

SPECIAL MEETING
ST. STEPHEN TOWN COUNCIL
73 MILLTOWN BLVD., SUITE 112
WEDNESDAY, AUGUST 14 , 2013 @ 5:00 P.M.

1. RECORDING OF ATTENDANCE

PRESENT: Mayor John Quartermain; Deputy Mayor John Ames; Councillors Allan MacEachern, Marg Harding, Mike Booth, Debbie MacDonald and Jim Maxwell; Acting Chief Administrative Officer Lee Johnson; Town Treasurer Tim Tozer; Town Clerk Joan Flewelling; and Town Solicitor James Mosher.

2. APPROVAL OF AGENDA

AGENDA

Moved by Deputy Mayor Ames
Seconded by Councillor Harding

211/13 **THAT** the Agenda be approved as circulated.

3. CONFLICT OF INTEREST

There were no conflicts of interest.

4. NEW BUSINESS

TERM AGREEMENT – THE TOWN AND KINGSLEY BAILEY

Moved by Councillor Maxwell
Seconded by Councillor MacDonald

212/13 **WHEREAS** the Council of the Town of St. Stephen directed the Chief Administrative Officer (“CAO”) for the Town at its closed session on July 31, 2013 as per Section 10.2(4)(j) of the New Brunswick *Municipalities Act* to negotiate a Term Agreement with Kingsley Bailey;

AND WHEREAS the Council of the Town of St. Stephen and Kingsley Bailey have negotiated a revision to the starting date, termination date and date for renewal of such agreement in the form presented to Council;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to execute a Term Agreement between The Town of St. Stephen (the “Town”) and Kingsley Bailey of Saint John, NB for a six (6) month term commencing August 19, 2013 and expiring February 13, 2014, renewable upon agreement between the Town Council and Kingsley Bailey, for the position of manager and supervisor of the physical operations of the Garcelon Civic Center (“Civic Center”), and other non-union duties assigned to him by the Civic Center Manager and/or CAO in the form of agreement presented to Council. **CARRIED**

SPUR LINE PROPERTIES INC. – LETTER OF COMMITMENT

Moved by Councillor Harding

Seconded by Councillor Maxwell

213/13 **WHEREAS** at a closed session of Council on the 23rd day of July, 2013 Council directed the Mayor to sign a letter of commitment to Spur Line Properties Inc.;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of St. Stephen retroactively authorizes the Mayor to execute on behalf of the Town of St. Stephen a Letter of Commitment in the form presented to Council setting out:

- 1) an agreement to share the environmental risk arising from the site preparation work and construction for your hotel;
- 2) a firm commitment from the town to lease office space in the hotel premises; and
- 3) a comprehensive financial incentive package to assist Spur Line Properties Inc. in defraying some of the capital/operational cost for the hotel development.

AND FURTHER THAT the Council directs the Mayor to inform Spur Line Properties Inc. that the Letter of Commitment is conditional upon Spur Line Properties Inc. completing a Phase II Environmental Assessment prior to commencing work, and Spur Line Properties Inc. providing the town with an agreement to indemnify the town for any and all liability arising out of the development of the property for which the town may be liable in excess of One Hundred Thousand Dollars (\$100,000.00). **CARRIED**

Deputy Mayor Ames voting in favour of the motion.

Councillor Harding voting in favour of the motion.

Councillor Maxwell voting in favour of the motion.

Councillor MacEachern voting against the motion.

Councillor Booth voting against the motion.

Councillor MacDonald voting against the motion.

Mayor Quartermain voting in favour of the motion to break the tie.

EMPLOYMENT AGREEMENT – THE TOWN AND LEE JOHNSON

Moved by Councillor Maxwell

Seconded by Councillor Harding

214/13 **WHEREAS** the Council of the Town of St. Stephen and Lee Johnson have agreed that Mr. Johnson will fill the position of acting Chief Administrative Officer for the Town;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to execute an agreement between The Town of St. Stephen (the “Town”) and Lee Johnson of Waweig, NB for the position of acting Chief Administrative Officer of the Town in accordance with By-Law No. A-8, A By-Law Respecting the Duties and Powers of the Chief Administrative Officer, commencing retroactively on July 23, 2013 and in the form of agreement presented to Council. **CARRIED**

**RESIGNATION OF LEAH NIXON - ASSISTANT DIRECTOR, PARKS,
RECREATION AND PROPERTY MANAGEMENT**

Moved by Deputy Mayor Ames

Seconded by Councillor Harding

215/13 **THAT** the Council of the Town of St. Stephen (the "Council") accepts the resignation of Leah Nixon, as Assistant Director, Parks, Recreation and Property Management for the Town of St. Stephen effective August 15, 2013 and authorizes the Mayor and Town Clerk to execute and deliver a confidential Separation Agreement setting out the terms of the cessation of Leah Nixon's employment with the Town of St. Stephen in the form submitted to Council.

AND FURTHER THAT the Council authorizes and directs the Mayor and Town Clerk to cause all obligations and payments required by the Town of St. Stephen under such agreement to be completed and paid in accordance with the terms of such agreement. **CARRIED**

Deputy Mayor Ames voting in favour of the motion.

Councillor Harding voting in favour of the motion.

Councillor Maxwell voting in favour of the motion.

Councillor Booth voting in favour of the motion.

Councillor MacEachern voting against the motion.

Councillor MacDonald voting against the motion.

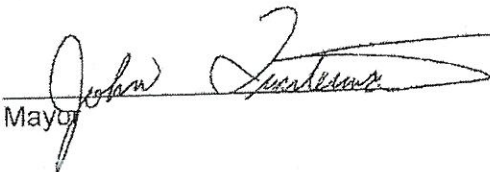
5. **ADJOURNMENT**

ADJOURNMENT

Moved by Deputy Mayor Ames

Seconded by Councillor MacEachern

216 /13 **THAT** the meeting adjourn at 5:15 p.m. **CARRIED**


Mayor


Town Clerk