

**TOWN OF HAMPTON
COUNCIL MEETING
April 12th, 2011**

A closed session of Council was held immediately preceding the regular Council meeting, commencing at 5:30 p.m. It is noted that Mayor Chorley and the Town CAO were in attendance at the closed session. A regular meeting of Council was held in the Council Chambers at 27 Centennial Road on April 12, 2011 commencing at 7:03 p.m.

ATTENDANCE:

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

Staff: Megan O'Brien Harrison, Clerk/Development Officer

Media: Erin Dwyer, Telegraph Journal
 Jeanne Whitehead, Kings County Record

Delegations: Cpl. Pat Cole, RCMP
 Ken Webb and Gerry Arsenault, Shiretown Publicans Concerns
 Bev Harrison, MLA for Hampton-Kings

CLOSED SESSION

In accordance with Section 10.2(4) of the *Municipalities Act*, Mayor Chorley called the closed session to order at 5:30 p.m. and adjourned the closed session at 7:05 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	5
d)	Land transactions for a municipal purpose	
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	1
i)	Information gathered by police	
j)	Labour/Employment matters	4

2. REGULAR SESSION – PUBLIC COUNCIL MEETING

Deputy Mayor Bond called the Open Session to order at 7:03 p.m. It was noted that Mayor Chorley and the Town CAO were absent as they were representing the Town at the regional meeting.

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

Councillor Lights led Council in a moment of reflection.

4. **APPROVAL OF AGENDA**

Deputy Mayor asked to add the addition of Bev Harrison, MLA for Hampton-Kings to the Delegations.

Moved by Councillor Behr and seconded by Councillor Lights that the agenda of the April 12, 2011 be approved with the addition of Bev Harrison, MLA for Hampton-Kings under Delegations.

Motion Carried

5. **DISCLOSURE OF CONFLICT OF INTEREST**

Deputy Mayor Bond stated that he had a conflict of interest with issues dealing with subdivision development within the Town of Hampton.

6. **PRESENTATIONS AND DELEGATIONS**

a. Cpl. Pat Cole – Hampton RCMP

Cpl. Pat Cole presented the staff report on behalf of Sgt. Andy O'Connell. He stated that 32 criminal record checks/finger printing were completed for residents of Hampton. These are often done for job applications. Cpl. Cole noted that there were four school walk-throughs noted on the report, but there were more than that completed. The electronic speed sign has been located in McAdam. It will be placed in front of the Middle School and on Kennebecasis River Road in the coming weeks.

Deputy Mayor Bond stated that Council noted increased visibility of the local RCMP members.

b. Ken Webb – Concerns re: Shiretown

Ken Webb stated that he resides at 296 Main Street and that Mr. Arsenault resides at 312 Main Street. He noted that it is nice to see that the new Shiretown Publicans, at 274 Main Street, is doing well, but he was concerned that a few of the stipulations to the rezoning may have fallen to the wayside.

Mr. Webb stated two weeks ago, both he and Mr. Arsenault called the RCMP concerning the Noise as the band played until 1:20 a.m. He said that it is unacceptable to allow this to happen and asked Council to urge the RCMP to enforce the Noise By-law. Taking an hour or two to shut it down should not be allowed.

Mr. Webb stated that he was also concerned about the parking; in particular the patrons are parking on both sides of Main Street when the parking lot is full. To his knowledge there has been one accident. He has had difficulty leaving his driveway.

Staff noted that the number of parking spaces at the Shiretown does meet the Zoning By-law. Council directed Staff to look at the issue of parking on the street, because they were concerned that there may be an issue of safety.

Mr. Webb wondered if the number of patrons was exceeding the Fire Marshall limits. Council directed Mr. Webb to contact the Fire Marshall directly if he felt this was a valid concern.

Mr. Webb wondered if the renovations and extension to the building were built to the standards specified in the Section 39 agreement. He said that he can sit on the front steps and listen to the music and that even on regular nights there is no problem hearing conversations. Council asked that the Building Inspector confirm that it had been built to the required specifications.

Mr. Webb inquired as to whether the patrons could have liquor outside the building. Council directed Mr. Webb to contact the province regarding any liquor licensing concerns.

Mr. Webb stated that his main concerns were noise and safety and he asked Council to make sure that the owner is adhering to the agreement because what affects the residents in the area, affects everyone in the Town.

Gerry Arsenault of 312 Main Street stated that his concerns are the same as Mr. Webb's. He had to contact the RCMP twice two weeks ago because of the noise and he and his wife are having difficulty getting out of their driveway because of parking on the street.

Council stated that they are supportive of business growth in the community but at the same time need to protect the residents in the area. They noted that the Noise By-law was updated so that it has "bite" to it. Council urged both residents to call the RCMP whenever they have a concern about a Noise By-law violation from the establishment.

Bev Harrison, MLA, Hampton-Kings

Mr. Harrison presented Council with a letter from the Honourable Claude Williams, Minister of Transportation granting Councils request to reduce the speed limit from 70 km/hr to 50 km/hr along Main Street from the Lakeside intersection to Elizabeth Avenue.

Initially the request had been denied by the Department of Transportation, but Mr. Harrison asked the Minister to reconsider the department's decision as he felt that the province should listen to Council, which has been elected to represent the residents. Mr. Harrison said it was a common-sense issue.

As per the recommendations in the letter from the Minister, the Town will launch a media campaign in conjunction with the RCMP to alert residents of the upcoming change.

Council thanked Mr. Harrison for his assistance on the matter.

7. ADOPTION OF THE MINUTES

Minutes of March 8, 2011

Deputy Mayor Bond will ask Council to review the minutes for Errors or Omissions. He will then ask for a motion to adopt the minutes as presented (or with noted corrections, etc.)

Moved by Councillor Behr and seconded by Councillor Lights that the minutes of the March 8, 2011 Regular Council Meeting be adopted, including the two typographical corrections.

Motion Carried

8. BUSINESS ARISING FROM THE MINUTES

Not Applicable

9. CORRESPONDENCE LIST

#	NAME	DESCRIPTON	Recommended Action
11-029	Quintin, Grade 2 Student at West Park Elementary School	Thank you letter for pins donation.	Received and filed.
11-030	Hampton Speed Skating Club	Thank you card.	Received and filed.
11-031	Richard, Rosemary, Allie & Kate Malone	Thank you card.	Received and filed.
11-032	Fundy Region Solid Waste Commission	Auditor's Report and Financial Statements for the Year Ended December 31, 2010.	Councillor Behr noted that Hampton is still number 3 for the volume of recycling. He reminded residents that yard waste should go in the compost bins. Received and filed.
11-033	Jon Hamilton, GM Communications Delivery, Canada Post	Seeking nominations for the 2011 Canada Post Community Literacy Award	Directed Staff to post information on Website
11-034	The New Brunswick Association of Nursing Homes	Invitation to the opening ceremonies and reception of their Annual General Meeting and Conference	Council will advise the administrative assistant if they wish to attend.
11-035	Christyne Allain, Premier's Council on the Status of Disabled Persons	Request to proclaim May 29 to June 4 as Disability Awareness Week.	Traditionally the Town of Hampton has not done proclamations. Received and filed.
11-036	E. Syvertsen-Bitten, CD Commander Commanding Officer	Invitation for Mayor Chorley to attend HMCS Brunswicker's annual Battle of the Atlantic Service on Sunday, May 1 st .	Mayor Chorley will advise the administrative assistant if he plans to attend
11-037	Wade Thomas and Family	Request for assistance with Community party.	Referred to staff for recommendation.

11-038	Royal District Planning Commission	Annual Report and audited Financial Report	Received and filed.
11-039	Board and Staff of Sophia Recovery Centre	Invitation to Annual General Meeting on May 3 rd	Council will advise the Town administrative assistant if they wish to attend.
11-040	2011 Census	Information and request for motion.	Moved by Councillor Behr and seconded by Councillor Lights that the Council of the Town of Hampton supports the 2011 Census and encourages all residents to complete their census forms online at www.census2011.gc.ca or by mail, by Tuesday, May 10, 2011, so that accurate and complete data will be available to support programs and services that benefit us all. Motion Carried
11-041	Sarah Mellor	Request for sponsorship to represent the Town of Hampton in the Miss. Teen New Brunswick International Pageant.	It was noted that Council sponsored Miss. Mellor in 2009. Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton provide Sarah Mellor with 30 Town pins to represent Hampton at the Miss. Teen New Brunswick International 2011 pageant. Motion Carried

10. APPROVAL OF ACCOUNTS

- 10.1 **Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton approve the General and Utilities Fund Paid Invoices from March 1 to March 31, 2011 for the amount of three hundred and eighty-six thousand, four hundred and seventy-two dollars and three cents (\$386,472.03).**

Motion Carried

11. REPORTS FROM COMMITTEES

11.1 Environment

The Environment Committee remains concerned about fracking.

11.2 Leisure Services Advisory

Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton approve the changed to Leisure Services Policy #1, *Town of Hampton Community Centre Operations/Rental Policy*, as outlined in Appendix A.

Motion Carried

11.3 Planning Advisory Committee

Appointment of New Member

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton appoint Andrew Carson to the Planning Advisory Committee for a three year term effective immediately, as recommended by the PAC.

Motion Carried

11.4 Fire-Rescue

Council noted that there was some mutual aid training.

11.5 RCMP

Council did not comment further on the RCMP report.

11.6 EnviroFair

Council did not comment on the EnviroFair Report.

11.7 Economic Development

Council did not comment on the Economic Development Report.

11.8 Joint Health and Safety

Council did not comment on the Joint Health and Safety report.

Moved by Councillor Lights and seconded by Councillor Doucet that the Town of Hampton accept the reports from the Environment, Leisure Services Advisory, Planning Advisory, Fire-Rescue, RCMP, EnviroFair, Economic Development 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 is down significantly from this same time last year. They felt that this was just a sign of the times and were pleased the development continues at a steady rate in the Town.

12.2 Dog Constable

Council noted that it is difficult to catch stray dogs.

12.3 Lighthouse River Centre/VIC

Council was impressed by the number of visits to the website.

12.4 Financial Reports

Council noted that the books are in good shape.

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

Motion Carried

13. READING OF BY-LAWS

1st Reading

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the 1st reading of Town of Hampton By-law 192-11, *A By-law to Stop Up and Close a Portion of William Bell Drive.*

Motion Carried

2nd Reading

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the 2nd reading of Town of Hampton By-law 192-11, *A By-law to Stop Up and Close a Portion of William Bell Drive.*

Motion Carried

14. NEW BUSINESS

14.1 Fire Communication Service

Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton enter into the agreement as presented with the Saint John Police Commission for Communications services for Hampton Fire Rescue.

Motion Carried

14.2 Parks Wide Area Mower

Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton purchase a Kubota ZG327-60 wide area mower vehicle, as per quote #5522.01, for a price of eleven thousand six hundred and eighty-nine dollars and eighty-five cents (\$11,689.85) including HST, as recommended by Leisure Services Director.

Motion Carried

14.3 Ironwood Extension

Deputy Mayor Bond declared a conflict of interested and left the meeting. Councillor Doucet took the chair.

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton extend the deadline in paragraph 1 of the Interim Subdivision Developer's Agreement with Ironwood Enterprises Inc. for the complete development of a minimum of thirty-one single family residential building lots as part of the Links at Hampton subdivision to on or before December 31, 2012.

Motion Carried

Deputy Mayor Bond returned to the meeting and resumed the chair.

14.4 Dangerous and Unsightly

Moved by Councillor Behr and seconded by Councillor Doucet that the Town of Hampton serve notice on the owner of 73 Centennial Road (PID 00189274) that the property is in violation of both the Maintenance of Occupancy By-law 16 and Dangerous and unsightly By-law No. 26, and that the owner must be May 12, 2011:

- **Apply for a Demolition Permit from the Town of Hampton;**
- **Demolish the building at 73 Centennial Road;**
- **Removal all demolition materials from the site, and dispose of them at an approved landfill site;**
- **Remove all foundation materials including old weigh scales from the site; and**
- **Grade the site to the satisfaction of the Town**

As recommended by the Town By-law Enforcement Officer.

Motion Carried

14.5 Parks Truck

Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton award the tender for a used Parks one-tonne truck to Downey Ford Lincoln for a 2008 Ford F350 for a purchase price of \$50,165.22 including HST as recommended by the Town's Leisure Services Director.

Motion Carried

14.6 Skateboard Bank Account

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton authorize the Town Treasurer to open a bank account for the future skateboard park at the Bayview Credit Union Hampton Branch.

Motion Carried

15. OUTSTANDING ISSUES

15.1 Pathway Campaign

Clerk provided update Council with an updated on the Pathways – Town Square Legacy Campaign. The deadline for purchasing bricks is May 31st, with the hope that they will be installed for the official opening on June 30th.

15.2 Blue Bins

Council noted that there is an ongoing issue with residents leaving recycling items outside the blue bins if the bins are full.

16. ADJOURNMENT

There being no further business, the meeting of Council was adjourned at 8:30 p.m.

Moved by Councillor Behr that the Town of Hampton adjourn the council meeting of April 12, 2011.

Motion Carried

Mayor Ken A. Chorley

Deputy Mayor Dwight Bond

Megan O'Brien Harrison, Clerk