

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
SEPTEMBER 19, 2011 @ 7:00 P.M.

1. PRAYER

After the prayer, Council observed a moment of silence to recognize the 10th anniversary of 9/11.

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; Chief Administrative Officer/Development Officer John Ferguson; and, Town Clerk Joan Flewelling.

3. APPROVAL OF AGENDA

AGENDA

Moved by Councillor Williams
Seconded by Councillor Tinker

213/11

THAT the Agenda be approved with one addition: (l) Solid Waste Collection Agreement – Extension be added under 14. **NEW BUSINESS. CARRIED**

4. CONFLICT OF INTEREST

Councillor Donovan declared a conflict of interest and left Council Chambers at 7:26 p.m. and returned at 7:27 p.m.

5. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

- (a) Stem Cell Therapy Equipment – Mayor Purcell presented the Town's Grant to Victoria Clarke, Director of the Saint John Regional Hospital Foundation, and Vernon Seeley, Executive Member of the Fundraising Committee to be used towards the purchase of stem cell therapy equipment.
- (b) Citizens on Patrol (COPS) – Mayor Purcell presented the Town's Grant to Joe McMahon, Derek White and Ron Johnson, Members of COPS, and thanked the COPS for their dedicated volunteerism.

**MINUTES
REGULAR COUNCIL
SEPTEMBER 19, 2011**

2

(c) Signage – James Todd of Magnetsigns St. Stephen questioned why portable signs are prohibited and it was the decision of Council to bring the matter back to a future Committee meeting.

(d) Arthritis Awareness Month – Proclamation

Mayor Purcell proclaimed the month of September as “Arthritis Awareness Month”:

WHEREAS, September is known as Arthritis Awareness Month during which time The Arthritis Society promotes public awareness about this chronic disease that can affect children, adults and the elderly.

The Society educates people about this disease through the Arthritis Information Line, The Arthritis Society’s website, the Arthritis Public Forum series, the Arthritis Self-Management Program, and Chronic Pain Management Workshops.

The Society strives to build positive relationships with elected officials in an effort to establish equitable access to care and treatment for arthritis.

Through education, support, understanding and awareness of arthritis, The Society helps nearly 4.5 million people and raises funds through door-to-door canvassing and initiatives such as Go Blue & Give Too and Bluebird sales.

Arthritis Awareness Month will focus on communities committing to a world without arthritis, providing help to those living with arthritis and supporting innovative research to ultimately find a cure for this debilitating disease.

NOW THEREFORE, I, Mayor G. L. (Jed) Purcell, hereby proclaim **September 2011** as “**Arthritis Awareness Month**” in the Town of St. Stephen, New Brunswick.

6. NOTICES OF MOTIONS

No notices of motions.

7. APPROVAL OF COUNCIL MINUTES

REGULAR COUNCIL MEETING

Moved by Councillor Williams
Seconded by Councillor Tinker

214/11

THAT the Minutes of the Regular Council meeting held on August 22, 2011 be approved as circulated. **CARRIED**

MINUTES
REGULAR COUNCIL
SEPTEMBER 19, 2011

3

8. ACCOUNTS

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Councillor Williams
Seconded by Councillor Tinker

- 215/11 **THAT** the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to July 31, 2011 be received. **CARRIED**

PAID BILLS

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

- 216/11 **THAT** the paid bills in the amount of \$685,692.81 (six hundred and eighty-five thousand, six hundred and ninety-two dollars and eighty-one cents) be ratified. **CARRIED**

PAID BILL: CONFLICT – SELDON SMITH & SONS LIMITED

Moved by Councillor Williams
Seconded by Councillor Tinker

- 217/11 **THAT** the paid bill (Cheque # 8885) in the amount of \$300.00 (three hundred dollars and zero cents) for Seldon Smith & Sons Limited be ratified. **CARRIED**

9. COMMUNICATIONS

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Tinker
Seconded by Councillor Williams

- 218/11 **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 Williams
Seconded by Deputy Mayor Maxwell

- 219/11 **THAT** the Minutes of the Committee of Council meeting held on August 22, 2011 be approved as circulated. **CARRIED**

COMMITTEE OF COUNCIL MEETING

Moved by Deputy Mayor Maxwell
Seconded by Councillor Toumishey

- 220/11 **THAT** the Minutes of the Committee of Council meeting held on August 24, 2011 be approved as circulated. **CARRIED**

COMMITTEE OF COUNCIL MEETING

Moved by Councillor Williams
Seconded by Deputy Mayor Maxwell

- 221/11 **THAT** the Minutes of the Committee of Council meeting held on September 1, 2011 be approved as circulated. **CARRIED**

COMMITTEES MEETING

Moved by Councillor Copeland
Seconded by Councillor Toumishey

- 222/11 **THAT** the Minutes of the Committees meeting – Public Safety & Environment; Planning & Priorities; Community Services; and Finance & Administration held on September 7, 2011 be approved as circulated. **CARRIED**

11. **STAFF REPORTS**

STAFF REPORTS

Moved by Councillor Williams
Seconded by Deputy Mayor Maxwell

- 223/11 **THAT** the following staff reports for the month of August 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. A – 8.2 - “A BY-LAW TO AMEND A BY-LAW RESPECTING THE DUTIES AND POWERS OF THE CHIEF ADMINISTRATIVE OFFICER” – SECOND READING – READING IN ITS ENTIRETY

Moved by Councillor Williams
Seconded by Councillor Tinker

- 224/11 **THAT** By-Law No. A – 8.2 – “A By-law to Amend a By-law Respecting the Duties and Powers of the Chief Administrative Officer” - be given Second Reading – Reading in its Entirety. **CARRIED**

MINUTES
REGULAR COUNCIL
SEPTEMBER 19, 2011

5

BY-LAW NO. A – 8.2 - “A BY-LAW TO AMEND A BY-LAW RESPECTING THE DUTIES AND POWERS OF THE CHIEF ADMINISTRATIVE OFFICER” – THIRD AND FINAL READING – SHORT TITLE ONLY

Moved by Councillor Tinker

Seconded by Councillor Williams

- 225/11 **THAT** By-Law No. A – 8.2 – “A By-law to Amend a By-law Respecting the Duties and Powers of the Chief Administrative Officer” - be given Third and Final Reading – Short Title Only. **CARRIED**

BY-LAW NO. W-1 – A BY-LAW RESPECTING WATER AND SEWER RATES AND CHARGES – SECOND READING – SECTION NUMBERS ONLY

Moved by Deputy Mayor Maxwell

Seconded by Councillor Copeland

- 226/11 **THAT** By-Law No. W-1, “A By-Law Respecting Water and Sewer Rates and Charges” – be given Second Reading – Section Numbers Only. **CARRIED**

BY-LAW NO. W-1 – A BY-LAW RESPECTING WATER AND SEWER RATES AND CHARGES – THIRD AND FINAL READING – SHORT TITLE ONLY

Moved by Councillor Tinker

Seconded by Councillor Williams

- 227/11 **THAT** By-Law No. W-1, “A By-Law Respecting Water and Sewer Rates and Charges” – be given Third and Final Reading – Short Title Only. **CARRIED**

BY-LAW NO. W-2 – A BY-LAW RELATING TO THE WATER AND SEWER SYSTEMS – SECOND READING – SECTION NUMBERS ONLY

Moved by Councillor Tinker

Seconded by Councillor Williams

- 228/11 **THAT** By-Law No. W-2, “A By-Law Relating to the Water and Sewer Systems” – be given Second Reading – Section Numbers Only. **CARRIED**

BY-LAW NO. W-2 – A BY-LAW RELATING TO THE WATER AND SEWER SYSTEMS – THIRD AND FINAL READING – SHORT TITLE ONLY

Moved by Deputy Mayor Maxwell

Seconded by Councillor Tinker

- 229/11 **THAT** By-Law No. W-2, “A By-Law Relating to the Water and Sewer Systems” – be given Third and Final Reading – Short Title Only. **CARRIED**

BY-LAW NO. W-3 – A BY-LAW REGULATING THE DISCHARGE OF WATER OR WASTEWATER INTO DRAINS, STORM AND SANITARY SEWER SYSTEMS – SECOND READING – SECTION NUMBERS ONLY

Moved by Councillor Williams

Seconded by Councillor Tinker

- 230/11 **THAT** By-Law No. W-3, “A By-Law Regulating the Discharge of Water or Wastewater into Drains, Storm and Sanitary Sewer Systems” – be given Second Reading – Section Numbers Only. **CARRIED**

BY-LAW NO. W-3 – A BY-LAW REGULATING THE DISCHARGE OF WATER OR WASTEWATER INTO DRAINS, STORM AND SANITARY SEWER SYSTEMS – THIRD AND FINAL READING – SHORT TITLE ONLY

Moved by Deputy Mayor Maxwell

Seconded by Councillor Copeland

- 231/11 **THAT** By-Law No. W-3, “A By-Law Regulating the Discharge of Water or Wastewater into Drains, Storm and Sanitary Sewer Systems” – be given Third and Final Reading – Short Title Only. **CARRIED**

14. **NEW BUSINESS**

CALL-OUTS POLICY

Moved by Councillor Toumishey

Seconded by Councillor Copeland

- 232/11 **THAT** the Council of the Town of St. Stephen approves Call-Outs Policy No. 17 effective immediately. **CARRIED**

WATER & SEWER SERVICE POLICY

Moved by Councillor Tinker

Seconded by Councillor Williams

- 233/11 **THAT** the Council of the Town of St. Stephen approves Water & Sewer Service Policy No. 13 retroactive to November 1, 2010. **CARRIED**

THE TOWN OF ST. STEPHEN’S GARCELON CIVIC CENTER – CALLS FOR EXPRESSION OF INTEREST

Moved by Councillor Tinker

Seconded by Councillor Donovan

- 234/11 **THAT** the Chief Administrative Officer, or his designate, was directed to issue the following five (5) calls for expression of interest which were previously endorsed in Closed Committee of Council meetings as per Section 10.2(4)(c) & (d) of the New Brunswick *Municipalities Act*.

- Demolition of Existing Buildings
- Environmental Professional Services
- Geotechnical Services
- Site Soil Remediation/Improvement Services
- Design Build Contract, Proposed Town of St. Stephen’s Garcelon Civic Center

CARRIED

ENERGY AUDITS AND APPLICABLE CAPITAL PLANS – MUNICIPAL BUILDINGS

Moved by Councillor Tinker
Seconded by Councillor Williams

- 235/11 **THAT** the Council of the Town of St. Stephen accepts the proposal in the unbudgeted amount of \$9,500.00 (nine thousand, five hundred dollars), plus applicable taxes, from Capital Management Engineering Limited of Halifax, NS to complete four energy audits on the following four (4) Town-owned buildings: Fire Station & Public Works Building (199 Union Street); Library (11 King Street); Train Station (5 King Street); and RCMP Detachment Office (16 Hawthorne Street), with two capital plans for the facilities located at 199 Union Street and 5 King Street. **CARRIED**

COUNCIL REQUEST – PLANNING ADVISORY COMMITTEE – PROPOSED REZONING OF 15 QUEEN STREET WEST

Moved by Councillor Williams
Seconded by Deputy Mayor Maxwell

- 236/11 **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 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 # 01304500, 15 Queen Street West, be changed from Residential Mix (R-2) to Commercial Mix (CM) to allow for a small office and storage for an electrical contractor. **CARRIED**

SETTING DATE FOR PUBLIC PRESENTATION – PROPOSED REZONING OF 15 QUEEN STREET WEST

Moved by Councillor Williams
Seconded by Councillor Tinker

- 237/11 **THAT** Wednesday, October 5, 2011 at 5:30 p.m. in Council Chambers, 73 Milltown Blvd., Suite 112 (entrance at back corner of building) St. Stephen, NB be set as the date, time and place for a Public Presentation of proposed By-law M-1.1, “A By-Law to Amend By-Law No. M-1, being the Town of St. Stephen Municipal Plan By-Law”, which would see the consideration of the property known as 15 Queen Street West (PID # 01304500) rezoned from Residential Mix (R-2) to Commercial Mix (CM) to allow for a small office and storage for an electrical contractor. **CARRIED**

JOHN E. “JAKE” DONAHUE MEMORIAL PARK SIGN

Moved by Deputy Mayor Maxwell
Seconded by Councillor Williams

- 238/11 **THAT** the Council of the Town of St. Stephen approves the unbudgeted expenditure of \$1,217.01 (one thousand, two hundred and seventeen dollars and one cent), including HST, for the design and construction of the John E. “Jake” Donahue Memorial Park sign. **CARRIED**

BUILDING INSPECTION SERVICES – CONTRACT RENEWAL

Moved by Councillor Tinker

Seconded by Councillor Williams

239/11

THAT the Council of the Town of St. Stephen renews the contract for building inspection services with Fundy Building Inspection & Drafting Services Ltd. (Fundy) for one year from January 1, 2012 to December 31, 2012 on the terms and conditions contained in the attached draft letter dated September 20, 2011 to be signed and sealed by Manzer H. Young, President of Fundy, and the Council authorizes the Mayor and Town Clerk to execute the letter and affix the Town Seal. **CARRIED**

Deputy Mayor Maxwell voting in favour of the motion.

Councillor Toumishey voting in favour of the motion.

Councillor Williams voting in favour of the motion.

Councillor Tinker voting in favour of the motion.

Councillor Copeland voting in favour of the motion.

Councillor Donovan voting against the motion.

PLUMBING BILL - FUNDY REGION TRANSITION HOUSE, INC.

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

240/11

THAT the Council of the Town of St. Stephen approves the request from Fundy Region Transition House, Inc. for an unbudgeted grant in the amount of \$215.41 (two hundred and fifteen dollars and forty-one cents), plus non-reimbursed HST, for a plumbing bill as a result of flooding in the basement. **CARRIED**

SAINT JOHN REGIONAL HOSPITAL FOUNDATION – STEM CELL THERAPY EQUIPMENT

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

241/11

THAT the Council of the Town of St. Stephen approves the unbudgeted grant of \$5,000.00 (five thousand dollars) to the Saint John Regional Hospital Foundation - The Give 2011 fundraising campaign for the purchase of stem cell therapy equipment. **CARRIED**

PHOTOCOPIER CONTRACT

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

242/11

THAT the Council of the Town of St. Stephen approves an authorization for the Mayor and Town Clerk to sign a five (5) year contract with Konica Minolta for the lease of a Bizhub 363 photocopier. **CARRIED**

**MINUTES
REGULAR COUNCIL
SEPTEMBER 19, 2011**

9

SOLID WASTE COLLECTION AGREEMENT – EXTENSION

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

- 243/11** **THAT** the Council of the Town of St. Stephen authorizes an extension for solid waste collection with Fero Waste & Recycling Inc. (Fero) retroactive to September 7, 2011 and expiring October 31, 2011 conditional on the attached addendum being agreed to by Fero. **CARRIED**

15. **REPORTS OF MAYOR AND COUNCILLORS**

Councillor Copeland

- Attended various Town meetings.
- Great experience to participate in the Stanley Cup Parade.
- Served breakfast at the Fall Fair and stated that it was a wonderful day at the Ganong Nature Park.

Councillor Tinker

- Attended the grand opening of Granville Park Place and stated that it is a much needed service for the Town, as well as outlying areas.
- Marched in the Charlotte County Abuse Prevention Network “Take Back the Night” event.
- Served breakfast at the Fall Fair.
- Concerned with the increased number of wild animals in Town and stated that legislation has changed and municipalities are responsible for addressing wildlife issues, and suggested it be addressed at the upcoming Union of Municipalities of New Brunswick (UMNB) annual conference.

Councillor Williams

- Stated that the Stanley Cup Parade was a well-organized event.
- Attended the Fall Fair at the Ganong Nature Park and was pleased to see heavy traffic in the area.
- Stated that proposed revisions to by-laws should be well highlighted.

Deputy Mayor Maxwell

- Attended various Town meetings.
- Attended a Planning Advisory Committee meeting.

**MINUTES
REGULAR COUNCIL
SEPTEMBER 19, 2011**

10

- Supported the Fire Department's annual bucket sit.
- Very pleased that Milltown Heights was part of the Stanley Cup Parade and commended the Sweeney family for their preparations/participation.
- Asked Council to support the upcoming Charlotte County Cancer Society fundraiser at Dooly's.

Councillor Donovan

- Attended and very much enjoyed the Fall Fair.
- Hoped the Lions Club had a successful volunteer road toll which was on the same day as the Fall Fair.

Councillor Toumishey

- Thanked Council for its support in promoting smoke-free playgrounds.
- Attended the Fall Fair and thought the Ganong Nature Park was a great location.
- Stated that it was a great day when the Stanley Cup was in Town which attracted people from outside the area, and therefore people will be attracted to future Garcelon Civic Center activities.

Mayor Purcell

- Pleased with the turn out at the Fall Fair.
- Thanked Councillors for attending the Fall Fair and assisting with the breakfast.
- Attended the grand opening of Granville Park Place and commended the developers on an excellent job.
- Marched in the Charlotte County Abuse Prevention Network "Take Back the Night" event.
- Thinks community is pulling together more and successful events, like the Stanley Cup Parade, will draw more people and will assist the Garcelon Civic Center.
- Stated that most of his time is related to Civic Center preparations.

16. THE TOWN OF ST. STEPHEN'S GARCELON CIVIC CENTER UPDATE

The attached update dated September 16, 2011 was provided by the Chief Administrative Officer.

MINUTES
REGULAR COUNCIL
SEPTEMBER 19, 2011

11

17. QUESTION PERIOD

There were no questions.

18. ADJOURNMENT

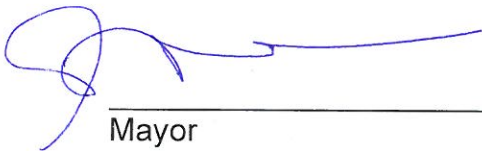
ADJOURNMENT


Moved by Deputy Mayor Maxwell

Seconded by Councillor Copeland

244/11

THAT the meeting adjourn at 8:25 p.m. CARRIED



Mayor

Town Clerk