

**TOWN OF HAMPTON  
COUNCIL MEETING  
October 11, 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 October 11th, 2011 commencing at 7:00 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: Laura MacInnis, Kings County Record

Delegations: Inspector Warr, RCMP  
Mark MacLeod, Fundy Region Solid Waste Commission

Guests: Daniel Anderson, 131 Viola Avenue  
Margaret Britt, 46 Barbara Street  
David Carr, 564 Main Street  
Patty Cox, 1485 Main Street  
Kathleen Hester Gandy and George W. Larsen, 18 Langstroth Terrace  
Ryan Gardner, Main Street  
Kailey and Vicki Hallett, 704 Bonney Road  
Phyllis and John Holmes, 348 Kennebecasis River Road  
Joanne MacIntyre, 51 Raymond Street  
Bruce Mcgarity, 62 Meadow Avenue  
Zelda McKenzie, 55 Randall Drive  
Judy McNab, 20 Robin Street  
Gina and Harvey McLeod, 11 Victoria Street  
Jessica McMackin, 918 Main Street  
Laurie Mills, 86 Dutch Point Road  
Pete Nickerson, 900 Main Street  
Cameron O'Keefe, 95 Barbara Street  
Catherine Peacock, 1006 Main Street  
Dimitri and Gary Peddle, 17 Kelti Avenue  
Chris Rendell, 24 Vernon Avenue  
Heather Scott and Meelahn Scott-Weabury, 45 Dineen Crescent  
Anne Scott, 43 Randall Drive  
S. Macmillan and Catherine Trueman, 426 Kennebecasis River Road  
Erin MacKenney, 41 O'Dell Loop, Passekeag  
Daryl Bettle, 17 Kelly Street, Lakeside  
Brenda and Heinz Graef, 65 Ernest Smith Road, Titusville  
Alex and Wanda Gass, 1470 Route 860, Smithtown

Matthew Hughes, 15 Fairholme St, Quispamsis  
 Donna Fry, 638 Route 121, Bloomfield  
 Carl and Ruth Wolpin, 100 Route 121, Bloomfield  
 Caroline and Tony Smith, 4446 Rte 111, Upperton  
 Brenda Dunn, 557 Darlings Island Road, Darlings Island  
 Mary and Doug Foster, 505 Darlings Island Road, Darlings Island  
 April Preston, 556 Darlings Island Road, Darlings Island  
 Patricia Melanson, 7 Kiersteadville Road  
 Sheena Mosher, Southfield  
 Connor DeMerchant, Kingston  
 K. Garnett-DeMerchant, Kingston  
 Kelly Freymuth and Mark Burhoe, 183 Route 855  
 Lori McNiven and Garfield McPhee, 522 Ravine Road, Lower Norton

## 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	
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	
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	1

## 2. REGULAR SESSION – PUBLIC COUNCIL MEETING

Mayor Chorley called the Open Session to order at 7:00 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 October 11, 2011 Council meeting be approved as presented.**

**Motion Carried**

## 5. DISCLOSURE OF CONFLICT OF INTEREST

Deputy Mayor Bond declared a conflict of interest for all matters related to subdivision development in the Town.

## 6. PRESENTATIONS AND DELEGATIONS

### a. Inspector Warr – Hampton RCMP

Inspector Warr presented the September RCMP report to the Town of Hampton. He stated that the report is comparable to the same month in 2010.

Inspector Warr noted that there were three vehicle check-stops within the Town limits with 225 vehicles were checked and five school visits. He also stated that they have implemented bicycle patrols within the municipality.

Councillor Behr asked responses to residential alarm systems. Inspector Warr said that RCMP in New Brunswick have implemented a new response protocol for these alarm systems. Based on the fact that one hundred percent (100%) of single zone single hit alarms end up being false alarms, the RCMP will no longer respond to single zone single hit alarms until the alarm has been verified by the alarm company or the property owner. They will still respond immediately to glass breaks, panic alarms, multi-hit alarms.

Council thanked Inspector Warr for his report.

### b. Mark MacLeod - Fundy Region Solid Waste Commission

Mark MacLeod, General Manager of the Fundy Region Solid Waste Commission made a presentation on keeping Yard Waste out of the Landfill. Mr. MacLeod noted that Councillor Behr is the Town's representative on the Commission.

The Fundy Region Solid Waste Commission is looking to keep yard waste out of the landfill. They are supportive of the Town's leaf bin. Yard Waste is classified as leaves, weeds, grass, twigs and branches that are less than two inches in diameter. Yard waste is easy to compost either on own property or through the green cart or to the Town's leaf bin.

Mr. MacLeod noted that yard waste makes up a significant volume of material. The tipping fees for compost is \$28/tonne, while landfill is \$108/tonne.

Unsorted waste is now classified as garbage containing yard waste. The Fundy Region Solid Waste Commission has created a strong disincentive. Unsorted waste will charge double the landfill tip fee for unsorted waste commencing in January 2012.

Yard Waste will be collected on compost day from the compost cart, brown paper bags, compostable bags, clear plastic bags or twig bundles. Yard waste does not belong in black or coloured plastic bags and it does not belong in with garbage collection.

The Fundy Region Solid Waste Commission is asking for the Town's assistance in informing the public on the new regulations for yard waste. The Commission launched an advertising campaign. The Commission plans to meet with haulers, suppliers and retailers and provide stickers to haulers.

## 7. ADOPTION OF MINUTES

### 7.1 Minutes of August 9, 2011

Mayor Chorley asked Council to review the minutes for Errors or Omissions.

**Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the minutes of the September 13, 2011 Regular Council Meeting be adopted.**

**Motion Carried.**

## 8. BUSINESS ARISING FROM MINUTES

### Demand for Authorization to Conduct Seismic Survey on roads within the Municipality

Mayor Chorley noted that this issue was tabled at the last meeting until Council could obtain further information on the matter.

**Moved by Councillor Doucet and seconded by Councillor Behr to remove from the table the demand for authorization to conduct seismic survey on roads within the Municipality.**

**Motion Carried**

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton deny the request of Seismotion Inc. and Windsor Energy to conduct a seismic survey on roads within the Municipality.**

**Motion Carried**

## 9. CORRESPONDENCE LIST

#	NAME	DESCRIPTON	Recommended Action
11-099	Greater Saint John Community Foundation	Invitation to Jane Barry's retirement celebration on Friday, Nov. 18 <sup>th</sup> at the Marco Polo Cruise Terminal	<b>Council will inform the Town's Administrative Assistant if they wish to attend.</b>
11-100	Rian Hogan, Coordinator Local Government, GNB	The Department of Canadian Heritage has funding available for community celebrations in honour of the Queen's 60 year reign.	<b>Referred to Leisure Services Advisory Committee.</b>
11-101	Dr. Janice Cormier Daffodil Ball Chairperson 2012	Invitation to the 7 <sup>th</sup> Annual Daffodil Ball on March 31, 2012. The Ball is in support of the Canadian Cancer Society.  The cost is \$200 per ticket or \$1500 for a table of 8.	<b>Received and filed.</b>

11-102	Hampton Middle School Grade 8 Quebec Trip	Request for donation to the Hampton Middle School Grade 8 cultural trip to Quebec City.	<b>Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton donate one hundred dollars (\$100.00) to the Hampton Middle School Annual Grade 8 cultural trip to Quebec.</b>  <b>Motion Carried</b>
11-103	KV Old Boys	Request that the Town's redeemable containers collected by staff be donated to the KV Old Boys	<b>Received and filed.</b>
11-104	Sheryl Moore, Hampton Area Chamber of Commerce	Requesting permission to hold the annual Santa Claus Parade on Saturday, December 3 commencing at 6 p.m. commencing at the Middle School, proceeding along Main Street and disbanding at the Hampton High School.	<b>Moved by Councillor Doucet and Councillor Behr that the Town of Hampton grant permission for the Hampton Area Chamber of Commerce to hold the annual Santa Claus Parade on Saturday, December 3, 2011 commencing at 6:00 p.m. with the parade route extending from Hampton Elementary School along Main Street to Hampton High School, with Main Street being closed to traffic during this time.</b>  <b>Motion Carried</b>
11-105	Ashley Thibodeau, 83 Highland Drive	Request for assistance from the Town regarding dispute with NB Power involving maintenance work on NB power easement.	<b>Received and filed.</b>
11-106	Marjorie Conrod and Red & Diane Condon 41/43 Greenwood Cres	Request for repair of compromised sewer line	<b>Referred to Staff.</b>
11-107	The Huttges Family	Thank you card	<b>Received and filed.</b>
11-108	Sharon Wood Kids Help Phone	Request for donation of \$500 to Kids Help Phone	<b>Moved by Councillor Lights and seconded by Deputy Mayor Bond that the Town of Hampton donate one hundred dollars (\$100) to the Kids Help Phone.</b>  <b>Motion Carried</b>
11-109	Stephanie Stoneleigh Parents Against Everyday Poisons	Invitation to Breakfast meeting on October 21 <sup>st</sup> at the Memramcook Institute featuring Calvin Tillman, former Mayor of Dish, Texas talking on Shale Gas Drilling and his experience with the industry while he was Mayor of Dish.	<b>Council will inform the Town's Administrative Assistant if they wish to attend.</b>
11-110	Wayne Chamberlain United Way 2011 Campaign Chair	Request for donation to 2011 Campaign	<b>Received and filed.</b>

11-111	Trudy Kelly Forsythe	Opposed to seismic testing within Town limits	<b>Received and filed.</b>
11-112	Anne Scott	Invitation to Book Launch on October 19 <sup>th</sup> , 6 :30 p.m. at Lighthouse River Centre.  Anne thanked the Town for provided the Lighthouse River Centre for her book launch.	This information is on Town Website, Facebook and appeared in Herald Ad.  <b>Received and filed.</b>
11-113	Jayne Wilbur	Opposed to seismic testing within Town limits	<b>Received and filed.</b>
11-114	Diane Cosman 50 Branscombe Lane	Opposed to fracking within the Town limits	<b>Received and filed.</b>
11-115	John and Phyllis Holmes 348 Kennebecasis River	Copy of letter to Premier Alward regarding Fracking.	<b>Received and filed.</b>
11-116	Chester McMackin	Asking Council to use fair-mindedness when making a decision regarding natural gas exploration.	<b>Received and filed.</b>
11-117	Therese Furlong	Opposed to the Town giving permission for seismic testing for shale gas in and around Hampton.	<b>Received and filed.</b>
11-118	Howard LaBillois 988 Main Street	Concerned about Shale Gas Exploration and Extraction. Asking Council to support recommendations of Hampton Water First.	<b>Received and filed.</b>
11-119	Suzanne Kingston 988 Main Street	Concerned about Shale Gas Exploration and Extraction. Asking Council to support recommendations of Hampton Water First.	<b>Received and filed.</b>
11-120	Jennifer West, Groundwater Coordinator Ecology Action Centre	Background information regarding Shale gas explorarion	<b>Referred to the Environment Committee.</b>
11-121	Rob and Jean Northrup	Opposed to seismic testing in Town limits and surrounding areas.	<b>Received and filed.</b>
11-122	Marc Belliveau, Director of Communications Natural Gas Group	Answers to questions from Town Council regarding shale gas exploration and potential development.	<b>Referred to Environment Committee.</b>
11-123	19 Callers	List of callers expressing their views regarding shale gas exploration and seismic testing.	<b>Received and filed.</b>
11-124	Marc MacLeod	Proposed Budget for Fiscal Year 2012.  Councillor Behr provided an overview of the budget.	<b>Moved by Councillor Lights and seconded by Deputy Mayor Bond that Councillor Behr, on behalf of the Town of Hampton, vote in favour of the proposed budget of the Fundy Region Solid Waste Commission for the Fiscal year 2012.</b>  <b>Motion Carried</b>

11-125	KV Bantam AAA Vito's Rangers	Request for sponsorship in team program.	<b>Received and filed.</b>
11-126	Jamie and Anne McTeirnan Gamble	Opposed to Seismic Testing	<b>Received and filed.</b>

## 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 September 1 to September 30, 2011 for the amount of five hundred and thirty-four thousand eight hundred and sixty-six dollars and forty-nine cents (\$534,866.49).**

**Motion Carried**

## 11. REPORTS FROM COMMITTEES

### 11.1 Environment

The Town CAO provided an overview of the Environment Committee minutes.

### 11.2 Leisure Services

Councillor Doucet provided an overview of the Leisure Services Advisory Committee minutes. Council noted that the Rick Hansen Relay and the Volunteer Expo went well despite the weather.

**Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton appoint Brooke Cheeks to the Leisure Services Advisory Committee in the student position, as recommended by the Leisure Services Director. Her term will begin immediately and run for a period of one year.**

**Motion Carried**

**Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton appoint Scott Seely to the Leisure Services Advisory Committee, as recommended by the Leisure Services Director. His term will begin immediately and run for a period of three years.**

**Motion Carried**

### 11.3 Planning Advisory

Council did not comment on the Planning Advisory Committee report.

### 11.4 Fire-Rescue

Council noted that it was another busy month for Fire-Rescue.

11.5 RCMP  
Council did not comment further on the RCMP report.

11.6 Economic Development  
No Motions for Council

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton accept the reports from the Environment, Leisure Services Advisory, Planning Advisory, Fire-Rescue, RCMP, and Economic Development Committees as submitted.**

**Motion Carried**

6. Approval of Reports

12.1 Building Inspector Report  
No Motions

12.2 Dog Constable  
**Moved by Deputy Mayor Bond and seconded by Councillor Lights that the Town of Hampton fine Autumn and Eric Lynch of 16 Pickwauket Road twenty-five dollars (\$25.00) for allowing their black lab (Tag 201-78) to run at large.**

**Motion Carried**

12.3 Tourism Manager  
No Motions

12.4 Financial Reports  
No Motions

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

**Motion Carried**

7. Reading of By-laws

8. New Business:

14.1 Zoning By-law Amendment  
**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton hold a public presentation of the proposed Zoning By-law amendments regarding Wind Energy on Tuesday, November 8<sup>th</sup>, 2011 at 7 p.m. in Council Chambers.**

**Motion Carried**



**Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton hold a public hearing of the proposed Zoning By-law amendments regarding Wind Energy on Tuesday, December 13, 2011 at 7 p.m. in Council Chambers.**

**Motion Carried**

14.2 Orchard Hills – Phase 3

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

**Moved by Councillor Lights and seconded Councillor Behr that the Town of Hampton assent to the subdivision plan entitled *Orchard Hills Subdivision Phase 3* as prepared by Kierstead Quigley and Roberts Ltd., dated October 2, 2010 which creates 14 residential lots for the construction of 11 single-family dwellings, vests two public streets (Apple Blossom Trail and the extension of Homestead Drive), and vests new Public Utility Easements subject to the execution of the Developer's Agreement between the Town and A. M. H. Properties Limited as presented and placement of appropriate bonding as determined by the Town Engineer.**

**Motion Carried**

Deputy Mayor Bond returned to the meeting.

14.3 Application for Exemption Under the Noise By-law

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton grant approval of the application for exemption under the Noise By-law to the Royal Canadian Legion Hampton Branch, located at 1032 Main Street, for a private party being held on New Year's Eve from 8 p.m. until 1 a.m., conditional on the music stopping at 1 a.m. and the building being closed at 1:30 a.m.**

**Motion Carried**

15. Outstanding Issues  
Not Applicable

16. Adjournment

There being no further business, the meeting of Council was adjourned at 8:05 p.m.

**Moved by Councillor Behr that the Town of Hampton adjourn the council meeting of October 11, 2011.**

**Motion Carried**

**Approval:**

---

**Megan O'Brien Harrison, Town Clerk**

---

**Ken Chorley, Mayor**