

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
MONDAY, SEPTEMBER 26, 2016 @ 7:00 P.M.

1. PRAYER

Mayor MacEachern called upon Pastor Gord Walsh to administer a prayer.

2. RECORDING OF ATTENDANCE

PRESENT: Mayor Allan MacEachern; Deputy Mayor Jason Carr; Councillors Marg Harding, Ghislaine Wheaton, David Hyslop, Phil Chisholm, and Ken Parker; Chief Administrative Officer Derek O'Brien; and Town Clerk Joan Flewelling.

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Hyslop

Seconded by Deputy Mayor Carr

230/16 **THAT** the Agenda be approved as circulated. **CARRIED**

4. CONFLICT OF INTEREST

There were no conflicts of interest declared.

5. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

Mayor MacEachern proclaimed the month of September 2016 as Big Brothers Big Sisters Month.

WHEREAS, September is Big Brothers Big Sisters month across the country;

AND WHEREAS, Big Brothers Big Sisters in this community is a vital service organization committed to matching children and youth with caring, volunteer mentors;

AND WHEREAS, evidence-based research has shown that the Big Brothers Big Sisters mentoring model contributes directly to increased academic achievement, improved family and peer relationships, improved youth mental health, reduction in bullying, prevention of criminal behavior, and a more successful transition from school to work;

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AND WHEREAS, we as a community believe that every child should have the opportunity to reach his or her full potential;

AND WHEREAS, the agency's goal is to expand its volunteer base in order to ensure that every child who needs a mentor has a mentor;

AND WHEREAS, Big Brothers Big Sisters relies heavily on the strength and dedication of its volunteers who, through their commitment and support, make a profound difference in the lives of children and youth in our community;

NOW THEREFORE, I, Allan MacEachern, Mayor of *St. Stephen, New Brunswick*, do hereby proclaim September, 2016 as **Big Brothers Big Sisters Month**. I encourage everyone to "*start something*" Big by learning more about the great need for volunteer Mentors for the variety of programs offered by Big Brothers Big Sisters.

Big Brothers Big Sisters of Saint John
Serving Greater Saint John, Charlotte County and Kings County

6. NOTICES OF MOTIONS

No notices of motions.

7. APPROVAL OF COUNCIL MINUTES

REGULAR COUNCIL MEETING

Moved by Councillor Harding

Seconded by Councillor Hyslop

231/16 **THAT** the Minutes of the Regular Council meeting held on August 22, 2016 be approved as circulated. **CARRIED**

SPECIAL COUNCIL MEETING

Moved by Councillor Wheaton

Seconded by Deputy Mayor Carr

232/16 **THAT** the Minutes of the Special Council meeting held on September 6, 2016 be approved as circulated. **CARRIED**

8. ACCOUNTS

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Councillor Hyslop

Seconded by Councillor Harding

233/16 **THAT** the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to July 31, 2016 be received. **CARRIED**

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PAID BILLS

Moved by Councillor Chisholm
Seconded by Councillor Hyslop

- 234/16** **THAT** the paid bills in the amount of \$1,898,732.61 (one million, eight hundred and ninety-eight thousand, seven hundred and thirty-two dollars and sixty-one cents) be received. **CARRIED**

9. **COMMUNICATIONS**

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Harding
Seconded by Deputy Mayor Carr

- 235/16** **THAT** Communication for Information, note and file, be adopted. **CARRIED**

COMMUNICATION FOR ACTION

No communication for action.

10. **APPROVAL OF COMMITTEE MINUTES**

COMMITTEE OF COUNCIL MEETING

Moved by Councillor Parker
Seconded by Councillor Harding

- 236/16** **THAT** the Minutes of the Committee of Council meeting held on September 1, 2016 be approved as circulated. **CARRIED**

COMMITTEES MEETING

Moved by Councillor Harding
Seconded by Councillor Hyslop

- 237/16** **THAT** the Minutes of the Committees meeting – Finance and Administration; Public Works; Police and Fire; Property, By-Laws and Environment; Parks and Recreation; and Planning, Promotion and Tourism held on September 14, 2016 be approved as circulated. **CARRIED**

PLANNING ADVISORY COMMITTEE MEETING

Moved by Deputy Mayor Carr
Seconded by Councillor Hyslop

- 238/16** **THAT** the Minutes of the Planning Advisory Committee meeting held on July 6, 2016 and approved at its meeting on September 7, 2016 be accepted. **CARRIED**

11. STAFF REPORTS

STAFF REPORTS

Moved by Councillor Harding
Seconded by Councillor Hyslop

239/16 **THAT** the following staff reports for the month of August 2016 be adopted: Chief Administrative Officer; Public Works Department; Parks and Recreation Department; Fire Department; By-Laws and Building Inspection Services; Property Management Services; Development Office; and the Garcelon Civic Center. **CARRIED**

12. UNFINISHED BUSINESS

No unfinished business.

13. CONSIDERATION OF BY-LAWS

BY-LAW NO. M-1.3 - "A BY-LAW TO AMEND BY-LAW NO. M-1, BEING THE TOWN OF ST. STEPHEN MUNICIPAL PLAN BY-LAW" – THIRD AND FINAL READING – SHORT TITLE ONLY

Moved by Deputy Mayor Carr
Seconded by Councillor Harding

240/16 **THAT** By-Law No. M-1.3 – "A By-Law to Amend By-Law No. M-1, being the Town of St. Stephen Municipal Plan By-Law" – be given Third and Final Reading – Short Title Only. **CARRIED**

Councillor Wheaton chose to abstain from voting on the above-noted motion as she was out-of-province and unable to attend the Public Hearing of Objections/Support held on August 17, 2016.

BY-LAW NO. Z-1.5 - "A BY-LAW TO AMEND BY-LAW NO. Z-1, BEING THE TOWN OF ST. STEPHEN ZONING BY-LAW" – THIRD AND FINAL READING – SHORT TITLE ONLY

Moved by Councillor Chisholm
Seconded by Councillor Hyslop

241/16 **THAT** By-Law No. Z-1.5 – "A By-Law to Amend By-Law No. Z-1, being the Town of St. Stephen Zoning By-Law" – be given Third and Final Reading – Short Title Only. **CARRIED**

Councillor Wheaton chose to abstain from voting on the above-noted motion as she was out-of-province and unable to attend the Public Hearing of Objections/Support held on August 17, 2016.

14. NEW BUSINESS

ROYAL CANADIAN MOUNTED POLICE – MONTHLY REPORT

Moved by Deputy Mayor Carr

Seconded by Councillor Wheaton

- 242/16 **THAT** the Royal Canadian Mounted Police August 2016 report for the St. Stephen Municipal Post, District # 1, be received for information and filed.
CARRIED

CHANGE OF DATE: DECEMBER 2016 REGULAR TOWN COUNCIL MEETING

Moved by Councillor Harding

Seconded by Deputy Mayor Carr

- 243/16 **THAT** the Council of the Town of St. Stephen changes the date of the December Regular Town Council Meeting from the fourth (4th) Monday, 26th day of December, 2016 at 7:00 p.m., to the third (3rd) Monday, 19th day of December, 2016 at 7:00 p.m. as outlined in Subsection 9.01(1) of Section 9. Meetings of By-Law No. A-2.3, "A By-Law to Amend By-Law No. A-2, A By-Law Respecting Procedures of the Town Council and Town Administration" to be held in Council Chambers, 73 Milltown Blvd., Suite 112 (entrance at back corner of building). **CARRIED**

APPLICATION FOR FINANCING – GENERAL FUND

Moved by Councillor Parker

Seconded by Councillor Wheaton

- 244/16 **BE IT RESOLVED THAT** the Clerk and/or Treasurer and/or Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of St. Stephen debenture in the principal amount of \$3,800,000 (three million eight hundred thousand dollars) on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and be it resolved that the Municipality of St. Stephen agree to issue post-dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture:

<u>Purpose</u>	<u>Amount</u>	<u>Term</u>
<u>Recreation and Cultural Services</u>		
Multi-purpose building	<u>\$3,800,000</u>	20 Years

CARRIED

PHOTOCOPIER LEASE AGREEMENT

Moved by Councillor Harding
Seconded by Councillor Hyslop

245/16 **THAT** the Council of the Town of St. Stephen approves a five (5) year lease agreement with Konica Minolta for a Bizhub 364e photocopier.

AND THAT the Council authorizes the Mayor and Town Clerk to sign the lease agreement with Konica Minolta in the form presented to Council. **CARRIED**

TOWN-OWNED SURPLUS PROPERTY – PID # 01332667

Moved by Councillor Hyslop
Seconded by Deputy Mayor Carr

246/16 **THAT** the Council of the Town of St. Stephen declares a portion of Town-owned property identified as PID # 01332667 located on Riverside Drive, and outlined as Parcel "A" on the attached sketch, to be surplus property.

AND THAT the Council directs the Chief Administrative Officer to post it as surplus property in order to entertain offers to purchase. **CARRIED**

TRANSFER FROM THE GENERAL CAPITAL RESERVE FUND - GARCELON CIVIC CENTER – PIPE INSULATION

Moved by Councillor Harding
Seconded by Councillor Wheaton

247/16 **THAT** the amount of \$6,678.01 (six thousand, six hundred and seventy-eight dollars and one cent) be transferred from the General Capital Reserve Fund to the General Capital Fund for the purchase of refrigeration insulation at the Garcelon Civic Center in an effort to improve the efficiency of the ice making system and to avoid potential shut-down throughout the season. **CARRIED**

DILLON CONSULTING LIMITED – AGREEMENT FOR PROFESSIONAL SERVICES – GIDDENS MEMORIAL AIRPORT – CAPITAL IMPROVEMENT PLAN

Moved by Councillor Harding
Seconded by Councillor Parker

248/16 **THAT** the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to execute an agreement which in turn authorizes Dillon Consulting Limited of Saint John, NB to provide consulting engineering services, in the amount of \$10,600.00 (ten thousand, six hundred dollars), plus HST, to develop a Capital Improvement Plan and provide an opinion of probable costs for the proposed improvements.

AND THAT should it be determined that geotechnical services (asphalt condition assessment and peer review) are not required, a fee of \$3,500.00 (three thousand, five hundred dollars), plus HST, shall be deducted from the above-noted fee.

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AND FURTHER THAT Council authorizes the scope of work be paid from grants received from the “J. Arthur and Laura Giddens and Mary Laura Family Fund” and facilitated by the Strategic Charitable Giving Foundation designated for the Giddens Memorial Airport. **CARRIED**

APPROVAL OF EVENT – MECHMUFFLER 250 SOAP BOX DERBY 2016

Moved by Councillor Hyslop

Seconded by Deputy Mayor Carr

249/16

THAT the Council of the Town of St. Stephen grants permission to MechMuffler and Custom Exhaust Inc. to hold a MechMuffler 250 Soap Box Derby on Hawthorne Street on Saturday, October 15, 2016 between 10:30 a.m. – 4:00 p.m., with an alternate date of Sunday, October 16, 2016 between 10:30 a.m. - 4:00 p.m., and contingent on receipt by the Town of MechMuffler and Custom Exhaust Inc.’s Certificate of Insurance. **CARRIED**

APPROVAL OF EVENT – ST. STEPHEN’S UNIVERSITY’S FOLK FESTIVAL

Moved by Deputy Mayor Carr

Seconded by Councillor Parker

250/16

THAT the Council of the Town of St. Stephen grants permission to St. Stephen’s University to hold an outdoor music and arts festival between 1:00 p.m. and 5:00 p.m. on Saturday, October 1, 2016 at 8 Main Street (front lawn on Milltown Blvd.). **CARRIED**

CLEAN WATER AND WASTEWATER FUND APPLICATION

Moved by Councillor Hyslop

Seconded by Councillor Harding

251/16

THAT the Council of the Town of St. Stephen approves the submission of an application to the Canada-New Brunswick Bilateral Agreement – Clean Water and Wastewater Fund for the Project titled “Water and Sanitary Sewer Renewal Milltown Boulevard (King Street to Hawthorne Street) in the form presented to Council at its Committee Meeting on September 14, 2016. **CARRIED**

CLEAN WATER AND WASTEWATER FUND APPLICATION

Moved by Councillor Hyslop

Seconded by Deputy Mayor Carr

252/16

THAT the Council of the Town of St. Stephen approves the submission of an application to the Canada-New Brunswick Bilateral Agreement – Clean Water and Wastewater Fund for the Project titled “Sanitary Sewer Renewal and Combined Sewer Separation – Thompson Avenue and Springwood Court” in the form presented to Council at its Committee Meeting on September 14, 2016. **CARRIED**

EASTERN CHARLOTTE WATERWAYS INC. – GREENHOUSE GAS EMISSIONS PROJECT

Moved by Councillor Parker
Seconded by Councillor Harding

253/16

WHEREAS Eastern Charlotte Waterways Inc. has secured funding from the New Brunswick Environmental Trust Fund and the Intact Foundation to quantify greenhouse gas (GHS) emissions and develop a reduction plan for the Town of St. Stephen;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of St. Stephen identifies the Chief Administrative Officer Derek O'Brien and Councillor Ken Parker as Chair of the Property, By-Laws and Environment Committee, as the staff and municipal council contacts to support the project. **CARRIED**

PURCHASE AND SALE – 2 KING STREET

Moved by Deputy Mayor Carr
Seconded by Councillor Wheaton

254/16

WHEREAS the Council of the Town of St. Stephen, at its Regular Session on August 22, 2016, accepted the Request for Proposal from 600633 NB Ltd., in the form presented to Council;

AND WHEREAS Council of the Town of St. Stephen, at its Regular Session on August 22, 2016, directed the Chief Administrative Officer to request the Town Solicitor prepare an Agreement of Purchase and Sale for approval at a future meeting;

AND WHEREAS the Council of the Town of St. Stephen and 600633 NB Ltd. have negotiated terms of an Agreement of Purchase and Sale, 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 the Agreement of Purchase and Sale between The Town of St. Stephen and 600633 NB Ltd., and the said Council authorizes the Mayor and Town Clerk to execute an Appointment of Agent, Form 2 Affidavit of Applicant, HST Certificate and Form 13 Transfer, all in the form presented to Council, and Council further authorizes the Mayor and Town Clerk to extend the Closing Date set out in the Agreement of Purchase and Sale as recommended by the Town Solicitor. **CARRIED**

GARCELON CIVIC CENTER PROJECT – TOLLING AGREEMENT

Moved by Councillor Hyslop
Seconded by Councillor Harding

255/16

WHEREAS the Town of St. Stephen (the “Town”) has a potential claim against Trisura Guarantee Insurance Company (“Trisura”) pursuant to the issuance of Performance Bond No. TCS0171159 by Trisura related to the Garcelon Civic Center project;

AND WHEREAS DORA Construction Limited and the Town are working toward a mutual resolution;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to execute the Tolling Agreement between Trisura Guarantee Insurance Company and the Town of St. Stephen, in the form presented to Council.

LEAVE OF ABSENCE – RECEPTIONIST AND HOSPITALITY ATTENDANT

Moved by Councillor Harding
Seconded by Councillor Wheaton

256/16

WHEREAS the Council of the Town of St. Stephen, at its Special Session on September 6, 2016, authorized the Mayor and Town Clerk to execute a Term Agreement between The Town of St. Stephen and Christina Tapley for the position of Aquatic and Fitness Coordinator of the Garcelon Civic Center for a term commencing September 7, 2016 and expiring on February 28, 2017;

AND WHEREAS Christina Tapley has made a written request to the Town for a leave of absence from the position of Receptionist and Hospitality Attendant for the period of time beyond the maximum ninety (90) days as outlined under Article 17.06 of the Canadian Union of Public Employees (CUPE) Local Union 770 Collective Agreement;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of St. Stephen grants the requested extension beyond the ninety (90) days up to the expiration of her above-noted term position. **CARRIED**

Deputy Mayor Carr voting in favour of the motion.
Councillor Harding voting in favour of the motion.
Councillor Wheaton voting in favour of the motion.
Councillor Hyslop voting in favour of the motion.
Councillor Chisholm voting in favour of the motion.
Councillor Parker voting against the motion.

**GARCELON CIVIC CENTER – STUDENT CUSTOMER SERVICE ATTENDANT -
JOB RECOMMENDATION**

Moved by Councillor Chisholm

Seconded by Deputy Mayor Carr

- 257/16 **THAT** Alesha Baxter be offered the position of Student Customer Service Attendant for the Garcelon Civic Center effective September 27, 2016. **CARRIED**

**GARCELON CIVIC CENTER – STUDENT LIFEGUARDS - JOB
RECOMMENDATIONS**

Moved by Councillor Wheaton

Seconded by Councillor Hyslop

- 258/16 **THAT** Evan Sider, Ryan Orchard, and Kim Collier be offered the position of Student Lifeguards for the Garcelon Civic Center effective September 27, 2016. **CARRIED**

**GARCELON CIVIC CENTER – CASUAL LIFEGUARDS - JOB
RECOMMENDATIONS**

Moved by Councillor Harding

Seconded by Councillor Wheaton

- 259/16 **THAT** Sam Backman and Josh Pattison be offered the position of Casual Lifeguards for the Garcelon Civic Center effective September 27, 2016 with applicable wages and benefits as outlined in the Canadian Union of Public Employees (CUPE) Local Union No. 770 Collective Agreement. **CARRIED**

15. **REPORTS OF MAYOR AND COUNCILLORS**

Deputy Mayor Carr

- Attended all Town meetings.
- Attended a Business Improvement Area (BIA) meeting.
- Attended an insurance meeting with respect to fire trucks.
- Participated in the “Convenience Store Day” hosted by the St. Stephen Irving – Circle K and worked a 20 minute shift.
- Attended a meeting with the Premier in McAdam.
- Attended a public presentation of the Hydraulic Study for the Billy Weston Brook.
- Attended the St. Stephen Aces’ season opening game.

Councillor Parker

- Attended all Town meetings.
- Participated in a conference call with the Chief Administrative Officer, Richard Fulton of Future St. Stephen, and a potential developer.
- Responded to several telephone calls.

Councillor Harding

- Attended all Town meetings.
- Attended an airport meeting.
- Spoke on behalf of the Town at the “Take Back The Night” parade.

Councillor Hyslop

- Attended all Town meetings.
- Attended an insurance meeting with respect to fire trucks.
- Attended a public presentation of the Hydraulic Study for the Billy Weston Brook.
- Attended a Charlotte County Museum board meeting.
- Attended the St. Stephen Aces’ season opening game.

Councillor Wheaton

- Participated in the “Convenience Store Day” hosted by the St. Stephen Irving – Circle K and worked a 20 minute shift.
- Attended a Southwest New Brunswick Transit Authority board meeting and details will follow at next month’s Committees meeting.
- Attending meetings with the Christmas Planning Committee.
- Attending the Weekly Wellness Program at the Garcelon Civic Center with attendance far beyond the anticipated 20 – 30.
- Attended a meeting with the Premier in McAdam.
- Worked at the Charlotte County Fall Fair.
- As a board member, attended Lonicera Hall’s grand reopening.
- Attended a Chocolate Museum Operating Committee meeting and stated that the museum received from a family a 102 year old chocolate box.

Councillor Chisholm

- Attended the Charlotte County Fall Fair.
- Attended an International Festival Committee meeting.
- Attended a Garcelon Civic Center Advising Commission meeting.
- Attended all Town meetings.
- Attended the informal Council meeting with MLA John Ames.

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Mayor MacEachern

- Attended an airport meeting and anticipates a good future for the airport.
- Attends weekly Future St. Stephen meetings.
- Participated in the grand opening of the Charlotte County Fall Fair.
- Attended the Lonicera Hall grand reopening.
- Attended the informal Council meeting with MLA John Ames.
- Attended a Regional Service Commission meeting.
- Attended a Charlotte County Health Alliance meeting.
- Attended a public presentation of the Hydraulic Study for the Billy Weston Brook.
- Attended a meeting with the Premier in McAdam.
- Attended a Garcelon Civic Center Advising Commission meeting.

16. QUESTION PERIOD


Questions/comments from Kathy Bockus, reporter with the *Saint Croix Courier*, and Derwin Gowan, reporter with the *Telegraph-Journal*, were addressed by the Mayor and Chief Administrative Officer upon adjournment of the meeting.

17. ADJOURNMENT

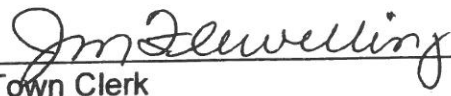
ADJOURNMENT

Moved by Deputy Mayor Carr
Seconded by Councillor Chisholm

260/16 **THAT** the meeting adjourn at 7:45 p.m. CARRIED



Mayor



Town Clerk