

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
FEBRUARY 15, 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, and Gavin Toumishey; CAO/Clerk John Ferguson; and, Assistant Clerk Joan Flewelling.

ABSENT: Councillor Jeremy Copeland

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Tinker

Seconded by Deputy Mayor Maxwell

16/10

THAT the Agenda be approved with one addition as Item 17 to consider a motion to move into closed session to discuss a property and financial matter as per Section 10.2(4)(c) and (d) of the New Brunswick *Municipalities Act*, and the former Item 17. ADJOURNMENT becomes 18. **CARRIED**

4. CONFLICT OF INTEREST

No conflicts declared.

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 Williams

17/10

THAT the Minutes of the Regular Council meeting held on January 18, 2010 be approved as circulated. **CARRIED**

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8. ACCOUNTS

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Councillor Williams
Seconded by Councillor Tinker

- 18/10** **THAT** the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to January 31, 2010 be received. **CARRIED**

PAID BILLS – DECEMBER 2009

Moved by Councillor Williams
Seconded by Deputy Mayor Maxwell

- 19/10** **THAT** paid bills for December 2009 in the amount of \$2,717,576.53 (two million, seven hundred and seventeen thousand, five hundred and seventy-six dollars and fifty-three cents) be ratified. **CARRIED**

PAID BILLS – JANUARY 2010

Moved by Councillor Donovan
Seconded by Councillor Tinker

- 20/10** **THAT** paid bills for January 2010 in the amount of \$1,226,564.93 (one million, two hundred and twenty-six thousand, five hundred and sixty-four dollars and ninety-three cents) be ratified. **CARRIED**

9. COMMUNICATIONS

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Williams
Seconded by Councillor Tinker

- 21/10** **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 Councilor Williams

- 22/10** **THAT** the Minutes of the Committees meeting – Public Safety & Environment; Finance & Administration; Community Services; and Planning & Priorities held on February 3, 2010 be approved as circulated. **CARRIED**

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11. STAFF REPORTS

STAFF REPORTS

Moved by Councillor Tinker

Seconded by Councillor Williams

- 23/10** **THAT** the following staff reports for the month of January 2010 be adopted: Treasurer; Director of Operations; Director, Parks & Recreation; Fire Chief; By-Law Enforcement Officer; and Development Officer. **CARRIED**

Councillor Donovan advised that she was very pleased with the more detailed Animal Control Officer's report.

12. UNFINISHED BUSINESS

No unfinished business.

13. CONSIDERATION OF BY-LAWS

No by-laws considered.

14. NEW BUSINESS

VOLUNTEER FIREFIGHTER POSITIONS

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

- 24/10** **THAT** the Fire Chief's recommendation to recruit Angela Ntantis, Marshall Doherty, Shawn Watson, Edgar Barron, Stephanie Leavitt, Brian Holmes and Ralph Clinch as volunteer firefighters subject to successful completion of the Firefighter 1 Course during a six month probationary period be accepted. **CARRIED**

SCOTIABANK BORROWING AUTHORITY

Moved by Councillor Tinker

Seconded by Councillor Williams

- 25/10** **BE IT RESOLVED THAT** the Mayor or such other person as the Council appoints, shall jointly with the Treasurer be hereby authorized on behalf of the Town of St. Stephen (the "Corporation") to borrow from the Scotiabank (the "Bank"), from time to time by way of overdraft, a sum or sums not exceeding at any one time \$281,643.00 (two hundred and eighty-one thousand, six hundred and forty-three dollars), to meet current expenditures of the Corporation for the year 2010. The Chief Administrative Officer, in lieu of the Mayor, shall be appointed by the Council of the Town of St. Stephen, with the Treasurer, on all amounts to \$5,000 (five thousand dollars). Further, the Assistant Treasurer, in the absence or disability of the Treasurer, shall be authorized to borrow jointly with the Mayor and/or the Chief Administrative Officer.

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THAT the Mayor and Treasurer are hereby authorized to sign on behalf of the Corporation, for the sum or sums so borrowed with interest at such rate as the Bank may from time to time determine.

THAT the Treasurer, Assistant Treasurer or Clerk are hereby authorized and directed to furnish to the Bank, at the time of each borrowing and at such other times as the Bank may from time to time request, a statement showing the nature and amount of the estimated revenues of the current year not yet collected, or where the estimates for the year have not been adopted, a statement showing the nature and amount of the estimated revenues of the Corporation as set forth in the estimates adopted for the next preceding year, and also showing the total of any amounts borrowed in the current year and in any preceding year that have not been repaid.

THAT the Treasurer, Assistant Treasurer or Clerk are hereby authorized and directed to apply in payment of all sums borrowed from the Bank, with interest thereon, all of the monies hereafter collected or received on account or realized in respect of the taxes levied for the current year and for any preceding years and all of the monies collected or received from any other source. **CARRIED**

ROYAL BANK OF CANADA BORROWING AUTHORITY

Moved by Councillor Tinker

Seconded by Councillor Williams

26/10

BE IT RESOLVED THAT the Mayor or such other person as the Council appoints, shall jointly with the Treasurer be hereby authorized on behalf of the Town of St. Stephen (the "Corporation") to borrow from the Royal Bank of Canada during the year ending December 31, 2010, the sum of \$988,902.00 (nine hundred and eighty-eight thousand, nine hundred and two dollars) to be advanced in such amounts as may be required, from time to time, for Water and Sewerage Accounts. The Chief Administrative Officer, in lieu of the Mayor, shall be appointed by the Council of the Town of St. Stephen with the Treasurer on all amounts to \$5,000 (five thousand dollars). Further, the Assistant Treasurer, in the absence or disability of the Treasurer, shall be authorized to borrow jointly with the Mayor and/or the Chief Administrative Officer.

THAT the said sum of \$988,902.00 (nine hundred and eighty-eight thousand, nine hundred and two dollars) so to be borrowed shall be repaid on or before the 31st day of December next; and the promissory note or notes of the Corporation, if any, given therefore, if made payable before the said 31st day of December may be renewed by the said Mayor and Treasurer, from time to time, but no renewal shall fall due later than the 31st day of December next. **CARRIED**

GIDDENS MEMORIAL AIRPORT – ATTENDANT SERVICES

Moved by Councillor Tinker

Seconded by Deputy Mayor Maxwell

- 27/10** **THAT** the Council of the Town of St. Stephen authorizes the amount of \$5,200 (five thousand, two hundred dollars) per annum be paid to George Laviolette in quarterly installments, retroactive to January 1, 2010, for his services at the Giddens Memorial Airport. **CARRIED**

SOLID WASTE COLLECTION AGREEMENT

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

- 28/10** **THAT** the Council of the Town of St. Stephen authorizes an additional four (4) month extension for solid waste collection with Southern Sanitation Ltd. retroactive to February 1, 2010 and expiring May 31, 2010 at the continued rate of \$5.00 (five dollars) per household per month, and with no fuel surcharge. **AND FURTHER THAT** upon renewal of the long term solid waste collection agreement, should the rate per household per month increase, then Southern Sanitation Ltd. be paid the increase in the rate for the previous four (4) month extension period whether or not it is the successful contractor. **CARRIED**

APPLICATION TO THE MUNICIPAL CAPITAL BORROWING BOARD

Moved by Councillor Williams

Seconded by Councillor Toumishey

- 29/10** **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 term and amount:

<u>Purpose</u>	<u>Amount</u>	<u>Term</u>
<u>Recreation and Cultural Services</u>		
New Construction/Renovations Pool Building	<u>\$250,000</u>	20 Years

CARRIED

CONCEPTUAL DRAWINGS - W. T. BOOTH CENTENNIAL POOL BUILDING

Moved by Councillor Williams

Seconded by Councillor Tinker

- 30/10** **THAT** the Council of the Town of St. Stephen ratifies the unbudgeted expenditure, not to exceed \$5,000.00 (five thousand dollars), for the preparation of conceptual drawings for new construction/renovations for the pool building. **CARRIED**

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RE-APPOINTMENT – ST. CROIX PUBLIC LIBRARY

Moved by Deputy Mayor Maxwell

Seconded by Councillor Donovan

- 31/10** **THAT** Rod Roy be re-appointed to the Board of Trustees of the St. Croix Public Library for a three year term retroactive to February 1, 2010 and expiring January 31, 2013. **CARRIED**

APPOINTMENT – ST. CROIX PUBLIC LIBRARY

Moved by Councillor Williams

Seconded by Councillor Tinker

- 32/10** **THAT** Jane Lindsay be appointed to the Board of Trustees of the St. Croix Public Library for a one year term retroactive to February 1, 2010 and expiring January 31, 2011. **CARRIED**

RELOCATION OF MINI HOME/TRAILER

Moved by Councillor Williams

Seconded by Councillor Tinker

- 33/10** **THAT** the Council of the Town of St. Stephen approves the following 2009 unbudgeted expenditures, including HST, in the amount of \$2,569.85 (two thousand, five hundred and sixty-nine dollars and eighty-five cents) associated with the relocation of a mini home/trailer from 48 Hill Street to 3 Greenwood Street located within the trailer park:

Disher Homes Ltd.	\$1,356.00
Dowling's Plumbing Ltd.	\$ 713.52
McFarlane Electric	\$ 314.14
NB Power (Sandra Brown)	\$ 83.36
Bell Aliant (Sandra Brown)	<u>\$ 102.83</u>
	\$2,569.85

CARRIED

PURCHASE OF VEHICLE – BY-LAW ENFORCEMENT OFFICER

Moved by Councillor Toumishey

Seconded by Councillor Tinker

- 34/10** **THAT** the Council of the Town of St. Stephen authorizes the purchase of a vehicle, not to exceed \$17,500.00 (seventeen thousand, five hundred dollars), plus HST, to be used by the By-Law Enforcement Officer. **AND FURTHER THAT** funding for the vehicle will be \$6,722.86 (six thousand, seven hundred and twenty-two dollars and eighty-six cents) from the General Capital Reserve Fund, and the remainder an unbudgeted 2010 expenditure in the General Operating Fund. **CARRIED**

Councillor Toumishey voting in favour of the motion.

Councillor Tinker voting in favour of the motion.

Councillor Williams voting in favour of the motion.

Deputy Mayor Maxwell voting in favour of the motion.

Councillor Donovan voting against the motion.

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TRANSFER TO GENERAL CAPITAL FUND

Moved by Councillor Toumishey

Seconded by Councillor Tinker

- 35/10** **THAT** the amount of \$6,722.86 (six thousand, seven hundred and twenty-two dollars and eighty-six cents) be transferred from the General Capital Reserve Fund to the General Capital Fund to be used towards the purchase of a vehicle for the By-Law Enforcement Officer. **CARRIED**

HISTORIC PLACES REGISTER

Moved by Councillor Tinker

Seconded by Councillor Donovan

- 36/10** **THAT** the Council of the Town of St. Stephen approves the following additional twelve (12) properties, to be added to the list that have historic significance for the Town of St. Stephen, and will be listed on the Register of Local Historic Places:

79 Union Street	Ron Jodrie
81 Union Street	Flewelling Family
84 Union Street	Rev. Dr. Charles Preston
94 Union Street	Allan Gillmor
2 St. Croix Street	Brian Mawer
18 St. Croix Street	St. Stephen's University
19 St. Croix Street	Manon Bechard
34 Milltown Blvd.	Former St. Stephen Town Hall
2 Porter Street	Bixby House
8 Elm Street	Joan Parks
18 Main Street	Shawna Lambert
17 Hawthorne Street	Ken Armstrong

CARRIED

LAND MANAGEMENT – TOWN OF ST. STEPHEN

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 37/10** **THAT** the Council of the Town of St. Stephen approves a 2010 unbudgeted amount of \$10,000.00 (ten thousand dollars) to be used by the Chief Administrative Officer for land management purposes of the Town's landholdings for future development. **CARRIED**

SHELTERBOX – ST. STEPHEN-MILLTOWN ROTARY CHARITY INC.

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

- 38/10** **THAT** the Council of the Town of St. Stephen ratifies the unbudgeted expenditure of \$1,000.00 (one thousand dollars) paid to the St. Stephen-Milltown Rotary Charity Inc. as the Town's donation for the purchase of a ShelterBox which is packed with a tent and basic supplies for a family of ten (10) for up to six (6) months to be used by the victims of the Haiti Earthquake. **CARRIED**

DILLON CONSULTING LIMITED – CLIENT AUTHORIZATION TO PROCEED

Moved to Councillor Williams

Seconded by Councillor Tinker

39/10

THAT the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to execute the “Client Authorization to Proceed (Short Form)” which in turn authorizes Dillon Consulting Limited of Saint John, NB to provide consulting engineering services for underground reservoir improvements in the amount of \$78,000.00 (seventy-eight thousand dollars), unless otherwise amended.

CARRIED

15. REPORTS OF MAYOR AND COUNCILLORS

Deputy Mayor Maxwell

- Attended the Chamber of Commerce luncheon at the St. Stephen Legion with David Alward, Leader of the Official Opposition, as the guest speaker.
- Attended the briefing by David Ganong, Chair of the Advisory Panel on the Proposed New Brunswick – Québec Electricity Transaction hosted by the St. Stephen Development Board and the St. Stephen Area Chamber of Commerce at the St. Stephen Legion.
- Attended the Premier’s announcement at Lincourt Manor that the province is investing close to \$1.4 million to establish a satellite dialysis unit at the Charlotte County Hospital.
- Stated he was very pleased that the daughter of Randy Bartlett, a Town employee, recently received a Medal of Bravery.

Councillor Donovan

- Strongly stated the need for the Town to develop a policy to govern the process of purchasing vehicles in order to be mindful of the taxpayers’ dollars, and suggested it be referred within four to six months to a future Committee meeting.

The CAO thanked Councillor Donovan for her comments and agreed that the administration must always be mindful of the taxpayers’ dollars. He further confirmed with Councillor Donovan that he discussed her comments in detail at the Committee meeting on February 3, 2010, at her request, as a result of being out of province.

Councillor Williams

- Had no comments.

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Councillor Toumishey

- Stated that community involvement should be requested with respect to strategic planning, and a better plan needs to be developed during the remaining two and one-half years of this mandate.
- Thoroughly enjoyed the Federation of Canadian Municipalities (FCM) 2010 Sustainable Communities Conference and Trade Show, and stated that the essence of sustainability is common sense which inevitably improves the quality of life.

Councillor Tinker

- Pleased with the Premier's announcement that the province is investing close to \$1.4 million to establish a satellite dialysis unit at the Charlotte County Hospital, as well as \$1.2 million to Lincourt Manor Nursing Home.
- Pleased that the Town has requested "formal intervenor" status in respect to Acadian Coach Lines' application to discontinue service between Saint John and Bangor.
- Also pleased that the Mayors, on behalf of the members of Zone 4 of the Union of Municipalities of New Brunswick (UMNB) sent a letter to the New Brunswick Energy and Utilities Board (NBEUB) requesting a rejection of Acadian Coach Lines' application.

Mayor Purcell

- Attended the Chamber of Commerce luncheon at the St. Stephen Legion with David Alward, Leader of the Official Opposition, as the guest speaker.
- Attended a wine & cheese party at The Chocolate Museum in recognition of the St. Stephen-Milltown Rotary Club's 90th anniversary.
- Attended the briefing by David Ganong, Chair of the Advisory Panel on the Proposed New Brunswick – Québec Electricity Transaction hosted by the St. Stephen Development Board and the St. Stephen Area Chamber of Commerce at the St. Stephen Legion.

16. QUESTION PERIOD

Charles Monaghan, a resident, referred to a recent article in the *Telegraph Journal* in respect to a demolition of a property in Saint John and stated that the owner is responsible to pay, and questioned whether or not the same applies to property owners in St. Stephen.

The CAO advised that municipalities can first seek to recover the demolition costs and if unsuccessful, a lien can be applied on property taxes by the Province.

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As a result of a recent accident, Mr. Monaghan questioned the post at the intersection of Milltown Boulevard, Hawthorne Street and Schoodic Street and stated that it is dangerous.

The CAO advised that he will research it with the possibility of making the post more visible.

17. CLOSED SESSION

CLOSED SESSION

Moved by Councillor Tinker

Seconded by Councillor Donovan

40/10

THAT the Council of the Town of St. Stephen agree to move into closed session to discuss a property and financial matter as per Section 10.2(4)(c) and (d) of the New Brunswick *Municipalities Act*. **CARRIED**

18. ADJOURNMENT

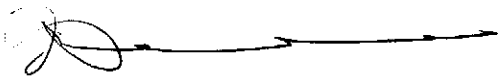
ADJOURNMENT

Moved by Councillor Donovan

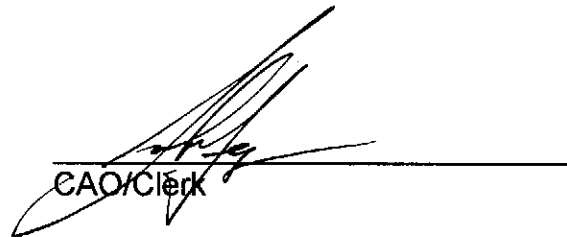
Seconded by Deputy Mayor Maxwell

41/10

THAT the meeting adjourn at 9:15 p.m. **CARRIED**



Mayor



CAO/Clerk