

TOWN OF ST. STEPHEN
REGULAR COUNCIL
ST. STEPHEN LEGION
43 QUEEN STREET WEST
MAY 17, 2010 @ 7:10 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/Clerk John Ferguson; and, Assistant Clerk Joan Flewelling.

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Tinker
Seconded by Deputy Mayor Maxwell

98/10 **THAT** the Agenda be approved as circulated. **CARRIED**

4. CONFLICT OF INTEREST

Councillor Tinker declared a conflict of interest and left the main room of the Legion at 7:10 p.m. and returned at 7:12 p.m.

Councillor Donovan declared a conflict of interest and left the main room of the Legion at 7:12 p.m. and returned at 7:13 p.m.

5. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

- (a) Disability Awareness Week
Mayor Purcell proclaimed the week of May 30th – June 5th, 2010 as Disability Awareness Week:

WHEREAS, the municipality of St. Stephen, New Brunswick, is committed to assisting citizens with disabilities to participate fully in the resources of our community; and

WHEREAS, many persons living with disabilities face barriers in the areas of employment, access to information, transportation, housing, education, recreation, and other disability-related supports; and

WHEREAS, we believe that more citizens with disabilities should have the chance to access appropriate disability related supports to improve their opportunities in New Brunswick; and

WHEREAS, we support the theme

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“Disability Awareness – Yes we can!”;

NOW THEREFORE BE IT KNOWN THAT I, G. L. (Jed) Purcell, Mayor of the Town of St. Stephen, do hereby request the citizens of St. Stephen to join with our Council in recognizing persons with disabilities and their potential role in our community by the observance of Disability Awareness Week, May 30th to June 5th, 2010.

6. NOTICES OF MOTIONS

No notices of motions.

7. APPROVAL OF COUNCIL MINUTES

REGULAR COUNCIL MEETING

Moved by Councillor Tinker

Seconded by Councillor Donovan

99/10 THAT the Minutes of the Regular Council meeting held on April 19, 2010 be approved as circulated. CARRIED

SPECIAL COUNCIL MEETING

Moved by Councillor Williams

Seconded by Councillor Copeland

100/10 THAT the Minutes of the Special Council meeting held on April 27, 2010 be approved as circulated. CARRIED

8. ACCOUNTS

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Councillor Williams

Seconded by Councillor Tinker

101/10 THAT the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to April 30, 2010 be received. CARRIED

PAID BILLS

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

102/10 THAT the paid bills in the amount of \$939,840.13 (nine hundred and thirty-nine thousand, eight hundred and forty dollars and thirteen cents) be ratified. CARRIED

**PAID BILLS: CONFLICT – CHARLOTTE COUNTY CHEVROLET PONTIAC
BUICK GMC LTD.**

Moved by Councillor Donovan
Seconded by Councillor Toumishey

- 103/10 **THAT** the paid bills (Cheque # 6277 for \$1,481.69, and Cheque # 1832 for \$18.06) in the amount of \$1,499.75 (one thousand, four hundred and ninety-nine dollars and seventy-five cents) for Charlotte County Chevrolet Pontiac Buick GMC Ltd. be ratified. **CARRIED**

PAID BILL: CONFLICT – SELDON SMITH & SONS LIMITED

Moved by Deputy Mayor Maxwell
Seconded by Councillor Copeland

- 104/10 **THAT** the paid bill (Cheque # 1892) in the amount of \$4.48 (four dollars and forty-eight cents) for Seldon Smith & Sons Limited be ratified. **CARRIED**

9. **COMMUNICATIONS**

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Tinker
Seconded by Deputy Mayor Maxwell

- 105/10 **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

Moved by Councillor Tinker
Seconded by Councillor Donovan

- 106/10 **THAT** the Minutes of the Committee of Council meeting held on April 27, 2010 be approved as circulated. **CARRIED**

COMMITTEES MEETING

Moved by Deputy Mayor Maxwell
Seconded by Councillor Tinker

- 107/10 **THAT** the Minutes of the Committees meeting – Public Safety & Environment; Planning & Priorities; Finance & Administration; and Community Services held on May 5, 2010 be approved as circulated. **CARRIED**

11. STAFF REPORTS

STAFF REPORTS

Moved by Councillor Williams

Seconded by Councillor Donovan

- 108/10 **THAT** the following staff reports for the month of April 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. L-1.1 - "A BY-LAW TO REGULATE THE USE OF PUBLIC
PARKS" – THIRD AND FINAL READING – SHORT TITLE ONLY**

Moved by Councillor Williams

Seconded by Councillor Toumishey

- 109/10 **THAT** By-Law No. L-1.1: "A By-Law to Regulate the Use of Public Parks" – be
given Third and Final Reading – Short Title Only. **CARRIED**

**BY-LAW NO. S - 5.1 - "A BY-LAW TO AMEND A BY-LAW RESPECTING
FIRE PREVENTION" – SECOND READING – READING IN ITS ENTIRETY**

Moved by Councillor Williams

Seconded by Councillor Donovan

- 110/10 **THAT** By-Law No. S -5.1: "A By-Law to Amend a By-Law Respecting Fire
Prevention" – be given Second Reading – Reading in its Entirety. **CARRIED**

**BY-LAW NO. M-1.12 – MUNICIPAL PLAN – PID # 15051394 (57 PRINCE
WILLIAM STREET – GRANVILLE PARK) – FIRST READING – SHORT TITLE
ONLY**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Tinker

- 111/10 **THAT** By-Law No. M-1.12 – "A By-Law to Amend By-Law No. M-1, being the
Town of St. Stephen Municipal Plan By-Law" – PID # 15051394 (57 Prince
William Street – Granville Park) – be given First Reading – Short Title Only.
CARRIED

BY-LAW NO. Z-1.12 – REZONING – PID # 15051394 (57 PRINCE WILLIAM STREET – GRANVILLE PARK) - FIRST READING – SHORT TITLE ONLY

Moved by Deputy Mayor Maxwell

Seconded by Councillor Tinker

- 112/10 **THAT** By-Law No. Z-1.12 – “A By-Law to Amend By-Law No. Z-1, being the Town of St. Stephen Zoning By-Law” – PID # 15051394 (57 Prince William Street – Granville Park)) – be given First Reading – Short Title Only. **CARRIED**

14. **NEW BUSINESS**

CHANGE OF LOCATION AND TIME: MAY REGULAR TOWN COUNCIL MEETING

Moved by Councillor Donovan

Seconded by Councillor Tinker

- 113/10 **THAT** the Council of the Town of St. Stephen changes the location and time of the May Regular Town Council Meeting as outlined in Section 9.01(2) of By-Law No. A-2, “A By-Law Respecting Procedures of the Town Council and Town Administration”, from Council Chambers, 73 Milltown Blvd. on Monday, May 17, 2010 at 7:00 p.m. to the St. Stephen Legion, 43 Queen Street West, St. Stephen, NB, on Monday, May 17, 2010 at 6:00 p.m. **CARRIED**

CHANGE OF DATE: JUNE REGULAR TOWN COUNCIL MEETING

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 114/10 **THAT** the Council of the Town of St. Stephen changes the date of the June Regular Town Council Meeting from the third (3rd) Monday, 21st day of June, 2010 at 7:00 p.m., to the fourth (4th) Monday, 28th day of June, 2010 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**

COUNCIL REQUEST – PLANNING ADVISORY COMMITTEE – GRANVILLE PARK

Moved by Councillor Williams

Seconded by Councillor Copeland

- 115/10 **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 to amend the Municipal Plan By-Law and the Zoning By-Law whereby the use designation on the Generalized Future Land Use Map of the Municipal Plan, and the Zoning Map of the Zoning By-Law, for PID # 15051394, 57 Prince William Street, known as Granville Park, be changed from Park and Recreation (P) to Integrated Development (ID). **CARRIED**

**BUSINESS IMPROVEMENT AREA (BIA) – 2010/2011 LUMBERJACKS
CHALLENGE TV SERIES**

Moved by Councillor Donovan
Seconded by Councillor Copeland

- 116/10 **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 2010/2011 Lumberjacks Challenge TV Series contingent on funding from other sources adequate for the event to proceed. **CARRIED**

STREET LIGHT – LINDSAY LANE

Moved by Deputy Mayor Maxwell
Seconded by Councillor Tinker

- 117/10 **THAT** the Council of the Town of St. Stephen approves the installation of (1) one additional street light for Lindsay Lane. **CARRIED**

**PLAYING FIELDS AGREEMENT - SCHOOL DISTRICT NO. 10 AND THE
TOWN**

Moved by Councillor Williams
Seconded by Councillor Toumishey

- 118/10 **THAT** the Council of The Town of St. Stephen authorizes the Mayor and Town Clerk to sign an Agreement with School District No. 10 with respect to the maintenance of the Town's playing fields. **CARRIED**

PROPOSED NO-SMOKING BY-LAW (PUBLIC PARKS)

Moved by Councillor Toumishey
Seconded by Councillor Williams

- 119/10 **THAT** the Council of the Town of St. Stephen proposes to establish a by-law to prohibit smoking within the Town's public parks.

Moved by Councillor Williams that the motion be tabled.
Seconded by Deputy Mayor Maxwell. **CARRIED**

Councillor Toumishey advised that he had been approached by parents who frequent the Town's parks with their children on whether or not the Town could enforce no smoking in its parks. He further advised that, at the request of Council, the Town Solicitor researched the proposed by-law, and at the present time there is no New Brunswick Legislation which would allow municipalities to enforce a by-law prohibiting smoking within its parks.

Councillor Toumishey asked smokers to be considerate of others and not smoke in the Town's parks.

Councillor Tinker stated that the New Brunswick *Municipalities Act* is outdated and needs to be amended in order to address issues facing communities today.

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15. REPORTS OF MAYOR AND COUNCILLORS

Councillor Toumishey

- As Chair of the Community Services Committee thanked School District 10, as well as the CAO and staff for the completion of an agreement to share the maintenance of the playing fields.

Councillor Tinker

- Commented on the recent meeting of the Union of Municipalities of New Brunswick (UMNB) Board of Directors and highlighted a number of agenda items.

Deputy Mayor Maxwell

- Attended numerous Town meetings.
- Attended two meetings of the Chocolate Museum Operational Committee.
- Attended a recognition ceremony for Hon. Greg Thompson hosted by UMNB Zone 4.
- Attended a 95th birthday party.
- Attended a 75th birthday party.
- Stated the Canada East Youth Wrestling Championship was well-organized and well-attended.
- Organized over 40 people to assist with cleanup in the cemetery during the month of May, being Community Pride Month.
- Attended several funerals.

Councillor Copeland

- Attended several Town meetings.
- Attended a recognition ceremony for Hon. Greg Thompson hosted by UMNB Zone 4.
- Stated the Canada East Youth Wrestling Championship was well-organized and well-attended.
- Attended an Arena Board meeting.
- Attended a Civic Center meeting.

Councillor Williams

- Attended a Civic Center meeting.
- Stated the Canada East Youth Wrestling Championship was well-organized and well-attended, and pleased that the Town sponsored a meal.

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- Advised that the Charlotte County Museum has a new board Chair, Jim Thompson, and reiterated from last month, that he has been approached by two or three individuals who would be interested in becoming board members, and was very pleased with the public interest.

Councillor Donovan

- Attended a recognition ceremony for Hon. Greg Thompson hosted by UMNZ Zone 4.
- Attended and enjoyed the recent Atlantic Canada Motor Maids "International Women's Riding/Friendship Day" in Calais which involved an exchange of flags between Canada and the US, and rode as far as Perry, Maine with the group.

Mayor Purcell

- Attended with the CAO at the Saint John Board of Trade as guests of the Irving's.
- Attended a dinner at the Algonquin which honoured the 2010 graduates of St. Stephen's University.
- Attended a recognition ceremony for Hon. Greg Thompson hosted by UMNZ Zone 4.
- Attended breakfast with the Premier and the other Mayors of Charlotte County at the Algonquin prior to the Liberal caucus retreat.
- Attended the Premier's announcement on the latest phase of the Department of Transportation's facility in the Industrial Park.
- Attended and brought greetings from the Town at the recent Atlantic Canada Motor Maids "International Women's Riding/Friendship Day" in Calais.
- Represented the Town at the St. Stephen Cenotaph's 65th anniversary ceremony of the Liberation of Holland.

16. QUESTION PERIOD

There were no questions.

17. ADJOURNMENT

ADJOURNMENT

Moved by Councillor Copeland

Seconded by Councillor Tinker

120/10 THAT the meeting adjourn at 7:45 p.m. CARRIED



Mayor



CAO/Clerk