

**TOWN OF HAMPTON
COUNCIL MEETING
December 14, 2010**

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 December 14, 2010 commencing at 7:00 p.m.

ATTENDANCE:

Council: Mayor Ken Chorley Deputy Mayor Dwight Bond
Councillor Peter Behr Councillor Robert Doucet
Councillor Clara Lights

Staff: Richard Malone, CAO Megan O'Brien Harrison, Clerk/Development Officer
Richard King, Building Inspector Nick Cormier, Assistant Director of Leisure Services

Media: Erin Dwyer, Telegraph Journal
Laura MacInnis, Kings County Record

Delegations: Sgt. Andy O'Connell, RCMP
Bev Harrison, MLA
Brenda MacCallum, Fundy Region Solid Waste Commission

Guests: Allison Gates and Erin Gates
David Carr
Heather Reuvekamp

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 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	
(b)	Personal information	1
(c)	Financial loss or gain (individual or municipal) or could jeopardize negotiations leading to an agreement or contract	7
(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	2
(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	3

2. REGULAR SESSION – PUBLIC COUNCIL MEETING

Mayor Chorley called the Open Session to order at 7:05 p.m.

3. MOMENT OF SILENCE AND MOMENT OF REFLECTION

Deputy Mayor Bond led Council in a moment of reflection.

4. APPROVAL OF AGENDA

Moved by Councillor Behr and seconded by Councillor Lights that the agenda of the December 14, 2010 be approved as presented.

Motion Carried

5. DISCLOSURE OF CONFLICT OF INTEREST

Deputy Mayor Bond declared a conflict regarding land development within the Town of Hampton, including the Search for Water.

6. PRESENTATIONS AND DELEGATIONS

a. Presentation to Erin Gates

Mayor Chorley presented the *Recreation New Brunswick Student Recognition Award* to Erin Gates. This award recognizes a New Brunswick student enrolled in a post-secondary program related to recreation services and who has contributed to recreation or physical activity services in New Brunswick through volunteer activities, work experiences or studies.

Erin Gates has been a lifeguard and swimming instructor since 2006. In that time she has instructed hundreds of children; instilling not only the importance of water safety, but also a lifelong love of swimming and water activities. She has also been the Head Coach of our local swim team for the last two summers, developing the skills of young recreational athletes, and organizing and facilitations of team trips and events.

In 2007, Erin Gates began her university degree in Kinesiology at Dalhousie University in Halifax, Nova Scotia which further solidified her affinity for recreation and wellness. She is slated to graduate in 2011 and is considering continuing on to become a physiotherapist. Our community pool owes a great deal of thanks to Ms. Gates for all the hard work she has put in over the years.

b. Sgt. Andy O'Connell – Hampton RCMP

Sgt. O'Connell commenced by congratulating Erin Gates and thanking her for her contributions to youth in our town.

It was noted that Council would be resuming quarterly meetings with the RCMP on municipal issues in January 2011.

Sgt. O'Connell stated that *Operation Christmas* will be targeting impaired drivers. There will be several check stops over the Christmas season. He also reported that the Remembrance Day ceremony and Town Christmas parade went well. He was pleased that Sgt. Major Gallop was in attendance at the Remembrance Day. Council reiterated that they were pleased with the RCMP presence at the Remembrance Day ceremony, both as part of the ceremony and with traffic control.

Sgt. O'Connell wished Council Happy Holidays and a safe Christmas and New Years.

c. Brenda MacCallum – Fundy Region Solid Waste Commission

Ms. MacCallum provided Council with an overview of the Two Bags or Less pilot project that occurred this past summer in the Town of Hampton. The goal of the project was to demonstrate that a limit to garbage is an effective way to reduce garbage and increase diversion. The project also raised awareness of waste habits.

She said that funding for the project came through the Environmental Trust Fund. She thanked Council for agreeing to take part in the project.

Two areas of two hundred (200) households were selected. The area of Acadia Crescent to Highland Drive was the test area, where the control area was established in the area of Donlea Drive and Villa Drive. A baseline for garbage and compost rates was established in May and June 2010.

The Fundy Region Solid Waste Commission rolled out the project with the assistance of summer students. They went door to door and dropped off kits. The kits included 20 red garbage bags, 2 boxes of compostable bags, a recyclable tote bag and a letter explaining the project. They were able to survey 65% of the residents involved in the project.

Residents were asked the following:

- How many bags of garbage does your household produce each week?
 - 57% - 2 bags or less
 - 19% - 3/4 bags
 - 19% - 4/6 bags
 - 5% - more than 6

- Do you think, producing only 2 bags or less of garbage each week will be: easy, moderate or difficult?
 - 62% -Easy
 - 27% - Moderate
 - 11% - Difficult

- Do you think that some type of limit on garbage is: important, somewhat important, or not important?
 - 71% -Important
 - 26% - Somewhat Important
 - 3% - Not Important

- How many people live in your household?
 - 8% - one person
 - 36% - two people
 - 15% - three people
 - 30% - four people
 - 9% - five people
 - 2% - six or more people

Residents were asked to use two red bags per week. This was a voluntary program and no limits were enforced.

The baseline data included the four hundred (400) households in the control and test areas. Preliminary results before the kits were delivered show that the majority of households are already below the two bags per week.

During the project the test group reduced their average amount of garbage. The control group however slowly increases their garbage over the same time period.

Ms. MacCallum reported that, as predicted, May & June have high rates of compost, largely due to lots of yard waste & gardening. There is typically a drop off in the hot months of July and August. She reported that the test group had a steady incline in compost usage during this time.

She concluded that residents can achieve a limit and pointed out that most Hampton residents already achieve the two bags per week limit. She encouraged the Town to consider a limit to garbage and to start with a high limit. She suggested perhaps eight (8) bags per week.

Ms. MacCallum opened the floor to questions.

Councillor Doucet noted that if the Town is already receptive than doesn't an eight (8) bag limit seem high? Ms. MacCallum said that starting at a high limit lets residents get use to the idea. She noted that it was really a political decision.

The Assistant Leisure Services Director asked if setting a limit would increase the amount of illegal dumping in private dumpsters. Ms. MacCallum did not think that this would be an issue.

Heather Reuvekamp asked who regulates garbage in the Town of Hampton. Mayor Chorley explained that the Town tenders out garbage collection.

d. Bev Harrison, MLA Hampton – King's: Piggs Peak

Mr. Harrison stated that he was before Council as a citizen of Hampton and as a member of the Hampton-Piggs Peak Partnership Committee. He stated that he had just returned on December 1st from Swaziland and that he plans to make a return trip at the end of January.

During his recent trip he met with the Mayor and Council of Piggs' Peak. He took over the final draft of the Memorandum of Understanding. He was pleased to report that their Council had agreed to it and signed it. He asked that Council prepare and sign to final copies and we would take them back with them for signature. Leaving one copy for their Council and returning one to the Town of Hampton.

Mr. Harrison also mentioned that the committee is currently selling fundraising calendars at a cost of ten dollars (\$10) each. They are available at Holly's Restaurant and the Hampton Pharmasave. They are also available from committee members.

Moved by Councillor Doucet and seconded by Councillor Behr Town of Hampton enter into the Memorandum of Understanding with the Town Council of Piggs Peak in the Kingdom of Swaziland and the Hampton-Piggs Peak Partnership Committee for collaboration relating to the desire to promote and strengthen the bilateral relations of friendship and cooperation between the two towns with the aim of benefiting the citizens of both towns.

Motion Carried

7. Adoption of Minutes

7.1 Minutes of November 9, 2010

Council reviewed the minutes of the regular Council minutes of November 9, 2010.

Moved by Councillor Behr and seconded by Councillor Lights that the minutes of the November 9, 2010 Regular Council Meeting be adopted.

Motion Carried

7.2 Minutes of the Public Hearing on December 1, 2010

Council reviewed the minutes of the special Council minutes of December 1, 2010. Deputy Mayor Bond remarked that he has been included in the drafting of several Municipal Plans and Zoning By-laws for the Town of Hampton and that this was the most complete process the Town had ever undertaking. He stated that he feel comfortable with these by-laws.

Moved by Councillor Lights and seconded by Councillor Behr that the minutes of the December 1, 2010 Special Council Meeting be adopted.

Motion Carried

8. Business Arising from Minutes

Not Applicable

9. Correspondence List

#	NAME	DESCRIPTON	Recommended Action
10-160	H.E.A. Campbell President and Vice-Chancellor	Thank you for annual donation to UNBSJ.	Received and filed.
10-161	The Family of Fr. Frank McDonald	Thank you for floral arrangement in memory of Fr. Frank McDonald	Received and filed.
10-162	Honourable Jason Kenney, Minister of Citizenship, Immigration and Multiculturalism	Seeking nominations for the Paul Yuzyk Award for Multiculturalism to honour people dedicated to promoting integration in Canada.	Received and filed.
10-163	Dr. Janice Cormier Daffodil Ball Chairperson 2011	Invitation to purchase tickets to the 6 th Annual Canadian Cancer Society NB Provincial Daffodil Ball in March.	If Council would like to attend, they are advised to inform staff and staff can collect pricing information and bring it forth at the January meeting.
10-164	Belleisle Regional High School Yearbook	Request for sponsorship	Received and filed.

10-165	Team New Brunswick – Canada Games	Request for \$250 contribution to Team NB for the 2011 Games.	Moved by Councillor Behr and seconded by Councillor Lights that become an Honorary Team Member in support of Team NB for the 2011 Canada Winter Games at a cost of two hundred and fifty dollars (\$250.00). Motion Carried
10-166	Cindy Floyd, Manager, Southern Division, Canadian Cancer Society	Request for \$250 sponsorship for the Hampton Curl For Cancer taking place on Saturday, February 5, 2011.	Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton donate two hundred and fifty dollars to the Hampton Curl for Cancer taking place on Saturday, February 5, 2011. Motion Carried
10-167	Clayton Saunders, President, The Royal Canadian Legion NB Command	Thank you for support of Annual Military Service Recognition Book.	Received and filed.
10-168	Kari Poore, Executive Director Saint John Animal Rescue League	Request for Donation	Received and filed.
10-169	Bonny Hoyt-Hallet, Deputy Minister Local Government/ Environment	Information on shale gas exploration in New Brunswick	Referred to the Environment Committee.
10-170	Parents for a Francophone School in the Valley (PEFV)	Press Release – Numbers Show Need for a Francophone School in the Valley	Received and filed.
10-171	Christina Keenan	Request for financial aid for Vanessa and Justine Keenan to travel to Ghana in March for a 10 day mission trip.	Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton donate one hundred dollars (\$100.00) each to Vanessa Keenan and Justine Keenan towards the cost of their mission trip to Ghana in March 2011. Motion Carried
10-172	Erin King and Anthony Walker Hampton High School Men's Varsity Hockey Team	Request for an auction item for their February 26 th dinner and auction.	Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton donate an appropriate auction item to be determined by Town staff to the Hampton High School Men's Varsity Hockey team. Motion Carried
10-173	David Lutz	Free-standing Monolithic Signs and Unsightly Premises	Referred to Staff.
10-174	Shanna Melanson	Request for Athletic Scholarship for Erin MacQuarrie	Received and filed.

10-175	Sherry Dumont, Senior Manager Revenue Development Canadian Cancer Society New Brunswick	Request to appoint a Town Representative to the Hampton Relay for Life committee.	Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton appoint Jennifer Duguay to serve as a liaison with the 2011 Hampton Relay for Life Committee. Motion Carried
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10. Approval of Accounts

- 10.1 **Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton approve the General and Utilities Fund Paid Invoices from November 1 to November 30, 2010 for the amount of four hundred and forty thousand nine hundred and eighty dollars and eighty-six cents (\$440,980.86).**

Motion Carried

11. Reports from Committees

11.1 Environment

Fracking:

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton, as recommended by the Environment Committee, request from the Provincial Government a moratorium on Hydraulic Fracturing until such time as the Province has addressed the issues outlined in the document “FRACTURE LINES: Will Canada’s Water be Protected in the Rush to Develop Shale Gas?” (Ben Parfitt, September 15th, 2010), due to the Town’s dependence on private wells and the serious concerns within the surrounding communities, and regional Non-Governmental Organizations, as well as, concerns outlined in the document noted above.

Motion Carried

11.2 Health Care

The Mayor stated that a new doctor will be setting up practice in Hampton in the New Year in the complex adjacent to the Hampton Pharmasave. Council was very pleased. Residents who currently do not have a family doctor are encouraged to call the Provincial Registry for New Brunswickers without a family physician. They should also contact the Town Office to have their name added to the list.

11.3 Planning Advisory Committee

Council did not comment on this report.

11.4 Fire-Rescue

Council was pleased with the annual break-down included with the report.

11.5 RCMP

Council made note to ask the RCMP to use the automated speed reader more regularly within the Town.

11.6 Public Works Advisory Committee

Councillor Doucet noted that the Public Works Committee was concerned about the potential of signs cluttering the round-about. He referred to staff to see if this would require an amendment to the Signage By-law and to bring this forward in January.

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton install no parking signs on both sides of Keirstead Avenue from Dunvegan Court to Acadia Crescent, as recommended by the Public Works Advisory Committee.

Motion Carried

Council instructed Staff to investigate pedestrian concerns on Main Street.

11.7 Utilities Commission

Dutch Point Wetland

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton approve payment of ten thousand dollars (\$10,000.00) to cover costs associated with the restoration of the Dutch Point Wetland project, as recommended by the Utilities Commission.

Motion Carried

Search for Water

Deputy Mayor Bond declared a conflict of interest and left the meeting.

The Town is seeking to enter into an agreement to drill on a parcel of land owned by Kennebecasis Development Inc.

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton enter into the water agreement, as presented, with Kennebecasis Development Inc., as recommended by the Utilities Commission.

Motion Carried

Deputy Mayor Bond returned to the meeting.

11.8 Finance Committee

The Town must adopt a policy for the treatment for tangible capital assets so the users of the financial reports can discern information about the investments in property and equipment and the changes in such investments. The policy includes appendix 'A' which outlines Asset Classes, Thresholds and Useful Lives of Tangible Capital Assets. This is the first step of many for the Town of Hampton to become PSAB compliant.

Moved by Deputy Mayor Bond and seconded by Councillor Lights that the Town of Hampton adopt the Administrative Policy #4, Tangible Capital Asset, as presented by the Treasurer and as recommended by the Finance Committee.

Motion Carried

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton approve the following 2011 rates:

**Sewage By-law #112-91, Schedule "A" Water and Sewer Rates;
Appendix B Program Price List;
Appendix E Arena Pricing;
Appendix H Sports Field Fee Structure;
Appendix M Summer Staff Wage Scale;
and Building By-Law #123-95 Building Permits**
as recommended by the Finance Committee.

Motion Carried

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the tax rate for 2011 of \$1.2500 per \$100.00 of assessed value, pending approval of the Provincial Government. The gross expenditures will be \$5,347,146.00 less non-tax revenue of \$1,327,863.00 for a net budget of \$4,109,283.00 less the unconditional transfer of \$292,929.00 with the warrant to be raised by local rate of \$3,726,354.00, as recommended by the Finance Committee.

Motion Carried

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton approve the Utility Operating Budget as follows:

Sale of Water	\$ 1,630.00
Sale of Sewerage Service	\$262,890.00
Surplus from 2 nd Previous Year	\$ 7,783.00
Total Revenue	<u>\$272,303.00</u>

Water System Expenses	\$ 45,550.00
Sewerage System Expenses	\$222,753.00
MRIF – Capital Reserve Fund	\$ 4,000.00
Total Expenses	<u>\$272,303.00</u>

as recommended by the Finance Committee.

Motion Carried

11.9 Economic Development
Councillor Lights stated that the Economic Development Committee discussed developing a new brochure and a DVD for 2011. She also noted that Sheryl Moore and Barb Currie have joined the committee.

11.10 Joint Health and Safety
Council did not discuss this report.

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

Motion Carried

12. Approval of Reports

12.1 Building Inspector Report
The amount of building permits is up over 80 percent from this time last year. The building inspector noted that there would be permits issued in December as well.

The Building Inspector noted that the Town needs to give consideration to the placement of temporary event signs.

12.2 Lighthouse River Centre/VIC
Council noted that there were 13 confirmed bookings for the Lighthouse River Centre in December.

They also note the Lighthouse River Centre/VIC manager had attended the NB Railway Heritage Association meeting and a Board of Directors meeting of the St. John River Society.

12.3 Financial Report
The Town CAO noted that the draw-down for the Town Square has not yet occurred.

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the Building Inspector, Lighthouse River Centre/VIC and Financial reports as presented.

Motion Carried

13. Reading of By-laws

Municipal Plan By-law 189-10

The Clerk will read this by-law into the record by section and title only.

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton approve the third and final reading of *Municipal Plan By-law 189-10* by section and title only.

Motion Carried

ICSP

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton accept the Integrated Community Sustainability Plan (ICSP) as prepared by Jacques Whitford Stantec.

Motion Carried

14. New Business:

14.1 Heritage Acres Plan

Deputy Mayor Bond declared a conflict of interest and left the meeting.

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the tentative Subdivision Plan *Heritage Acres*, DWG #S09598A, dated November 15, 2010 including:

- the variance for the length of the cul-du-sac as granted by the Planning Advisory Committee;
- the variance for the minimum street frontage of the remnant lot as granted by the Planning Advisory Committee;
- the utility easement for future development as approved by the Utilities Commission; and
- Cash in lieu of Land for Public Purpose

And conditional on the following:

- the turnaround be increased to the Town specifications with amended drawings submitted to and final approval granted by the Public Works Superintendent;
- the lots be approved by the Province for septic systems;

Final approval of same is subject to the developer entering into a development agreement with the Town of Hampton and the developer meeting the Town of Hampton Water Supply Assessment Guidelines.

Motion Carried

14.2 **Dutch Point Gardens – Extension of Tentative Plan**

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton extend the approval of the tentative plan, entitled *Dutch Point Gardens*, prepared by Keirstead, Quigley and Roberts Ltd., dated July 17, 2009 for an additional six month period.

Motion Carried

14.3 **Bonney Park Subdivision – Extension of Tentative Plan**

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton extend the approval of the tentative plan, entitled *Bonney Park Subdivision*, prepared by Keirstead, Quigley and Roberts Ltd., dated November 14, 2007, for an additional six month period.

Motion Carried

14.4 **RDAP**

Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton approve the amendments to the *Residential Development Assistance Policy* as recommended by the Development Officer.

Motion Carried

Deputy Mayor Bond returned to the meeting.

14.5 **Wage Scale**

Moved by Councillor Behr and seconded by Councillor Doucet the approval of the Salary/Wage Scale for the Town of Hampton for 2011 as shown in the “TOWN OF HAMPTON – 2011 WAGE PROPOSAL” document and effective the first pay of January 2011, as per recommendation of the Human Resource Committee.

Motion Carried

14.6 **Town Office – Holiday Hours:**

Moved by Councillor Doucet and seconded by Deputy Mayor Bond Town of Hampton approve Holiday Office Hours as follows:

Closed December 24, 2010 at noon.

Closed December 27, 2010

Closed December 28, 2010

Closed December 31, 2010 at noon.

Closed January 3, 2011

Motion Carried

14.7 **Special Meetings of Council:**

Moved by Deputy Mayor Bond and seconded by Councillor Doucet the scheduling of a Special Meeting of Town Council for December 28th, 2010 at 8:30 a.m. for the purpose of review of financial results for 2010 and the disposition of a surplus, should one exist.

Motion Carried

14.8 **Food Bank Donation**

It was suggested that this annual donation be increased from two hundred dollars to five hundred dollars as this is an invaluable service to our community.

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton in lieu of Christmas Cards, will make a donation of five hundred dollars (\$500.00) to the Hampton Food Basket.

Motion Carried

14.9 **Purchase and Sale Agreement for the Ambulance Property**

Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton enter into a Purchase and Sale agreement, as presented with FIC Holdings for PID 30279228.

Motion Carried

14.10 **Deer Problem**

Moved by Councillor Doucet and seconded by Councillor Behr that staff be directed to research the anti-feeding by-laws in area communities and to bring forth recommendations to Council at the January meeting.

Motion Carried

14.11 **Mayor's Levee:**

Mayor Chorley noted that everyone is invited to the Mayor's Levee on Thursday, January 1st, 2011 at the Lighthouse River Centre from 1-3 p.m.

15. Outstanding Issues
Not Applicable

16. Adjournment

There being no further business, the meeting of Council was adjourned at 8:55 p.m.

Moved by Councillor Behr that the Town of Hampton adjourn the council meeting of December 14, 2010.

Motion Carried

APPROVED:

Ken Chorley, Mayor

Megan O'Brien Harrison, Clerk