

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
APRIL 26, 2011 @ 7:00 P.M.

1. PRAYER
2. RECORDING OF ATTENDANCE

PRESENT: Mayor G. L. (Jed) Purcell; Deputy Mayor Jim Maxwell; Councillors Ralph Williams, Barb Donovan, Robert Tinker, Jeremy Copeland and Gavin Toumishey; CAO John Ferguson; Town Treasurer Tim Tozer; and, Town Clerk Joan Flewelling.

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Donovan
Seconded by Councillor Tinker

75/11 **THAT** the Agenda be approved as circulated. **CARRIED**

4. CONFLICT OF INTEREST

No conflicts were declared.

5. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

(a) Charlotte County Hospital Foundation Satellite Dialysis Unit – Mayor Purcell presented the Town's cheque in the amount of \$5,000.00, as its contribution to the Satellite Dialysis Unit to Steve Backman, Chair of the Foundation, and Tony and Madeleine Huntjens, Co-Chairs of the CCH Satellite Dialysis Campaign Committee.

(b) Charlotte County Hearing Health Care Centre Inc. – Dwight Ough, Audiologist and owner of the Centre presented information on a Hearing Conservation Program.

The CAO thanked Mr. Ough and stated that he will review the package.

(c) Teed Saunders Doyle & Co. – Peter Logan, Auditor, presented the 2010 financial statements.

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Peter Logan commended the Treasurer and staff for their preparation and the CAO thanked Mr. Logan for a job well done.

(d) 2011 Census - Proclamation

Mayor Purcell proclaimed the week of May 9 – 13, 2011 as Census Week:

WHEREAS: Statistics Canada will conduct the Census of Population on Tuesday, May 10, 2011; and

WHEREAS: The Town of St. Stephen supports the census because census information is important for our community and is vital for planning services such as schools, daycare, police services and fire protection; and

WHEREAS: The *Statistics Act* requires that personal information provided on census questionnaires will be kept strictly confidential; and

THEREFORE: I, G. L. (Jed) Purcell, Mayor of the Town of St. Stephen, New Brunswick, do hereby declare the week of May 9 to 13 as **CENSUS WEEK** in St. Stephen and call upon all residents to complete and return their census questionnaires online at www.census2011.gc.ca or by mail, by Tuesday, May 10, 2011.

6. NOTICES OF MOTIONS

No notices of motions.

7. APPROVAL OF COUNCIL MINUTES

REGULAR COUNCIL MEETING

Moved by Councillor Williams

Seconded by Councillor Tinker

76/11 **THAT** the Minutes of the Regular Council meeting held on March 21, 2011 be approved as circulated. **CARRIED**

8. ACCOUNTS

PAID BILLS

Moved by Councillor Williams

Seconded by Councillor Tinker

77/11 **THAT** the paid bills in the amount of \$793,120.94 (seven hundred and ninety-three thousand, one hundred and twenty dollars and ninety-four cents) be ratified. **CARRIED**

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9. COMMUNICATIONS

COMMUNICATION FOR INFORMATION FILE

Moved by Deputy Mayor Maxwell
Seconded by Councillor Tinker

78/11 **THAT** Communication for Information, note and file, be adopted. **CARRIED**

COMMUNICATION FOR ACTION

No communication for action.

10. APPROVAL OF COMMITTEE MINUTES

COMMITTEES MEETING

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

79/11 **THAT** the Minutes of the Committees meeting – Community Services; Public Safety & Environment; Planning & Priorities; and Finance & Administration held on April 13, 2011 be approved as circulated. **CARRIED**

COMMITTEE OF COUNCIL MEETING

Moved by Councillor Copeland
Seconded by Councillor Williams

80/11 **THAT** the Minutes of the Committee of Council meeting held on April 21, 2011 be approved as circulated. **CARRIED**

11. STAFF REPORTS

STAFF REPORTS

Moved by Deputy Mayor Maxwell
Seconded by Councillor Tinker

81/11 **THAT** the following staff reports for the month of March 2011 be adopted: Treasury Department; Public Works Department; Department of Parks, Recreation and Property Management; Fire Department; Department of By-Laws and Building Inspection; and Development Office. **CARRIED**

12. UNFINISHED BUSINESS

WRITTEN VIEWS – PLANNING ADVISORY COMMITTEE – PROPOSED MUNICIPAL PLAN BY-LAW AND ZONING BY-LAW

Moved by Councillor Williams
Seconded by Councillor Tinker

82/11 **THAT** the Council of the Town of St. Stephen receives the attached written views of the Planning Advisory Committee (PAC) dated April 21, 2011 as requested by a resolution of Council dated March 21, 2011 with respect to proposed By-Law No. M-1, being the “Town of St. Stephen Municipal Plan By-Law”, which will

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repeal the existing By-Law No. M-1, being the "Town of St. Stephen Municipal Plan By-Law", and By-Law No. Z-1, being the "Town of St. Stephen Zoning By-Law", which will repeal the existing By-Law No. Z-1, being the "Town of St. Stephen Zoning By-Law". **CARRIED**

13. **CONSIDERATION OF BY-LAWS**

BY-LAW NO. M-1 – MUNICIPAL PLAN BY-LAW – SECOND READING – SECTION NUMBERS ONLY

Moved by Councillor Williams

Seconded by Councillor Toumishey

83/11 **THAT** By-Law No. M-1, being the "Town of St. Stephen Municipal Plan By-Law" which will repeal the existing By-Law No. M-1, being the "Town of St. Stephen Municipal Plan By-Law" – be given Second Reading – Section Numbers Only. **CARRIED**

Councillor Williams voting in favour of the motion.

Councillor Copeland voting in favour of the motion.

Councillor Donovan voting in favour of the motion.

Councillor Toumishey voting in favour of the motion.

Councillor Tinker abstained from voting.

Deputy Mayor Maxwell was removed from voting due to his absence from the Public Hearing of Objections.

BY-LAW NO. Z-1 – ZONING BY-LAW – SECOND READING – SECTION NUMBERS ONLY

Moved by Councillor Williams

Seconded by Councillor Tinker

84/11 **THAT** the following motion be deferred until such time as a joint meeting of Council and the Planning Advisory Committee has been held.

THAT By-Law No. Z-1 – being the "Town of St. Stephen Zoning By-Law" which will repeal the existing By-Law No. Z-1, being the "Town of St. Stephen Zoning By-Law" – be given Second Reading – Section Numbers Only.

CARRIED

14. **NEW BUSINESS**

BORDER AREA COMMUNITY ARENA – CONDENSER REPLACEMENT

Moved by Councillor Copeland

Seconded by Councillor Donovan

85/11 **THAT** the Council of the Town of St. Stephen approves the unbudgeted expenditure of \$37,937.00 (thirty-seven thousand, nine hundred and thirty-seven dollars), plus HST, to CIMCO Refrigeration of Moncton, NB for the purchase and installation of one new complete condenser unit. **CARRIED**

**APPLICATION TO THE MUNICIPAL CAPITAL BORROWING BOARD –
TRANSPORTATION AND PROTECTIVE SERVICES**

Moved by Councillor Williams
Seconded by Councillor Tinker

86/11 **THAT** the Municipality of the Town of St. Stephen submit to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the following terms and amounts:

<u>Purpose</u>	<u>Amount</u>	<u>Term</u>
<u>Transportation Services</u>		
Sidewalks and Streets Rehabilitation	\$250,000	10 Years
Tandem Plow Truck	\$175,000	10 Years
<u>Protective Services</u>		
Fire Department Support Vehicle	\$35,000	5 Years
	<u>\$460,000</u>	

CARRIED

**APPLICATION TO THE MUNICIPAL CAPITAL BORROWING BOARD –
RECREATION AND CULTURAL SERVICES**

Moved by Councillor Williams
Seconded by Councillor Tinker

87/11 **THAT** the Municipality of the Town of St. Stephen submits to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the following terms and amounts:

<u>Purpose</u>	<u>Amount</u>	<u>Term</u>
<u>Recreation and Cultural Services</u>		
Design, site preparation and construction of a new multi-purpose recreation, cultural and meeting facility -Town Commitment	\$2,700,000	20 Years
Design, site preparation and construction of a new multi-purpose recreation, cultural and meeting facility -Future Fundraising Amounts	\$1,100,000	20 Years
Interim Financing- Design, site preparation and construction of a new multi-purpose recreation, cultural and meeting facility	<u>\$18,348,000</u>	3 Years
	<u>\$22,148,000</u>	

CARRIED

VOIDING OF BORROWING AUTHORIZATIONS - GENERAL FUND

Moved by Councillor Williams
Seconded by Councillor Tinker

88/11 **THAT** the Council of the Town of St. Stephen approves the voiding/withdrawing of the following borrowing authorizations:

Voiding Ministerial Approval Number 09-0114

Recreation and Cultural Services

Purchase of lands and premises
for a new multi-purpose recreation,
cultural and meeting facility \$791,000

**Withdrawing Conditional Approval-Municipal Capital Borrowing Board
Hearing of November 9, 2009**

Recreation and Cultural Services

Design, site preparation and construction
of a new multi-purpose recreation,
cultural and meeting facility \$2,076,000

Interim Financing- Design, site preparation
and construction of a new multi-purpose
recreation, cultural and meeting facility \$13,300,000

\$15,376,000

CARRIED

FIRE DEPARTMENT RADIO REPEATER

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

89/11 **THAT** the Council of the Town of St. Stephen approves the purchase of a replacement Fire Department Radio Repeater. Funding of the Repeater will be \$10,500 (ten thousand, five hundred dollars) from amounts previously budgeted to be transferred in 2011 to the General Capital Reserve and the remainder from the 2011 Fire Department Operating Budget. **CARRIED**

VOLUNTEER FIREFIGHTER ROSTER

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

90/11 **THAT** the Council of the Town of St. Stephen accepts the Fire Chief's recommendation to increase the volunteer firefighter roster by one (1) member, Evan Noddin, in order to take advantage of his expertise and training. **CARRIED**

STREET LIGHT REMOVAL – HAMILTON LANE

Moved by Councillor Copeland
Seconded by Councillor Tinker

- 91/11 **THAT** the Council of the Town of St. Stephen grants permission to NB Power to remove the street light from pole # A28R3 on Hamilton Lane at the request of Ganong Bros. Limited (Ganong), since the only house it serviced was purchased by Ganong and demolished. **CARRIED**

FUNDRAISING ROAD TOLL – ST. STEPHEN-MILLTOWN LIONS CLUB

Moved by Councillor Tinker
Seconded by Councillor Toumishey

- 92/11 **THAT** the Council of the Town of St. Stephen approves the request from the St. Stephen-Milltown Lions Club to hold a fundraising road toll in the vicinity of 70 Prince William Street on Saturday, September 10, 2011 between the hours of 8:00 a.m. and 5:00 p.m., with an alternate date of Saturday, September 17, 2011 between the hours of 8:00 a.m. and 5:00 p.m. **CARRIED**

2011 CENSUS SUPPORT

Moved by Councillor Tinker
Seconded by Deputy Mayor Maxwell

- 93/11 **THAT** the Council of the Town of St. Stephen supports the 2011 Census and encourages all residents to complete their census forms online at www.census2011.gc.ca or by mail, by Tuesday, May 10, 2011, so that accurate and complete data will be available to support programs and services that benefit us all. **CARRIED**

THE CHARLOTTE COUNTY HOSPITAL FOUNDATION, INC. - SATELLITE DIALYSIS UNIT

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

- 94/11 **THAT** the Council of the Town of St. Stephen approves the unbudgeted grant of \$5,000.00 (five thousand dollars) to the CCH Satellite Dialysis Campaign for its new satellite dialysis unit. **CARRIED**

COLLECTIVE AGREEMENT WITH CUPE LOCAL UNION NO. 770

Moved by Councillor Tinker
Seconded by Councillor Williams

- 95/11 **THAT** the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to enter into a three (3) year Collective Agreement with CUPE Local Union No. 770 retroactive to January 1, 2010 and expiring on December 31, 2012. **CARRIED**

CUPE LOCAL UNION NO. 770 GRIEVANCE – BLAIR FURLOTTE

Moved by Councillor Williams
Seconded by Councillor Tinker

- 96/11 **THAT** the Council of the Town of St. Stephen denies the grievance filed by CUPE Local Union No. 770, Case No. 2011-1, on behalf of Blair Furlotte, Utility Operator. **CARRIED**

ROYAL CANADIAN MOUNTED POLICE – LETTER OF INTENT

Moved by Councillor Williams
Seconded by Councillor Donovan

- 97/11 **THAT** the Council of the Town of St. Stephen intends to reduce the existing complement of eleven (11) Royal Canadian Mounted Police (RCMP) officers – full time equivalencies (FTE) by one (1) (FTE) to ten (10) RCMP officers (FTE) as outlined in the attached letter dated March 30, 2011 to the Minister of Public Safety and Solicitor General, and previously endorsed in a Closed Committee meeting as per Section 10.2(4)(c) of the New Brunswick *Municipalities Act*. **CARRIED**

BUILDING PERMIT WAIVER – GANONG BROS. LIMITED

Moved by Councillor Williams
Seconded by Councillor Tinker

- 98/11 **THAT** the Council of the Town of St. Stephen approves the request from Ganong Bros. Limited to have waived its building permit fee in the amount of \$6,962.50 (six thousand, nine hundred and sixty-two dollars and fifty cents), based on its future expansion in the amount of \$2,685,000.00 (two million, six hundred and eighty-five thousand dollars). **CARRIED**

AWARDING OF TENDER: COMBINED SEWER SEPARATION (PRINCE WILLIAM STREET TO BUDD AVENUE) – PROJECT NO. 09-2731

Moved by Councillor Copeland
Seconded by Councillor Williams

- 99/11 **THAT** of the eight (8) tenders received, the low tender of \$215,965.00 (two hundred and fifteen thousand, nine hundred and sixty-five dollars), including HST from H. E. Merchant and Sons Ltd. of St. George, NB for combined sewer separation (Prince William Street to Budd Avenue) be accepted. **CARRIED**

THE CHOCOLATE MUSEUM – LETTER OF INTENT

Moved by Deputy Mayor Maxwell
Seconded by Councillor Tinker

- 100/11 **THAT** the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to sign the attached letter of intent dated April 27, 2011 with The Chocolate Museum and retroactive to January 1, 2011. **CARRIED**

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2010 AUDIT

Moved by Councillor Williams
Seconded by Councillor Tinker

- 101/11** **THAT** the 2010 Audit as presented by the Town of St. Stephen's Auditors, Teed Saunders Doyle & Co. be approved. **CARRIED**

DILLON CONSULTING LIMITED – CLIENT AUTHORIZATION TO PROCEED

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

- 102/11** **THAT** the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to execute the "Acceptance of Offer of Services and Authorization to Proceed" form which in turn authorizes Dillon Consulting Limited of Saint John, NB to provide consulting engineering services for Public Sector Accounting Board (PSAB) 3150 and Asset Management, Project No. 10-3863, in the amount of \$72,190.05 (seventy-two thousand, one hundred and ninety dollars and five cents), including HST, unless otherwise amended. **CARRIED**

RE-APPOINTMENT – THE CHARLOTTE COUNTY HOSPITAL FOUNDATION, INC.

Moved by Councillor Tinker
Seconded by Councillor Williams

- 103/11** **THAT** Barbara Lee be re-appointed to the Board of Trustees of The Charlotte County Hospital Foundation, Inc. for a three year term commencing May 1, 2011 and expiring April 30, 2014. **CARRIED**

15. **REPORTS OF MAYOR AND COUNCILLORS**

Councillor Toumishey

- Busy month – attended various meetings.

Councillor Donovan

- Quiet month.

Deputy Mayor Maxwell

- Attended various Town meetings.
- Attended a Chocolate Museum Operational Committee meeting.
- Attended Lincourt Manor's 30th anniversary open house.
- Attended three fundraising suppers.
- Attended Shoppers Drug Mart grand re-opening.
- Attended the Chamber of Commerce lunch with David Ganong speaking on the Civic Center.
- Participated in Dooly's fundraiser for breast cancer.

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- Organizing and participating in the 35th annual cemetery clean up.
- Participated in a fundraiser for the SPCA at Dooly's.
- Extended condolences to Councillors Williams and Copeland in the death of Councillor Williams' mother-in-law.

Councillor Williams

- Had no comments.

Councillor Tinker

- Attended a number of meetings.
- Attended a Planning Advisory Committee meeting.
- Glad to see a large support nationally to encourage eligible voters to vote.
- Hopes young people will support the Civic Center and make their opinions known.
- Stated that high density zoning, originally planned for an area in Milltown Heights, which has now been amended in the new Municipal Plan, could alter a neighbourhood, and suggested that Council should learn from it in the future.

Councillor Copeland

- Attended various Town meetings.
- Attended Arena Board meetings.

Mayor Purcell

- Busy with Civic Center meetings.
- Attended St. Stephen's University dinner and convocation.

16. QUESTION PERIOD

There were no questions.

17. ADJOURNMENT


ADJOURNMENT

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

104/11

THAT the meeting adjourn at 8:40 p.m. CARRIED



Mayor



Town Clerk