

**TOWN OF HAMPTON  
COUNCIL MEETING  
December 13, 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 December 13th, 2011 commencing at 7:00 p.m.

**ATTENDANCE:**

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

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

Media: Laura MacInnis, Kings County Record

Delegations: Sgt. Andy O'Connell, RCMP

Guests: Malte Endress

**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	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	
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**

Councillor Behr 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 13, 2011 Council meeting be approved as presented.**

**Motion Carried**

**5. DISCLOSURE OF CONFLICT OF INTEREST**

Council was asked to disclose any conflicts of interest as they arise.

**6. PRESENTATIONS AND DELEGATIONS**

a. Hampton RCMP

Sgt. O'Connell noted that someone has been identified for the position in Sussex that he has been filling in for so he should be back in Hampton by March.

He provided an overview of report noting that 310 Vehicles were checked during the Routine Vehicle Check-Stop Program resulting in thirteen written warnings and one charge under the Provincial Offences & Procedures Act (POPA).

Sgt. O'Connell stated that November is general a quiet month. There were 107 occurrences for this period which was a slight increase from the same period last year, but he didn't feel there was reason for concern.

In regards to a resident complaint regarding speeding on Villa Drive, there have been increased patrols to the area. There were no offences in the area.

Council thanked Sgt. O'Connell and wished him a Merry Christmas.

b. Pubic Hearing: By-law #194-11 A By-law to Amend Zoning By-law 190-10

The Mayor called the Public Hearing to order regarding the Zoning By-law Amendment to include wind energy provisions.

Mayor Chorley asked three times for comments from the floor in opposition to the proposed amendments. There were none.

Mayor Chorley asked three times for comments from the floor in favour of the proposed amendments. There were none.

The Public Hearing was closed.

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton table the 3<sup>rd</sup> and final reading of Town of Hampton By-law 194-11, A By-law to Amend Zoning By-law 190-10 until the January 2012 Council meeting.**

**Motion Carried**

## 7. ADOPTION OF MINUTES

### 7.1 Minutes of November 8, 2011

Mayor Chorley asked Council if they had a chance to review the minutes. Mayor Chorley will then ask Council if there are any Errors or Omissions. He will then ask for a motion to adopt the minutes as presented (or with noted corrections, etc.)

**Moved by Councillor Lights and seconded by Councillor Behr that the minutes of the November 8, 2011 Regular Council Meeting be adopted with the correction on page 6.  
Motion Carried**

### 7.2 Minutes of December 12, 2011

Mayor Chorley will ask Council if they have had a chance to review the minutes. Mayor Chorley will then ask Council if there are any Errors or Omissions. He will then ask for a motion to adopt the minutes as presented (or with noted corrections, etc.)

**Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the minutes of the December 12, 2011 Special Council Meeting be adopted.**

**Motion Carried**

## 8. BUSINESS ARISING FROM MINUTES

There were none.

## 9. CORRESPONDENCE

#	NAME	DESCRIPTON	Action
11-141	Faye Pearson	Thank you card on the occasion of her retirement from the Kings County Museum.	<b>Received and filed.</b>
11-142	Pam Boudreau on behalf of Earth Spirit Horse Rescue	Request endorsement of the Earth Spirit Horse Rescue in Sussex and for help encouraging votes for the Aviva Community Fund.	<b>Referred to staff for inclusion on website.</b>
11-143	George Stevens	Letter supporting Council's decision regarding the denial of the overall tentative subdivision application for Orchard Hills.	<b>Received and filed.</b>
11-144	Atlantic Institute for Market Studies	Ninth annual Report Card on Atlantic Canadian High Schools	<b>Received and filed.</b>
11-145	Saint John Regional Hospital Foundation	Request for donation	<b>Moved by Councillor Behr and seconded by Deputy Mayor Bond that the Town of Hampton donate two hundred and fifty dollars (\$250.00) to the Saint John Regional Hospital Foundation.  Motion Carried</b>
11-146	Walter Meech	Recommendation regarding improvements to community garbage receptacles	<b>Refer to staff.</b>

11-147	Rick Hansen	Copy of <i>In Motion</i> e-newsletter.	<b>Received and filed.</b>
11-148	Harold Bettle, 71 Keirstead	Concerns regarding the Town taking over the garbage collection service and request for more information to the public.	<b>Refer to staff to put some information together for the New Year and direct staff to meet with Mr. Bettle.</b>
11-149	Rodney Senior, 6 Alexander Court	Thank you for prompt attention and solution to concerns over new garbage bins	<b>Received and filed.</b>
11-150	Kari Poore, Saint John SPCA Animal Rescue	Request for donation	Councillor Behr declared a conflict of interest and left the meeting.  Referred to staff for further information.  Councillor Behr returned to the meeting.
11-151	Honourable Bruce Fitch Minister of Local Government	Thank you for letter regarding the Enhancement of Local Governance initiative.	<b>Received and filed.</b>
11-152	Honourable Jason Kenney, Minister of Citizenship, Immigration and Multiculturalism	Seeking nominations for the 2012 Paul Yuzky Award for Multiculturalism.	<b>Received and filed.</b>
11-153	Daniel Fowlie, Manager, Southern District, Canadian Cancer Society, New Brunswick	Request for sponsorship or prize donations for the 2012 Hampton Curl for Cancer.	<b>Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton donate two hundred and fifty dollars (\$250.00) to the Hampton Curl for Cancer taking place on Saturday, February 11, 2012.</b>  <b>Motion Carried.</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 November 1 to November 30, 2011 for the amount of six hundred and forty-three thousand seven hundred and ninety-five dollars and fifty-one cents (\$643,795.51).**

**Motion Carried**

## 11. REPORTS FROM COMMITTEES

### 11.1 Environment

Councillor Behr provided an overview of the Environment Committee report. He mentioned that his committee remains interested in a Municipal plan reporting mechanism. It was suggested by Council that an update could appear in the Hampton Herald or on the Town website.

Councillor Behr noted that he attended the speech by Dr. Anthony Ingraffea at Hampton High School on fracking of shale gas. He found it very informative. Deputy Mayor Bond felt it was important not to rush the development of the industry that it was important to ensure that the right regulations were in place before moving forward.

11.2 Leisure Services

Councillor Doucet provided an overview of the Leisure Services Advisory Committee report. They put forward their 2012 budget recommendations to the Finance Committee. Pricing this year will include HST.

Councillor Doucet stated he has received several compliments about the Christmas decorations throughout the Town, in particular the decorations on the pavilion, street lights and at the cenotaph.

11.3 Fire-Rescue

Deputy Mayor Bond provided an overview of the Fire-Rescue report. He noted that all the calls on this report were within the Town limits.

11.4 RCMP

Council did not comment further on the RCMP report.

11.5 Economic Development

The Town CAO provided an overview of the Economic Development minutes. He noted that the BRE Sub-Committee has finalized the brochure, including folder and inserts.

**Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton sign the Memorandum Of Understanding between the Town and Service New Brunswick, for the purposes of partnering in online business permits and license tool, BizPaL, as recommended by the Economic Development Committee.**

**Motion Carried**

11.6 Finance Committee

**LEISURE SERVICES RATES**

**Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton approve the:**

- **Program Price List (Appendix A);**
- **Arena Pricing (Appendix B);**
- **Sports Field Fee Structure (Appendix C);**
- **Leisure Services Summer Staff Wage Scale (Appendix D)**

**as presented and recommended by the Leisure Services Advisory Committee and the Finance Committee.**

**Motion Carried**

**LIGHTHOUSE RIVER CENTRE RATES**

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton approve the Lighthouse River Centre Rates (Appendix E) as presented by the Tourism Manager and as recommended by the Finance Committee.

Motion Carried

**BUILDING PERMIT RATES**

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the Building Permit Rates (Appendix F) as presented by the Building Inspector and as recommended by the Finance Committee.

Motion Carried

**BAD DEBT**

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton write off the uncollectible bad debts from 2005 through 2009, in the amount of \$7063.45, as submitted by the Treasurer and as recommended by the Finance Committee.

Motion Carried

**WATER AND SEWER RATES**

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton approve Sewage By-law #112-91 Schedule "A" Water and Sewer Rates as recommended by the Utilities Commission and Finance Committee.

Motion Carried

**TAX RATE**

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton approve the tax rate for 2012 of \$1.2500 per \$100.00 of assessed value, pending approval of the Provincial Government. The gross expenditures will be \$5,358,511 less non-tax revenue of 1,108,785 for a net budget of \$4,249,726 less the unconditional transfer of \$287,071 with the warrant to be raised by local rate of \$3,962,655.

Motion Carried

**UTILITY OPERATING BUDGET**

**Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton approve the 2012 Utility Operating Budget as follows:**

<i>Sale of Water</i>	<i>\$ 2080.00</i>
<i>Sale of Sewerage Service</i>	<i>\$276,600.00</i>
<i>Surplus from 2<sup>nd</sup> Previous Year</i>	<i>\$ 737.00</i>
<i>Total Revenue</i>	<i><u>\$279,417.00</u></i>

<i>Water System Expenses</i>	<i>\$ 43,350.00</i>
<i>Sewerage System Expenses</i>	<i>\$232,067.00</i>
<i>MRIF – Capital Reserve Fund</i>	<i>\$ 4,000.00</i>
<i>Total Expenses</i>	<i><u>\$279,417.00</u></i>

**as recommended by the Utilities Commission and the Finance Committee.**

**Motion Carried**

11.7 Health Care

Mayor Chorley noted that they had their semi-annual luncheon with the Town doctors. It was a productive meeting.

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

**Motion Carried**

**12. APPROVAL OF REPORTS**

12.1 Building Inspector Report

Council noted that it was a pretty good year given the current economic climate.

12.2 Dog Constable

Council noted that there were several calls from outside the Town.

12.3 Tourism Manager

Council asked for a comment form regarding the Comex service to be included on the website.

12.4 Financial Reports

Council did not comment on the Financial Reports.

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

**Motion Carried**

## 13. BY-LAWS

### 13.1 PAC By-law

3<sup>rd</sup> and Final Reading

**Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton approve the 3<sup>rd</sup> and Final reading of Town of Hampton By-law 195-11, A *By-law to establish a Planning Advisory Committee.***

**Motion Carried**

**Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton appoint the following individuals to the Planning Advisory Committee, effective January 1<sup>st</sup>, 2012:**

- **Carolyn Walker, as the Town of Hampton Environment Committee representative for a three year term expiring on December 31, 2014;**
- **Mike Rosehart as the Town of Hampton Public Works Advisory Committee representative for a three year term expiring on December 31, 2014;**
- **Don Doran, as the Town of Hampton Utilities Commission representative for a two year term, expiring on December 31<sup>st</sup>, 2013;**
- **Mark Reid as the Town of Hampton Leisure Services Advisory Committee representative for a one year term expiring on December 31, 2012;**
- **Gary Rent as the Town of Hampton Economic Development Committee representative for a one year term expiring on December 31, 2012;**

**And that Council confirm the following appointments:**

- **Councillor Clara Lights as the Council representative;**
- **Andy Carson as member at large, currently serving in his first term which will expire on December 31<sup>st</sup>, 2013**
- **Lourdes Clancy as a member at large, currently serving her second term that will expire on December 31<sup>st</sup>, 2013; and**
- **Andre Roux as a member at large, reappointed for a second term that will expire on December 31<sup>st</sup>, 2014.**

**Motion Carried**

## 14. NEW BUSINESS

Deputy Mayor Bond declared a conflict and left the meeting.

### 14.1 Bonney Park – Extension of Tentative Plan

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton extend the approval of the overall amending tentative plan, entitled *Bonney Park Subdivision*, drawing number T-0212-17, prepared by Keirstead, Quigley and Roberts Ltd., dated May 17, 2011, subject to the previously imposed terms and conditions, for an additional twelve month period.**

**Motion Carried**

- 14.2 Cobblehill Subdivision – Extension of Tentative Plan  
**Moved by Councillor Lights and seconded by Councillor Doucet that the Town of Hampton extend the approval of the overall tentative Subdivision Plan *Cobblehill Subdivision*, Drawing Number D3B, dated May 2011, as prepared by Fundy Drafting Services, subject to the previously imposed terms and conditions, for an additional twelve month period.**
- Motion Carried**
- 14.3 Heritage Acres Plan – Extension of Tentative Plan  
**Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton extend the approval of the overall tentative Subdivision Plan *Heritage Acres*, DWG #S09598A, dated November 15, 2010 subject to the previously imposed terms and conditions, for an additional twelve month period.**
- Motion Carried**
- 14.4 Cranberry Hills Estates – Extension of Tentative Plan  
**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton extend the approval of the overall tentative scheme plan for Cranberry Hills Estates, dated May 6, 2008, as prepared by Keirstead, Quigley and Roberts Ltd., subject to the previously imposed terms and conditions, for an additional twelve month period.**
- Motion Carried**
- 14.5 Orchard Hills Estates - Extension  
**Moved by Councillor Lights and seconded by Councillor Doucet *Orchard Hills Subdivision Overall Scheme*, DWG#T-0325 Scheme 3, dated May 19, 2009, as prepared by Keirstead, Quigley and Roberts Ltd., subject to the previously imposed terms and conditions, for an additional twelve month period.**
- Motion Carried**
- 14.6 Dutch Point Gardens – Extension of Tentative Plan  
**Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton extend the approval of the overall tentative plan, entitled *Dutch Point Gardens*, prepared by Keirstead, Quigley and Roberts Ltd., dated July 17, 2009, subject to the previously imposed terms and conditions, for an additional twelve month period.**
- Motion Carried**

- 14.7 **Executive Estates – Extension of Tentative Plan**  
Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton extend the approval of the overall tentative plan *Executive Estates Subdivision*, dated January 28, 2008 as prepared by Kierstead, Quigley and Roberts, subject to the previously imposed terms and conditions, for an additional twelve month period.

Motion Carried

- 14.8 **The Links at Hampton – Extension of Tentative Plan**  
Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton extend the approval of the overall tentative plan the *Links at Hampton Subdivision*, dated July 18, 2007 and revised on November 7<sup>th</sup>, 2007, subject to the previously imposed terms and conditions, for an additional twelve month period.

Motion Carried

Deputy Mayor Bond returned to the meeting.

- 14.9 **Dog Constable**  
Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton renew the Dog Constable contract with Darin Clarke for 2012 as per the terms and conditions of the proposed “Dog Control Officer Agreement.”

Motion Carried

- 14.10 **Wage Scale**  
Moved by Councillor Doucet and seconded by Deputy Mayor Bond the approval of the Salary/Wage Scale for the Town of Hampton for 2012 as shown in the “TOWN OF HAMPTON – 2012 WAGE PROPOSAL” document and effective the first pay of January 2012, as per recommendation of the Human Resource Committee.

Motion Carried

- 14.11 **Christmas Bonus**  
Moved by Councillor Doucet and seconded by Deputy Mayor Bond that Council approve Staff Christmas Bonus as submitted.

Motion Carried

- 14.12 **Town Office – Holiday Hours:**

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve Holiday Office Hours as follows:

Closed December 26, 2011

Closed December 27, 2011

Closed January 2, 2012

Motion Carried

14.13 **Special Meetings of Council:**

Moved by Councillor Behr and seconded by Councillor Lights that the Town the Town schedule a Special Meeting of Town Council for December 30th, 2011 at 8:30 a.m. for the purpose of review of financial results for 2011 and the disposition of a surplus, should one exist.

Motion Carried

14.14 **HR**

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton appoint Millen Stevens to the position of Public Works Maintenance Worker, effective December 19, 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 Public Works Maintenance Worker, dated December 13, 2011.

Motion Carried

14.15 **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 Vintage Bistro located on Centennial Road, for a New Year's Eve party with live band being held on New Year's Eve from 8 p.m. until 2 a.m., conditional on the music stopping at 2 a.m. and the building being closed at 2:30 a.m.

Motion Carried

14.16 **Food Bank Donation**

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

Motion Carried

14.17 **Mayor's Levee:**

The Mayor noted that everyone is invited to the Mayor's Levee on Sunday, January 1<sup>st</sup>, 2012 at the Lighthouse River Centre from 1-3 p.m.

**15. OUTSTANDING ISSUES**

15.1 Deer Sign

Councillor Lights stated that she had received a call from a resident on 987 St. Paul Street requesting a deer crossing sign on St. Paul Street.

**16. ADJOURNMENT**

There being no further business, the meeting of Council was adjourned at 8:15 p.m.

**Moved by Councillor Behr that the Town of Hampton adjourn the council meeting of December 13, 2011.**

**Motion Carried**

APPROVAL

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Megan A. O'Brien Harrison, Clerk

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Ken Chorley, Mayor