

MINUTES – VILLAGE OF HARVEY

Regular Meeting

June 10, 2021

7:00 P.M. HMCC entrance due to COVID-19

1. Call to order, adopt agenda, approval of Minutes of previous meetings held on April 14th and May 5th, 2021.

In attendance, Mayor Gamblin, Deputy Mayor Corey, Councillors MacMullin and Davis, Village Manager-Tom MacDonald, and Village Clerk-Katherine Henry.

Visitors Carolyn Drake and Nancy Watters were also in attendance to address Council.

The Meeting was called to order by Mayor Gamblin at 7:00 pm.

Councillor MacMullin motioned to approve the adoption of the agenda. Seconded by Deputy Mayor Corey. Motion carried.

Deputy Mayor Corey motioned to approve the adoption of the previous Meeting Minutes from April 14th and May 5th, 2021. Seconded by Councillor MacMullin. Motion carried.

2. Manager's Report

- a) Speed sign – The Village Manager suggested using the deck from the seed spreader as a trailer for the speed sign. A trailer mount would allow it to be moved to many different places around the Village and be able to move it to a safe place at night. Vandals have stolen and damaged it every year. The suggestion was made to take it to York County Welding for modification.

- b) Dock repair – The Village Manager reported that the dock needs some welding repair before it can be put in. It is aluminum so welding must be done in the shop which would require transport expense. This needs to be done right away so Tom was asked to take it to Excel manufacturing if they could do it right away and to York County Welding if they could not.

3. Business Arising from the Previous Minutes

- a) Poplar Lane Subdivision Agreement – The Clerk reported that the Planning Department is requiring a drawing which shows only the road and not the lots in order for the Village to assent to the road. Once this is done, the subdivision can be registered, and the Agreement can be signed. This drawing is supposed to be available on Monday.

- b) Drainage on Cherry Street – Deputy Mayor Corey reported that the survey results show that the ditch has sufficient grade to run from the top of Cherry Street to Route 3. The distance is approximately 480m. This would eliminate the standing water in the ditches and eliminate the maintenance of cleaning out the ditches of grass and brush. No easement agreements would be needed with homeowners.

Deputy Mayor Corey made a motion to go to the next stage for creating an RFP and having more detailed drawings to include the sewer laterals. This was seconded by Councillor Davis. Motion carried.

- c) Pipeline for Fire Hydrant – An indenture purchase agreement was made on September 20, 1962, between the Canadian Pacific Railway Company and the Harvey Local Improvement District for the price of \$500. This was for the pumphouse and 1001 feet of 4-inch pipeline. The review from our lawyer on the document was as follows:

“I have reviewed the Indenture document you have provided and, assuming that nothing has been registered to rescind the Indenture document and, assuming we can track the legal evolution of the Association from the Harvey Local Improvement District to its current entity (I wasn't sure from your e-mail whether you meant that it should be the Village of Harvey or The Harvey Improvement Association), then I would say that yes that there would be a continued legal right to access and usage of the pipe and pumphouse as described in the Indenture document. The language contained in the document confirms an intention that there be an “absolute sale” and that the use by the grantee be for “its sole use for ever” and also that the grantee shall have the said chattels “peaceably and quietly have without hindrance, interruption...”

Deputy Mayor Corey would like to utilize this pipeline to install two fire hydrants in the Village-one by the Trail and one near Smith's Store.

Deputy Mayor Corey made a motion that the Village approach the Harvey Improvement Association to discuss transfer of ownership to the Village. Seconded by Councillor Davis. Motion carried.

- d) Sewer install on Spruce Street – The estimate from Crandall Engineering to hook on the property at the top of Spruce Street came to approximately \$38,000. The high cost included the assumption of having to jackhammer ledge to reach the required depth of pipe. Several test holes were dug, and the rock was discovered close to the surface in all of them. Deputy Mayor Corey would like to find out from Crandall if it would be feasible and cheaper to lay the pipe on the opposite side of the road with the assumption that the slope may be allow for pipe to be laid with less jackhammering. The Clerk was asked to request an updated estimate from Crandall Engineering.
- e) Sewer install at Harvey Curling Club – The Clerk shared an email request from the Harvey Curling Club for the Village to pay for the work to connect to the sewer line and have the Curling Club pay it back over time. Deputy Mayor Corey did not think this would be possible as the Village cannot “loan” money. The Curling Club will be asked to get updated quotes for the work and Council would discuss again.
- f) Third Reading of BY-LAW NO. 2021-2 A BY-LAW TO AMEND BY-LAW NO. 2020-2, BEING RURAL PLAN BY-LAW FOR THE VILLAGE OF HARVEY – The By-law was read for the third time. There were no objections or questions regarding the zoning change.
- g) First Reading of By-law No 2021-1 – A BY-LAW TO LICENSE AND REGULATE DOGS. The Clerk reported that the province was offering the option for multi-year licenses, so the draft was changed to offer the same in the Village. The Clerk read the list of fines to be included. The By-law is fine but it is very difficult to enforce. Council suggested that a PR campaign needs to be done to increase the number of dogs registered in the Village. The campaign could include a mail out Facebook posts, the Lionews, the website as well

as signage at the Lakeshore. Councillor Davis mentioned the option to boost posts on Facebook for a fee. Tom MacDonald also reported that there needs to be a place to take loose dogs. It was suggested that Tom check with the SPCA or

- h) Tablet or Chromebook for Council – The Clerk presented a couple of options. The preference would be for something with a large enough touch screen to read the documents. She will look for an appropriate device. The Clerk also reported that she had set up accounts on Village internet account for Council to enable them to keep their emails and documents separate from personal accounts.
- i) Local Governance Reform – The engagement sessions are continuing online. The next one is June 23 in the evening on Zoom.
- j) Lakeshore Washroom Install – Deputy Mayor Corey expressed concern at the very high quotes received for a permanent washroom install and about the potential for vandalism of the container. They would need to be locked at night. He suggested that the Village consider selling the building or checking with the Harvey Improvement Association to see if they could use them at the Lake George Campground.

4. New Business

- a) Donation of land from private owners – Carolyn Drake and Nancy Watters were invited to make a presentation. They and their sister, Phyllis McEwen, would like to make a donation to the Village of the property along Route 636 between the road and the lake. This gift would require that the land remains in its natural state. Deputy Mayor Corey asked for clarification on the definition of natural. Carolyn replied that it would not be developed. Trees could be cut and pathways developed. The land is part of one of the original land grants from 1837. They would like the section of the Lakeshore to be protected from development for the future so that it can be enjoyed by all residents and visitors. Deputy Mayor Corey explained how the Village leases and manages the Lakeshore and Trail. The acquisition costs such as legal fees and survey fees would need to be investigated. Mayor Gamblin thought this would enhance our existing trails to promote exercise. There would have to be a way to manage parking. Nancy suggested that they could arrange for some thinning to take place before transfer. Deputy Mayor Corey also said that a formal deed would be required with protective covenants. A value would also need to be determined. The Clerk was asked to investigate if tax receipts can be provided for gifts of land.

Nancy asked what the next steps would be and if Council would like them to come back to another meeting. Council would advise if this would be required.

Carolyn suggested that a granite stone with a plaque describing some of the history could be placed near an area known as “The Rocks”.

Deputy Mayor Corey made a motion that the Village move forward with acquiring the land. It was seconded by Councillor MacMullin. Motion carried.

Nancy and Carolyn were thanked very much by Council for their presentation and their generous offer.

- b) First Reading of BY-LAW NO. 2021-3 A BY-LAW TO AMEND BY-LAW NO. 2021-2, BEING

RURAL PLAN BY-LAW FOR THE VILLAGE OF HARVEY – The first reading of this By-law was read by Mayor Gamblin.

c) Set date for Public Hearing on By-Law Amendment – The date for the Public Hearing regarding the rezoning request was set at July 7th, 2021 at 7:00pm.

d) Request Views of PRAC on By-Law Amendment

Deputy Mayor Corey made a motion to request the views of PRAC on the rezoning. It was seconded by Councillor MacMullin. Motion carried.

e) 2021 Planning Report – Council was provided with an update from Alex Henderson in the Planning Department. There were two re-zoning requests this year and one building permit. Alex also provided a document outlining a Development Scheme By-law for Affordable Housing from CMHC.

f) Suggestion of Dog Park at Taylor Field – A resident sent an email suggesting that Taylor Field could be used as a dog park. Council rejected this suggestion citing the cost of fencing, signage and the loss of the field for community events.

g) Formalized process for booking activities at Taylor Field – Councillor Davis brought forward a suggestion that a more formalized process could be used to book activities which would outline the requirements to hold an event. This can also ensure compliance with the land lease requirements and public health requirements. The Clerk provided a couple of samples from other municipalities that can be used as a guidance. The Clerk will develop a draft for Council to review.

h) Biographies and contact information of Council on the website – The Clerk presented a suggestion to provide a photograph with and short biography to put on the website as the Village of McAdam have done. Council will send a biography and photograph to the Clerk for publication.

i) Horses at the Lakeshore and in the lake – A concern was raised by a resident that horses were in on the beach and in the water at the swimming area. There is no signage to say this is not allowed but it should be added to the general welcome sign at the entrance.

j) Sewer connection to building lot on Route 3 – The real estate agent for the building lot currently for sale on Route 3 would be able to connect to the Village sewer. Deputy Mayor Corey suggested that this would require a lift pump similar to the ones on Route 636 and drilling under the road would have to be done to connect to the main line near the Irving Station.

k) Welcome sign from Fredericton – Councillor Davis asked about the Village sign coming from Fredericton. The bushes are growing up around it and it is not that visible now. Would there be a possibility of having a base like the one by the Health Centre. The sign is not at the Village limits so Tom was asked to speak to Dale Yerxa about road access at the actual limits. A suitable location needs to be chosen and a new base constructed.

l) Park Signage – Deputy Mayor Corey suggested that signs be created for each of the public spaces managed by the Village to identify Village ownership and list any rules for

using those spaces. The entrance to the Lakeshore should have a Welcome sign and a list of all the park rules such as hours of use, no overnight parking/camping, dogs on leash etc. Village contact information should also be on the sign. There also needs to be a new sign at the Fiddle as the original one is now almost unreadable due to water damage. The Clerk was asked to source a new one that may be on aluminum like the one at the Lake. There needs to be recognition that the park spaces are owned/managed by the Village.

m) By-law Officer – A suggestion was made that a person separate from the Village Manager might be better for “policing” the Village By-laws, particularly for the Dog By-law. A local resident was suggested and Tom will ask or see if there are dog kennels in the area.

5. Correspondence

a) Harvey Helps Relay – Second relay will be held on June 23rd.

6. Clerk’s Report

The Clerk presented the Bank Balance Report ending June 10, 2021, the Transactions by Account Report, and the Payroll Summary Report for review.

A motion was made by Councillor MacMullin, seconded by Councillor Davis to approve the reports as presented. Motion carried.

7. Adjournment

A motion to adjourn the meeting was made by Councillor MacMullin and seconded by Deputy Mayor Corey at 10:06 pm.

Certified Correct,

Katherine Henry
Clerk

Winston Gamblin
Mayor