

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
MONDAY, JUNE 26, 2017 @ 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 Councillor Harding

132/17 **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**

There were no petitions/presentations/proclamations.

6. **NOTICES OF MOTIONS**

There were no notices of motions.

7. **APPROVAL OF COUNCIL MINUTES**

REGULAR COUNCIL MEETING

Moved by Councillor Wheaton
Seconded by Councillor Parker

133/17 **THAT** the Minutes of the Regular Council meeting held on May 23, 2017 be approved as circulated. **CARRIED**

8. ACCOUNTS

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Councillor Harding
Seconded by Deputy Mayor Carr

- 134/17 **THAT** the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to March 31, 2017 be received.
CARRIED

PAID BILLS

Moved by Councillor Chisholm
Seconded by Deputy Mayor Carr

- 135/17 **THAT** the paid bills in the amount of \$1,220,091.95 (one million, two hundred and twenty thousand, and ninety-one dollars and ninety-five cents) be received.
CARRIED

9. COMMUNICATIONS

COMMUNICATION FOR INFORMATION

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Hyslop
Seconded by Councillor Chisholm

- 136/17 **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 Councillor Parker
Seconded by Councillor Harding

- 137/17 **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 June 14, 2017 be approved as circulated. **CARRIED**

11. STAFF REPORTS

STAFF REPORTS

Moved by Councillor Hyslop
Seconded by Councillor Harding

- 138/17 **THAT** the following staff reports for the month of May 2017 be adopted: Chief Administrative Officer; Public Works Department; Parks and Recreation Department; Fire Department; By-Laws and Building Inspection Services; Development / Property Management Office; and Garcelon Civic Center. **CARRIED**

12. UNFINISHED BUSINESS

No unfinished business.

13. CONSIDERATION OF BY-LAWS

BY-LAW NO. A-11 - "A BY-LAW TO REPEAL A BY-LAW RESPECTING THE ADVISING COMMISSION OF THE TOWN OF ST. STEPHEN'S GARCELON CIVIC CENTER" – THIRD AND FINAL READING – SHORT TITLE ONLY

Moved by Deputy Mayor Carr
Seconded by Councillor Wheaton

- 139/17 **THAT** By-Law No. A-11 – "A By-Law to Repeal a By-Law Respecting the Advising Commission of the Town of St. Stephen's Garcelon Civic Center" – be given Third and Final Reading – Short Title Only. **CARRIED**

14. NEW BUSINESS

ROYAL CANADIAN MOUNTED POLICE – MONTHLY REPORT

Moved by Councillor Harding
Seconded by Councillor Hyslop

- 140/17 **THAT** the Royal Canadian Mounted Police May 2017 report for the St. Stephen Municipal Post, District # 1, be received for information and filed. **CARRIED**

TRANSFER FROM THE GENERAL CAPITAL RESERVE FUND

Moved by Deputy Mayor Carr

Seconded by Councillor Parker

- 141/17 **THAT** the amount of \$10,715.13 (ten thousand, seven hundred and fifteen dollars and thirteen cents) be transferred from the General Capital Reserve Fund to the General Capital Fund for the purchase of an ice floor cover at the Garcelon Civic Center. **CARRIED**

ST. STEPHEN FIRE DEPARTMENT – RESCUE TOOL

Moved by Councillor Wheaton

Seconded by Councillor Hyslop

- 142/17 **THAT** the Council of the Town of St. Stephen authorizes the unbudgeted expenditure in the amount of \$11,995.00 (eleven thousand, nine hundred and ninety-five dollars), plus HST, for the purchase of a Combi Tool from Code 4 Fire & Rescue Inc. of Hagersville, Ontario.

AND THAT the St. Stephen Volunteer Fire Department will contribute to the Town the net expense of the expenditure adjusted for the refundable portion of HST.

CARRIED

PEDDLER’S LICENSE – FRANK’S FRIED DOUGH

Moved by Deputy Mayor Carr

Seconded by Councillor Harding

- 143/17 **THAT** the Council of the Town of St. Stephen approves the issuance of a Peddler’s License to Frank’s Fried Dough which will expire on the 31st day of December, 2017, in accordance with the Town’s By-Law No. L-2, “A By-Law to License and Regulate Peddlers, Street Vendors, Transient Traders and Buskers”. **CARRIED**

PERMISSION FOR MUSICAL ENTERTAINERS - ST. STEPHEN FARMERS’ MARKET

Moved by Councillor Hyslop

Seconded by Councillor Wheaton

- 144/17 **WHEREAS** the Council of the Town of St. Stephen, at its meeting on April 24, 2017, approved the operation of the St. Stephen Farmers’ Market (the “Market”) from Friday, May 5, 2017 to Friday, September 29, 2017, and based on the expectations outlined in the letter dated April 12, 2017 from the Town’s Chief Administrative Officer to the President of the Market;

NOW THEREFORE BE IT RESOLVED THAT the Council grants permission for musical entertainers at the Market on any given Friday until September 29, 2017, during Market hours (9:00 a.m. – 2:00 p.m.), with the understanding that should any nearby business apply to the Town to request a musical event on a Friday, that business shall be given priority. **CARRIED**

DR. W. F. GANONG STATUE

Moved by Deputy Mayor Carr
Seconded by Councillor Hyslop

145/17 **THAT** the Council of the Town of St. Stephen supports, in principle, the development of a statue in honour of the significant contribution to New Brunswick by William Francis Ganong, and further supports the three (3) requests of the Dr. W. F. Ganong Statute Steering Committee:

- permission to place the statute on the river bank in front of the Garcelon Civic Center and for the Town to install and maintain it;
- to act as the nonprofit “proponent” of the project on Provincial and Federal funding applications; and,
- approve an application to have the site declared a Provincial Heritage Place under the *Heritage Conservation Act* which would enhance the ability to raise funds. **CARRIED**

APPROVAL OF EVENT – BONFIRE FESTIVAL

Moved by Councillor Parker
Seconded by Councillor Harding

146/17 **THAT** the Council of the Town of St. Stephen grants permission to the Bonfire Festival organizers to hold a Folk Musicians’ and Artists’ Retreat from Wednesday, July 26 to Sunday, July 30, 2017 at various locations throughout the Town, and as listed in their letter dated May 12, 2017 reviewed at the Committees Meeting on June 14, 2017 under the Planning, Promotion and Tourism Committee.

AND THAT during the live music at Something’s Brewing Café on Friday, July 28, 2017, the same conditions shall apply as previously set out by Council and, in particular, that all drinks must remain on the deck at all times and the rear parking lot is not to be barricaded in any way. **CARRIED**

APPROVAL OF EVENT – CHARLOTTE COUNTY FALL FAIR SCARECROW LAMP POST DECORATING CONTEST

Moved by Councillor Harding
Seconded by Councillor Wheaton

147/17 **THAT** the Council of the Town of St. Stephen grants permission to the Charlotte County Fall Fair to hold its 2nd Annual Scarecrow Lamp Post Decorating Contest on Milltown Boulevard, King Street, Budd Avenue, and in the David Alison Ganong Chocolate Park for the month of September 2017.

AND THAT the decorations must go up between the dates of Wednesday, August 30, 2017 and Saturday, September 2, 2017 and removed between the dates of Tuesday, September 26, 2017 and Saturday, September 30, 2017. **CARRIED**

APPROVAL OF EVENT – OLD RIDGE UNITED PENTECOSTAL CHURCH

Moved by Councillor Parker

Seconded by Councillor Harding

- 148/17** **THAT** the Council of the Town of St. Stephen grants permission to the Old Ridge United Pentecostal Church to hold three (3) services in the David Alison Ganong Chocolate Park on Sunday, July 30, 2017 from 7:00 p.m. – 8:30 p.m.; Sunday, August 20, 2017 from 7:00 p.m. – 8:30 p.m.; and September 10, 2017 from 7:00 p.m. – 8:30 p.m., and all three (3) evenings will consist primarily of singing.

CARRIED

APPROVAL OF EVENT – CHOCOLATE FEST

Moved by Councillor Wheaton

Seconded by Councillor Hyslop

- 149/17** **THAT** the Council of the Town of St. Stephen grants permission to the Chocolate Fest Committee to hold its festival from Saturday, August 5, 2017 to Saturday, August 12, 2017 as outlined in its calendar of events. **CARRIED**

AWARDING OF TENDER: STREET IMPROVEMENTS 2017 – MILLTOWN BOULEVARD (CHURCH STREET TO PLEASANT STREET) – DILLON PROJECT NO. 17-5649 AND DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE PROJECT NO. 17-E149

Moved by Deputy Mayor Carr

Seconded by Councillor Hyslop

- 150/17** **THAT** of the five (5) tenders received, the low tender of \$396,007.45 (three hundred and ninety-six thousand and seven dollars and forty-five cents), including HST, from Maguire Excavating Ltd. of Saint John, NB, for street improvements (addition/replacement of concrete curb and gutter on each side of Milltown Boulevard from Church Street to Pleasant Street and complete with site restoration) be accepted.

AND THAT the Council of the Town of St. Stephen authorizes an estimated unbudgeted expenditure of \$1,053.00 (one thousand and fifty-three dollars), including HST, for the replacement of asphalt with concrete on a sidewalk adjacent to an existing crosswalk across from the school bus loop during the street improvements outlined above. **CARRIED**

THE TOWN OF ST. STEPHEN'S GARCELON CIVIC CENTER - DESIGN-BUILD AGREEMENT WITH DORA CONSTRUCTION LIMITED

Moved by Councillor Chisholm

Seconded by Councillor Harding

151/17

WHEREAS the Council of the Town of St. Stephen (the "Town") and Dora Construction Limited ("Dora") have negotiated an agreement regarding the completion of the Work under the Design-Build Stipulated Price Contract dated the 3rd day of May, 2012 between the Town and Dora (the "Design-Build Agreement");

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to execute an Agreement with Dora, in the form presented to Council, which agreement reduces the Purchase Price under the Design-Build Agreement by Twenty Thousand Dollars (\$20,000.00) and provides that the Town accepts responsibility for the completion of the final outstanding deficiency such that all Work required by Dora under the Design-Build Agreement is complete. **CARRIED**

RESCINDING OF RESOLUTION (CANADA 1ST BASKETBALL INC. - COMMITTEE OF COUNCIL)

Moved by Councillor Harding

Seconded by Councillor Hyslop

152/17

THAT Resolution # 121/17 as stated in the Minutes of May 23, 2017, which reads

THAT the Council of the Town of St. Stephen approves Canada 1st Basketball Inc. as a Committee of Council and as such, is to be covered under the Town's insurance for Comprehensive General Liability and for Public Officers Liability, and at least one (1) member of Council shall be appointed to the Committee.

AND THAT the Committee assumes the responsibility to provide updates and financial statements to the Chief Administrative Officer. **CARRIED**

be rescinded effective immediately. **CARRIED**

RESIGNATION OF DEREK O'BRIEN - CHIEF ADMINISTRATIVE OFFICER

Moved by Councillor Harding

Seconded by Deputy Mayor Carr

THAT the Council of the Town of St. Stephen accepts the resignation of Derek O'Brien, as Chief Administrative Officer for the Town of St. Stephen, effective August 31, 2017.

AND THAT the Council directs the Chief Administrative Officer to begin the recruitment process immediately.

AMENDED

RESIGNATION OF DEREK O'BRIEN - CHIEF ADMINISTRATIVE OFFICER

Moved by Councillor Harding

Seconded by Councillor Parker

153/17 **THAT** the above-noted motion be amended by deleting the second paragraph in its entirety,

which shall now read:

THAT the Council of the Town of St. Stephen accepts the resignation of Derek O'Brien, as Chief Administrative Officer for the Town of St. Stephen, effective August 31, 2017. **MOTION DEFEATED**

Councillor Harding voting in favour of the amended motion.

Councillor Parker voting in favour of the amended motion.

Deputy Mayor Carr voting against the amended motion.

Councillor Wheaton voting against the amended motion.

Councillor Hyslop voting against the amended motion.

Councillor Chisholm voting against the amended motion.

RESIGNATION OF DEREK O'BRIEN - CHIEF ADMINISTRATIVE OFFICER

Moved by Councillor Harding

Seconded by Deputy Mayor Carr

154/17 **THAT** the Council of the Town of St. Stephen accepts the resignation of Derek O'Brien, as Chief Administrative Officer for the Town of St. Stephen, effective August 31, 2017.

AND THAT the Council directs the Chief Administrative Officer to begin the recruitment process immediately. **CARRIED**

Deputy Mayor Carr 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 Harding voting against the motion.

Councillor Parker voting against the motion.

15. REPORTS OF MAYOR AND COUNCILLORS

Deputy Mayor Carr

- Attended all Town meetings.
- Attended St. Stephen Day Mosaic unveiling at the Garcelon Civic Center.
- Attended a public meeting on a proposed PTSD Clinic.
- Toured The Chocolate Museum.
- Attended a Business Improvement Area (BIA) meeting.
- Participated in a Blood Donor Clinic for the first time.
- Attended SSHS graduation banquet.
- Attended the Chamber of Commerce event in Calais.

Councillor Hyslop

- Attended a Charlotte County Museum board meeting.
- Attended all Town meetings.
- Completed the Canada 150 walk challenge at the Garcelon Civic Center (equivalent distance from St. Stephen to Ottawa).
- Attended a public meeting on a proposed PTSD Clinic.

Councillor Parker

- Attended all Town meetings.
- Responded to phone calls.
- Attended a public meeting on a proposed PTSD Clinic.

Councillor Wheaton

- Attended all Town meetings.
- Attended the St. Croix Vocational Centre's Open House.
- Volunteered at the annual Relay for Life.
- Attended a public meeting on a proposed PTSD Clinic.
- Attended a Milltown Development Committee meeting.
- Attended preparation meetings for Canada Day events.
- Attended a Chocolate Museum Operating Committee meeting.
- Attended the SSHS Grand March.
- Volunteered at the SSHS graduation banquet.
- Attended the Chamber of Commerce event in Calais.
- Completed the Canada 150 walk challenge at the Garcelon Civic Center (equivalent distance from St. Stephen to Ottawa).

Councillor Harding

- Attended all Town meetings.
- Attended a public meeting on a proposed PTSD Clinic.
- Attended a Milltown Development Committee meeting.
- Continue regular lunch meetings with Sergeant Stubbs.

Councillor Chisholm

- Attended all Town meetings.
- On behalf of the Elm Street Park Society, met with the Chief Administrative Officer and Director of Parks and Recreation.

Mayor MacEachern

- Attended the Relay for Life.
- Congratulations to St. Andrews being named top Canadian destination by USA Today.
- Attended the Chamber of Commerce event in Calais.
- Attended the SSSH graduation banquet and ceremony.
- Attended a watershed meeting in McAdam.
- Attended SSSH scholarship meetings.
- Attended the "Everybody Eats" event at the Garcelon Civic Center.
- Guest with the Chief Administrative Officer of Rob Patry Live on CHCO-TV.
- Attended a reception at the St. Stephen Middle School with the students involved in the Entrepreneurial Adventure Program.
- Attended St. Stephen Day Mosaic unveiling at the Garcelon Civic Center.
- Attended a meeting with the CEO of Horizon Health.
- Purchased a copy of "The Maritime Edit" which contains an article on St. Stephen and Council members can borrow it at any time.
- Interviewed by Global News with a descendant of Sergeant Harold Shaughnessy, a veteran of World War I, whose remains were recently identified in France.

16. QUESTION PERIOD

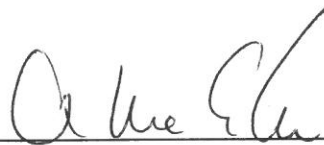
There were no questions from the public and no media present.

17. ADJOURNMENT

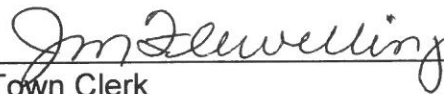
ADJOURNMENT

Moved by Councillor Harding
Seconded by Deputy Mayor Carr

155/17 THAT the meeting adjourn at 7:35 p.m. CARRIED



Mayor



Town Clerk