

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
MARCH 21, 2011 @ 7:00 P.M.

1. PRAYER
2. RECORDING OF ATTENDANCE

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

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Williams
Seconded by Councillor Tinker

53/11 **THAT** the Agenda be approved as circulated. **CARRIED**

4. CONFLICT OF INTEREST

No conflicts were declared.

5. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

(a) Brain Wellness Shop – Carla De Long, Registered Nurse, presented to Council information on her proposed Brain Wellness Shop using the MIN-BPS wellness model which would assess/educate clients of the six risk factors for cognitive decline: 1) Medical; 2) Isolation; 3) Nutrition; 4) Brain Stimulation; 5) Physical; and 6) Stress.

(b) Daffodil Month and Daffodil Day - Proclamation
Mayor Purcell proclaimed the month of April as Daffodil Month and April 27, 2011 as Daffodil Day:

WHEREAS, another Canadian is diagnosed with cancer every three minutes; and

WHEREAS, the Canadian Cancer Society is working to eradicate all cancers and improve the quality of life for people living with cancer; and

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WHEREAS, *Daffodil Month* and *Daffodil Day* are opportunities for residents of St. Stephen to show their support in the fight against cancer; now, therefore, be it

RESOLVED, that I, G. L. (Jed) Purcell ask that all residents of St. Stephen join the Canadian Cancer Society in the fight against cancer; and be it further

RESOLVED, that April is officially recognized as *Daffodil Month*, and April 27, 2011 is officially recognized as *Daffodil Day*.

I, G. L. (Jed) Purcell, Mayor of St. Stephen, do hereby proclaim April to be Daffodil Month, and April 27, 2011, to be "Daffodil Day" and encourage all residents of St. Stephen to show your support for someone on their cancer journey.

(c) Tartan Day – Proclamation

Mayor Purcell proclaimed April 6, 2011 as Tartan Day:

WHEREAS Scots and Canadians of Scottish ancestry have distinguished themselves with their contributions in business, politics, religion, law, medicine and education;

WHEREAS the legislature of the Province of New Brunswick recognizes the contributions of Scots and Canadians of Scottish ancestry to the Province of New Brunswick;

THEREFORE I, G. L. (Jed) Purcell, Mayor of St. Stephen, hereby proclaim April 6th, 2011 as Tartan Day in the Town of St. Stephen.

IN WITNESS WHEREOF, I have set my hand of the Mayoralty of the Town of St. Stephen hereto.

6. NOTICES OF MOTIONS

No notices of motions.

7. APPROVAL OF COUNCIL MINUTES

REGULAR COUNCIL MEETING

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

54/11

THAT the Minutes of the Regular Council meeting held on February 21, 2011 be approved as circulated. **CARRIED**

PUBLIC PRESENTATION – PROPOSED MUNICIPAL PLAN BY-LAW

Moved by Councillor Williams
Seconded by Councillor Tinker

- 55/11 **THAT** the Minutes of the Public Presentation with respect to By-Law No. M-1, being the proposed Municipal Plan By-Law held on March 7, 2011 be approved as circulated. **CARRIED**

8. **ACCOUNTS**

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Councillor Williams
Seconded by Councillor Toumishey

- 56/11 **THAT** the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to January 31, 2011 be received. **CARRIED**

PAID BILLS

Moved by Deputy Mayor Maxwell
Seconded by Councillor Tinker

- 57/11 **THAT** the paid bills in the amount of \$750,362.54 (seven hundred and fifty thousand, three hundred and sixty-two dollars and fifty-four cents) be ratified. **CARRIED**

9. **COMMUNICATIONS**

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Tinker
Seconded by Councillor Williams

- 58/11 **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 Councillor Donovan

- 59/11 **THAT** the Minutes of the Committees meeting – Public Safety & Environment; Planning & Priorities; Community Services; and Finance & Administration held on March 9, 2011 be approved as circulated. **CARRIED**

11. STAFF REPORTS

STAFF REPORTS

Moved by Councillor Toumishey

Seconded by Councillor Williams

- 60/11 **THAT** the following staff reports for the month of February 2011 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

BY-LAW NO. M-1 – MUNICIPAL PLAN BY-LAW – FIRST READING – SHORT TITLE ONLY

Moved by Councillor Tinker

Seconded by Councillor Williams

- 61/11 **THAT** By-Law No. M-1, being the “Town of St. Stephen Municipal Plan By-Law” which will repeal the existing By-Law No. M-1, being the “Town of St. Stephen Municipal Plan By-Law” – be given First Reading – Short Title Only. **CARRIED**

BY-LAW NO. Z-1 – ZONING BY-LAW – FIRST READING – SHORT TITLE ONLY

Moved by Councillor Tinker

Seconded by Councillor Williams

- 62/11 **THAT** By-Law No. Z-1 – being the “Town of St. Stephen Zoning By-Law” which will repeal the existing By-Law No. Z-1, being the “Town of St. Stephen Zoning By-Law” – be given First Reading – Short Title Only. **CARRIED**

14. NEW BUSINESS

CONVEYANCE – GRANVILLE PARK DEVELOPMENTS LTD.

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

- 63/11 **THAT** the Town of St. Stephen convey to Granville Park Developments Ltd. for the sum of One Dollar (\$1.00) PID No. 15188386, being a small addition to Granville Park on its westerly boundary that was deeded to the Town by Everett Russell and Viola Lord in 1968 and measuring 3.7 metres in width on the southerly side of Prince William Street and extending back southerly the same width for 29.261 metres, and the Mayor and Town Clerk are authorized to execute documents of transfer and impress the Town seal. **CARRIED**

APPOINTMENT - ACTING TOWN CLERK

Moved by Councillor Tinker
Seconded by Councillor Williams

- 64/11 **THAT** the Council of the Town of St. Stephen appoints the Chief Administrative Officer (CAO) to act as the Town Clerk (Clerk), in the absence of the Clerk, and the CAO is authorized to direct a member of staff to act from time to time if he so desires. **CARRIED**

CHANGE OF DATE: APRIL REGULAR TOWN COUNCIL MEETING

Moved by Councillor Tinker
Seconded by Councillor Toumishey

- 65/11 **THAT** the Council of the Town of St. Stephen changes the date of the April Regular Town Council Meeting from Monday, 18th day of April, 2011 at 7:00 p.m., to Tuesday, 26th day of April, 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**

SETTING DATE FOR PUBLIC HEARING OF OBJECTIONS – PROPOSED MUNICIPAL PLAN BY-LAW AND ZONING BY-LAW

Moved by Councillor Williams
Seconded by Councillor Copeland

- 66/11 **THAT** Monday, April 18, 2011 at 7:00 p.m. at the St. Stephen Legion, 43 Queen Street West, St. Stephen, NB be set as the date, time and place for a Public Hearing of Objections of proposed By-Law No. M-1, being the "Town of St. Stephen Municipal Plan By-Law", which will repeal the existing By-Law No. M-1, being the "Town of St. Stephen Municipal Plan By-Law", and By-Law No. Z-1, being the "Town of St. Stephen Zoning By-Law", which will repeal the existing By-Law No. Z-1, being the "Town of St. Stephen Zoning By-Law". **CARRIED**

The CAO advised that a municipality is legislated under the *Community Planning Act* to advertise the public hearing as the "Public Hearing of Objections", but advised that people can speak in favour as well.

COUNCIL REQUEST – PLANNING ADVISORY COMMITTEE – PROPOSED MUNICIPAL PLAN BY-LAW AND ZONING BY-LAW

Moved by Councillor Williams
Seconded by Councillor Tinker

- 67/11 **THAT** the Council of the Town of St. Stephen request in writing the written views of the Planning Advisory Committee (PAC) on the proposed by-laws, By-Law No. M-1, being the "Town of St. Stephen Municipal Plan By-Law", which will repeal the existing By-Law No. M-1, being the "Town of St. Stephen Municipal Plan By-Law", and By-Law No. Z-1, being the "Town of St. Stephen Zoning By-Law", which will repeal the existing By-Law No. Z-1, being the "Town of St. Stephen Zoning By-Law". **CARRIED**

FIRE DEPARTMENT - COMMERCIAL CREDIT APPLICATION

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

- 68/11 **THAT** the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to sign a commercial credit application between the Town and Areo-Fire in order to process any future purchases of the Fire Department from the said company. **CARRIED**

MOVIE LICENSE – COMMUNITY MOVIE THEATRE

Moved by Deputy Mayor Maxwell

Seconded by Councillor Tinker

- 69/11 **THAT** the Council of the Town of St. Stephen authorizes an unbudgeted expenditure of \$950.00 (nine hundred and fifty dollars) for the purchase of a license to play new release movies not yet out on DVD for the newly opened Community Movie Theatre organized by the Charlotte County Coalition for a Drug Free Community in partnership with the St. Stephen High School. **CARRIED**

GIDDENS MEMORIAL AIRPORT – ATTENDANT SERVICES

Moved by Councillor Tinker

Seconded by Councillor Williams

- 70/11 **THAT** the Council of the Town of St. Stephen authorizes an unbudgeted 2.5% (two and one-half percent) increase for the 2010 calendar year retroactive to January 1, 2010 be paid to George Laviolette, with an additional \$500.00 (five hundred dollars) increase to his annual fee, in quarterly installments, retroactive to January 1, 2011, for his services at the Giddens Memorial Airport. **CARRIED**

AWARDING OF TENDER - TURF MAINTENANCE CONTRACT #07-01

Moved by Councillor Tinker

Seconded by Councillor Williams

- 71/11 **THAT** of the two tenders received, the low tender of \$116,339.15 (one hundred and sixteen thousand, three hundred and thirty-nine dollars and fifteen cents), including HST, representing the total cost for a three (3) year term effective May 1, 2011, from Sharpe's Lawn Care, Mayfield, NB, be approved for the Turf Maintenance Contract #07-01, "Playing Fields". **CARRIED**

AWARDING OF TENDER - TURF MAINTENANCE CONTRACT #07-02

Moved by Councillor Tinker

Seconded by Councillor Williams

- 72/11 **THAT** of the two tenders received, the low tender of \$123,169.80 (one hundred and twenty-three thousand, one hundred and sixty-nine dollars and eighty cents), including HST, representing the total cost for a three (3) year term effective May 1, 2011, from Mayfield Gardens & Landscape Inc., St. Stephen, NB, be approved for the Turf Maintenance Contract #07-02, "Passive Parks, Tot Lots and Other Turf Areas". **CARRIED**

ACQUISITION OF PROPERTY AT 70 QUEENSWAY, ST. STEPHEN, NB

Moved by Councillor Williams

Seconded by Councillor Tinker

73/11

THAT the Council of the Town of St. Stephen accepts the offer to purchase PID # 01309079 (70 Queensway), being surplus property, from the Provincial Department of Supply and Services, in the unbudgeted amount of \$4,750.00 (four thousand, seven hundred and fifty dollars), plus HST, legal fees and any required survey costs, representing 50% of market value, subject to the necessary Provincial Departmental approval, and conditional upon the Town maintaining ownership for a five (5) year period, otherwise the Town shall pay the outstanding 50% of market value should it wish to sell the property. **CARRIED**

15. **REPORTS OF MAYOR AND COUNCILLORS**

Councillor Toumishey

- Attended various Town meetings.
- Pleased with the Municipal Plan schedule.
- Attended Federation of Canadian Municipalities (FCM) meetings recently in Corner Brook, Newfoundland held at the Pepsi Centre and stated that it was very clear that the Centre was the hub of the community with people of all ages participating in various activities in the building.

Councillor Donovan

- Experienced a quiet month, with no update on a proposed dog park.
- Questioned whether or not a recent comment by Prime Minister Harper to not fund arenas would affect our proposed Civic Center.

The CAO stated that the Prime Minister's comment would not affect the Civic Center project as the money is committed under municipal major infrastructure programs.

Deputy Mayor Maxwell

- Attended various Town meetings.
- Attended the Public Presentation on the new Municipal Plan.
- Attended a Planning Advisory Committee meeting.
- On behalf of the Mayor attended the Dominion Curling banquet.
- Suggested members of Council and citizens purchase tickets for a dinner at St. Pat's Hall on March 30, 2011 in support of the Dialysis Unit.
- Stated that Dooly's will be holding a Fun Day on April 2, 2011 in support of breast cancer.

Councillor Williams

- Attended various meetings.
- Involved with the CAO's performance review.

Councillor Tinker

- In response to a recent petition against the Civic Center, confirmed in detail, that the Town has a proper business case in place and suggested that the public either write or call Council members with their questions or concerns.

Councillor Jeremy Copeland

- Attended the Public Presentation on the new Municipal Plan.
- Attended various Town meetings.
- Thanked Councillor Tinker for his comments on the Civic Center project.
- As a member of the Arena Board, stated that a list of deficiencies will be forthcoming.
- Stated that his personal opinion is that the Border Arena needs to be maintained and kept open.

At the request of the Mayor, the CAO provided an update from the Public Safety & Environment Committee meeting of March 9, 2011 with respect to the amount of wetland predictive layer in our area, as well as throughout the province as a whole.

After a series of public meetings were held around the Province scheduled by the Provincial Environment Minister, which the Mayor and CAO attended in Saint John, the Minister filed her report and it was noted that the predictive layer mapping will not be used, and instead government will use known areas of wetland as mapped by the Department of Natural Resources.

Mayor Purcell

- Stated, in addition to the above comments by the CAO, that the Environment Minister listened well at the public meetings.
- Attended in early March in St. George a very informative Charlotte Coastal Region Economic Forum hosted by Enterprise Charlotte.

16. QUESTION PERIOD

Kathy Bockus, reporter with the *Courier*, questioned whether or not the Town would be making a donation to the Dialysis Unit, and was advised that the

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request letter from last fall was received late and will be placed on next month's Committee meeting agenda.

She further questioned whether or not the additional ten feet being conveyed to Granville Park Developments Ltd. would need to be rezoned, and was advised that rezoning would not be necessary as it was an oversight.

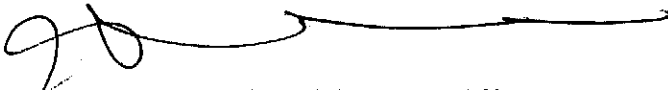
17. ADJOURNMENT

ADJOURNMENT


Moved by Councillor Tinker

Seconded by Councillor Copeland

74/11 THAT the meeting adjourn at 8:15 p.m. **CARRIED**



Mayor



Town Clerk