

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

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Copeland

Seconded by Councillor Tinker

226/10

THAT the Agenda be approved with two additions: (i) Housing Incentive Policy Application – 57 Prince William Street – Granville Park Place and (j) Organizational Renewal Town Office – Management/Non-Union Proposed Interim Changes be added under 14. **NEW BUSINESS. CARRIED**

4. CONFLICT OF INTEREST

No conflicts were declared.

5. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

- (a) Brunswick Pipeline – Rob Belliveau, General Manager and Susan Harris, Community Relations Manager, presented to Council an update on Brunswick Pipeline's operations to date which is a 145 kilometer, 30-inch diameter pipeline transmission system that currently delivers natural gas from the Canaport™ Liquefied Natural Gas terminal in Saint John, NB to markets in Canada and the US northeast.
- (b) Bully Free Community
Mayor Purcell proclaimed December 17, 2010 as Anti-Bullying Day:

WHEREAS, there are many people in the Town of St. Stephen who have lived with, or are living with bullying, and

WHEREAS, bullying is a learned behaviour and occurs in more environments than just the school yard, and

WHEREAS, bullying is not confined to children only, and

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WHEREAS, individuals and communities have the power to prevent bullying before it becomes a problem, and
WHEREAS, the Premier of New Brunswick, Honourable David Alward, has designated December 17th as Anti-Bullying Day in New Brunswick,
THEREFORE, I. G. L. (Jed) Purcell, Mayor of the Town of St. Stephen, do hereby proclaim Anti-Bullying Day, December 17th, 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

227/10 **THAT** the Minutes of the Regular Council meeting held on October 18, 2010 be approved as circulated. **CARRIED**

SPECIAL COUNCIL MEETING

Moved by Councillor Tinker
Seconded by Councillor Copeland

228/10 **THAT** the Minutes of the Special Council meeting held on October 25, 2010 be approved as circulated. **CARRIED**

8. ACCOUNTS

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Councillor Williams
Seconded by Councillor Tinker

229/10 **THAT** the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to September 30, 2010 be received. **CARRIED**

PAID BILLS

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

230/10 **THAT** the paid bills in the amount of \$812,988.89 (eight hundred and twelve thousand, nine hundred and eighty-eight dollars and eighty-nine cents) be ratified. **CARRIED**

9. COMMUNICATIONS

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Tinker
Seconded by Councillor Copeland

231/10 **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 Councillor Williams

232/10 **THAT** the Minutes of the Committees meeting – Public Safety & Environment; Planning & Priorities; Finance & Administration and Community Services held on November 3, 2010 be approved as circulated. **CARRIED**

11. STAFF REPORTS

STAFF REPORTS

Moved by Councillor Copeland
Seconded by Councillor Williams

233/10 **THAT** the following staff reports for the month of September 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. A-7.5 – A BY-LAW TO AMEND BY-LAW NO. A-7 – “A BY-LAW TO IMPOSE A SPECIAL BUSINESS IMPROVEMENT LEVY” – SECOND READING – READING IN ITS ENTIRETY

Moved by Councillor Williams
Seconded by Deputy Mayor Maxwell

234/10 **THAT** By-Law No. A-7.5 – A By-Law to Amend By-Law No. A-7 – “A By-Law to Impose a Special Business Improvement Levy” be given Second Reading – Reading in its Entirety. **CARRIED**

14. NEW BUSINESS

TRANSFER TO WATER AND SEWERAGE CAPITAL RESERVE FUND

Moved by Councillor Williams

Seconded by Councillor Tinker

235/10 **THAT** the amount of \$10,000.00 (ten thousand dollars) be transferred from the Water and Sewerage Operating Fund to the Water and Sewerage Capital Reserve Fund. **CARRIED**

TIM HORTONS' REQUEST – ENTRANCE FROM QUEEN STREET EAST

Moved by Councillor Williams

Seconded by Councillor Toumishey

236/10 **THAT** the Council of the Town of St. Stephen approves the request from Tim Hortons to widen its exit by six feet (6') on Queen Street East to accommodate an entrance as well from Queen Street East subject to the following conditions:

- that it be widened four feet (4') in a westerly direction, and two feet (2') in an easterly direction;
- that it meets any appropriate setbacks and permits deemed necessary by the Town's Building Inspector; and,
- that proper signage be erected by the owner(s) of Tim Hortons to clearly mark it as an exit and an entrance to prevent any confusion to motorists.

AND FURTHER THAT the Chief Administrative Officer or his designate be directed to monitor the traffic and should any further congestion take place in the area of King Street and Queen Street East to report back to Council. **CARRIED**

Deputy Mayor Maxwell voting in favour of the motion.

Councillor Donovan voting in favour of the motion.

Councillor Williams voting in favour of the motion.

Councillor Toumishey voting in favour of the motion.

Councillor Copeland voting in favour of the motion.

Councillor Tinker voting against the motion.

BUILDING PERMIT WAIVER – FUNDY REGION TRANSITION HOUSE, INC.

Moved by Councillor Williams

Seconded by Councillor Tinker

237/10 **THAT** the Council of the Town of St. Stephen approves the request from Fundy Region Transition House, Inc. to have waived its building permit fee in the amount of \$500.00 (five hundred dollars), based on its upcoming renovations in the amount of \$100,000 (one hundred thousand dollars). **CARRIED**

TRANSFER TO GENERAL CAPITAL RESERVE FUND

Moved by Councillor Tinker
Seconded by Councillor Williams

- 238/10** **THAT** the amount of \$10,000 (ten thousand dollars) be transferred from the General Operating Fund to the General Capital Reserve Fund, representing the 2010 budgeted amount for "Downtown Development", for future downtown capital development as recommended by the St. Stephen Business Improvement Area (BIA) and the Planning & Priorities Committee. **CARRIED**

JENNIFER DOW – CUPE LOCAL 770

Moved by Councillor Williams
Seconded by Councillor Tinker

- 239/10** **THAT** Jennifer Dow be reclassified as a regular part-time employee within the Canadian Union of Public Employees (CUPE) Local 770 Collective Agreement, in the position of Labourer, effective immediately. **CARRIED**

AWARDING OF TENDER - W. T. BOOTH CENTENNIAL POOL BUILDING RENOVATIONS

Moved by Councillor Tinker
Seconded by Councillor Toumishey

- 240/10** **THAT** of the three (3) tenders received, the low tender of \$204,635.00 (two hundred and four thousand, six hundred and thirty-five dollars), excluding HST, from Disher Homes Ltd. of St. Stephen, NB for renovations to the W. T. Booth Centennial Pool Building be accepted. **CARRIED**

TEAM NEW BRUNSWICK

Moved by Deputy Mayor Maxwell
Seconded by Councillor Donovan

- 241/10** **THAT** the Council of the Town of St. Stephen approves an unbudgeted expenditure in the amount of \$250.00 (two hundred and fifty dollars) for a contribution to the 2011 Team NB Canada Winter Games Rally and Salute being held at CFB Gagetown in Oromocto, NB January 2 – 3, 2011. **CARRIED**

**AMENDED SECTION 39 OF THE COMMUNITY PLANNING ACT –
CONDITIONS FOR GRANVILLE PARK PLACE**

Moved by Councillor Williams
Seconded by Deputy Mayor Maxwell

- 242/10** **THAT** the conditions legislated by Section 39 of the New Brunswick *Community Planning Act* and presented in the Chief Administrative Officer's report dated July 19, 2010 for Granville Park Place and approved by the Council of the Town of St. Stephen on July 19, 2010 be amended as follows:

"1) **Use** – That the use of the property be in accordance to the re-zoning application (if approved) and the building be restricted to **30 to 35** senior residential units." – rather than ". . . **30 to 34** . . ." **CARRIED**

**HOUSING INCENTIVE POLICY APPLICATION – 57 PRINCE WILLIAM
STREET – GRANVILLE PARK PLACE**

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

243/10

THAT the Council of the Town of St. Stephen agrees to pay Disher Homes Ltd. and Hill's Point Holdings Ltd., or their assigns, the following development grant in the amount of \$185,160.00 (one hundred and eighty-five thousand, one hundred and sixty dollars) for the construction of apartment style housing for seniors consisting of 30 - 35 units, subject to final approval of plans and other details of the development:

- One time lump sum payment for land beautification and upgrade work on Town-owned waterfront property (paid to the developers beginning in the calendar year following the completion of construction) \$ 27,500
- Waived building permit fees \$ 9,400
- Annual grant of \$353.00 per unit per year for 12 years based on 35 units (paid to the developers beginning in the calendar year following the completion of construction) \$148,260

\$185,160

CARRIED

**ORGANIZATIONAL RENEWAL TOWN OFFICE - MANAGEMENT/NON-UNION
PROPOSED INTERIM CHANGES**

Moved by Councillor Williams
Seconded by Councillor Tinker

244/10

THAT the Council of the Town of St. Stephen approves the Chief Administrative Officer's Report dated November 10, 2010 (copy attached) of proposed interim changes, and 2010 unbudgeted costs for management/non-union positions at the Town Office.

AND FURTHER THAT the Chief Administrative Officer is authorized to negotiate and select an individual for the position of Acting Human Resource Officer/Office Manager with a salary as described in the Report. **CARRIED**

15. **REPORTS OF MAYOR AND COUNCILLORS**

Councillor Copeland

- Attended the Chamber of Commerce Business Recognition Dinner.
- Attended various Town meetings.
- Attended an Arena Board meeting.

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- Attended the Remembrance Day Service at the Cenotaph in St. Stephen and was pleased with the number of people in attendance; particularly the number of children in attendance.

Councillor Tinker

- Stated that he will clarify comments published in the *Courier* with respect to the former sewerage lagoons on Budd Avenue when a reporter from the paper is present at a Council meeting.

Councillor Williams

- Had no comments.

Deputy Mayor Maxwell

- Attended Jim Purcell's funeral.
- Attended on behalf of the Mayor the Veterans' supper at the St. Stephen Legion.
- Laid a wreath during the Remembrance Day Service at the St. Stephen Cenotaph on behalf of the Town.
- Organized a fundraiser for the St. Stephen Rural Cemetery.

Councillor Donovan

- Attended a Charlotte County Museum Board meeting.
- Attended the Remembrance Day Service at the Milltown Cenotaph.

Councillor Toumishey

- Stated that he looks forward to attending the upcoming FCM Standing Committees meetings in Toronto.

Mayor Purcell

- Attended the Chamber of Commerce Business Recognition Dinner.
- Laid a wreath during the Remembrance Day Service at the Milltown Cenotaph on behalf of the Town.
- Participated in an information video created by J.D. Irving, Ltd.
- Stated that a considerable amount of time is being spent on the Civic Center, but it appears to be headed in the right direction, and it is hopeful that demolition of the existing buildings should take place in December.

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16. QUESTION PERIOD

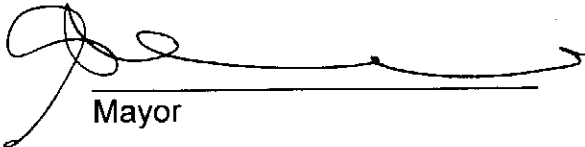
There were no questions.

17. ADJOURNMENT

ADJOURNMENT

Moved by Councillor Copeland
Seconded by Councillor Williams

245/10 THAT the meeting adjourn at 7:50 p.m. **CARRIED**



Mayor



CAO/Clerk