

**TOWN OF HAMPTON
COUNCIL MEETING
April 8, 2014**

A closed session of Council was held immediately preceding the regular Council meeting, commencing at 6:00 p.m. A regular meeting of Council was held in the Council Chambers at 27 Centennial Road on April 8, 2014 commencing at 7:00 p.m.

ATTENDANCE:

Council: Mayor Ken Chorley
Deputy Mayor Gary Crossman
Councillor Peter Behr
Councillor Robert Doucet

Staff: Richard Malone, Town CAO/Assistant Town Clerk
Megan O'Brien Harrison, Clerk/Communications Officer

Media: Laura McInnis, Kings County Record

Delegations: Cpl. Pat Cole, RCMP
Kent McNeilly, 46 Langstroth Terrace

Guests: Chris Rendell
Bill Stack

1. CLOSED SESSION

In accordance with Section 10.2(4) of the *Municipalities Act*, Mayor Chorley called the closed session to order at 6:00 p.m. and adjourned the closed session at 6:58 p.m. During that time, a number of issues were discussed and the confidential information from such discussions was classified as follows:

<u>Subsection of 10.4 (2)</u>	<u>Category</u>	<u># of Items</u>
a)	Confidential information protected by law	
b)	Personal information	
c)	Financial loss or gain (individual or municipal) or could jeopardize negotiations leading to an agreement or contract	3
d)	Land transactions for a municipal purpose	2
e)	Violates confidentiality of information obtained from other governments (Federal and/or Provincial)	
f)	Legal opinions or advice, and privileged communications	1
g)	Litigation or potential litigation	
h)	Access to/or security of particular buildings, other structures or systems	
i)	Information gathered by police	
j)	Labour/Employment matters	1

2. OPEN REGULAR SESSION

Mayor Chorley called the Open Session to order at 7:03 p.m. Mayor Chorley noted that Councillor Bond was absent this evening due to a personal matter.

3. MOMENT OF REFLECTION

Councillor Doucet led the moment of reflection.

4. APPROVAL OF AGENDA

Approval of Agenda

The Town Clerk requested the addition of item 14.8 *Municipal Borrowing Board* to the agenda.

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the agenda of the April 8th, 2014 Council meeting be approved as presented with the addition of item 14.8 Municipal Borrowing Board.

Motion Carried

5. DISCLOSURE OF CONFLICT OF INTEREST

Councillors were asked to disclose any conflicts of interest as they arise.

6. DELEGATIONS AND PUBLIC HEARINGS

a. Cpl. Pat Cole - Hampton RCMP Report

Cpl. Cole (acting Sargent) reviewed the Monthly Incident Report for March 2014.

b. Kent McNeilly, 46 Langstroth Terrace

Mr. McNeilly requested to speak on a variety of topics, while keeping within the time limits of the Town's Procedural By-law. He stated that he would be speaking on his concerns & questions regarding the continuation of fracking moratorium; oil trains (speed & safety measures), pipelines, LED street lights and deer.

Fracking: Mr. McNeilly stated that he recalled Council proclaiming a temporary moratorium on fracking at a well-attended council meeting while more could be learned about the industry. He wondered what has since been learned about this industry and where does this issue now stand. He also wondered if there was anything that the Town of Hampton can do to assist the local area LSDs in dealing with the issue. He wondered if it was possible to have Kings County take a collaborative stance related to an issue and if this was something that the Town of Hampton had ever considered pursuing.

Trains: Mr. McNeilly stated that in years past, numerous trains have passed through the Town of Hampton without major catastrophic accidents. He noted that passenger trains have disappeared, the nature of freight has changed considerably, as has the ownership of the companies who haul these new categories of freight and maintain the railways from a Crown Corporation to a for-profit business. He wondered if all the necessary safety measures were in place. Had the Hampton EMO Committee covered all necessary elements in their approved *All Hazards Plan*? He wondered if the Town of Hampton was monitoring the speed of the trains as they passed through Town.

Pipelines: Mr. McNeilly stated that he understands that the proposed west-east pipeline, is planned to traverse property in or near the Town of Hampton. He wondered if the Town of Hampton made any expression of support for this proposed pipeline and if so, what they had based their decision upon. He wondered if concerns had been raised about where this proposed pipeline will traverse the Kennebecasis River and/or what effect this pipeline might play on the aquifer that may supply fresh water to the Town? He wondered if these matters that the Town Council concerns itself with or are these matters turned over to a committee to deal with? Has the Council been invited to meet with the proponents of the west-east pipeline?

L.E.D. Street Lights: Mr. McNeilly stated it was his understanding that the Town of Hampton has a financial agreement with NB Power, who provides and maintains the majority of the town street lights and that NB Power is in the process of swapping out approximately 72,000 street lights in communities throughout New Brunswick, replacing the current high pressure sodium lights with the more energy efficient light emitting diode (LED) street lights. He said the ambience of the soft coppery-orange glow that is emitted from the current street lights is easy on the eye, as opposed to the harsh blue-white glare of the typical LED street light. He noted that Amherst based LED Roadway Lighting company states on their website that they offer a number of options regarding the color/temperature spectrum of their lights, as well as numerous intensity options. He asked that the Town explore the various configurations and colour/temperature options available and negotiate the best solution for lighting our streets & sidewalks, both from an aesthetic perspective and from a health perspective. He provided Council with some resources including a Nature of Things documentary entitled *Lights Out*.

Deer: Mr. McNeilly wondered what options are being considered to reduce deer numbers and control lyme disease and other problems caused by the numerous deer in the Hampton area. He wondered if Council was familiar with the deer control experiment carried out some years ago on Manitoulin Island that, through hunting, reduced the female numbers and increasing the size and health of the bucks, resulting in a specialty hunting program focused on large bucks with racks and increased the revenues generated from the specialty hunting licenses. He was not sure if there was any fact to this experiment.

Mr. McNeilly stated that he would be interested in understanding why a decision was made to do a monthly bulk mail-out of The Town of Hampton Community Newsletter, in lieu of continuing to utilize the bi-weekly services offered by Ossekeag Publishing's *The Hampton Herald*. He felt the Herald is an appropriate vehicle for such a purpose and the Town should be supporting the business.

Finally, he ended by inquiring as to where citizens could access copies of the Town Council minutes on the website. Mr. McNeilly was directed to click on *Town Hall* on the top banner of the home page, and then click on Town Council Meetings.

Councillor Doucet will be in contact with Mr. McNeilly to discuss the deer issue and the progress of the KV Deer Committee.

Council thanked him for his presentation and advised him that his questions would be directed to the appropriate staff member for response.

7. ADOPTION OF MINUTES

Minutes of March 11, 2014

Moved by Councillor Behr and seconded by Councillor Doucet that the minutes of the March 11, 2014 Regular Council Meeting be adopted.

Motion Carried

8. BUSINESS ARISING FROM MINUTES

There are none.

9. CORRESPONDENCE LIST

#	NAME	DESCRIPTON	Recommended Action
14-031	Barry Ogden, The Marigold Project	Acknowledgement of the Town's involvement in the Marigold Project which set the world record for the number of people planting flowers at the same time on June 6, 2013. They sent the Town a plaque to commemorate the feat.	Moved by Councillor Doucet and seconded by Deputy Mayor Crossman that correspondence #14-031 be received and filed. Motion Carried
14-032	Brian Harris, Board Chair, Dr. V.A. Snow Centre	Requesting that the Town put out a call for proposals to complete a comprehensive assessment of real and emerging needs in the community.	Moved by Deputy Mayor Crossman and seconded by Councillor Behr that correspondence #14-032 be referred to the Health Care committee. Motion Carried
14-033	Honourable Claude Williams, Minister of Transportation and Infrastructure	Approval under the 2014 program for improvements to provincially designated highways in municipalities in the estimated amount of \$175,000 plus non-recoverable HST for curb and gutter and asphalt paving on Route 121 (Main Street) from Hall Road to Keirstead Avenue.	Moved by Councillor Behr and seconded by Deputy Mayor Crossman that the Town of Hampton accept the funding under the 2014 program for improvements to provincially designated highways in municipalities in the estimated amount of \$175,000 plus non-recoverable HST for curb and gutter and asphalt paving on Route 121 (Main Street) from Hall Road to Keirstead Avenue from the Department of Transportation and Infrastructure. Motion Carried
14-034	Jessica Bonnell, Sue Arseneault and Betty-Ann Waugh, New Brunswick Organ & Tissue Donation Program	Request that the Town of Hampton again display outdoor green lights the week of April 20-27, 2014 in support of Organ and Tissue Donation Awareness Week.	Moved by Deputy Mayor Crossman and seconded by Councillor Doucet that correspondence #14-034 be referred to the Leisure Services Department to display a green light in the Town Square for the week of April 20-27th in support of Organ and Tissue donation awareness. Motion Carried

14-035	Sean Finn, Executive Vice- President Corporate Services – CN	Copy of a new release CN issued on March 25, 2014 describing a number of current key safety initiatives.	Moved by Councillor Behr and seconded by Deputy Mayor Crossman that correspondence #14-035 be referred to staff. Motion Carried
14-036	John Barnstead, Rotary Club of Hampton	Request to purchase tickets to the Rotary Club of Hampton Roast Beef Mystery Dinner on Saturday, May 3 rd .	Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton purchase tickets for available Councillors at a cost of \$50 each to the Rotary Club Mystery Dinner on Saturday, May 3rd at the Hampton Seniors Resource Centre. Council will notify the Town's administrative assistant by Friday if they are able to attend. Motion Carried
14-037	Whitney Machin, Development Coordinator, MS Society of Canada, Atlantic Division	Request to confirm route as being acceptable and free of any planned road works or construction for the 10 th Annual MS Bike Tour Scheduled for June 28 th and 29 th .	Moved by Councillor Doucet and seconded by Deputy Mayor Crossman that correspondence #14-037 be referred to the Public Works Superintendent to confirm the route as being acceptable and free of any planned road works or construction for the 10th Annual MS Bike Tour Scheduled for June 28th and 29th. Motion Carried
14-038	Alan Kerr, District Engineer, Department of Transportation and Infrastructure	Copy of letter to Whitney Machin, Development Coordinator, MS Society of Canada, Atlantic Division noting that they have no objections to the proposed route for the MS Bike Tour as long as their conditions are met.	Moved by Deputy Mayor Crossman and seconded by Councillor Behr that correspondence #14-038 be referred to the Public Works Superintendent. Motion Carried
14-039	Miramichi City Council	Copy of resolution to the Federation of Canadian Municipalities regarding door-to-door postal delivery in Canada.	Moved by Councillor Doucet and seconded by Councillor Behr that correspondence 14-039 be received and filed. Motion Carried
14-040	Campbellton City Council	Copy of resolution to the Federation of Canadian Municipalities regarding door-to-door postal delivery in Canada.	Moved by Councillor Behr and seconded by Councillor Doucet that correspondence 14-040 be received and filed. Motion Carried

10. APPROVAL OF ACCOUNTS

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton approve the General and Utilities Fund Paid Invoices from March 1 to March 31, 2014 for the amount of three hundred and thirty-five thousand and seventy-one dollars and twenty-five cents (\$335,071.25)

Motion Carried

11. REPORTS FROM COMMITTEES

11.1 Economic Development and Tourism

Moved by Deputy Mayor Crossman and seconded by Councillor Doucet that the Town of Hampton accept, with regret, the resignation of Holly Singh from the Economic Development and Tourism Committee. Holly Singh will be remaining as a member of the BRE subcommittee.

Motion Carried

The Mayor will be sending her a letter of thanks for her contribution to the Economic Development and Tourism committee.

11.2 Planning Advisory Committee

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton enter into the amending subdivision developer's agreement with 607152 N.B. Ltd. (John W. Smith Carpentry) for Dineen Subdivision – Phase 4C, to allow for the construction of either terrace dwellings, small lot single family dwellings or semi-detached dwellings on the remaining undeveloped lots, which includes the terms and conditions of the Planning Advisory Committee from their meeting of March 25th, 2014.

Motion Carried

Moved by Deputy Mayor Crossman and seconded by Councillor Doucet that the Town of Hampton accept the written comments of the Planning Advisory for the rezoning application for 13 Keirstead Avenue.

Motion Carried

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton hold the public hearing of the proposed Zoning By-law Amendment for 13 Keirstead Avenue from a residential to mixed use zone to allow for both office and residential uses on Tuesday, May 13th, 2014 at 7 pm in Council Chambers.

Motion Carried

11.3 Environment Committee

Councillor Behr provided an overview of the Environment Committee minutes. The committee into tributary monitoring and possibly liaising with high school on this project. The Committee would also like to increase public awareness on the opportunities for recycling and reusing. It was suggested that garbage and compost tonnage could be posted on the Town website, and possibility on the newsletter, on a quarterly basis.

11.4 Fire-Rescue

Council reviewed the Fire-Rescue Report.

11.5 Health Care

Moved by Deputy Mayor Crossman and seconded by Councillor Doucet that the Town of Hampton accept, with regret, the resignation of Jim Hovey from the Health Care Committee.

Motion Carried

Mayor Chorley will send him a letter of thanks for his contributions to the Health Care Committee and the Town of Hampton.

Moved by Councillor Doucet and seconded by Deputy Mayor Chorley that Dr. Hall be appointed to the Health Care Committee effective immediately.

Motion Carried

11.6 Public Works and Utilities Commission

Moved by Deputy Mayor Crossman that the Town of Hampton permit the owner of 1005 Main Street to connect the foundation perimeter drain to the Town's Sanitary Sewer line providing the following conditions are met:

- **all materials used for this work shall be approved by the Town;**
- **A backflow valve shall be installed between the perimeter drain and the sanitary sewer;**
- **the owner of 1005 Main street is responsible for all expenses associated with this work; and,**
- **the owner of 1005 Main Street shall sign a release absolving the Town of any liability.**

As recommended by the Public Works Advisory and Utilities Commission.

Motion Carried

Moved by Councillor Behr and seconded by Deputy Mayor Crossman that Council appoint Leslie Holland to the Public Works Advisory and Utilities Commission for a three-year term effective immediately and ending on December 31, 2016 as recommended by the Public Works Advisory and Utilities Commission.

Motion Carried

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton authorize the Town Treasurer to evaluate delinquent sewer accounts for consideration of suspending interest and penalties calculated on such accounts. Accounts that were in arrears prior to the implementation of the Town of Hampton Policy on Sewer Disconnection enacted on January 1, 2013 may be considered for suspension of interest and penalties effective April 1, 2014 if the balance on the account exceeded \$1500 as of January 1, 2013. Accounts will only be considered for suspension of interest and penalties on the condition that a suitable payment arrangement is agreed to with the Town. Failure to meet the agreed to payment arrangement would result in the termination of the of the interest and penalty suspension as recommended by the Public Works Advisory and Utilities Commission.

Motion Carried

Moved by Councillor Doucet and seconded by Deputy Mayor Crossman that the Town of Hampton accept the reports from the Economic Development and Tourism Committee, Planning Advisory, Environment Committee, Fire-Rescue, Health Care, Public Works and Utilities Commission, RCMP and Joint Health and Safety Committees as submitted.

Motion Carried

12. APPROVAL OF REPORTS

12.1 Building Inspector Report

Council noted that the number of building permits issued is up this month.

12.2 Dog Constable

Council reviewed the dog constable report.

12.3 Tourism Manager

Council reviewed the Tourism Manager report.

12.4 Financial Report

Council reviewed the Financial Report.

Moved by Councillor Behr and seconded by Councillor Doucet that the Town of Hampton approve the Building Inspector, Dog Constable Report, Tourism Manager, and Financial reports as presented.

Motion Carried

13 READING OF BY-LAWS

13.1 By-law to amend the PAC By-law

Moved by Councillor Behr and seconded by Deputy Mayor Crossman that the Town accept the third and final reading of By-law 206-14 A *By-law to Amend Planning Advisory Committee By-law No. 195-11.*

Motion Carried

13.2 By-law to amend the Zoning By-law

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town accept the 1st reading of By-law 207-14 A *By-law to Amend the Zoning By-law 190-10.*

Motion Carried

Moved by Councillor Behr and seconded by Councillor Doucet that the Town accept the 2nd reading of By-law By-law 207-14 A *By-law to Amend the Zoning By-law 190-10.*

Motion Carried

14. NEW BUSINESS

14.1 CBDC Lease

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton enter into the renewed lease agreement with CBDC for Suites 2,4, 6 and 8 of the Centennial Building for a 3 year term from May 1, 2014 to April 30, 2017 with an option for a one-year extension with the rate to be negotiated.

Motion Carried

14.2 Osprey Adventures Lease

Moved by Councillor Doucet and seconded by Deputy Mayor Crossman that the Town of Hampton enter into the lease agreement with Osprey Adventures for the 2014 season as presented and recommended by the Tourism Manager.

Motion Carried

14.3 Zelda's River Adventures Lease

Moved by Councillor Behr and seconded by Deputy Mayor Crossman that the Town of Hampton enter into the lease agreement with Zelda's River Adventures for the 2014 season as presented and recommended by the Tourism Manager.

Motion Carried

14.4 Insurance Renewal

Moved by Councillor Doucet and seconded by Councillor Behr that the topic of Insurance Renewal be tabled until the next meeting of Council.

Motion Carried

14.5 Tractor Tender

Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton award Tender LS-2014-01 to Hall Bros. Enterprises Ltd. for a 2014 Kubota L4760 HST CC for a tender price of fifty-four thousand six hundred and eight-five dollars and twenty-two cents includes HST and the trade-in of existing tractor and implements as recommended by the Leisure Services Director.

Motion Carried

14.6 Special Meeting

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton hold a special meeting at 4 pm on Wednesday April 16th, 2014 with the following agenda items:

HR – Leisure Services

Insurance – Renewal

Motion Carried

14.7 Leisure Services Advisory

Moved by Councillor Doucet and seconded by Deputy Mayor Crossman that Council re-appoint Greg Ferguson to the Leisure Services Advisory Committee for a second three-year term ending on December 31, 2016.

Motion Carried

14.8 Borrowing Board

Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton submit to the Municipal Capital Borrowing Board an application for authorization to borrow money for a capital expense for the following term and amount:

<u>Purpose</u>	<u>Amount</u>	<u>Term</u>
General Government Services		
Hampton Court House	\$750,000.00	20 yr
Interim Financing-Hampton Court House	\$750,000.00	3 yr

Motion Carried

15. Outstanding Issues

16. Adjournment

There being no further business, the meeting of Council was adjourned at 8:20 p.m.

Moved by Councillor Behr that the Town of Hampton adjourn the council meeting of April 8th, 2014.

Motion Carried