

**TOWN OF ST. STEPHEN**  
**REGULAR COUNCIL**  
**73 MILLTOWN BLVD., SUITE 112**  
**DECEMBER 20, 2010 @ 7:00 P.M.**

1. PRAYER

2. RECORDING OF ATTENDANCE

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

3. APPROVAL OF AGENDA

**AGENDA**

Moved by Councillor Williams  
Seconded by Councillor Tinker

**246/10**

**THAT** the Agenda be approved with two additions: (l) Water and Sewerage Waiver – Sobey's Leased Properties; and, (m) Grant – Ganong Nature Park be added under 14. **NEW BUSINESS. CARRIED**

4. CONFLICT OF INTEREST

Councillor Donovan declared a conflict of interest and left Council Chambers at 7:03 p.m. and returned at 7:04 p.m.

5. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

No petitions/presentations/proclamations.

6. NOTICES OF MOTIONS

No notices of motions.

7. APPROVAL OF COUNCIL MINUTES

**REGULAR COUNCIL MEETING**

Moved by Councillor Tinker  
Seconded by Councillor Copeland

**247/10**

**THAT** the Minutes of the Regular Council meeting held on November 15, 2010 be approved as circulated. **CARRIED**

8. ACCOUNTS

**PAID BILLS**

Moved by Councillor Williams  
Seconded by Councillor Tinker

248/10 **THAT** the paid bills in the amount of \$1,080,538.68 (one million, eighty thousand, five hundred and thirty-eight dollars and sixty-eight cents) be ratified. **CARRIED**

**PAID BILL: CONFLICT – SELDON SMITH & SONS LIMITED**

Moved by Deputy Mayor Maxwell  
Seconded by Councillor Williams

249/10 **THAT** the paid bill (Cheque #2209) in the amount of \$20.91 (twenty dollars and ninety-one cents) for Seldon Smith & Sons Limited be ratified. **CARRIED**

9. COMMUNICATIONS

**COMMUNICATION FOR INFORMATION FILE**

Moved by Councillor Tinker  
Seconded by Councillor Toumishey

250/10 **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 Copeland  
Seconded by Deputy Mayor Maxwell

251/20 **THAT** the Minutes of the Committee of Council meeting held on November 15, 2010 be approved as circulated. **CARRIED**

**COMMITTEES MEETING**

Moved by Councillor Tinker  
Seconded by Councillor Williams

252/10 **THAT** the Minutes of the Committees meeting – Public Safety & Environment; Planning & Priorities; Community Services; and Finance & Administration held on December 8, 2010 be approved as circulated. **CARRIED**

11. STAFF REPORTS

**STAFF REPORTS**

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 253/10 **THAT** the following staff reports for the month of September 2010 be adopted: Treasurer; Director of Operations; Director, Parks & Recreation; Fire Chief; By-Law Enforcement Officer; and Development Officer. **CARRIED**

12. UNFINISHED BUSINESS

No unfinished business.

13. CONSIDERATION OF BY-LAWS

**BY-LAW NO. A-7.5 – A BY-LAW TO AMEND BY-LAW NO. A-7 – “A BY-LAW TO IMPOSE A SPECIAL BUSINESS IMPROVEMENT LEVY” – THIRD AND FINAL READING – SHORT TITLE ONLY**

Moved by Councillor Tinker

Seconded by Councillor Williams

- 254/10 **THAT** By-Law No. A-7.5 – A By-Law to Amend By-Law No. A-7 – “A By-Law to Impose a Special Business Improvement Levy” be given Third and Final Reading – Short Title Only. **CARRIED**

14. NEW BUSINESS

**BUILDING INSPECTION SERVICES – CONTRACT RENEWAL**

Moved by Councillor Williams

Seconded by Councillor Tinker

- 255/10 **THAT** the Council of the Town of St. Stephen renews the contract for building inspection services with Fundy Building Inspection & Drafting Services Ltd. (Fundy) for one year from January 1, 2011 to December 31, 2011 on the terms and conditions contained in a draft letter dated December 21, 2010 to be signed and sealed by Manzer H. Young, President of Fundy, and the Council authorizes the Mayor and Town Clerk to execute the letter and affix the Town Seal. **AND FURTHER THAT** the Council authorizes the Chief Administrative Officer to call for expressions of interest and request for proposals at an appropriate time prior to expiration of the contract. **CARRIED**

**PAVEMENT MARKINGS**

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

- 256/10** **THAT** the Council of the Town of St. Stephen accepts the proposal from Maritime Pavement Markings 1997, A Division of Four Seasons Sports Ltd. of Bathurst, NB, for the highway striping operations in the Town of St. Stephen for a three (3) year period commencing in 2011 with the same terms and unit prices as the previous contract. **CARRIED**

**VOLUNTARY ROAD TOLL – INTERNATIONAL “HOMECOMING” FESTIVAL COMMITTEE**

Moved by Councillor Tinker

Seconded by Deputy Mayor Maxwell

- 257/10** **THAT** the Council of the Town of St. Stephen approves the request from the International “Homecoming” Festival to hold a voluntary road toll on Saturday, June 25, 2011 near Devine Wines (95 Prince William Street) between the hours of 10:00 a.m. and 4:00 p.m. **CARRIED**

**TRANSFER FROM THE WATER AND SEWERAGE CAPITAL RESERVE FUND**

Moved by Councillor Williams

Seconded by Councillor Tinker

- 258/10** **THAT** the amount of \$26,000.00 (twenty-six thousand dollars) be transferred from the Water and Sewerage Capital Reserve Fund to the Water and Sewerage Capital Fund for 2010 expenditures for the Monitoring Plan at Maxwell Crossing related to an expected future water treatment plant. **CARRIED**

**TRANSFER FROM THE GENERAL CAPITAL RESERVE FUND**

Moved by Councillor Tinker

Seconded by Councillor Williams

- 259/10** **THAT** the amount of \$362.00 (three hundred and sixty-two dollars) be transferred from the General Capital Reserve Fund to the General Capital Fund for 2010 expenditures for the motion sensor lights at the St. Stephen wharf. **CARRIED**

**ESTABLISHMENT OF A GENERAL OPERATING RESERVE FUND**

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

- 260/10** **THAT** the Council of the Town of St. Stephen approves the establishment of a General Operating Reserve Fund.  
**AND FURTHER THAT** the Treasurer is authorized to open a bank account to manage and contribute to such fund. **CARRIED**

**TRANSFER FROM THE GENERAL OPERATING FUND**

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 261/20** **THAT** the amount of \$112,500.00 (one hundred and twelve thousand, five hundred dollars) be transferred from the General Operating Fund to the General Operating Reserve Fund. **CARRIED**

**ROYAL CANADIAN LEGION – ST. CROIX BRANCH NO. 9**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Copeland

- 262/10** **THAT** the Council of the Town of St. Stephen supports the concept of the erection of one sign “We Support Our Troops” and agrees to pay a minimum of one-half of the \$400.00 cost, and refers the Legion’s request to the Planning Advisory Committee (PAC) for its recommendation. **CARRIED**

Deputy Mayor Maxwell voting in favour of the motion.

Councillor Tinker voting in favour of the motion.

Councillor Williams voting in favour of the motion.

Councillor Toumishey voting in favour of the motion.

Councillor Copeland voting in favour of the motion.

Councillor Donovan voting against the motion.

**CHANGE OF DATE: JANUARY REGULAR TOWN COUNCIL MEETING**

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 263/10** **THAT** the Council of the Town of St. Stephen changes the date of the January Regular Town Council Meeting from the third (3<sup>rd</sup>) Monday, 17<sup>th</sup> day of January, 2011 at 7:00 p.m., to the fourth (4<sup>th</sup>) Monday, 24<sup>th</sup> day of January, 2011 at 7:00 p.m. as outlined in Section 9.01(1) of 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**

**INSURANCE PROPOSAL**

Moved by Councillor Tinker

Seconded by Councillor Williams

- 264/10** **THAT** the proposal from Guy R. Day & Son Ltd. of St. Stephen, NB, representing BFL Canada, for \$103,551.00 (one hundred and three thousand, five hundred and fifty-one dollars) be accepted for one (1) year effective December 31, 2010. **AND FURTHER THAT** the Town accepts the option to lock in current rates for a three (3) year period by purchasing two (2) eighteen (18) month policy terms. **CARRIED**

**INVOICE NO. 41739 – W & S GENERAL CONTRACTORS LTD.**

Moved by Councillor Tinker

Seconded by Councillor Copeland

- 265/10** **THAT** the Council of the Town of St. Stephen authorizes the unbudgeted expenditure of \$4,183.60 (four thousand, one hundred and eighty-three dollars and sixty cents), including HST, to W & S General Contractors Ltd. of Saint John, NB for the removal and disposal of one 500 gallon oil tank on Budd Avenue in preparation for the proposed Garcelon Civic Center. **CARRIED**

**WATER AND SEWERAGE WAIVER – SOBEYS LEASED PROPERTIES**

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

- 266/10** **THAT** the Council of the Town of St. Stephen approves the request to have Sobey's Leased Properties (Account SOBEY002) water and sewerage fees waived, in the amount of \$10,365.20 (ten thousand, three hundred and sixty-five dollars and twenty cents). **CARRIED**

**GRANT – GANONG NATURE PARK**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Tinker

- 267/10** **THAT** the Council of the Town of St. Stephen approves an unbudgeted expenditure of \$5,000.00 (five thousand dollars) to the Ganong Nature Park for educational opportunities provided by the Park for St. Stephen's University students, high school students, and volunteer organizations to increase their knowledge and experience in respect to the St. Croix River ecosystem.

**AND FURTHER THAT** the Ganong Nature Park Board will provide a report detailing the training opportunities which will be provided to the residents of the Town of St. Stephen and students over the coming year. **CARRIED**

Deputy Mayor Maxwell voting in favour of the motion.

Councillor Tinker voting in favour of the motion.

Councillor Williams voting in favour of the motion.

Councillor Toumishey voting in favour of the motion.

Councillor Copeland voting in favour of the motion.

Councillor Donovan voting against the motion.

The CAO, at the Mayor's request, provided an update on the recent flooding and thanked the Town staff, as well as the media, for their continued updates to the public. He stressed that communication is always crucial.

After a brief discussion, the majority of Council agreed that further information should be received before a decision on assistance is made.

**MINUTES  
REGULAR COUNCIL  
DECEMBER 20, 2010**

15. REPORTS OF MAYOR AND COUNCILLORS

Councillor Copeland

- Attended various Town meetings.
- Attended the Christmas party at St. Pat's Hall.
- Attended and enjoyed the staff/council Christmas party at the CAO's home.

Councillor Tinker

- Attended two Planning Advisory Committee meetings.
- Attended various Town meetings.
- Attended and enjoyed the staff/council Christmas party at the CAO's home.
- Thanked the Town staff for their diligence during the recent flood.

Councillor Williams

- Attended the Christmas party at St. Pat's Hall.
- Stated the staff/council Christmas party at the CAO's home was a good idea.
- Reported that he recently struck a pot hole and ruined a tire.

Deputy Mayor Maxwell

- Attended two Planning Advisory Committee meetings.
- Stated that once again the Chocolate Museum Operational Committee held a fundraiser with proceeds assisting both the Museum and the Volunteer Centre of Charlotte County (Food Bank).
- Attended, on behalf of the Mayor, the tree lighting at Town Square.
- Attended, on behalf of the Mayor, the International Wreath Ceremony on the Ferry Point Bridge which recognized families of both Canada and United States veterans.
- Enjoyed the Santa Claus parade.
- Attended the Hospice tree lighting and memorial service at Humphreys' Funeral Home.
- Attended the annual St. Croix Vocational Centre Christmas party.
- Stated that thoughts and prayers are extended to the victims of the recent flooding.
- Wished everyone a Merry Christmas and Healthy New Year and stated that "Christ" should be kept in "Christmas".

**MINUTES  
REGULAR COUNCIL  
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Councillor Donovan

- Attended an Arena Board meeting.
- Attended and enjoyed the staff/council Christmas party at the CAO's home.
- Attended and enjoyed the Christmas party at St. Pat's Hall.
- Attended the tree lighting at Town Square.
- Hopes that 2011 will see few disasters.

Councillor Toumishey

- Wished everyone a Merry Christmas and Happy New Year.
- As a result of the recent flooding and global warming, stated that plans need to be in place to prepare for the future.

Mayor Purcell

- Stated that the priority during his mandate is the Civic Center.
- Wished everyone a Merry Christmas and Happy New Year.

16. QUESTION PERIOD

There were no questions.

17. ADJOURNMENT

**ADJOURNMENT**

Moved by Councillor Donovan

Seconded by Councillor Copeland

268/10 THAT the meeting adjourn at 8:05 p.m. **CARRIED**

  
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Mayor

  
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Clerk