



Informational Communication to West Side Residents and Property Owners

On February 14, 2018, a proposed class action was filed with the Court of Queen's Bench of New Brunswick against the City of Saint John. The class action proposes to represent all residents and owners of property in West Saint John and claims damages against the City in relation to the change in water source from Spruce Lake to a well source under the Safe Clean Drinking Water Project. Accordingly, the lawsuit raises complex issues about the City's ability to address and interact with those residents on the subject matter of the litigation.

Because the City is both a public body and the defendant in this proposed class action, the Mayor and members of Council, find themselves in the difficult position of having to balance their obligations as elected officials, with their duty to respect the litigation process. The City cannot be perceived as influencing members of the proposed class action and must therefore communicate in an appropriate manner.

Although the City must be careful in terms of its communications with individuals that the class action proposes to represent, it should be noted that earlier this year, the City invited west side residents who wish to make a presentation to Council to do so. The invitation remains open for citizens to exercise this right at any time. Through this normal legislated process, all of Council can hear from citizens in a public forum; this is something each citizen is entitled to and the City does not ever intend to interfere with that right or any other rights.

Regular communications and public awareness activities will continue to be a priority in order to keep residents informed about developments in relation to the West Side Water services. This past year, City staff held public information sessions, gave presentations in the community, delivered direct mail notices, developed and maintained a dedicated west side water webpage with up to date information, gave presentations and reports to Council in open session, and shared information on social media and with traditional media outlets.

This informational communication to West Saint John residents and property owners is being delivered with the agreement of the lawyers representing the plaintiffs in the proposed class action. Should west side residents have any questions related to the subject matter of the proposed class action that they feel have not been addressed by the City's ongoing communications, they should direct those questions to the lawyers representing the plaintiffs. The lawyers for the proposed class are:

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