

# Agenda

Village of Fredericton Junction

Council Meeting

June 10<sup>th</sup>, 2024 at 7:00 pm

1. Record of Attendance
2. Declaration of Conflict of Interest
3. Approval of Minutes
4. Approval of Agenda
5. Delegations & Petitions
6. Correspondence
7. Unfinished Business
  - **Motion 1: 3<sup>rd</sup> Reading By-Law No. 2024-05-02 "A By-Law Establishing the Code of Conduct for Council"**
  - **Motion 2: Reword May 27<sup>th</sup>, 2024 Motion- To apply for authorization to borrow for a capital expense to the Capital Borrowing Board**
8. Council Statements
9. Council Reports

Community & Health Affairs / Finance	Deputy Mayor B Hartt
Administration / Transportation	Councillor L Daley
Water & Sewer / Fire	Councillor J Webb
Policing / Recreation / Land Development	Councillor M Mersereau
CRSC / Economic Development	Mayor L Falconer

## 10. Other Business

- **Policy #2024-06-02: Conflict and Complaint Resolution Procedure**
- **Anglican Church on Sunbury Drive Request**
- **DTI approval to close Highway 101 on Saturday August 10, 2024**
- **5 Certified Reserve Resolutions (Feb 13, 2023)**
- **5 Certified Reserve Resolutions (Jan-March 2024)**

## 11. Payment of Bills

## 12. Adjournment

**Village of Fredericton Junction  
Council Minutes  
May 27<sup>th</sup>, 2024**

**ATTENDANCE:**

Mayor Len Falconer	Councillor Lonnie Daley
Deputy Mayor Bobbie Hartt	Councillor Mark Mersereau
Councillor Webb	Kristie Fowler
Grant Artes	Laurie Nason
Wayne Baker	Sherri Dumas
Ryder Nason	Jaime Nason

**CONFLICT OF INTEREST:**  
None

**APPROVAL OF MINUTES:**  
“Moved by Councillor Webb and Seconded by Deputy Mayor Hartt that the May 13<sup>th</sup>, 2024 Minutes be accepted as distributed.” Motion Carried.

**APPROVAL OF AGENDA**  
“Moved by Councillor Daley and Seconded by Councillor Mersereau that the Agenda be accepted as distributed.” Motion Carried.

**DELEGATIONS & PETITIONS:**

- Sherri Dumas, Community Wellness Initiative – Affordable senior’s living, wellness center, community gardens and educational research
  - 1.1 million secured through Housing NB
  - Request for VoFJ to apply for infrastructure grant through RDC
  - Next steps would be to connect with people of the community by a community meeting, flyers/posting on social media

**CORRESPONDENCE RECEIVED:**

- Letter from White Rapid’s Manor - withdrawing land request
- NB Southern Railway Vegetation Management Program
  - Will not spray near wells
  - Kristie to follow up and confirm there is to be no spraying from bridge to 138 Sunbury Dr

- Cyber Security email
  - Forward to PW Supervisor
- Mr. Hanson and tourism students toured the Currie Trail
  - Concerns raised of overflowing garbage cans
  - Concerns should be sent to the Currie House Board as the Village does not own it
  - Will continue to check the Peterson’s Rock garbage bins regularly
  - Email from Rose Arsenault stating the students had a wonderful visit
- Firehall A/C units needs diagnosed and fixed, warranty has run out
  - Grant to get a second quote
- Tri County AGM on June 11, 2024 at 7pm in the M.E. Phillips room, open to the public
- Circular Materials response to request for recycling bins for the Headstart program
  - This service will not be expanded until 2027
- ELG – Portal Sub-unit adjustment - not applicable
- ELG – Debenture deadline May 31, 2024
  - Kristie to send this week
- NBMPP info session on Microsoft teams June 4<sup>th</sup>, 12-1pm
- Circular Materials recycling guide and calendar available online and will be sent to residents, there are no changes
- NB EMO 2024 Hurricane, Extreme Heat and Fire Smart Brief June 20<sup>th</sup>, 2024 10am-12pm on Microsoft teams

**CORRESPONDENCE SENT:**

None

**UNFINISHED BUSINESS:**

3rd Reading by title only of BY-LAW # 2024-05

**“Moved by Deputy Mayor Hartt and Seconded by Councillor Webb to read BY-LAW # 2024-05 A BY-LAW TO AMEND BY-LAW 2012-02 OF THE MUNICIPALITY OF FREDERICTON JUNCTION RESPECTING THE PROCEDURE AND ORGANIZATION OF THE VILLAGE OF FREDERICTON JUNCTION BY REPEALING SECTIONS 1 (a,b,c,e,f,g,h &i), 4(7), 14, 38, 39 & 40 WITH RESPECT TO DEFINITIONS, THE COUNCIL MEETING AGENDA, VOTING, AND THE APPOINTMENT AND ORGANIZATION OF COMMITTEES REPLACING WITH NEW by title only.” Motion Carried.**

**COUNCIL STATEMENTS:**

OHS Student sitting in on a Council Meeting for their Civics Class – Welcome!

## COUNCIL REPORTS:

### CRSC / Economic Development:

#### Mayor Falconer:

##### *CRSC*

- CRSC – Special Infrastructure meeting wanting to pass the Aquatic Center
  - Cost Sharing / yearly contribution would be \$8000
  - Next meeting is June 4<sup>th</sup>, 2024

### Community & Health Affairs / Finance:

#### Deputy Mayor Hartt:

##### *Tourism*

- No new updates on the Blockhouse/RDC
- Come Home Week Committee – The next meeting will be May 29<sup>th</sup>
- CHW 50<sup>th</sup> Anniversary clothing still available to order until June 14<sup>th</sup>, 2024 – order forms can be found on the CHW Facebook page or contact Pam Mott

##### *Community & Health Affairs*

- Healthy Childhood Lifestyles – Fredericton Junction Committee *(in conjunction with DoH and Public Health)*
  - Response from Circular materials re: Recycling bins for Headstart – not available at this time
- Welcome Wagon – next meeting will be June 5<sup>th</sup>, 2024

##### *Finance*

- Met with the Auditors last week
  - Pleased with the 2023 Surplus numbers
  - Had a meeting with the Fire Chief and Deputy Fire Chief to discuss a new process for money coming in from forest fires as per auditor's request
  - Well 5 Debenture to start this Fall, there is a shortfall of the amount approved
    - Request to amend 2018 amount was denied
  - Kristie has some 2023 journal entries to work on
  - HST – everything the Village sells needs to have HST charged ie. T-shirts, hats, dog tags
  - It was more of a challenging year for the auditors/extra work, they would like to bill more than quoted for the 2023 audit
    - Will make a motion when the bill comes in
- Sent an email out with the VoFJ t-shirt and hat inventory
  - Kristie to place an order

## Administration / Transportation:

### **Councillor Daley:**

#### *Administration*

- Past minutes have all been added to the website
- Interviews with summer students will take place this week

#### *Transportation*

- Public Works has been getting their equipment ready for summer
- Culvert/ditch invoices from Jormar and Matt H have been received

## Water & Sewer / Fire:

### **Councillor Webb:**

#### *Water & Sewer*

- Well 5
  - The US approval for the communications system has come in
  - The Panel Shop and Sansom are coming this week to get the Turbidity meter into commission
  - Clean up and work on the radio system
  - Talked to Darren B re: the Horseman Rd hookups

#### *Fire Department*

- 4 fire calls since last meeting
  - 2 medical assists, 1 structure fire and 1 false alarm
- Met with Fire Dept to discuss recent points brought up by the auditors

## Policing / Recreation / Land Development:

### **Councillor Mersereau:**

#### *Recreation*

- Curling Club – Save the Plant Fundraiser, May 24<sup>th</sup> was a success, there was a great turnout and \$8500 was raised
- Outdoor volleyball nets at the Tri County are up and in use
- Curling Club Fundraiser Breakfast coming up on June 8<sup>th</sup>, 2024
- The Tri County AGM will be held on June 11<sup>th</sup>, 2024 at 7pm in the M.E. Phillips room and is open to the public

#### *Land Development*

- Letter received from White Rapid's Manor – The piece of land requested is no longer needed
- 0.3 Acres on Prides Landing Rd, it is of no use to the Village
  - Find out legal costs to sell for \$1

- Kristie to send Mark the Village's lawyers' info

### *Policing*

- No Policing updates, will send the Sergeant an email for an update
- Peterson's Rock – Needs a light installed overlooking the parking lot

### OTHER BUSINESS:

#### Motion 1: To apply for authorization to borrow for a capital expense to the Capital Borrowing Board

"Moved Councillor Webb and Seconded by Deputy Mayor Hartt "That the Village of Fredericton Junction submit to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the following terms and conditions:

<u>Protective Services</u>	<u>Amount</u>	<u>Term</u>
Fire Truck	700,000+tax	15 years
Breathing Apparatus (4)	55,000+tax	5 years

Motion Carried.

#### Motion 2: Notice of Motion By-Law No. 2024-05-02 To establish the Code of Conduct Policy

"Moved by Deputy Mayor Hartt and Seconded by Councillor Mersereau to give notice of motion of **BY-LAW #2024-05-02 A BY-LAW ESTABLISHING THE CODE OF CONDUCT FOR COUCIL.**"

Motion Carried.

#### Motion 3: 1st Reading in entirety of BY-LAW #2024-05-02

"Moved by Councillor Mersereau and Seconded by Deputy Mayor Hartt to read **BY-LAW #2024-05-02 A BY-LAW ESTABLISHING THE CODE OF CONDUCT FOR COUCIL** in entirety." Motion Carried.

Pursuant to subsection 10(2)(b) of the *Local Governance Act*, SNB 2017, c.18, amendments thereto and regulations adopted thereunder, the Council of the Village of Fredericton Junction hereby enacts as follows:

### **1. TITLE**

This By-Law may be referred to as the "Code of Conduct By-Law".

### **2. PURPOSE**

The Village of Fredericton Junction Code of Conduct has four main purposes:

- To set out clear expectations of behaviour of members of Council;

- b) To provide information to the public as to the behaviour they can expect from members of council;
- c) To provide guidance to members of council in how they conduct their duties as council members; and
- d) To provide a process for responding to alleged breaches of the Code.

### 3. DEFINITIONS

For the purposes of this By-Law:

“Act” means the *Local Governance Act* (SNB 2017, c 18) and amendments. (Added June 16, 2023)

“Chief Administrative Officer (CAO)” means the CAO of the Village of Fredericton Junction as appointed by Council.

“Village” means the Village of Fredericton Junction.

“Village Resources” includes but is not limited to all real and personal property, vehicles, facilities, equipment, supplies, services, documents, and computer programs belonging to the Village.

“Complainant” means the party who makes the complaint.

“Members of Council” means a member of council and includes the mayor, deputy mayor and councillors.

“Respondent” means the person who has had a complaint made against them.

“RTIPPA” means the *Right to Information and Privacy Protection Act*, c.R-10.6 and assorted regulations as amended.

“Social Media” means web-based applications such as Facebook, Twitter, etc. and on-line forums that allow users to interact, share, and publish content such as photographs, text, audio and video.

“Staff” means the CAO and/or an employee or employees who work for the Village as a corporate body and are under the direction of the CAO.

### 4. DUTY OF COUNCIL

Members of council are held to a high standard as leaders of the Village and as such, they are expected to be well informed on all aspects of municipal governance, administration, planning, and operations. They need to carry out their duties in a fair, impartial, transparent, and professional manner.

### 5. RESPONSIBILITIES

This Code applies to all members of council. It is the responsibility of council to be aware of and comply with the Code of Conduct.

- a) Members of council will conduct their duties with integrity, accountability, and transparency.
- b) Members of council are to act honestly, with reasonable care, and exercise due diligence in the performance and discharge of official functions and duties.
- c) Members of council understand that the public has a right to transparency in decision making.
- d) Members of council will at all times serve the interests of the Village in a conscientious and diligent manner.
- e) Members of council will avoid the improper use of the influence of their office.
- f) Members of council shall not attempt to influence or interfere with employees, officers, or other persons performing duties, either directly or indirectly, financially, politically, or otherwise, under the *Provincial Offences Procedure Act*, SNB 1987, c P-22.1.
- g) Members of council must avoid forming alliances with other councillors for the purpose of controlling council meetings, agendas or outcomes.



## 6. CONFIDENTIALITY

Every member of council must hold in strict confidence all information of a confidential nature acquired in the course of his/her term with the Village. Without restricting the scope of this rule, the following shall be considered breaches of the Code of Conduct:

- a) Using confidential information, which is not available to the general public, and to which members of council have access by reason of his/her position with the Village to further his/her personal interests or the interests of others.
- b) Disclosing, either directly or indirectly, release, make public or in any way divulge any such information (verbal or written) or any aspect of the "Closed Session" deliberations to anyone, unless expressly authorized by Council or required by-law to do so.
- c) Disclosing to unauthorized persons confidential information to which the member of council has access by reason of his/her position as a member of council within the Village.
- d) Council shall comply with the RTIPPA at all times. Public comments, discussions, and disclosures to the media regarding employees of individuals that breach a person's privacy, is deemed to be contrary to this Code of Conduct.

## 7. CONFLICT OF INTEREST

Conflict of Interest shall be governed by Local Governance Act, SNB 2017, c.18; Sections 87,88,89,90,91,92,93,94,95,96,97 and 98 (including all subsections).

## 8. CONDUCT AT COUNCIL/COMMITTEE MEETINGS

Members of council must conduct themselves with decorum at all council and committee meetings in accordance with the provisions of the Procedural By-Law and this Code of Conduct.

Any member of council found to be out of order may be asked to leave the meeting and further suspensions may occur.

## 9. RESPECT FOR DECISION-MAKING PROCESS

Members of council must not attempt to influence the decision-making process as it relates to the award of contracts or settlement of claims through personal contact or interaction with the parties administering or directly involved in the process.

## 10. RESPECTFUL WORKPLACE

All members of council have a duty to treat members of the public, one another, and staff with respect and without abuse, bullying, or intimidation, and to ensure that their work environment is free from discrimination and harassment. Members of council must ensure compliance with the New Brunswick Human Rights Commission and WorkSafe NB.

## 11. COMMUNICATING ON BEHALF OF THE VILLAGE

- a) A member of council must not claim to speak on behalf of council unless is authorized to do so.
- b) Unless council directs otherwise, the mayor is council's official spokesperson and in the absence of the mayor, it is the deputy mayor. All inquiries from the media regarding the official council position on an issue shall be referred to council's official spokesperson.
- c) A member of council who is authorized to act as council's official spokesperson must ensure that their comments accurately reflect the official position and will of council as a whole, even if the member of council personally disagrees with council's position.
- d) Members of council must keep in mind that they are always a representative of the Village of Fredericton Junction, including when engaging in social media activities, and members of council are encouraged to identify when views expressed are theirs alone and not official municipal communication.
- e) No member of council shall make a statement when they know that statement to be false.
- f) No member of council shall make a statement with the intent to mislead council or members of the public.

## 12. CONDUCT RESPECTING STAFF/COUNCIL

- a) Members of council as a whole have the authority to approve budget, policy, committee processes, and other such matters.
- b) Staff serves the council as a whole and the combined interests of all members of council as evidenced through the decisions of council.
- c) No member of council shall maliciously or falsely harm the professional or ethical reputation or the prospects of staff or other members of council.
- d) No member of council shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing such activities.
- e) Members of council shall not use or attempt to use their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with intent of interfering with the person's duties including the duty to disclose improper activity.
- f) Members of council shall respect the role of staff as a corporate body who are charged with making recommendations that reflect their professional expertise and a corporate perspective, providing advice and analyses, implementing council decisions, and carrying out their daily responsibilities as required under the *Local Governance Act*, and that staff are expected to do so without undue influence from any member of council or group of members of council.
- g) Members of council are not to use indecent, abusive, bullying, harassing, or insulting words or expressions toward another member of council, any staff of the Village, or any member of the public.

## 13. INTERPERSONAL BEHAVIOUR

- a) Treat every person with dignity, understanding and respect:

Members of council shall abide by the provisions of the *Human Rights Act* and, in doing so, shall treat every person including other members of Council, committees, boards, municipal staff, individuals providing services on a contract basis, and the public with dignity, understanding, and respect. Everyone has the right to an environment free from harassment and discrimination.

- b) Discrimination:

Members of council shall not discriminate against anyone on the basis of their age, marital status, family status, creed or religion, physical disability, mental disability, race, colour, ancestry, place of origin, national origin, social condition, political belief or activity, sexual orientation, gender identity or expression, and sex (including pregnancy).

- c) Harassment:

In accordance with the *Human Rights Act*, harassment shall mean engaging in vexatious comment or conduct that is known or ought to have been known to be unwelcome. Without limiting the generality of the foregoing, members of council shall not:

- Make racial, homophobic, sexist or ethnic slurs;
- Display pornographic, homophobic, sexist, racist or other offensive or derogatory material;
- Make leering (suggestive staring) or other offensive gestures;
- Make written or verbal abuse threats;
- Vandalize the personal property of others;
- Commit physical or sexual assault;

- Make unwelcome remarks, jokes, innuendos or taunting statements about a person's physical appearance, age, marital status, family status, creed or religion, physical disability, mental disability, race, colour, ancestry, place of origin, national origin, social condition, political belief or activity, sexual orientation, gender identity or expression, and sex (including pregnancy);
- Make unwelcome remarks, insulting gestures or jokes which cause embarrassment or awkwardness;
- Refuse to converse or interact with anyone because of their racial or ethnic background, colour, creed, sex, sexual orientation, age, record of offenses, marital status, same-sex partnership status, family status or disability;
- Make unnecessary or unwanted physical contact, including touching, patting, or pinching; and
- Demand sexual favours or requests.

#### **14. GIFTS, BENEFITS, AND HOSPITALITY**

Members of council are expected to represent the public and the interests of the Village and to do so both impartially and objectively. The acceptance of a gift, benefit or hospitality can imply favoritism, bias, or influence. There are times when the acceptance of a gift, benefit or hospitality occurs as part of the social protocol or Village events linked to the duties of an elected official. Members of council shall not accept gifts that would appear to be in gratitude for influence or to induce influence.

Members of council are not precluded from accepting the following:

- a) Token gifts, souvenirs, mementoes or hospitality received in recognition for service on a committee for speaking at an event or for representing the Village at an event;
- b) A political contribution under the *Municipal Elections Act*;
- c) Food and beverages at meetings, banquets, receptions ceremonies or similar events;
- d) Food, lodging, transportation and entertainment provided by other levels of government, by other local government or by local government boards or commissions;
- e) A stipend from a board or commission that the Councillor serves on as a result of an appointment by Council;
- f) Reimbursement of reasonable expenses incurred in the performance of office;
- g) Reimbursement of reasonable expenses incurred, and honorariums received in the performance of activities connected with municipal associations;
- h) Communications to the offices of a member of council, including subscriptions to newspapers and periodicals; or
- i) Gifts of a nominal value, (e.g. baseball cap, t-shirt, flash drive, book, etc.).

The stipend paid to each member of council is intended to fully remunerate members of council for service to the Village.

#### **15. USE OF LOCAL GOVERNMENT PROPERTY, RESOURCES AND SERVICES**

- a) No member of council shall make use of, or permit the use of, any premises owned by the Village of Fredericton Junction, staff, or other resources (computers, networks, websites, social media) other than for carrying out the business of the Village of Fredericton Junction.
- b) Members of council shall avoid waste and extravagance in the provision or use of the Village of Fredericton Junction resources or property.

- c) Members of council shall not use the facilities, equipment, supplies, services, or other resources of the Village of Fredericton Junction for any election campaign or campaign-related activities on Village property.

## **16. USE OF SOCIAL MEDIA**

- a) Once posted on social media, any material or comment is accessible to anyone with an internet connection. Furthermore, the content can never be effectively removed. As public figures and representatives of the Village of Fredericton Junction, members of council should act with discretion and be judicious in what material they post on social media. As with any other communication, members of council are accountable for content and confidentiality. Care should be exercised in debates or comments on contentious matters, as feelings and emotions can become inflamed very quickly.
- b) No member of council shall attempt to disguise or mislead as to their identity or status as an elected representative of the Village of Fredericton Junction when using social media, or otherwise.
- c) No member of council shall use social media to publish anything that is dishonest, untrue, unsubstantiated, offensive, disrespectful, constitutes harassment, is defamatory or misleading in any way.
- d) Where members of council provide a personal view or opinion on social media, members of council should take steps to ensure that such personal views or opinions are not construed to be those of the Village of Fredericton Junction as a whole and/or that such personal view or opinion does not accurately reflect the decisions of council or bring the decision-making process of council into dispute.

## **17. COMPLIANCE WITH THE CODE OF CONDUCT**

- a) Members of council are expected to adhere to the provisions of this Code.
- b) This by-law is intended to be self-enforcing. It establishes standards of conduct for members of council. Members of council shall be thoroughly familiar with and adhere to the By-law thereby enhancing public confidence in the local government by acting with integrity, respect, accountability, leadership, collaboration, public interest, and transparency.
- c) Persons who have reason to believe that this Code has been breached in any way are encouraged to bring their concerns forward. No member of council shall undertake any act of reprisal or threaten reprisal against a complainant or any other person who, in good faith, provides relevant information in relation to a possible violation of this Code.
- d) Any reported violations of this Code will be subject to an investigation by Council. This investigation shall be done in closed session, pursuant to Section 68(1)(j) of the Local Governance Act (labour and employment matters, including the negotiation of collective agreements). Council may choose to send the investigation to an independent third party.
- e) Complaints shall be dealt with by council in accordance with the process set out in the Conflict and Complaint Resolution Procedure Policy,

## **18. STATEMENT OF COMMITMENT**

Members of council acknowledge the importance of the principles contained in this Code which will be self-regulated by Council. Members of council are required to sign a "Statement of Commitment to the Code of Conduct" (Schedule "A") within seven (7) calendar days of this By-Law coming into force, and then within seven (7) calendar days of taking the oath of office pursuant to Section 58 of the *Local Governance Act*.

## **19. SEVERABILITY**

If a court of competent jurisdiction declares any portion of this bylaw invalid, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

## **20. ENACTMENT**

In case of any conflict between this By-Law and the *Act*, the latter shall prevail. This By-Law shall come into effect on the date of enactment there from.

Motion 4: 2nd Reading of BY-LAW #2024-05-02 by title only

“Moved by Deputy Mayor Hartt and Seconded by Councillor Mersereau to read **BY-LAW #2024-05-02 A BY-LAW ESTABLISHING THE CODE OF CONDUCT FOR COUCIL** by title only.” Motion Carried.

PAYMENT OF BILLS:

“Moved by Councillor Webb and Seconded by Councillor Daley that the bills be paid as approved by the appropriate Councillor.” Motion Carried

ADJOURNMENT:

“Moved by Councillor Mersereau and Seconded by Councillor Daley that the meeting be adjourned.” Motion Carried. Meeting adjourned 8:34pm.

Prepared by: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_