

**TOWN OF ST. STEPHEN**  
**REGULAR COUNCIL**  
**199 UNION STREET (FIRE HALL)**  
**SEPTEMBER 15, 2008 @ 6:00 P.M.**

I. PRAYER

II. CHANGE OF ORDER OF BUSINESS

**ORDER OF COUNCIL BUSINESS**

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 162/08** **THAT** the order of business be varied, as permitted by Section 13.01 of By-Law No. A-2, "A By-Law Respecting Procedures of the Town Council and Town Administration". **CARRIED**

III. RECORDING OF ATTENDANCE

**PRESENT:** Mayor G. L. (Jed) Purcell; Deputy Mayor Jim Maxwell; Councillors Ralph Williams, Robert Tinker, Gavin Toumishey, John Quartermain and Ken Parker; CAO/Clerk Hendrik Slegtenhorst; and, Assistant Clerk Joan Flewelling.

IV. APPROVAL OF AGENDA

Moved by Councillor Williams

Seconded by Councillor Tinker

- 163/08** **THAT** the Agenda be approved with two amendments: Strategic Plan added as item 1. under XII. **CONTINUING BUSINESS**, and item 3. (ii) **87 Prince William Street** under XIII. **NEW BUSINESS** be deleted. **CARRIED**

V. CONFLICT OF INTEREST

Councilor Tinker declared a conflict of interest and left Council Chambers at 6:35 p.m. and returned at 6:36 p.m. Councillor Quartermain declared a conflict of interest and left Council Chambers at 6:36 p.m. and returned at 6:38 p.m.

VI. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

1. Chocolate Fest Inc. Presentation – Derek O'Brien, Chair, did not attend and this presentation will take place at a future Town Council meeting.
2. **European Heritage Week Proclamation**  
Mayor Purcell proclaimed the week of October 13 – 19, 2008 as "European Heritage Week" in the Town of St. Stephen.

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**WHEREAS**, in the interests of better understanding and appreciation of our institutions, history and culture and our multi-ethnic society; and  
**WHEREAS**, all North Americans are encouraged to celebrate the contribution of European civilization of our country;  
**THEREFORE**, I, G. L. (Jed) Purcell, Mayor, do hereby proclaim the week of October 13 – 19, 2008, as “European Heritage Week” in the Town of St. Stephen, New Brunswick.

VII. NOTICES OF MOTIONS

Moved by Councillor Parker  
Seconded by Councillor Williams

A notice of motion was read and will be considered at the next Regular Session of Council that the borrowing authority for \$1,000,000 (one million dollars) to build a new town hall be rescinded.

VIII. APPROVAL OR AMENDING OF MINUTES

Moved by Deputy Mayor Maxwell  
Seconded by Councillor Parker

**164/08** **THAT** the Minutes of the Public Hearing of Objections to By-Laws M-1.5, M-1.7, and M-1.8, By-Laws to Amend the Municipal Plan By-Law M-1; and By-Laws Z-1.5, Z-1.7, and Z-1.8, By-Laws to Amend the Zoning By-Law Z-1 held on July 28, 2008 be approved as circulated. **CARRIED**

Moved by Councillor Williams  
Seconded by Councillor Tinker

**165/08** **THAT** the Minutes of the Regular Council meeting held on July 28, 2008 be approved as circulated. **CARRIED**

Moved by Councillor Tinker  
Seconded by Councillor Williams

**166/08** **THAT** the Minutes of the Special Council meeting held on July 30, 2008 be approved as circulated. **CARRIED**

IX. COMMUNICATIONS

Moved by Councillor Tinker  
Seconded by Councillor Williams

**167/08** **THAT** Communication for Information, note and file, be adopted. **CARRIED**

COMMUNICATION FOR ACTION

No communication for action.

X. APPROVAL OF COMMITTEE MINUTES

Moved by Councillor Tinker  
Seconded by Deputy Mayor Maxwell

**168/08** **THAT** the Minutes of the Committees meeting held on August 6, 2008 be approved. **CARRIED**

XI. CONSIDERATION OF BY-LAWS

**BY-LAW NO. S-12 – A BY-LAW RESPECTING DANGEROUS OR UNSIGHTLY PREMISES – THIRD AND FINAL READING – SHORT TITLE ONLY**

Moved by Councillor Toumishey  
Seconded by Councillor Parker

**169/08** **THAT** By-Law No. S-12 – “A By-Law Respecting Dangerous or Unsightly Premises – be given Third and Final Reading – Short Title Only. **CARRIED**

XII. CONTINUING BUSINESS

**STRATEGIC PLAN**

Moved by Councillor Tinker  
Seconded by Councillor Williams

**170/08** **THAT** the Council of the Town of St. Stephen agrees to release the Strategic Plan to the public effective immediately. **CARRIED**

**CANCELLED REGULAR TOWN COUNCIL MEETING AND CHANGE OF TIME**

Moved by Deputy Mayor Maxwell  
Seconded by Councillor Tinker

**THAT** the Council of the Town of St. Stephen cancelled the August 18, 2008 Regular Town Council Meeting, and changes the time of all future Regular Sessions of Town Council from 7:00 p.m. to 6:00 p.m., as outlined in Section 9.01 of By-Law No. A-2, “A By-Law Respecting Procedures of the Town Council and Town Administration”.

**AMENDED**

**CANCELLED REGULAR TOWN COUNCIL MEETING AND CHANGE OF TIME**

Moved by Councillor Williams  
Seconded by Councillor Tinker

**171/08** **THAT** the Council of the Town of St. Stephen cancelled the August 18, 2008 Regular Town Council Meeting, and the change of time of all future Regular Sessions of Town Council from 7:00 p.m. to 6:00 p.m., as outlined in Section 9.01 of By-Law No. A-2, “A By-Law Respecting Procedures of the Town Council and Town Administration” will be reviewed at a future Committee meeting. **CARRIED**

**MODIFICATION OF COMMITTEE APPOINTMENTS AND CIVIC CENTRE  
PROJECT INC. BOARD APPOINTMENT**

Moved by Councillor Tinker

Seconded by Councillor Williams

- 172/08**       **THAT** the Council of the Town of St. Stephen approves and adopts the modifications detailed in the Mayor's Memorandum to Council dated 3 September 2008 entitled "Appointment to Committees of Council and to Civic Centre Board", copy attached, by Councillor Ken Parker replacing Councillor Robert Tinker on the Planning & Priorities Committee; Deputy Mayor Jim Maxwell replacing Councillor Ken Parker on the Public Safety & Environment Committee; and Councillor Robert Tinker replacing Deputy Mayor Jim Maxwell on the Community Services Committee.

**AND FURTHER THAT** the Council of the Town of St. Stephen approves and adopts the modifications detailed in the Mayor's Memorandum to Council dated 3 September 2008 entitled "Appointment to Committees of Council and to Civic Centre Board", copy attached, by the Chief Administrative Officer replacing Deputy Mayor Jim Maxwell on the Civic Centre Project Inc. Board. **CARRIED**

XIII.       **NEW BUSINESS**

1.       **CAO REPORT**

**REPORT OF CHIEF ADMINISTRATIVE OFFICER**

Moved by Councillor Tinker

Seconded by Councillor Williams

- 173/08**       **THAT** the report of the Chief Administrative Officer dated August 2008 be received. **CARRIED**

2.       **CAO**

**OPEN AND CLOSED MEETINGS OF COUNCIL**

Moved by Councillor Williams

Seconded by Councillor Tinker

- 174/08**       **THAT** the Council of the Town of St. Stephen intends to continue its discretion, whenever possible, in deciding whether or not a meeting shall be closed to the public as outlined in Section 10.2(4), (5) and (6), and a Book of Record shall be available for examination by the public in the office of the Clerk during regular office hours, as outlined in Section 10.2(7) in the *Municipalities Act*. **CARRIED**

**APPLICATION FOR FINANCING – GENERAL FUND**

Moved by Councillor Toumishey

Seconded by Deputy Mayor Maxwell

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**175/08** **BE IT RESOLVED THAT** the Clerk and/or Treasurer and/or Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of St. Stephen debenture in the principal amount of \$271,000.00 (two hundred and seventy one thousand dollars) on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and be it resolved that the Municipality of St. Stephen agree to issue post dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture

<u>Purpose</u>	<u>Amount</u>	<u>Term</u>
<b><u>Environmental Development Services</u></b>		
Billy Weston Environmental Development	\$ 13,000	9 Years
<b><u>Recreation and Cultural Services</u></b>		
Pool	\$ 19,000	4 Years
<b><u>Transportation Services</u></b>		
Street Rehabilitation	\$225,000	10 Years
Sidewalks	<u>\$ 14,000</u>	10 Years
	<u>\$271,000</u>	
<b><u>CARRIED</u></b>		

**APPLICATION FOR FINANCING – WATER & SEWER FUND**

Moved by Councillor Tinker  
Seconded by Councillor Williams

**176/08** **BE IT RESOLVED THAT** the Clerk and/or Treasurer and/or Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of St. Stephen debenture in the principal amount of \$159,000.00 (one hundred and fifty nine thousand dollars) on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and be it resolved that the Municipality of St. Stephen agree to issue post dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture

<u>Purpose</u>	<u>Amount</u>	<u>Term</u>
<b><u>Environmental Health Services</u></b>		
Water and Sewer Crossings-Intersections of Hawthorne Street and Route #3	<u>\$159,000</u>	10 Years
<b><u>CARRIED</u></b>		

**STATEMENTS OF REVENUE AND EXPENDITURES**

Moved by Councillor Tinker

Seconded by Councillor Williams

- 177/08**       **THAT** the Statements of Revenue and Expenditures for both the General Operating Fund and Water and Sewerage Operating Fund to June 30, 2008 be received. **CARRIED**

**UNBUDGETED EXPENDITURES**

Moved by Councillor Tinker

Seconded by Deputy Mayor Maxwell

- 178/08**       **THAT** the following unbudgeted expenditures (plus applicable taxes) and budgetary reallocations be approved:

Loon Bay Lodge-Council Retreat Expenses	Actual-\$2,097.00	Paid from reallocation Council Convention
Ken Harding-Council Retreat Expenses	Approximate-\$3,018.00	Paid from reallocation Council Convention
Fundy Engineer-Dump Monitor Expenses	Approximate-\$6,088.00	Paid from reallocation Regional Landfill
Part-time Office Staff Expenses	Approximate-\$3,500.00	Paid from reallocation Administrative-Other

**CARRIED**

**CHEQUE REGISTER**

Moved by Councillor Williams

Seconded by Councillor Tinker

- 179/08**       **THAT** paid bills in the amount of \$491,002.98 (four hundred and ninety-one thousand, two dollars and ninety-eight cents) be ratified. **CARRIED**

Moved by Councillor Toumishey

Seconded by Deputy Mayor Maxwell

- 180/08**       **THAT** the paid bill (cheque # 2843) in the amount of \$150.01 (one hundred and fifty dollars and one cent) for The Tide be ratified. **CARRIED**

Moved by Councillor Tinker

Seconded by Councillor Parker

- 181/08**       **THAT** the paid bills (cheque # 3558 for \$6,049.95; cheque # 3584 for \$14,555.10; cheque # 2740 for \$5,035.69; and cheque # 2834 for \$15,426.87) in the amount of \$41,067.61 (forty-one thousand, sixty-seven dollars and sixty-one cents) for NB Power be ratified. **CARRIED**

**VOUCHER SIGNING PROCESS**

**THAT** the Council of the Town of St. Stephen adopts the recommendation of the Treasurer to eliminate the voucher signing process since the Town's auditors have confirmed that proper controls are in place. **LOST: LACK OF MOVER.**

**ACQUISITION OF PROPERTY AT 183 PLEASANT STREET, ST. STEPHEN, NB**

Moved by Councillor Tinker  
Seconded by Councillor Williams

- 182/08**       **THAT** the Council of the Town of St. Stephen accepts the offer to purchase PID #01311497, being surplus property, from the Provincial Department of Supply and Services, in the unbudgeted amount of \$3,000.00 (three thousand dollars), plus HST, legal fees and survey costs, subject to the necessary Provincial Departmental approval. **CARRIED**

**MUNICIPAL PLAN WORKING SCHEDULE**

Moved by Councillor Williams  
Seconded by Councillor Tinker

- 183/08**       **THAT** the working schedule for the Municipal Plan prepared by the Chief Administrative Officer dated September 4, 2008 be received. **CARRIED**

**FILLING OF FIRE EXTINGUISHERS POLICY – REVISION**

Moved by Councillor Tinker  
Seconded by Councillor Parker

- 184/08**       **THAT** the Council of the Town of St. Stephen adopts the revised Filling of Fire Extinguishers Policy #29 - A, attached. **CARRIED**

**AIRPORT ROTATING BEACON**

Moved by Councillor Tinker  
Seconded by Councillor Quartermain

- 185/08**       **THAT** the Council of the Town of St. Stephen authorizes an unbudgeted expense in the amount of \$5,700.00 (five thousand, seven hundred dollars), plus HST, for the purchase of a rotating beacon at the Giddens Memorial Airport, a fundamental safety requirement for night flying, which replaces the 24 year old beacon. **CARRIED**

**WATERFRONT TRAIL RECONSTRUCTION UPDATE**

Moved by Councillor Tinker  
Seconded by Deputy Mayor Maxwell

- 186/08**       **THAT** the update of the Director, Parks & Recreation dated August 27, 2008 be received. **CARRIED**

**OUT-OF-PROVINCE TRAVEL: DIRECTOR, PARKS & RECREATION**

Moved by Councillor Tinker  
Seconded by Councillor Williams

- 187/08**       **THAT** the Council of the Town of St. Stephen authorizes Michael O'Connell, Director, Parks & Recreation, to attend the Canadian Parks and Recreation Association National Conference/10<sup>th</sup> World Leisure Congress, in Québec City, Québec, October 6 - 10, 2008, inclusively. **CARRIED**

2. PLANNING & PRIORITIES COMMITTEE

No items this month.

3. FINANCE & ADMINISTRATION COMMITTEE

**12 QUEEN STREET EAST**

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 188/08** **THAT** the Council of the Town of St. Stephen approve the payment of an offer of \$20,000 (twenty-thousand dollars) to Carole Noël and Mark Porter, in full and final contribution to the alleviation of their situation at 12 Queen Street East, subject to Ms. Noël and Mr. Porter signing a full and final release. **CARRIED**

Councillor Quartermain voting in favour of the motion.

Councillor Tinker voting in favour of the motion.

Councillor Williams voting in favour of the motion.

Councillor Toumishey voting in favour of the motion.

Deputy Mayor Maxwell voting against the motion.

Councillor Parker voting against the motion.

4. PUBLIC SAFETY & ENVIRONMENT COMMITTEE

**BUILDING CANADA FUND (BCF) APPLICATION**

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 189/08** **THAT** the Council of the Town of St. Stephen approves the submission of an application to the Building Canada Fund for the sanitary and storm sewer separation to reduce combined sewer overflows and streets rehabilitation.

**CARRIED**

**RELOCATION OF CIVIC ADMINISTRATION – LEASE**

Moved by Councillor Williams

Seconded by Councillor Tinker

- 190/08** **THAT** the Council of the Town of St. Stephen authorizes the Mayor and Town Clerk to enter immediately into a leasing agreement with Heritage Chocolate Inc. for a period of six and two-thirds years (6 2/3) years, effective 1<sup>st</sup> January 2009, or as soon as practicable thereafter, and that Council authorizes the CAO to negotiate the final lease agreement. **CARRIED**

Deputy Mayor Maxwell voting in favour of the motion.

Councillor Tinker voting in favour of the motion.

Councillor Toumishey voting in favour of the motion.

Councillor Parker voting in favour of the motion.

Councillor Williams voting in favour of the motion.

Councillor Quartermain voting against the motion.

**SOUTH WEST SOLID WASTE COMMISSION – BOARD APPOINTMENT**

Moved by Councillor Tinker

Seconded by Deputy Mayor Maxwell

- 191/08**       **THAT** Frank Godsoe be re-appointed as the Town of St. Stephen's representative to serve on the Board of the South West Solid Waste Commission, for a three (3) year term, retroactive to September 1, 2008 and expiring on August 31, 2011. **CARRIED**

**AWARDING OF TENDER: STREETS REHABILITATION 2008 – UNION ST. – RUSHTON ST. – WATSON ST. – PROJECT NO. 046-179**

Moved by Councillor Parker

Seconded by Councillor Tinker

- 192/08**       **THAT** of the two (2) tenders received, the low tender of \$193,470.00 (one hundred and ninety-three thousand, four hundred and seventy dollars), including HST, from Classic Construction Ltd. of Saint John, NB, for rehabilitation of Union Street, Rushton Street and Watson Street in the Town of St. Stephen, be accepted. **CARRIED**

**DISCONTINUANCE OF SPRING CLEAN-UP OF BRUSH AND LEAVES**

Moved by Councillor Tinker

Seconded by Councillor Williams

- 193/08**       **THAT** the Council of the Town of St. Stephen agrees with the recommendation of the Public Works Superintendent to discontinue the spring clean-up of brush and leaves.

Moved by Councillor Williams that the motion be tabled.

Seconded by Councillor Parker. **CARRIED**

**AWARDING OF QUOTE: FIRE HOSE**

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

- 194/08**       **THAT** of the three (3) quotes received, the lowest quote of \$15,738.27 (fifteen thousand, seven hundred and thirty-eight dollars and twenty-seven cents), including HST, from Safety Source of Fredericton, NB, for the supply of fire hose for the new fire truck be accepted. **CARRIED**

5.       **COMMUNITY SERVICES COMMITTEE**

No items this month.

6. PLANNING ADVISORY COMMITTEE

Moved by Councillor Tinker

Seconded by Deputy Mayor Maxwell

**195/08** **THAT** the Minutes of the Planning Advisory Committee meetings held on July 21 and August 25, 2008, be accepted. **CARRIED**

XIV. REPORTS OF MAYOR AND COUNCILLORS

Deputy Mayor Maxwell

- Attended various meetings.

Councillor Quartermain

- Will be pleased when outstanding issues from the former Council are finalized and the new Council has a “fresh start”.

Councillor Williams

- Attended various Civic Centre meetings and is pleased that close to \$2M has been raised to date.
- Attended the joint BBQ between Calais and St. Stephen hosted this year by Calais.
- Stated, as a result of the Mayor’s European Heritage Week Proclamation, that there are more cultures, i.e. Aboriginal, Afro-American.
- Announced his disappointment with the Billy Weston Brook Project and stated that a lot of planning has gone into it, with very little action and requests an update from St. Croix Estuary Project Inc. on its status.

Councillor Toumishey

- As Chair of the Planning & Priorities Committee, pleased with the first meeting held on September 8<sup>th</sup> which determined from a list of Agencies, Boards and Commissions that 15 fall under this Committee, and the financial component of each will be prioritized.
- Members of the public may be invited to participate in future Planning & Priorities Committee meetings.

Councillor Parker

- Had a busy month.
- Enjoyed the Council Retreat at Loon Bay Lodge.

Councillor Tinker

- Attended and enjoyed the Council Retreat at Loon Bay Lodge.
- Attended an LNG meeting update in St. Andrews with the Mayor.
- Participated in a conference call with the Province with respect to the control of rabies.
- Attended a Zone 4 meeting in Black's Harbour.
- As Chair of the Environmental Sustainability Committee, involved in selling composters.
- Pleased that the RCMP attended a meeting with Salmon Falls Seniors as part of the community outreach initiative which informed and made them aware of issues surrounding drugs and their safety.
- Initiated discussions with the Ministerial Association with respect to them forming a possible partnership on the drug issues in our community.
- Congratulated the Fire Department on its annual bucket sit, and thanked Merton Lewis for his many dedicated hours.
- Thanked Able Taxi and Les Caldwell for their involvement with the Fire Department's bucket sit.

Mayor Purcell

- Thanked staff for its ongoing assistance with the new committee structure.
- Attended St. George Dragon Day Parade.
- Participated in various activities during International Festival and Chocolate Fest.
- Attended the Loyalist Burial Ground dedication.
- Attended and enjoyed the Council Retreat at Loon Bay Lodge held to discuss the initial stages of a Strategic Plan.
- Attended an LNG meeting update in St. Andrews.
- Extended a welcome on behalf of the Town at a Maritimes and Washington County Knights of Pythias dinner.
- Met with Honourable Greg Thompson, MP to discuss an overview of the Strategic Plan.
- Met with Honourable Rick Doucet, MLA to discuss an overview of the Strategic Plan.
- Met with Richard Fulton, President, Charlotte County Civic Centre Project, to discuss partnerships/co-ordination.
- Recognized various businesses:
  - (i) Allure Fashion - flowers for 1<sup>st</sup> anniversary
  - (ii) Money Saver - certificate for 25<sup>th</sup> anniversary
  - (iii) Bank of Montreal - flowers and certificate for 100<sup>th</sup> anniversary

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- (iv) Sweeney International - certificate acknowledging receipt of "Gulf of Maine Visionary Award"
- (v) Boys & Girls Club - certificate for opening of new daycare


XV. QUESTION PERIOD

There were no questions.

XVI. ADJOURNMENT

Moved by Councillor Williams  
Seconded by Councillor Parker

**196/08** THAT the meeting adjourn at 7:40 p.m. **CARRIED**



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Mayor



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CAO/Clerk