

**TOWN OF HAMPTON  
COUNCIL MEETING  
MARCH 11, 2008**

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 March 11, 2008 commencing at 7:00 p.m.

**Attendance**

Council: Mayor Jim Hovey  
Deputy Mayor Ken Chorley  
Councillor Dwight Bond

Staff: Megan O'Brien Harrison, Clerk/Development Officer  
Richard Malone, Chief Administrative Officer  
Richard King, Building Inspector/By-law Enforcement Officer

Delegations: Ian Tytler, 26 Saint Paul's Street  
David Keirstead, 752 Main Street

Guests: Diane Tytler, 26 Saint Paul's Street  
Tanya Henderson, 34 Saint Paul's Street  
Peter Behr, 218 Kennebecasis River Road  
Darrell Ruttle, 12 Saint James Street

Media: David Kelly, Kings County Record

**1. CLOSED SESSION**

In accordance with Section 10.2(4) of the *Municipalities Act*, Mayor Hovey called the Closed Session to order at 6:00 p.m. and adjourned the same meeting at 7:00 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	3
(b)	Personal information	
(c)	Financial loss or gain (individual or municipal) or could jeopardize negotiations leading to an agreement or contract	11
(d)	Land transactions for a municipal purpose	1
(e)	Violates confidentiality of information obtained from other governments (Federal and/or Provincial)	
(f)	Legal opinions or advice, and privileged communications	
(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	4

**2. REGULAR SESSION – PUBLIC COUNCIL MEETING**

Mayor Hovey called the Open Session to order at 7:00 p.m.

### **3. MOMENT OF SILENCE AND MOMENT OF REFLECTION**

It was with great sadness that the Town of Hampton announced the passing of Deputy Mayor Mike Murphy on Sunday, February 3<sup>rd</sup>, 2008. The Town's thoughts and prayers are with his wife, Cathy and their two children, Tim and Katie. Mayor Hovey asked for a moment of silence in memory of Deputy Mayor Mike Murphy.

Councillor Bond led Council in a moment of reflection.

### **4. DISCLOSURE OF CONFLICT OF INTEREST**

Councillor Bond declared a conflict of interest on all issues related to development within the Town of Hampton.

### **5. PUBLIC HEARING AND DELEGATIONS**

#### David Keirstead

Mr. Keirstead stated that he believes that there is a piece of Hampton history that most people know nothing about and he thinks residents should know about it. He stated that in the year 1956, five ladies in Hampton approached the handicraft department in Fredericton to see if they would provide them with lessons in weaving. They called themselves the Hampton Weavers. An instructor, Valerie Legere, was sent from Fredericton to provide twenty-five hours of teaching with each of the five ladies. Each lady was provided a loom in her home for the duration of the course. Following the completion of the course, she could return the loom or she could keep it and keep weaving items for the department to pay off the cost of the loom. Other crafters, including knitters and wood turners, joined these original five ladies and so within five years they changed their name to the Hampton Handicraft group.

On July 10, 1961, there was a meeting held at the Lister Home which was known at the time as Knoll Ranch, where the Hampton Bed and Breakfast is currently located. At the meeting, the Hampton Weavers introduced for the first time the "Autumn in Hampton" tartan, which they designed with the assistance of the handicraft department in Fredericton. Mr. Keirstead noted that the Mayor's mother was a member of the original Hampton Weavers and that she was in fact, the president on the night the tartan was introduced. She is the only living member of the original group. David Keirstead was able to obtain several samples of the original weave of the tartan. He was not able to obtain the pattern from the Hampton Weaver. Since that time he was able to have the pattern replicated. He had a large section of the tartan framed that he will at some time donate to the Town Council for display in the Council Chambers.

He thanked Mayor Hovey for his dedication to the Town for the past twenty-five years. He presented the Mayor with a gift of six "Autumn in Hampton" placemats along with a thank-you card that Mr. Keirstead had created for his personal use of the Autumn in Hampton tartan.

Mayor Hovey thanked Mr. Keirstead.

#### Ian Tytler

Mr. Tyler has been a resident of Hampton for 23 years. He resides on Saint Paul's Street near the intersection of Saint Paul's Street and Kennebecasis River Road. He stated that he has observed school buses and vehicles fly through this area. He was previously successful about reducing the speed limit from 50 km/hr to 40 km/hr. He noted that on one occasion he was pushed along the

road by a school bus at 60 km/hr, and was forced to pull quickly into his driveway. He was appalled when he looked back and witnessed another school bus passing the original bus and saw the school bus driver and the children laughing at him. He stated that he called the Town office, the RCMP and the school district. He says that he asked the RCMP to do a study on Saint Paul's Street. They refused. He says that there are times when it is impossible to turn left onto Kennebecasis River Road. He does not feel that drivers are adhering to the yield sign. He has concerns that the intersection will get worse if the new church is constructed on the corner. He is pleading with Council for a "Stop Ahead" sign and a "Stop" sign, rather than a yield sign.

Deputy Mayor Chorley noted that a stop sign at the bottom of Saint Paul's street would not change the traffic pattern coming from Kennebecasis River Road onto Saint Paul's Street. He stated that the Town had commissioned a traffic study and directed staff to provide Mr. Tyler with a copy of the relevant section of the Traffic study. Deputy Mayor Chorley stated that the Town would look into it.

Councillor Bond noted that the Town would be paving Saint Paul's Street this year, which will include a paved walking path.

## **6. ADOPTION OF MINUTES**

- 6.1 Regular Council Meeting of January 8<sup>th</sup>, 2008  
**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Minutes of the January 8<sup>th</sup>, 2008 Regular Council Meeting be adopted.**

**Motion Carried**

- 6.2 Special Council Meeting of February 6<sup>th</sup>, 2008  
**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Minutes of the February 6<sup>th</sup>, 2008 Special Council Meeting be adopted.**

**Motion Carried**

## **7. BUSINESS ARISING FROM THE MINUTES**

Not Applicable

## **8. CORRESPONDENCE LIST**

Mayor Hovey noted that a large number of expressions of sympathy had been received by the Town of Hampton regarding the passing of Deputy Mayor Mike Murphy. The Murphy family has been provided copies of these correspondences.

08-13 O'Brien Family re: Thank you card for Donation  
Received and Filed

08-14 UNB Commons re: Thank you letter for Donation  
Received and Filed

- 08-15 Charles (Snooks) Keirstead re: Thank you card  
Received and Filed
- 08 – 016 Carl and Ruth Wolpin re: Thank You & Donation Toward Town Projects  
Staff is directed to send a thank you letter and a tax receipt for the \$300 donation.
- 08 – 017 Bathurst High School re: Thank You for Donation  
Received and Filed
- 08 – 018 PNB/Deputy Minister of Department of Local Government re: Letter of Sympathy  
Received and Filed
- 08 – 019 Town of Sackville re: Letter of Sympathy  
Received and Filed
- 08 – 020 Village of Rexton re: Letter of Sympathy  
Received and Filed
- 08 – 021 UMNB re: Letter of Sympathy  
Received and Filed
- 08 – 022 Cathy Murphy & Family re: Thank You Note  
Received and Filed
- 08 – 023 PNB/Minister of Local Government re: Letter of Sympathy  
Received and Filed
- 08 – 024 City of Saint John Mayor McFarlane re: Canadian City Trends Report  
Received and Filed
- 08 – 025 Lieutenant Governor re: Nominations for Order of New Brunswick  
Council is advised to inform staff if they have anyone they feel the Town should nominate for the Order of New Brunswick.
- 08 – 026 CBDC re: Impact Portfolio  
Received and Filed
- 08 – 027 Saint John Port re: Port Days  
Received and Filed
- 08 – 028 Hampton Elementary School re: Requesting Donation  
Council noted that the Town has already donated to this cause. Received and Filed
- 08 – 029 Michelle Cummings re: Shuttle Bus Service  
Deputy Mayor Chorley indicated that he would forward the correspondence to Saint John Transit.
- 08 – 030 Kidney Foundation of Canada re: World Kidney Day  
Received and Filed

- 08 – 031 Hampton Lions Club re: Request for Item for Casino Night  
**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton donate one hundred dollars (\$100.00) to the Hampton Lions Club tenth annual Casino Night on April 26, 2008.**

**Motion Carried**

- 08 – 032 FRSWC re: Outdoor Recycling Receptacles  
The Town CAO noted that the Town has confirmed with the Fundy Region Solid Waste Commission that the Town would accept the Outdoor Recycling Receptacles that they were offering and that the Town would maintain them when they arrive.
- 08 – 033 Toronto Mayor David Miller re: Earth Hour March 29, 2008  
Received and Filed
- 08 – 034 Gordon Raymond re: Municipal Water  
Staff noted that a copy of the correspondence was forwarded to Darcy Harris of Godfrey Associates. Mr. Raymond was also sent a response including Town pins, as requested.
- 08 – 035 N.B. Museum Association re: Working for the Future  
Staff is directed to provide a copy of the report to the Kings County Museum.
- 08 – 036 FCM re: Members Advisory  
Received and Filed
- 08 – 037 Canadian Cancer Society re: Thank You Letter  
Received and Filed
- 08 – 038 FRSWC re: Minutes  
Received and Filed
- 08 – 039 Provincial Municipalities re: Condolence E-Mails  
Received and Filed
- 08 – 040 Mr. Peter Behr re: Municipal Water System  
Staff is directed to acknowledge receipt of same and provide a copy of the correspondence to the Utilities Commission.
- 08 – 041 Veterans Affairs Canada re: Anniversary Of the Battle of the Atlantic  
Staff is directed to post the information on our website.
- 08 – 042 HHH Boys Hockey Team re: Request For Town Pins  
**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton donate one hundred and twenty-five (125) pins to the Hampton High School Men’s Varsity Hockey Team for the Interscholastic AAA Provincial Hockey Tournament.**

**Motion Carried**

- 08 – 043 Susan Thompson re: Sidewalks in Dutch Point  
Staff is directed to inform Ms. Thompson of the Town's plans to extend the sidewalk on Dutch Point Road this year. Councillor Bond stated that it has been his experience that the sidewalks are cleared nicely after each storm, though he noted that this has been a particularly difficult winter so winter maintenance was not at par this winter as there was not adequate room to put all the snow, whether it be for sidewalk or walking path clearing. Staff will review the maintenance issue.
- 08 – 044 Royal District Planning Comm. Re: Annual Report 2007  
Received and Filed
- 08 – 045 Hampton Elementary re: Thank You Card  
Received and Filed
- 08 – 046 Hampton High School re: Yearbook Advertisement  
**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton purchase a half (1/2) page advertisement in the 2007/2008 Hampton High School Yearbook for a cost of one hundred and fifty-five dollars (\$155.00).**

**Motion Carried**

#### **LATE CORRESPONDENCE**

- 08 – 047 Darrell Ruttle re: Garbage Concerns/River Centre Parking  
Mayor Hovey noted that it is the responsibility of all owners of commercial properties, including apartment buildings, to arrange for the pick up and disposal of their own garbage. Commercial properties are not included in the Town's garbage contract. If Mr. Ruttle is not happy with the rates provided by his current hauler, Mayor Hovey recommended that he check with other haulers to see if he could negotiate another rate. Mr. Ruttle was informed that come to the Town office and receive a definition of a commercial property, as per the garbage contract, if he so desired.  
  
Staff will provide recommendations to Council at the April meeting regarding Mr. Ruttle's requests concerning Lighthouse Park.
- 08 – 048 M.A.D.D. re: Invitation to Candlelight Vigil  
Received and Filed
- 08 – 049 Relay for Life/Kathy English re: Request to Insert Flyer in Sewage Bills  
**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton grant permission for the Hampton Relay for Life committee to submit an insert regarding Hampton's 2008 Relay for Life event in the 2008 Town of Hampton Sewage Bills.**

**Motion Carried**

- 08 – 050 Town of Oromocto re: Sympathy Card  
Received and Filed

## 9. APPROVAL OF ACCOUNTS

### January Accounts

- 9.1 Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton approve the General and Utilities Fund Paid Invoices from January 1 to January 31, 2008 for the amount of one hundred and ninety-five thousand five hundred and ninety-two dollars and ten cents (\$195,592.10).

Motion Carried

### February Accounts

- 9.2 Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton approve the General and Utilities Fund Paid Invoices from February 1 to February 29, 2008 for the amount of six hundred and seven thousand three hundred and sixteen dollars and sixty cents (\$607,316.60).

Motion Carried

## 10. REPORTS OF COMMITTEES

### 10.1 Environment

Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton appoint Carolyn Walker to the Environment Committee for a three year term effective immediately.

Motion Carried

### 10.2 Health Care Committee

Council did not comment on the Health Care Committee minutes.

### 10.3 Leisure Services Advisory Committee

Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton appoint Terry Marchand to the Leisure Services Advisory Committee for a three year term effective immediately.

Motion Carried

### 10.4 Canada Day Committee

Council stated that the committee has been quite active.

### 10.5 Planning Advisory Committee

Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton appoint Michelle Paquet to the Planning Advisory Committee for a three year term effective immediately.

Motion Carried

### 10.6 Fire-Rescue

Council remarked that it was a busy month for Fire-Rescue.

### 10.7 EMO

Council did not comment on the EMO Report.

### 10.8 RCMP Report

Council did not comment on the RCMP Report.

**10.9 Public Works Advisory Committee**

Signage on Ivan Court

**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton install a “No Exit” sign at Ivan Court as recommended by the Public Works Advisory Committee.**

**Motion Carried**

Request for Crosswalk

**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton submit a request to the Department of Transportation for permission to install a crosswalk and sign across Main Street at the corner of Main Street and Railway Crescent as recommended by the Public Works Advisory Committee.**

**Motion Carried**

**10.10 Utilities Commission**

Council did not comment on the Utilities Commission report.

**10.11 Library**

Committee Member

The library committee is seeking a member of Council to serve on their committee. Mayor Hovey volunteered to serve on the committee for the remainder of this Council’s term.

**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton appoint a member of Council to serve on the Library Committee. Until the next term of Council that member shall be Mayor Jim Hovey.**

**Motion Carried**

Study

Council stated that they were not committing to a Hampton Regional Public Library but they would consider completing a feasibility study to examine the three options being presented by the committee if the cost of the study and scope of the work was reasonable. They recommended that the committee and staff investigate the scope of work involved in the study, and the estimated cost of the study, and come back to Council with a recommendation.

**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton explore the feasibility of undergoing a study to examine the three options presented by the Library committee in order to determine the best location, type of structure and approximate cost for a Hampton Regional Public Library.**

**Motion Carried**

**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton accept the reports from the Environment, Health Care, Leisure Services Advisory, Canada Day, Planning Advisory, Fire-Rescue, RCMP, Public Works Advisory, Utilities Commission and Library Committees as submitted.**

**Motion Carried**



## 11. APPROVAL OF REPORTS

### 11.1 Dog Constable Report

It was confirmed that Billy O'Donnell was re-appointed as the Dog Constable until December 31<sup>st</sup>, 2008.

### 11.2 Building Inspector Report

Council noted the number of building permits was up significantly from this time last year.

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton approve the Building Inspector and Dog Constable Reports as presented.**

**Motion Carried**

## 12. PETITIONS

Not Applicable

## 13. READING OF BY-LAWS

Not applicable.

## 14. NEW BUSINESS

### 14.1 Audited Financial Statement

Mayor Hovey stated that there was a surplus in both accounts. Councillor Bond commended staff for having all the financial information prepared so that the audit could be completed in such a timely manner. Deputy Mayor Chorley also noted that the auditors had commented on the fact that the Town of Hampton has an excellent debt ratio.

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton approve the audited Financial Statement as presented by Teed Saunders Doyle & Co. Chartered Accountants for the year ending December 31, 2007 for the General and Utility Fund.**

**Motion Carried**

### 14.2 Town Auditors

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton appoint Teed Saunders Doyle & Co. to perform the 2008 Audit of the Town of Hampton, and other auditing services upon request, at a rate of \$10,500.00 plus HST. Provided that the Town of Hampton is satisfied with the service provided by Teed Saunders Doyle & co., an additional two-year commitment for the 2009 and 2010 audits will be honoured at a rate of \$10,500.00 plus inflation cost plus HST.**

**Motion Carried**

14.3 Special Meeting

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton hold a special meeting on Wednesday, March 19th, 2008 at 8:30 a.m. for the purpose of appointing the new Leisure Services Director, the River Centre/Tourism Manager, and awarding the Tender for Hydrogeological Services for Municipal Water Supply Source.**

**Motion Carried**

14.4 Public Works Department Operators

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton appoint Scott Hepditch and Mark Cormier as Public Works Department Operators effective April 1<sup>st</sup>, 2008 and that they be reclassified at that time to regular full-time employees.**

**Motion Carried**

14.5 Water Assessment Guidelines

**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton adopt the Water Supply Assessment Guidelines for Subdivisions Serviced by Individual Private Wells, dated March 2008, as presented.**

**Motion Carried**

**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton appoint Jacques Whitford Limited as the Town's independent reviewer of water assessment reports as per their proposal and in accordance with the Water Supply Assessment Guidelines.**

**Motion Carried**

14.6 Ice - Resurfacers

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton award the 2008 Ice Resurfacers Tender to Saunders Equipment Ltd. for the amount of eighty-four thousand six hundred and twenty-eight dollars (\$84,628.00) plus HST in the amount of eleven thousand and one dollar and sixty-four cents (\$11,001.64) for a total tender price of ninety-five thousand six hundred and twenty-nine dollars and sixty-four cents (\$95,629.64) for the purchase of a 2008 Zamboni 525.**

**Motion Carried**

14.7 Canteen Contract

**Moved by Councillor Bond and seconded by Deputy Mayor Chorley that the Town of Hampton extend the current Hampton Arena Canteen Contract with the Hampton High School Boys Hockey Team until March 31, 2009.**

**Motion Carried**

14.8 CAO Position

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton confirm the appointment of Richard Malone as Chief Administrative Officer and elevate him to a full-time permanent status.**

**Motion Carried**

14.9 MRIF Capital Reserve Funds

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton transfer four thousand four hundred and forty-three dollars (\$4,443.00) from the Utility Operating Reserve Fund to the Utility Operating Account.**

**Motion Carried**

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton transfer four thousand four hundred and forty-three dollars (\$4,443.00) from the Utility Operating account to the MRIF Capital Reserve Fund.**

**Motion Carried**

14.10 Municipal Capital Borrowing Board

**Moved by Deputy Mayor Chorley and seconded by Councillor Bond that the Town of Hampton submit an application for authorization to borrow money for a capital expense in an amount not to exceed the following terms and the amounts be submitted to the Municipal Capital Borrowing Board:**

<u>Purpose</u>	<u>Amount</u>	<u>Term</u>
<b>Transportation Services</b>		
Sidewalks	\$119,000	10 year
Equipment	\$220,000	10 year
<b>Environmental Health Services</b>		
Sanitary Sewer Line Ext	\$117,000	7 year

**Motion Carried**

There were several items of development for Council to discuss and review. Councillor Bond declared a conflict of interest and left the meeting.

The Clerk stated the Town of Hampton requested ministerial approval for Mayor Hovey and Deputy Mayor Chorley to consider, discuss and vote on matters with respect to development in the Town of Hampton, due to the fact that Councillor Bond has declared a conflict of interest as he is a developer with an application before the Town. The Town has received the following order from Carmel Robichaud, Minister of Local Government for the Province of New Brunswick:

*By virtue of the authority vested in me under subsection 90.7(3) of the Municipalities Act, I do order that the remaining two council members of the Town of Hampton, may consider, discuss and vote on matters with respect to development within the Town. This order and declaration will remain in effect until the expiry of the term of office of the present council.*

14.11 The Links at Hampton

Land for Public Purposes

**Moved by Deputy Mayor Chorley and seconded by Mayor Hovey that the Town of Hampton accept a parcel of land being approximately 5500 square metres as Land for Public Purpose for the Links at Hampton subdivision with the Town of Hampton accepting cash in lieu for all remaining Land for Public Purpose owing for this subdivision, as recommended by the Leisure Services Advisory Committee.**

**Motion Carried**

Interim Developers Agreement

**Moved by Mayor Hovey and seconded by Deputy Mayor Chorley that the Town of Hampton enter into the interim Developers Agreement with Ironwood Entreprises Inc. (IEI) for the Links at Hampton subdivision, as presented by staff.**

**Motion Carried**

14.12 Executive Estates

Land for Public Purposes

**Moved by Deputy Mayor Chorley and seconded by Mayor Hovey that the Town of Hampton accept cash in lieu of Land for Public Purpose for the Executive Estates Subdivision, as recommended by the Leisure Services Advisory Committee.**

**Motion Carried**

Tentative Plan

**Moved by Deputy Mayor Chorley and seconded by Mayor Hovey that the Town of Hampton approve the tentative plan, entitled Executive Estates Subdivision, dated January 28, 2008 as prepared by Kierstead, Quigley and Roberts, as recommended by the Planning Advisory and Public Works Advisory Committees and the Utilities Commission. Final approval of same is conditional on the developer entering into a development agreement with the Town of Hampton which includes the submission of a satisfactory water supply assessment report from a qualified engineering firm.**

**Motion Carried**

14.13 Pleasant View Estates – Phase 2

The Clerk noted that BCY has completed a Water Supply Assessment Report and an Environment Impact Assessment for the remainder of the land in the development.

**I move that the Town of Hampton approve the tentative subdivision plan, Pleasant View Estates – Phase 2, dated January 28<sup>th</sup>, 2008 as recommended by the Planning and Works Advisory Committees, and subject to approval by the Utilities Commission.**

**Motion Carried**

**15. OUTSTANDING ISSUES**

Not applicable

**16. ADJOURNMENT**

The regular meeting of Council was adjourned at 8:30 p.m.

**Moved by Deputy Mayor Chorley and seconded by Mayor Hovey that the meeting be adjourned.**

**Motion Carried**

**APPROVAL:**

**TOWN CLERK**

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**MAYOR**

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