

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
JUNE 18, 2012 @ 7:00 P.M.

1. PRAYER
2. RECORDING OF ATTENDANCE

PRESENT: Mayor John Quartermain; Deputy Mayor John Ames; Councillors Allan MacEachern, Marg Harding, Mike Booth, Debbie MacDonald and Jim Maxwell; Chief Administrative Officer/Development Officer John Ferguson; and, Town Clerk Joan Flewelling.

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Maxwell

Seconded by Councillor Harding

102/12 **THAT** the Agenda be approved as circulated. **CARRIED**

4. CONFLICT OF INTEREST

Mayor Quartermain declared a conflict of interest on paid bills to NB Power and left Council Chambers at 7:18 p.m. and returned at 7:20 p.m. Deputy Mayor Ames assumed the Chair during the Mayor's absence.

Councillor MacEachern declared a conflict of interest on paid bills to the St. Croix Printing and Publishing Company and left Council Chambers at 7:20 p.m. and returned at 7:21 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 Booth

Seconded by Deputy Mayor Ames

103/12 **THAT** the Minutes of the Regular Council meeting held on May 22, 2012 be approved as circulated. **CARRIED**

SPECIAL COUNCIL MEETING

Moved by Councillor Harding
Seconded by Councillor MacDonald

104/12 **THAT** the Minutes of the Special Council meeting held on May 30, 2012 be approved as circulated. **CARRIED**

8. **ACCOUNTS**

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Deputy Mayor Ames
Seconded by Councillor MacEachern

105/12 **THAT** the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to May 31, 2012 be received. **CARRIED**

PAID BILLS

Moved by Councillor MacEachern
Seconded by Councillor MacDonald

106/12 **THAT** the paid bills in the amount of \$1,454,676.62 (one million, four hundred and fifty-four thousand, six hundred and seventy-six dollars and sixty-two cents) be ratified. **CARRIED**

PAID BILLS: CONFLICT OF INTEREST – NB POWER

Moved by Councillor Maxwell
Seconded by Councillor Booth

107/12 **THAT** the following paid bills to Service New Brunswick (NB Power) be ratified:

- \$2,923.92 (two thousand, nine hundred and twenty-three dollars and ninety-two cents), Cheque #010350
- \$11,632.58 (eleven thousand, six hundred and thirty-two dollars and fifty-eight cents), Cheque #010362
- \$1,698.32 (one thousand, six hundred and ninety-eight dollars and thirty-two cents), Cheque #010388
- \$8,815.54 (eight thousand, eight hundred and fifteen dollars and fifty-four cents), Cheque #003233
- \$3,476.50 (three thousand, four hundred and seventy-six dollars and fifty cents), Cheque #03239 **CARRIED**

PAID BILLS: CONFLICT OF INTEREST – ST. CROIX PRINTING AND PUBLISHING COMPANY

Moved by Councillor Harding
Seconded by Deputy Mayor Ames

108/12 **THAT** the following paid bills to St. Croix Printing and Publishing Company be ratified:

- \$176.13 (one hundred and seventy-six dollars and thirteen cents), Cheque #010333
- \$3,940.77 (three thousand, nine hundred and forty dollars and seventy-seven cents), Cheque #010365
- \$312.39 (three hundred and twelve dollars and thirty-nine cents), Cheque #003230

CARRIED

9. **COMMUNICATIONS**

COMMUNICATION FOR INFORMATION FILE

Moved by Deputy Mayor Ames
Seconded by Councillor MacDonald

109/12 **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 Booth
Seconded by Councillor Harding

110/12 **THAT** the Minutes of the Committees meeting – Police and Fire; Property, By-Laws and Environment; Parks and Recreation; Planning, Promotion and Tourism; Public Works; and Finance and Administration held on June 6, 2012 be approved as circulated. **CARRIED**

11. **STAFF REPORTS**

STAFF REPORTS

Moved by Councillor Maxwell
Seconded by Deputy Mayor Ames

111/12 **THAT** the following staff reports for the month of May 2012 be adopted: Treasury Department; Public Works Department; Department of Parks, Recreation and Property Management; Fire Department; Department of By-Laws and Building Inspection; and Development Office. **CARRIED**

12. UNFINISHED BUSINESS

No unfinished business.

13. CONSIDERATION OF BY-LAWS

No by-laws considered.

14. NEW BUSINESS

APPOINTMENTS OF COMMITTEE STRUCTURE

Moved by Councillor Harding
Seconded by Councillor Booth

112/12

THAT the Council of the Town of St. Stephen accepts the following Chairs, appointed by the Mayor, of the six (6) Standing Committees and all members of Council shall participate as members of each Committee, with the Mayor as an *ex officio* member of each Committee as outlined in Section 10 of the Town of St. Stephen By-Law No A-2, "A By-Law Respecting Procedures of the Town Council and Town Administration":

- Finance and Administration – Chaired by Councillor Allan MacEachern
- Parks and Recreation – Chaired by Councillor Debbie MacDonald
- Planning, Promotion and Tourism – Chaired by Deputy Mayor John Ames
- Police and Fire – Chaired by Councillor Marg Harding
- Property, By-Laws and Environment – Chaired by Councillor Mike Booth
- Public Works – Chaired by Councillor Jim Maxwell

AND FURTHER THAT Council accepts the following Appointees to serve on the various agencies, boards or commissions:

- | | | |
|---|---|-----------------------------|
| • Arena Board | - | Councillor Allan MacEachern |
| • Civic Center Board | - | Councillor Debbie MacDonald |
| • Library Board | - | Mary Gilmore |
| • Planning Advisory Committee | - | Councillor Marg Harding |
| • Development Board | - | Councillor Mike Booth |
| • Business Improvement Area | - | Deputy Mayor John Ames |
| • Charlotte County Museum | - | Councillor Mike Booth |
| • Chocolate Museum Operating Committee | - | Councillor Jim Maxwell |
| • Chocolate Fest | - | Councillor Jim Maxwell |
| • International Festival | - | Deputy Mayor John Ames |
| • Charles F. Todd Scholarship Committee | - | Mayor John Quartermain |
| • Civic Center Construction Committee | - | Mayor John Quartermain |
| | - | Councillor Debbie MacDonald |

CARRIED

APPROVAL OF EVENT - RALLY IN THE ST. CROIX VALLEY – INTERNATIONAL MOTORCYCLE FESTIVAL

Moved by Councillor Booth

Seconded by Deputy Mayor Ames

- 113/12 **THAT** the Council of the Town of St. Stephen grants permission to Rally in the St. Croix Valley to hold its International Motorcycle Festival from Sunday, July 1 to Sunday, July 8, 2012 as outlined in its schedule of activities

AND FURTHER THAT permission is granted:

- to set-up a vendor village on the waterfront between Pizza Delight and the Old Town Hall;
- to erect a stage between Pizza Delight and the horse pull area for nightly entertainment, plus 20 – 25 vendors; and
- to receive a temporary power supply on the waterfront area from the Town.

CARRIED

APPROVAL OF EVENT – N. B. ANTIQUE AUTO CLUB, PASSAMAQUODDY REGION – SHOW AND SHINE

Moved by Councillor Harding

Seconded by Councillor MacDonald

- 114/12 **THAT** the Council of the Town of St. Stephen grants permission to the N. B. Antique Auto Club, Passamaquoddy Region, to play music at its “Show and Shine” event on Saturday, July 7, 2012 from 7:00 p.m. – 9:00 p.m. at the Heritage Parking Lot.

CARRIED

AMENDING OF RESOLUTION (AWARDING OF TENDER: MUNICIPAL UTILITY UPGRADES AND STREET RECONSTRUCTION – WEST STREET AND DOW STREET, ST. STEPHEN, NB – PROJECT NO. 12-6198)

Moved by Councillor MacEachern

Seconded by Councillor Harding

- 115/12 **THAT** Resolution # 92/12 as stated in the Minutes of May 22, 2012, which reads

AWARDING OF TENDER: MUNICIPAL UTILITY UPGRADES AND STREET RECONSTRUCTION – WEST STREET AND DOW STREET, ST. STEPHEN, NB – PROJECT NO. 12-6198

THAT of the six (6) tenders received, the low tender of \$648,692.48 (six hundred and forty-eight thousand, six hundred and ninety-two dollars and forty-eight cents), including HST, from H. E. Merchant and Sons Ltd. of St. George, NB, for municipal utility upgrades and street reconstruction on West and Dow Streets be accepted. **CARRIED**

be amended by adding the words, “contingent on receiving funding authorization by Ministerial Order from the Province of New Brunswick” after the word “accepted”.

CARRIED

BUSINESS IMPROVEMENT AREA (BIA) – 2012/2013 LUMBERJACKS

CHALLENGE TV SERIES

Moved by Deputy Mayor Ames

Seconded by Councillor MacEachern

- 116/12 **THAT** the Council of the Town of St. Stephen authorizes an unbudgeted expenditure of \$2,500.00 (two thousand, five hundred dollars) to the St. Stephen Business Improvement Area (BIA) to be used for the 2012/2013 Lumberjacks Challenge TV Series contingent on funding from other sources adequate for the event to proceed.

CARRIED

APPROVAL OF AGREEMENTS – MUNICIPAL SERVICES EASEMENT, RIGHT-OF-WAY AND RELEASE OF RIGHT-OF-WAY

Moved by Deputy Mayor Ames

Seconded by Councillor MacDonald

- 117/12 **WHEREAS** Piskehegan Properties Ltd. is the owner of the real property located in the Town of St. Stephen at 42-46 Milltown Blvd., being PID0130626 (hereinafter the "Piskehegan Property");

AND WHEREAS the Town of St. Stephen is the owner of the real property located in the Town of St. Stephen at 50 Milltown Blvd., being PID 01306042 (hereinafter the "Town Property");

AND WHEREAS there exists a public boat ramp located on the Town Property, the most convenient access for which is had by crossing the Piskehegan Property;

AND WHEREAS there are municipal services which cross the Piskehegan Property for which no easement has been granted;

AND WHEREAS there is a ten (10) foot right-of-way which is located three (3) feet on the Piskehegan Property and seven (7) feet on the Town Property;

AND WHEREAS the building located on the Piskehegan property encroaches upon the three (3) foot easement encumbering the Piskehegan Property;

AND WHEREAS Piskehegan Properties Ltd. wishes to sell the Piskehegan Property and to do so must have the three (3) foot easement encumbering the Piskehegan Property released;

AND WHEREAS in exchange for the release of the three (3) foot easement by the Town of St. Stephen, Piskehegan Properties Ltd. has agreed to release the seven (7) foot easement encumbering the Town Property and to grant an easement to the Town of St. Stephen for public access to the boat ramp located on the Town Property as well as to grant a Municipal Services Easement over the Piskehegan Property at the location where such services are currently installed;

**MINUTES
REGULAR COUNCIL
JUNE 18, 2012**

AND WHEREAS Council has reviewed a draft of proposed agreements between Piskehegan Properties Ltd. and the Town of St. Stephen wherein Piskehegan Properties Ltd. will grant to the Town of St. Stephen a Municipal Services Easement and a right-of-way for public use over and across the Piskehegan Property and, where by separate agreement, the Town of St. Stephen and Piskehegan Properties Ltd. will each release their portion of the ten (10) foot right-of-way over and along the shared boundary of the Piskehegan Property and the Town Property (the "Agreements");

AND WHEREAS it is considered to be in the best interests of the citizens of the Town of St. Stephen to proceed with the Agreements on the terms and conditions contained in the draft Agreements;

NOW THEREFORE BE IT RESOLVED as a Resolution of Council that:

1. The Town of St. Stephen enter into the Agreements with Piskehegan Properties Ltd. substantially in the form of the draft Agreements presented to and reviewed by Council; and
2. The Mayor and Clerk of the Town of St. Stephen be and are hereby authorized to execute the Agreements on behalf of the Town of St. Stephen and to affix the corporate seal of the Town of St. Stephen thereto. **CARRIED**

CHANGE OF DATE: JULY REGULAR TOWN COUNCIL MEETING

Moved by Councillor Maxwell

Seconded by Councillor Harding

- 118/12** **THAT** the Council of the Town of St. Stephen changes the date of the July Regular Town Council Meeting from the third (3rd) Monday, 16th day of July, 2012 at 7:00 p.m., to the fourth (4th) Monday, 23rd day of July, 2012 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". **CARRIED**

15. **REPORTS OF MAYOR AND COUNCILLORS**

Deputy Mayor Ames

- Attended an International Homecoming Festival meeting.
- Attended a meeting in Saint John with the Mayor and Councillor MacEachern with respect to economic development and border security.

Councillor Booth

- Had no comments this month.

Councillor MacDonald

- Attended a meeting in Saint John with respect to the Civic Center architectural plans.
- Looks forward to a busy year with the construction of the Civic Center.

Councillor Maxwell

- Attended the official opening of the Bayview Credit Union and assisted with the ribbon cutting.
- Attended an open house at The Chocolate Museum.
- Attended various Town meetings.
- Pleased to see the work being done at the Civic Center site.
- Congratulated Mayor Quartermain on his first Council meeting.

Councillor Harding

- Pleased to be back on Council after four years (served 2004 – 2008).
- Pleased to be the Chair of the Police & Fire Committee once again.
- Stated the new Council is an excellent, diverse Council, and spending must be decreased.

Councillor MacEachern

- Planted flowers in preparation for the Town's participation in "Communities in Bloom".
- Attended the Sports Award Banquet at SSSHS.
- Attended the official opening of the Bayview Credit Union.

Mayor Quartermain

- Attended various meetings.
- Attended a very positive meeting in Saint John where David Moloney, Senior Advisor to the Privy Council Office, responsible for the Border Action Plan Implementation, was the guest speaker, and such plan should facilitate trade and improve economic development for the community.

16. QUESTION PERIOD

Patrick Cummins, a citizen, stated his concern over the payment of temporary parking spaces for the employees of the Provincial building. He also stated that the Council package should be scanned and placed on the Town's website, and was advised that scanning problems had occurred in the past, but that it will be revisited in the near future.

17. ADJOURNMENT


ADJOURNMENT

Moved by Deputy Mayor Ames
Seconded by Councillor Harding

119/12 THAT the meeting adjourn at 7:55 p.m. CARRIED



Mayor



Town Clerk