

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
MAY 22, 2012 @ 7:00 P.M.

1. PRAYER
2. RECORDING OF ATTENDANCE

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

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Tinker
Seconded by Councillor Donovan

77/12

THAT the Agenda be approved with two additions: (g) Scotiabank Borrowing Authority and (h) Royal Bank of Canada Borrowing Authority 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 7:05 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

SPECIAL COUNCIL MEETING

Moved by Councillor Donovan
Seconded by Deputy Mayor Maxwell

78/12

THAT the Minutes of the Special Council meeting held on April 14, 2012 be approved as circulated. **CARRIED**

REGULAR COUNCIL MEETING

Moved by Councillor Donovan
Seconded by Councillor Tinker

- 79/12 **THAT** the Minutes of the Regular Council meeting held on April 16, 2012 be approved as circulated. **CARRIED**

SPECIAL COUNCIL MEETING

Moved by Councillor Tinker
Seconded by Councillor Williams

- 80/12 **THAT** the Minutes of the Special Council meeting held on May 7, 2012 be approved as circulated. **CARRIED**

8. **ACCOUNTS**

PAID BILLS

Moved by Deputy Mayor Maxwell
Seconded by Councillor Donovan

- 81/12 **THAT** the paid bills in the amount of \$566,729.16 (five hundred and sixty-six thousand, seven hundred and twenty-nine dollars and sixteen cents) be ratified. **CARRIED**

PAID BILLS: CONFLICT – SELDON SMITH & SONS LIMITED

Moved by Councillor Tinker
Seconded by Councillor Williams

- 82/12 **THAT** the paid bill in the amount of \$99.83 (ninety-nine dollars and eighty-three cents), Cheque #010245 for Seldon Smith & Sons Limited and that the paid bill in the amount of \$608.85 (six hundred and eight dollars and eighty-five cents), Cheque #3202 for Seldon Smith & Sons Limited be ratified. **CARRIED**

9. **COMMUNICATIONS**

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Tinker
Seconded by Councillor Copeland

- 83/12 **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 Donovan

Seconded by Councillor Williams

84/12 **THAT** the Minutes of the Committee of Council meeting held on May 4, 2012 be approved as circulated. **CARRIED**

COMMITTEES MEETING

Moved by Deputy Mayor Maxwell

Seconded by Councillor Copeland

85/12 **THAT** the Minutes of the Committees meeting – Public Safety & Environment; Planning & Priorities; Community Services; and Finance & Administration held on May 9, 2012 be approved as circulated. **CARRIED**

11. STAFF REPORTS

STAFF REPORTS

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

86/12 **THAT** the following staff reports for the month of April 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

BACKUP BLOWER – SEWAGE LAGOONS

Moved by Councillor Williams

Seconded by Councillor Tinker

87/12 **THAT** the Council of the Town of St. Stephen authorizes the purchase of a backup blower for the sewage lagoons in the approximate amount of \$16,000.00 (sixteen thousand dollars), including shipping, from the 2012 Water and Sewerage Operating Fund Budget, to handle the Biological Oxygen Demand (BOD) load while the existing blowers are being rebuilt.

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AND FURTHER THAT if it is found, when final costs are known and before year end, that if it cannot be funded from the 2012 Water and Sewerage Operating Fund Budget, then a future motion will be considered to transfer the funds from the Water and Sewerage Capital Reserve Fund. **CARRIED**

MAXWELL CROSSING NO. 2 PUMP MOTOR REPLACEMENT

Moved by Deputy Mayor Maxwell

Seconded by Councillor Tinker

88/12

THAT the Council of the Town of St. Stephen authorizes the purchase of a motor for the No. 2 pump at Maxwell Crossing in the approximate amount of \$11,000.00 (eleven thousand dollars) from the 2012 Water and Sewerage Operating Fund Budget.

AND FURTHER THAT if it is found, when final costs are known and before year end, that if it cannot be funded from the 2012 Water and Sewerage Operating Fund Budget, then a future motion will be considered to transfer the funds from the Water and Sewerage Capital Reserve Fund. **CARRIED**

**ANNUAL STREETS AND SIDEWALKS REHABILITATION PROJECT 2013 –
BUDD AVENUE**

Moved by Councillor Williams

Seconded by Councillor Donovan

89/12

THAT the Council of the Town of St. Stephen approves the commitment of the annual Streets and Sidewalks Rehabilitation Funding for 2013 to the modification and repairs of the street and parking lots at and around Budd Avenue, contingent on funding approval from the Municipal Capital Borrowing Board based on consideration of a future motion and borrowing application. **CARRIED**

FUNDRAISING ROAD TOLL – CHARLOTTE COUNTY ANIMAL SHELTER

Moved by Councillor Tinker

Seconded by Councillor Williams

90/12

THAT the Council of the Town of St. Stephen approves the request from the Charlotte County Animal Shelter to hold a fundraising road toll on Union Street between Marks Street and Main Street on Saturday, June 16, 2012 between the hours of 9:00 a.m. and 5:00 p.m., with a rain date of Saturday, June 23, 2012 between the hours of 9:00 a.m. and 5:00 p.m. **CARRIED**

It was discovered a few days after the passing of the above-noted resolution that a double-booking had occurred for the same location on the same day. With the consent of Council, the above-noted request was changed to Saturday, June 2, 2012 from 9:00 a.m. to 5:00 p.m., with a rain date of Saturday, June 9, 2012 from 9:00 a.m. to 5:00 p.m. on Queen Street West between Porter and Lisgar Streets.

REOPENING – ELM STREET NATURE PARK

Moved by Deputy Mayor Maxwell

Seconded by Councillor Tinker

- 91/12 **THAT** the Council of the Town of St. Stephen agrees to officially reopen the area of Elm Street Nature Park on the south side of Billy Weston Brook (the Brook) as a result of the Elm Street Park Society's maintenance, excluding the dangerous areas north of the Brook where barriers have been erected at the entry points. **CARRIED**

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

Moved by Councillor Tinker

Seconded by Councillor Williams

- 92/12 **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**

SCOTIABANK BORROWING AUTHORITY

Moved by Councillor Donovan

Seconded by Councillor Copeland

- 93/12 **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 \$301,307.00 (three hundred and one thousand, three hundred and seven dollars), to meet current expenditures of the Corporation for the year 2012. 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 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,

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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 Williams

Seconded by Councillor Tinker

94/12

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, 2012, the sum of \$1,102,208.00 (one million, one hundred and two thousand, two hundred and eight 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 \$1,102,208.00 (one million, one hundred and two thousand, two hundred and eight 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**

15. **REPORTS OF MAYOR AND COUNCILLORS**

Councillor Tinker

- Thanked, at length, all members of Council, as well as the CAO and Clerk.
- Suggested false information was being told to citizens on utility rates and taxes during the municipal election campaign.
- Suggested Town boundary lines should be researched on Hawthorne Street and Boundary Street.

Councillor Copeland

- Congratulated Jim on his re-election.
- Congratulated the new Mayor Elect and Councillors Elect and wished them good luck.

Councillor Williams

- During his 27 ½ years on Town Council, only missed two meetings.
- Very much enjoyed his time on Council and thanked the community for the support over the years.
- Stated the incoming Council is a good, strong one and advised them to learn to work as a team.

Deputy Mayor Maxwell

- Stated he enjoyed working with the outgoing Council.
- Congratulated the incoming Mayor and Council.
- Advised the incoming Council that it will be a learning curve for them and must learn that you need to go through proper channels.
- Stated he will knock on doors in four years and will be the Deputy Mayor again.
- Stated that Mayor Purcell did a good job.

Councillor Donovan

- Stated the past three years has been an eye-opener.
- Recommended to the incoming Council to ask a lot of questions.
- Recommended to the incoming Council that everything should be tendered.
- Enjoyed the time on Council, although quite stressful at times and advised the incoming Council to keep the business in the Council Chambers and not to take it home.
- Thanked the outgoing Council for their assistance.
- Thanked the citizens who voted for her and was pleased with the number of votes for the short time she has lived here.
- Recommended a dress code for Council meetings be implemented.
- Wished the incoming Council good luck.

Councillor Toumishey

- Thanked Mayor Purcell.
- Thanked the citizens who supported him four years ago which allowed him the experience to sit on Council, as he learned a lot.
- Stated the incoming Council is a strong one and looks forward to the future.

Mayor Purcell

- Thanked constituents.
- Thanked staff.

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- Stated he will follow the progress of the Civic Center with its completion date for mid October 2013.
- Congratulated the incoming Council and stated they are very well qualified.
- Commented that the incoming Council has no idea what it is up against.

16. QUESTION PERIOD

Wilf Torunski, President and Ed Zammit, Vice President of the Elm Street Park Society, were present and Mr. Torunski thanked Council for its support in the reopening of the Elm Street Nature Park.

Chief Administrative Officer John Ferguson announced a farewell reception will be held in Council Chambers on Friday, May 25th @ 1:00 p.m. for the outgoing Council and invited the public.

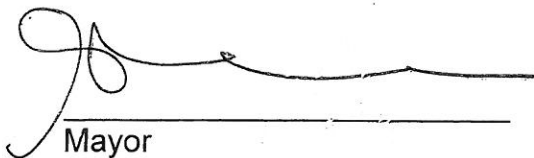
17. ADJOURNMENT

ADJOURNMENT

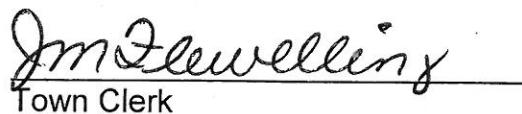
Moved by Councillor Tinker

Seconded by Councillor Copeland

95/12 **THAT** the meeting adjourn at 7:35 p.m. CARRIED



Mayor



Town Clerk