

**TOWN OF HAMPTON  
COUNCIL MEETING  
June 14<sup>th</sup>, 2011**

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 June 14, 2011 commencing at 7:07 p.m. A second closed session was held, commencing at 9:00 p.m.

**ATTENDANCE:**

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

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

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

Delegations: Sgt. Andy O'Connell, RCMP

Guests: David Carr, Main Street

**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 7:05 p.m. A second closed session was called to order at 9:00 p.m. and adjourned at 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	1
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	
i)	Information gathered by police	
j)	Labour/Employment matters	1

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

Mayor Chorley called the Open Session to order at 7:07 p.m.

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

Councillor Doucet 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 June 14, 2011 Council meeting be approved as presented.**

**Motion Carried**

**5. DISCLOSURE OF CONFLICT OF INTEREST**

Deputy Mayor Bond declared a conflict for any land development issues.

**6. PRESENTATIONS AND DELEGATIONS**

**Sgt. Andy O’Connell – RCMP report**

Sgt. O’Connell presented an overview of the RCMP report. He noted that May was a fairly quiet month, and was pretty much on par with the same time last year.

He noted that the mobile speed sign was used for one day on Kennebecasis River Road. There were technical difficulties when they tried to set it up on Main Street. It is currently being repaired.

Sgt. O’Connell made mention of Police Week events, check stops and seven school visits, most notably Constable Gendron work with the Kids of Steel biking at Hampton Elementary School and Constable Shannon’s visits to PALS.

Councillor Behr informed Sgt. O’Connell of a potential telephone scam that had contacted him.

Councillor Lights asked for clarification on the new hand-free cellphone law. Sgt. O’Connell provided an overview of the law.

Deputy Mayor Bond asked about speeding in Dutch Point Road. Sgt. O’Connell stated that a few members have sat down in Dutch Point

**7. ADOPTION OF MINUTES**

**7.1 Minutes of May 10, 2011**

Mayor Chorley 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 May 10, 2011 Regular Council Meeting be adopted.**

**Motion Carried**

7.2 Minutes of May 27, 2011

Mayor Chorley 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 May 27, 2011 Special Council Meeting be adopted.**

**Motion Carried**

7.3 Minutes of June 6, 2011

Mayor Chorley 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 June 6, 2011 Special Council Meeting be adopted.**

**Motion Carried**

**8. BUSINESS ARISING FROM MINUTES**

Not Applicable

**9. CORRESPONDENCE LIST**

#	NAME	DESCRIPTON	Recommended Action
11-055	Brad LeBlanc and Ryan Boudreau, Momentum Group and Ivan Court, Mayor of Saint John	Special offer for Atlantic Canadian Mayors to participate in the SPARK Leadership conference taking place in Saint John on October 6 <sup>th</sup> .	<b>Received and filed</b>
11-056	Hampton Area Chamber of Commerce	Invitation to register a team in the Hampton Area Chamber of Commerce 3 <sup>rd</sup> Annual Golf Tournament on Friday, June 17 <sup>th</sup> , 2011.	<b>Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton enter a team in the Hampton Area Chamber of Commerce's 3<sup>rd</sup> Annual Golf Tournament on June 17<sup>th</sup>, 2011 at a cost of four hundred dollars (\$400)</b>  <b>Motion Carried</b>
11-057	Mark Bettle, Chair, Hampton-Piggs Peak Partnership	Request for the Town of Hampton to sponsor a child through the Starfish Program. Secondly, requesting that a Hampton-Piggs Peak Partnership sign be posted at the entrance to Hampton.	<b>Moved by Councillor Behr that the Town of Hampton sponsor a child's education in Swaziland through the Starfish Program at a cost of three hundred dollars (\$300) per year.</b> No one seconded the motion. <b>Motion Defeated.</b>

			<p>Council did not feel this was part of the municipal mandate. Received and filed. In regards to the sign request:</p> <p><b>Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the installation of a stand-alone Hampton-Piggs Peak Partnership sign, location to be determined, subject to it meeting with the Town's Signage By-law.</b></p> <p><b>Motion Carried</b></p>
11-058	Andy Lodge, Barry Spalding	Invitation to the 4 <sup>th</sup> Annual Saint John Young Professionals Golf Tournament on July 15, 2011.	<b>Received and filed</b>
11-059	Mark Brown, Main Street	Noise Complaint Regarding Shiretown Publicans	<b>Referred to the RCMP</b>
11-060	Jim Cameron Hampton Lions Club	Thank you for donation to 13 <sup>th</sup> Annual Casino Night	<b>Received and filed</b>
11-061	Don Doran, EMO Coordinator	Letter of resignation	<p><b>Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton, with regret, accept the resignation of Don Doran as EMO Coordinator effective June 30, 2011.</b></p> <p><b>Motion Carried</b></p> <p>Deputy Mayor Bond stated Don has done a wonderful job as the EMO coordinator. Brian Fowler will act as the EMO coordinator in the interim. Council will also send a letter of thanks to Don for his six years of service to the Town of Hampton, with a token of appreciation.</p>
11-062	Carol Reid, Loyalist Drive	Drainage Concerns on Loyalist Drive and request to have the current drainage system assessed and addressed.	<p>The Town Manager noted that area has had issues for a number of years. There are budgeted plans this year to do some storm sewer work.</p> <p>Received and filed.</p>
11-063	Sherry Dumont	Thank you for donation to the 2011 Hampton Curl for Cancer	Received and filed.

11-064	Fundy Region Solid Waste Commission	Open session Meeting Minutes of the Fundy Region Solid Waste Commission for the months of January, February and March 2011	Councillor Behr noted that their annual meeting was coming up on Thursday, June 16, 2011.  Received and filed.
11-065	Garth Millar, Event Organizer	Request for Sponsorship for the 3 <sup>rd</sup> Hampton ladies Triathlon.	<b>Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton donate one hundred dollars (\$100.00) to the 3<sup>rd</sup> Annual Hampton Ladies Triathlon.</b>  <b>Motion Carried</b>
11-066	Tina Bonner Canada Post Communications	Locations of new Community Mailboxes for individuals that cannot keep their rural mailboxes due to traffic issues	<b>Referred to Public Works Superintendent.</b>
11-067	Cody Greer	Request for Sponsorship for his participation on the under 18 NB Boys Rugby team.	Referred to Help the Cops Help the kids. If he does not receive funding from them, then Council will reconsider.
11-068	Hon. Claude Williams, Minister of Transportation	Letter advising the Town that the 2011 program for improvements to provincial designated highways in municipalities includes an estimated \$120,000.00 for chipseal on Route 845 from Route 121 to the Town limits.	Council noted that this was very good news. Received and filed.
11-069	Stephen A. Willis Chairperson of the Greater Saint John Community Foundation	Notice of approval of a \$5,000 grant for the Town of Hampton Skate Board Park.	<b>Referred to staff and direct them to send a note of thanks.</b>

## 10. APPROVAL OF ACCOUNTS

**Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton approve the General and Utilities Fund Paid Invoices from May 1 to May 31, 2011 for the amount of five hundred and thirty-six thousand nine hundred and eighteen dollars and thirty-six cents (\$536,918.36).**

**Motion Carried**

## 11. REPORTS FROM COMMITTEES

### 11.1 Canada Day

There is a several action-packed days planned, including the Town Square opening on June 30<sup>th</sup> and the Chris Cumming Concert on July 1<sup>st</sup> in support of the skateboard park.

### 11.2 Environment

Councillor Behr provided an overview of the Environment Minutes. He noted that the Town delivered two loads of compost to Community Garden from the landfill.

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton responded to the letter of Premier Alward concerning their fracking concerns thanking him for the reply and asking that the Town of Hampton be informed of any future developments regarding fracking in this area.**

**Motion Carried**

### 11.3 Leisure Services Advisory

Councillor Doucet provided an overview of the Leisure Services Advisory Committee minutes. It was noted that the Community-Wide Yard Sale was taken over by Jennifer Gendron at Lifestyles Health and Fitness with the proceeds going to the skateboard park.

Mayor Chorley made mention of the Volunteer Expo taking place in the fall in conjunction with the Rick Hansen Relay.

It was noted that the Boy Scouts installed an interpretative sign about ducks in the Park.

### 11.4 Planning Advisory Committee

Councilor Lights noted that PAC reviewed a Transient Trader License application and recommended a license fee of \$30.00 per day.

**Moved by Councillor Lights and seconded Councillor Behr that the Town of Hampton approve the Transient Trader License of Kash's Kitchen, as recommended by the Planning Advisory Committee, to operate on Saturdays from 7 am until 6 pm for the months of June through September for a license fee of thirty dollars (\$30.00) daily, conditional on the third-party property owners, specifically District 6 for the Middle School and High School fields, and the Leisure Service department for specific dates/events at the Town-owned parks.**

**Motion Carried**

### 11.5 Fire-Rescue

Deputy Mayor Bond provided an update of the Fire-Rescue Department, including training. They were impressed by their emergency readiness.

11.6 RCMP

Councillor Behr asked for an explanation for the discrepancies between the column numbers and the totals. It was noted that the column represented the calls and the totals represented the charges. This should be explained on the report.

11.7 Public Works Advisory

Councillor Doucet provided an overview of the Public Works Advisory Committee minutes. They discussed the traffic concerns on Riverdale Drive. The committee felt that the street was not long enough to speed on and that the residents were used to the dead end street with less traffic volumes.

11.8 Utilities Commission

Deputy Mayor Bond provided an overview of the Utilities Commission minutes. It was noted that the minutes did not reflect that Deputy Mayor Bond declared a conflict of interest and left the meeting after item 3.4. The Clerk amended the minutes to reflect same.

Council raised concern about street lights in the Town limits that are not functioning properly. Staff was directed to contact NB Power to express these concerns.

11.9 Finance

Deputy Mayor Bond provided an overview of the Finance Committee minutes.

Capital Reserve Fund

**Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton, as recommended by the Finance Committee, transfer one hundred and seventy-five thousand, five hundred and fifty seven dollars (\$175,557.00) from the Capital Reserve fund, account #6019400121610, to the general operating bank, account #601940029815, as per the 2011 budget.**

**Motion Carried**

**Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton, as recommended by the Finance Committee, transfer GIC #10000000KDTW5 in the amount of ninety two thousand, eight hundred and forty dollars and eighty four cents (\$92,840.84) to the Town's general operating bank, account #601940029815 as per the 2011 budget.**

**Motion Carried**

Visa Limits

**Moved by Deputy Mayor Bond and seconded by Councillor that the Town of Hampton increase the VISA limit to five thousand dollars (\$5,000.00) for each Department Head, as recommended by the Finance Committee.**

**Motion Carried**

11.10 Economic Development

The Town CAO provided an overview of the Economic Development minutes. It was noted that Barb McNamara submitted her resignation to the committee. Council will send a letter of thanks.

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton accept the reports from the Canada Day, Environment, Leisure Services Advisory, Planning Advisory, Fire-Rescue, RCMP, Public Works Advisory, Utilities Commission (with amendment as noted above), Finance and Economic Development Committees as submitted.**

**Motion Carried**

## **12. APPROVAL OF REPORTS**

12.1 Building Inspector Report

Council noted that despite a slower economy the Town still has an acceptable number of building permits being issued.

12.2 Dog Constable

Council noted May was a busy month for the dog constable.

12.3 Tourism Manager

It was noted that the Canadian Cancer Society's *Relay for Life* took place at HHS on the night of June 4<sup>th</sup>. The Organizing Committee passed along their appreciation to all Town of Hampton Departments and Staff that helped out with manpower and loaning of equipment.

Mayor Chorley noted that the VIC is undergoing the scheduled roofing, painting, insulating, signage, landscaping, decking, and technological upgrades. We received zero Provincial grant summer students, and two Federal grant summer students. Our two summer students for this year are both returning students.

12.4 Financial Reports

Council did not comment on the Financial Reports.

**Moved by Councillor Doucet and seconded by Deputy Mayor Bond 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**

Not Applicable



## 14. NEW BUSINESS

### 14.1 Cobblehill

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

Mayor Chorley noted that the Planning Advisory Committee granted variances on section 4.11 of the Zoning By-law to allow for a variation in front yard lines and a variance on subsection 3 of the Streets section of the Subdivision by-law which states that every street shall have a width of 20 metres and to allow cul-de-sacs exceeding 180 metres in length.

**Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton approve the tentative plan, Cobblehill Subdivision, Drawing Number D3B, dated May 2011, as prepared by Fundy Drafting Services subject to:**

- **Land for Public Purposes (LPP) as presented, conditional on the approval of NB Power for the intended use of the utilities easement and the creation of a 20 metre wide parcel of LPP attaching Green Space number 09 to Old Stable Trace cul-du-sac and increasing the size of the LPP trail between lots R38 and R37 to a 20 metre wide parcel to allow for future access if required;**
- **Streets names approval by the provincial 911 service;**
- **Completion of Engineered drawings to be approved by the Town;**
- **Completion of a Storm water Management Plan with no change to the existing runoff coefficient;**
- **Application will be made to the Planning Advisory Committee for any lot size variances on individual phases once the field survey has been completed;**
- **Individual phases of Cobblehill are subject to final approval of Council and will require the execution of the developer's agreement between the Town of Hampton and the developers;**
- **Buffering between adjacent commercial properties as required by the Zoning by-law and also similar buffering from the Highway;**
- **Placement of appropriate bonding as determined by the Town Engineer;**
- **Final Subdivision Plans to be signed by appropriate Utilities;**
- **and the satisfactory completion of a Comprehensive Water study**

**As recommended by the Planning Advisory Committee, Utilities Commission, Public Works Advisory Committee, Leisure Services Advisory Committee, and Town Staff.**

**Motion Carried**

**Moved by Councillor Behr and seconded Councillor Lights that the Town of Hampton forward to the developer the following Environment committee's recommendations for Cobblehill Subdivision:**

- **ask the developers to encourage builder to build energy efficient homes. Facing home orientation to the south would also allow builders to take advantage of the sun's heating potential;**
  - **consider utilizing LED lights with full cut off (no light emitted above horizontal); and**
  - **that the developers aim for maximum preservation of vegetation with home owners being encouraged to take advantage of vegetation for wind screening.**
- for their consideration.**

**Motion Carried**

14.2 Bonney Park

Mayor Chorley noted that the Planning Advisory Committee granted variances on lot frontage on Lot 5 and Lot 9 from 30 metres to 20 metres and that the Planning Advisory Committee grant a variance on lot depth from 37 metres to 36 metres given that the street system and sanitary sewer originally designed and installed for terrace dwellings.

**Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton approve the amending tentative plan, entitled *Bonney Park Subdivision*, drawing number T-0212-17, prepared by Keirstead, Quigley and Roberts Ltd., dated May 17, 2011, as recommended by the Utilities Commission, Planning Advisory, Leisure Services Advisory, Public Works Advisory and Environment Committees. Final approval of same is subject to:**

- **negotiation of money in lieu of land for public purpose;**
- **Street name approval by the provincial 911 service;**
- **Completion of Engineered drawings to be approved by the Town with no change to the existing runoff coefficient, with consideration for a retention pond if required;**
- **The execution of a development agreement with the Town of Hampton and the developer;**
- **Placement of appropriate bonding as determined by the Town Engineer;**
- **Final Subdivision Plans to be signed by appropriate Utilities; and**
- **the developer submitting a water supply assessment report to the Town of Hampton that is satisfactory to the Town of Hampton.**

**Motion Carried**

Deputy Mayor Bond returned to the meeting.

14.3 Works Truck Tenders

**Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton award the Equipment Purchase Tender #PW-2011-01, 1 New 6 X 4 Truck Cab and Chassis, to the low tenderer, East Coast International Trucks Inc. for the Tender Price of one hundred and thirty-one thousand six hundred and forty-five dollars and zero cents (\$131,645.00), including HST, as recommended by the Public Works Superintendent.**

**Motion Carried**

**Moved by Councillor Doucet and seconded Councillor Behr that the Town of Hampton award the Equipment Purchase Tender #PW-2011-03, 1 New Thirteen Foot All Season Sand and Salt Dump Box to the low tenderer, BWS Manufacturing Ltd. for the Tender Price of thirty-one thousand five hundred and seventy-two dollars and twenty cents (\$31,572.20), including HST, as recommended by the Public Works Superintendent.**

**Motion Carried**

14.4 Asphalt Tender

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton award the Asphalt Resurfacing 2011 Contract, Project No: 10-3591B, to the low tenderer, Classic Construction for the Tender Price of one hundred and fifty-eight thousand three hundred and eighty-eight dollars and fifty cents (\$158,388.50), including HST, as recommended by the Town's Engineering Firm, Dillon Consulting Limited.**

**Motion Carried**

14.5 Storm Sewer Tender

**Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton award the Storm Sewer Contract, Project No: 11-4697, to the low tenderer, Valley Excavation Services Inc. for the corrected Tender Price of one hundred and eleven thousand seven hundred and thirty-four dollars and forty cents (\$111,734.40), including HST, as recommended by the Town's Engineering Firm, Dillon Consulting Limited.**

**Motion Carried**

14.6 HR

**Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton appoint Brad Cummings to the position of Leisure Services Operator 1, effective June 20, 2011. This appointment is for a six month probationary period and then with a satisfactory performance appraisal, the employees will be reclassified to regular full-time employment. The waiting period for the benefits package will be waived to the degree permitted by the Town's coverage provider. The rate of pay is according to Schedule "A" Wage Scale for Leisure Services Operator, dated June 10, 2011.**

**Motion Carried**

14.7 Renewal of Service Agreement #10-004

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton renew Service Agreement #10-004 with Service New Brunswick as presented.**

**Motion Carried**

14.8 Insurance

**Moved by Deputy Mayor Bond and seconded by Councillor Lights that the Town of Hampton approve the renewal of Frank Cowan Company as the Municipal Insurer for 2011-2012 and Alliance Assurance Inc. as our insurance broker for a period of one year commencing May 1, 2011 with an annual premium of eighty-seven thousand six hundred and ninety dollars (\$87,690.00).**

**Motion Carried**

14.9 Communities in Bloom

Mayor Chorley noted that the Hampton Garden Tour, in support of Communities in Bloom is scheduled for Saturday, June 25, 2011 from 1 until 4 p.m. Tickets are available at Hampton Pharmasave or Kredls.

**15. OUTSTANDING ISSUES**

Not Applicable

**16. ADJOURNMENT**

There being no further open session business, the meeting of Council was adjourned at 8:48 p.m. into Closed session.

**Moved by Councillor Behr that the Town of Hampton adjourn the Regular council meeting of June 14, 2011.**

**Motion Carried**