very difficult for him to clean the sidewalks.

- Level 1 Wastewater Operator

Tom informed Council that Ed Arsenault in McAdam is not interested in representing Harvey for the Wastewater service. Katherine did receive a call from another Level I working in McAdam. He was supposed to give Tom a call to see what the work would entail but Tom has not heard from him yet. Katherine informed Council that our insurance representative has told us that they will cover a contract employee with general liability insurance and have given us the requirements for the contract to ensure coverage.

- Water Contract Update

The new remote monitoring system is finally working. Tom and his cover off received training on how to use it. They will receive alerts to their phones and can check the live activity remotely. It was suggested that a tablet or laptop might be better than a phone as the phone screen is very small. We are waiting to see if the province will be supplying one.

- Tractor Service

Riverside carried out the 200-hour service on the tractor and found that an o-ring has failed in the hydraulic system. It is still working so it can be repaired in the spring. Tom also asked the technician to price what we need to get the sweeper working with the tractor. He said it needs a pump and tank for hydraulic fluid. Deputy Mayor Corey suggested that Riverside do the work so that our tractor warranty won't be voided.

- Sewer Clean Out

Tom has delayed the clean out of the sewer pipe along Route 636 until the driveway down to the manholes is clear. There was concern that the vacuum truck might get stuck on the ice and it would be very expensive to get a tow truck to get them out. This needs to be done as soon as possible. Councillor Howse stated his observation that the odour is most prevalent closer to the Moffitt property than the first three cottages nearest to the vent pipe.

### 3. Business Arising from Previous Minutes

- John Thompson-Utility Right of Way (7:30pm)

John Thompson had asked to address Council in response to a letter he had received in December asking him to keep the defined utility right-of-way on his property on Candlelight Lane clear of debris. This letter was written in December after a concern was raised about access to the power pole near the bottom of the property in case of repairs required. John said he was surprised to receive this letter and gave some background on the purchase of the property and his future plans. John purchased the property in 2015 from the Village for commercial development. However, the lot had a steeper grade than he anticipated, and he needed significant fill to level the lot for a building. Some of this fill was provided during the summer of 2018 from the drainage project on Route 636. He has asked Barrie Morecraft to level and compact the site but it was too wet in the spring of 2019 and Barrie was too busy during the summer. The work was scheduled in the early fall, but it was again too wet due to significant rainfall. John stated that he did know about the easements when he purchased the property as they appeared on the Subdivision Plan that was created in 2011 to subdivide the Village property in Lot 2010-1 and 2010-2. John purchased Lot 2010-2. Council was provided with a copy of this Plan by John and he highlighted the Public Utility Easement in pink. The Plan shows a 6 m wide easement going from Church Street, along the side of Lot 2010-1 and along the back of both lots. This is for access to the power pole located on Lot 2010-2. However, John stated there is no easement on his plot plan with dimensions or on his deed and nothing to say easement access is required. He also stated that he has not put any fill material on the easement. This cannot be verified now due to the snow and the lack of clarity on the coordinates of the easement on the property. He also stated that it is not his responsibility to keep the easement clear of brush and trees. The letter stated clear of debris referring to the fill material not plant growth.

Deputy Mayor Corey stated that a copy of the easement agreement with the utility that came with the property when it was purchased by the Village needs to be located.

John also showed on the Subdivision Plan that Village personnel and contractors have

been crossing his property to access the Village property at the end of Candlelight Lane. It appears there is no access to this property and no right-of-way agreements with either John or the Harvey Curling Club. There had also been some dumping of sand on his property and Tom will investigate this as it may have been from the street sweeping contractor. He will also look into John's assertion that asphalt was also dumped by someone else on his property. John also stated that someone on the adjacent property, owned by Brennan Developments, did some brush clearing and cleaned out the survey stakes he had placed there. They also dumped the brush on his property. John needs to address this with Brennan Developments.

Deputy Mayor Corey stated that the Village will deal with the issue of any Village contractors dumping on John's property and will remove anything that was. Councillor Howse stated that the Village needs to find another access to the Village lot.

Deputy Mayor Corey stated that the pins need to be reset at the corner to prevent future crossing and dumping. The road coordinates need to be marked which may need further survey. He suggested that we should get a cost estimate for finding or re-installing three survey pins.

The motion was made by Councillor MacMullin and seconded by Councillor Howse to get estimates for marking the property lines between Lots 2010-2 and 2010-3.

- Pitch-In Canada 2020 Registration– April 25, 2020

Katherine informed Council that the registration has been completed and the clean-up day will be Saturday, April 25<sup>th</sup>. The focus will be the Lakeshore and the Trail. This is a national event sponsored by Tim Hortons. The Harvey Lake Association and Harvey High School will be contacted to see if they can provide volunteers as well as post on the website and Facebook pages.

- HIA Lease

Councillor MacMullin advised Council that the Harvey Improvement Association is looking at having membership of their Board come from other groups in the area such as the Hospital Foundation and Harvey Community Days and that the current Board has been participating in facilitated meetings regarding their ongoing role in the Community. He also confirmed that the HIA has applied to renew the lease with the provincial government again for the Lake George Family Campground.

The revised Lease agreement proposed by the HIA was discussed. Some of the requested changes by Council were made but the agreement length is still five years. Council expressed the opinion that this is too short to make any investment in the land. Concern over the wording that "prior written consent" was needed to make changes to the property. While the next statement says that consent will not be unreasonably withheld, this implies that the HIA has a veto on what the Village does with the property.

Councillor Howse asked what it is that the HIA can do that the Village can't with the property. He was informed that the HIA was formed prior to the creation of the Village of Harvey as a municipality and that the land was donated to the HIA with requested restrictions on development.

Deputy Mayor Corey stated that the Village should not do any development on the land as long as the “approval” clause is in the lease.

Councillor MacMullin suggested that Council members could attend the HIA AGM.

As Mayor Gamblin was absent from the meeting, Council decided to defer the final decision until the March meeting.

- SNBSC 2019 Summary Report

The Clerk read the Report to Council on Planning as provided by the Southwest New Brunswick Service Commission.

- Let’s Talk Horizon Meeting Report

None of the Council members present attended the meeting so Katherine will check if Mayor Gamblin attended and table the report for the next meeting.

#### 4. New Business

- Proclamation – Talk with our Kids about Money (TWOKAM) Day, Apr 15, 2020

Apr 15, 2020 is proclaimed Talk with our Kids about Money (TWOKAM) Day

- Proclamation – Lyme Awareness Month in May

May is proclaimed Lyme Awareness Month. There was also a request to light up a structure in green lights or a green spotlight. Tom will be asked to shine a green light on the fiddle during the month of May.

- Proclamation – Purple Day March 26, 2020

Proclamation to be made at the March meeting with the purple ribbons

- Proclamation – Disability Awareness Week 2020

May 31<sup>st</sup> to June 6<sup>th</sup> is proclaimed Disability Awareness Week 2020

- Draft Financial Statements

The draft financial reports were reviewed by Council. They show a surplus of \$8,813 For the Village and a surplus of \$7,445 for the Utilities. The actuals for 2019 were viewed against the budget for 2019 and actuals for 2018. There may be some items in the wrong category. Katherine will investigate with the Auditor. A special meeting of Council will be held next week to review and approve the Financial Reports.

It was suggested that the Village consider investing the Reserve Funds in a GIC or some instrument that would provide a better return than a bank account.

#### 5. By-Laws

- By-Law 2020-01 Remuneration of the Mayor and Councillors

The proposed By-Law was read by Deputy Mayor Corey for the first time. The By-Law received second reading by Deputy Mayor Corey.

- By-Law 2020-02 Sewerage By-Law

The discussed change to the existing By-Law that has been addressed in this By-Law is the application of interest charges on arrears of user charges and the timing. User fees are stated as due upon receipt, but interest is charged at 9 percent on the outstanding balance at the end of December. This gives Users an interest free period of six months to pay their sewer bills. This By-Law states that interest will be calculated at a rate of

1½ percent on the arrears balance at the end of each month following the issuance of sewer bills and billed with the next billing cycle. This can be found in Section 15 (3).

The proposed By-Law was read by Deputy Mayor Corey for the first time. The By-Law received second reading by Deputy Mayor Corey.

- **By-Law 2020-03 Dog By-Law**

This By-Law needed to be revised to include the new requirements by the province to ensure vaccinations were up-to date when licensing dogs. The Clerk presented some other possible revisions for discussion. The annual fee is currently set at \$10. There is no difference in cost for a renewal of a license than initial registration and a new tag is issued each year with registration. The suggestion is to create a new initial registration fee of \$15 with a tag issued and a fee of \$10 for a license renewal provided it is renewed before the expiry date.

The Penalty section also suggests that a person convicted in a Court could receive a fine of between ten and fifty dollars and the judge “may” order the owner to pay the license fee. There are also fees given for licensing a kennel, but it is unlikely that a kennel would exist in the Village limits with zoning requirements. More discussion is needed on this By-Law.

## 6. Correspondence

- **Invitation to Talk with our Kids about Money (TWOKAM) Day, Apr 15, 2020**

Mayor and Council received information from Garth Wade on the Canadian Foundation for Economic Education and an invitation to attend the CFEE event being held at the Harvey High School on April 15, 2020. CFEE is a non-profit organization and is April 15 is National Talk With Our Kids About Money Day across Canada. They have requested that the Mayor and/or a member of Council participate with opening remarks at 8:30am to the students. Councillor MacMullin offered to attend.

- **Military Service Recognition Book Advertising Request**

The Village received a request from The Royal Canadian Legion New Brunswick Provincial Command to advertise in the Military Service Recognition Book. As it was not on the list of donations/advertising for 2020, the request was denied.

- **Harvey/McAdam PARTY Program**

Due to the low numbers of students in Grade 9 this year in Harvey and McAdam, the PARTY Program will not be held in 2020.

## 7. Clerk’s Report

The Clerk presented the Bank Balance Report, the Transactions By Accounts Report for the General Operating Account and a new Payroll Summary Report.

**The motion to approve the Bank Balance Report and the Transactions By Account Report for the General Operating bank account was made by Councillor MacMullin and seconded by Councillor Howse. Motion carried.**

**The motion to approve the Payroll Summary Report was made by Councillor Howse and seconded by Councillor MacMullin. Motion carried.**

8. Adjournment

**A motion to adjourn the meeting was made by Councillor Howse and seconded by Councillor MacMullin at 9:50 pm. Motion carried.**

Certified Correct,

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Katherine Henry  
Clerk

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Winston Gamblin  
Mayor