

**TOWN OF HAMPTON
COUNCIL MEETING
October 13th, 2009**

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 13th, 2009 commencing at 7:00 p.m. There was a second closed session commencing at 9:15 p.m.

ATTENDANCE:

Council:	Mayor Ken Chorley Councillor Peter Behr Councillor Clara Lights	Deputy Mayor Dwight Bond Councillor Robert Doucet
Staff:	Richard Malone, CAO	Megan O'Brien Harrison, Clerk/Development Officer
Media:	Erin Dwyer, Telegraph Journal	Jean Whitehead, Kings County Record
Delegations:	Sgt. Steve Gourdeau, Hampton RCMP Laura Anderson and Rachel Harlow, Inclusion in the Work Place Peter Smith, Imperial Theatre, <i>Keep IT Live</i> Capital Campaign Jody Fisher, Saint Paul's Street	
Guests:	David Carr James Kerr, 63 Greenwood Jocilyn Gorman, 53 Greenwood	Ellen Hanlon George Goucher, 49 Greenwood

1. 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 same meeting at 7:00 p.m. There was a second Closed Session called to order at 9:15 p.m. and adjourned at 9:50 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	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	1
(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. DISCLOSURE OF CONFLICT OF INTEREST

Deputy Mayor Bond declared a conflict of interest for all matters dealing with subdivision development.

5. PRESENTATIONS AND DELEGATIONS

5.1 Sgt. Steve Gourdeau, RCMP Report

Sgt. Gourdeau noted that there were several labour intensive dates coming up, including Halloween, Remembrance Day and the Santa Claus Parade. He did not anticipate any issues on these dates. The Town Clerk is directed to provide Sgt. Gourdeau with any necessary information pertaining to the Remembrance Day service or the annual Santa Claus parade.

He provided Council with an update on some of the initiatives of the KV Crimestoppers, including a new radio advertising campaign.

5.2 Laura Anderson and Rachel Harlow, Inclusion in the Work Place

Laura Anderson and Rachel Harlow provided Council with a presentation on the federally funded Partners for Workplace Inclusion Program (PWIP). It is the mission of PWIP to promote and support meaningful and equitable employment to people with disabilities. They provide a free employment counselling service for eligible people with self identified disabilities who are long term unemployed. The disability can be a physical or mental one, or other health problems that restrict their ability to perform normal activities. Long term unemployed means that they are not currently eligible for Employment Insurance, have not been eligible for EI in the past three years and have not made a maternity or paternity claim in the last five years. The program has been in operation in Saint John for six years. They are one of five sites across Canada. They offer a wide variety of services to clients including: career decision making, resume and cover letter assistance, job searching strategies, occupational therapy assessment and assisting employers in accessing targeted wage subsidy.

The PWIP is actively establishing partnerships within the community by hosting meetings and presentations to community organizations, building relationships with local schools and establishing relationships with employers and local businesses.

Councillor Doucet asked about the programs recent success rates in New Brunswick. They stated that since April they have had 15 clients obtain employment and have had 70 clients through their door.

Mayor Chorley asked if they had any partnership with Key Industries. They reported that they regularly do presentations at Key Industries and have had several successful placements come from their program.

Council thanked Ms. Anderson and Ms. Harlow for their presentation.

5.3 Peter Smith, Imperial Theatre, *Keep IT Live* Capital Campaign

Peter Smith, the General Manager, Imperial Theatre, attended Council to remind them of the *Keep IT Live* Capital Campaign as Council prepares the 2010 budget. Mr. Smith reminded Council that the campaign was going toward repairs to the exterior cladding of the building, technology repairs, sound system upgrades and dealing with a leaking stage house. Mr. Smith provided photographs of the repairs to the building to date. He stated that phase two of the renovations would be taking place in the spring. He noted that Hampton residents are loyal patrons of the Imperial Theatre.

The goal of the *Keep IT Live* Campaign was to raise 2.5 million dollars. To date they have raised 2.3 million dollars. The Imperial Theatre is requesting a \$25,000 donation from the Town of Hampton over a period of 5 years (\$5,000 per year). Mr. Smith noted that the City of Saint John pledged half of the amount original requested by the Campaign. He said the Town of Rothesay pledged \$40,000 over four years. Quispamsis has not made a commitment stating that they were concerned about the potential impact of the Flynn report. He said that Grand Bay-Westfield has not yet made a commitment, though he sensed that they would be pledging something, though probably not the full \$25,000 requested.

5.4 Jody Fisher – Flooding on Saint Paul’s Street

Jody Fisher stated that she believes that there is inadequate drainage on St. Paul’s Street and she would like Council to remedy the situation. She believes that the 18’ culvert should be replaced with a 24’ culvert. She said that she purchased her home in July 2008. The home was 14 years old and had never had any issues with storm water. She said that in September 2008, she received two inches of water in her basement. This caused \$15,000 worth of damage to her basement, which was covered by insurance. She noted that her daughter has asthma and the time it took to repair the damages (6 months) was not ideal for her condition. She stated that on August 31, 2009, the Town received heavy rain once again and she received 4 inches of water in the basement. Her insurance will be covering the damage again, but she feels that it will be a larger claim and that they will not cover any further water damage. She had \$700 worth of work done to the exterior of her home, including the addition of more drain tile.

She stated that the ditch running adjacent to her home is not being maintained. Ms. Fisher also believes that she is getting additional water run-off from the new developments on St. Paul Street as well as from the fact that the natural holding area on Greenwood has now been developed into homes. It is her opinion that this is a Town issue. She stated that she has spoken with the Public Works Superintendent and the Town Manager and has been told that the Town is looking into the matter and that work should be completed in the area in 2010. She wonders what will happen if it floods again before the Town’s work is complete. She said that the Public Works Superintendent has done some temporary work on the culvert, but she does not want a bandaid solution and wants the work done this year.

Mrs. Gorman, 53 Greenwood, added that she has had no water in her house yet but that it has lapped at the door. She does not think that the infrastructure was adequately upgraded to support the development on Greenwood. Mr. Kerr, 63 Greenwood and Mr. Goucher, 49 Greenwood, have both had storm water issues this year.

Council thanked them for their presentation and noted that staff would be investigating the matter further.

6. ADOPTION OF MINUTES

6.1 Regular Meeting of September 8th, 2009

Moved by Councillor Behr and seconded by Councillor Lights that the minutes of the September 8th, 2009 Regular Council Meeting be adopted.

Motion Carried

6.2 Special Meeting of September 28th, 2009

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the minutes of the September 28th, 2009 Special Council Meeting be adopted.

Motion Carried

7. BUSINESS ARISING FROM THE MINUTES

Dangerous and Unsightly Premises

Mayor Chorley inquired about the progress being made on the properties that were served notice as being in violation of the Dangerous and Unsightly Premises By-law. The Town CAO reported that the By-law Enforcement Officer is having success with these property owners.

8. Correspondence List

#	NAME	DESCRIPTON	ACTION
09-181	Gary Rent, President, Board of Directors, Enterprise Fundy	Reminder of Enterprise Fundy Advisory Forum meeting on Thursday, October 15, 2009 at 6:00 at the Fairway Inn, Sussex.	Council will inform the Town's Administrative Assistant if they plan to attend.
09-182	Joseph Lionel Gaudet, President, Go Ahead Seniors Inc. and Jean-Claude Cormier, Program Director, Healthy Active Living Program	Request for donation to offset the cost of offer to the 2009-2010 Healthy Active Living Program for New Brunswickers aged 50 Plus. The Program is administered by Go Ahead Seniors Inc. They are willing to meet with Council and/or Staff to explain their organization and its commitment to the 50 Plus population of New Brunswick.	Referred to the Finance Committee for consideration in the budget. Staff is directed to contact Go Ahead Seniors to see if they are involved with the Hampton Seniors Resource Centre.
09-183	Department of Social Development	Invitation to the Annual Foster Parent Appreciation Banquet on October 28, 2009 at the Lighthouse River Centre.	Council will inform the Town's Administrative Assistant if they plan to attend.
09-184	Jack Clasen and Lorna McIlroy, Communities in Bloom Judges	A card thanking Mayor and Council, Laurie Mills, the CIB committee, Gena Fowler, Town Staff and volunteers for the wonderful hospitality during their visit.	Received and Filed.

09-185	Hampton Area Chamber of Commerce	Next Lunch n' Learn is Nov. 18 th . The Christmas Mixer is Dec. 17 th at the Vintage Bistro from 4-6 p.m.	Council will inform the Town's Administrative Assistant if they plan to attend.
09-186	Hampton Area Chamber of Commerce	HACC 30 th Anniversary Celebration is taking place on October 22 nd at the Seniors Resource Centre starting at 6 p.m. The keynote speaker is Gerald Pond. The emcee is Steven Webb of CBC Radio's Information Morning. 2009 Small Business Awards will be presented. Tickets: \$40.	Council will inform the Town's Administrative Assistant if they plan to attend.
09-187	Team New Brunswick, 2009 Canada Summer Games	Thank you letter for the Town's donation and certificate recognizing the Town as an Honorary Team New Brunswick Member for the 2009 Canada Summer Games.	Received and filed.
09-188	Karen Buchanan, Resource Development Coordinator, The Arthritis Society	Permission to hold Medavie Blue Cross Jingle Bell Walk/Run for Arthritis in Hampton on December 5 th , 2009. The event will be in memory of Joyce Hovey. Route and start times to be confirmed. They are also requesting to have at least part of the street sectioned off or blocked while the walk/run is taking place.	Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton allow the Medavie Blue Cross Jingle Bell Walk/Run for Arthritis in Hampton in memory of Joyce Hovey to take place on December 5th, 2009, with Town staff approving the final route and determining what, if any streets need to be sectioned off or blocked. MOTION CARRIED
09-189	Dr. Janice Cormier, Volunteer Chair, Daffodil Ball	Invitation to the 5 th Annual Provincial Daffodil Ball on March 20 th at the Delta Beausejour.	Received and filed
09-190	Sheryl Moore, Parade Committee Chair, Hampton Area Chamber of Commerce	Requesting permission to hold the Santa Claus parade on Saturday, Nov. 28 th commencing at 6:00 p.m. with the rain date of Nov. 29 th . Councillor Lights noted that the parade time had now been changed to 4:00 p.m. and the parade route has been reversed to accommodate a play taking place the same night at the Hampton High School.	Moved by Councillor Lights and seconded by 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, November 28th, 2009 commencing at 4:00 p.m. with the parade route extending from Hampton High School along Main Street to Hampton Elementary School, with Main Street being closed to traffic during this time. Council recognizes that the rain date will be Sunday, November 29th at 4 p.m. MOTION CARRIED
09-191	Hampton High School Yearbook	Thank you for supporting the HHS yearbook with a half page advertisement.	Received and filed.
09-192	Darrell Kilpatrick, President	Thank you for supporting Ossekeag Place of Hampton United Church.	Received and filed.

09-193	Catherine Leger, Canadian Postmasters and Assistants Assoc. Maritime Branch	Asking Council to learn the Federal Political Parties positions re: to rural postal services and the deregulation of Canada Post Corp.	Received and filed.
09-194	Hampton Area Chamber of Commerce	Invitation for nominations for the 2009 Small Business Awards.	Council is directed to submit any nominations to Town staff.
09-195	UMNB	Invitation to the NB Anti-Tobacco Coalition 7 th Annual Forum, Nov. 17	Received and filed.
09-196	Hon. Rob Merrifield, MP	Acknowledgement of the Town's letter re: rural postal services.	Received and filed.
09-197	T. Warren, Community Programs Officer	District 3 RCMP Newsletter	Received and filed.
09-198	UMNB/ Efficiency New Brunswick	Energy Management Solutions for Municipalities Workshops	Referred to Staff.
09-199	The Hampton and Sussex Victim Services	Invitation to the RCMP Regimental Ball and Dinner at the Sussex Legion on Friday, November 20 th , 2009. Tickets are \$50.00	Council will inform the Town's Administrative Assistant if they plan to attend.
09-200	Department of Wellness, Culture & Sport	Information regarding the N.B. Art Bank Acquisitions Program	Referred to Staff.
09-201	Paul Beals, Club President, Rotary Club of Hampton	Request to enter a Town team in the <i>Trivia Night for Charity</i> on Oct. 24 th . Cost: \$200/team. Winners get \$1,000 to the charity of their choice.	Moved by Councillor Lights and seconded by Deputy Mayor Bond that the Town of Hampton enter a team in the <i>Trivia Night for Charity</i> on October 24th at a cost of two hundred dollars (\$200.00). Motion Carried
09-202	NB Provincial Capital Commission	<i>That's Capital News!</i> Special Edition	Received and Filed.
09-203	The Supreme Master Ching Hai International Association	Request that the Mayor protect our residents from four main destructive substances: meat, alcohol, illegal drugs and tobacco	Received and Filed.
09-204	Robert Signoretti	Request to remove trees at intersection of Law and Centennial	Referred to Staff.
09-205	Bob & Blanche Jones	Request for No Parking Sign	Referred to Public Works Advisory

9. APPROVAL OF ACCOUNTS

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, 2009 for the amount of four hundred and thirty-six thousand two hundred and fifty-four dollars and twenty-six cents (\$436,254.26).

MOTION CARRIED

10. REPORTS OF COMMITTEES

10.1 Environment

Councillor Behr noted that the Environment Committee wanted to inventory remaining developable land in Hampton for future planning purposes.

10.2 Communities in Bloom

The Mayor would like to send thank you letters to the Communities in Bloom committee.

10.3 Leisure Services Advisory

Councillor Doucet noted that the Leisure Services Director was investigating the possible source of a foul odour in the entrance of the rink.

The Mayor noted that the football field at the High School had a fair bit of litter around it over the Alumni weekend and wondered who was responsible for keeping it clean during the school year. Staff will investigate the issue.

10.4 Fire-Rescue

Council did not comment on the Fire-Rescue Report.

10.5 EMO

Staff was directed to inform the EMO Director that their October 19th meeting conflicted with a meeting with the Municipal Plan consultants and to send their regrets.

10.6 RCMP

Council did not comment on the RCMP report.

10.7 Public Works Advisory

Request To Install Sidewalk on Villa Drive

Staff was directed to send a letter to Susan Merritt advising that a walking lane will be installed on Villa Drive when it is next paved as recommended by the Public Works Advisory Committee.

Request for Speed Bumps on Brunswick Street

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton deny the request of Mark Cormier to install a speed bump and/or stop sign on Brunswick Street as these measures would impede traffic from getting up the street in winter, as recommended by the Public Works Advisory Committee.

MOTION CARRIED

Staff was directed to send a letter to Mark Cormier advising him of same and advising him that his speeding concerns should be brought to the attention of the RCMP.

10.8 Finance

Council noted that the recommendation in the Finance Committee report were brought forth at the Special meeting of Council held on September 28th, 2009.

10.9 Economic Development

Council was pleased to see that this committee is active.

Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton accept the reports from the Environment, Communities in Bloom, Leisure Services Advisory, Fire-Rescue, EMO, RCMP, Public Works Advisory, Finance and Economic Development Committees as submitted.

MOTION CARRIED

11. APPROVAL OF REPORTS

Building Inspector Report

Council noted that there were more single family dwellings being constructed this year, while last year there had been significantly more terrace dwellings. Over all they felt that it was a good year to date for permits, considering the current economic situation.

Dog Constable Report

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton fine Michelle and Perry Frye of 8 Marilyn Court, Hampton, the amount of twenty-five dollars (\$25.00) for allowing their dog to run at large, as recommended by the Town of Hampton Dog Constable.

MOTION CARRIED

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton fine Jessica Morrell of 59 Kelly Street, the amount of twenty-five dollars (\$25.00) for allowing her dog to run at large (he was twice running at large in the Town limits, the last time being caught on Donlea) and that she be billed for three days kennel fees, as recommended by the Town of Hampton Dog Constable.

MOTION CARRIED

Lighthouse River Centre

Council did not comment on the Lighthouse River Centre report.

Financial Report

Council did not comment on the Financial Report.

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

MOTION CARRIED

**11. PETITIONS
Not Applicable**

**12. READING OF BY-LAWS
Not Applicable**

13. NEW BUSINESS

13.1 Sentinel Project

Council stated that it was important for them to support the Town's EMO Committee as much as they could. They noted that the proposed software would be a valuable asset in improving response time and coordinating assets in this region.

Moved by Councillor Behr and seconded by Deputy Mayor Bond that the Town of Hampton write a letter of support for the JEPP application and approve \$1,994.93 for the 2010 budget for the Town's portion of the EMO software package designed and prepared by Sentinel Systems. This includes the software license and \$686.50 for the first year annual fee, which includes technical support.

MOTION CARRIED

13.2 Snow Removal

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton hire David Fisher (Fundy Lawn Care and Landscaping) for snow removal and salting of the walkways and stairs at the Service New Brunswick building location on William Bell Drive and the walkways and shelter at the Park and Ride site located on William Bell Drive and the shelter located on Main Street, at a total price of \$3,746.00 for the season (November 1, 2009-April 30, 2010).

MOTION CARRIED

13.3 Town Square Playground

Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton purchase CSA-approved rubber crumb surfacing from TRACC in Minto, NB for the protective surfacing of the Town Square Playground at the cost as quoted to and as recommended by the Leisure Services Director.

MOTION CARRIED

13.4.1 William Bell Drive – Surplus Land

Stockford Holdings Limited

Moved by Deputy Mayor Bond and seconded by Councillor Lights that the Town of Hampton approve the transfer of PID 30264493 to Stockford Holdings Limited with all costs associated with the transaction to acquire and dispose of the land being the responsibility of the purchaser.

MOTION CARRIED

Pathway Holdings Ltd.

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton assent to the Subdivision Plan, entitled *Amending Subdivision Plan – Town of Hampton Subdivision*, prepared by Kierstead Quigley and Roberts Limited and dated January 8, 2009, which, when filed at the Registry Office, will automatically vest to the Town the Municipal Services Easement and that the Town of Hampton approve the transfer of PID 30264501 to Pathway Holdings Ltd. with all costs associated with the transaction to acquire and dispose of the land being the responsibility of the purchaser, and the purchaser granting the Town of Hampton a utilities easement across the property as noted on the above-mentioned subdivision plan.

MOTION CARRIED

13.5 Winter Parking Ban

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton enter into an agreement with Hampton Towing (Reynolds) to tow vehicles in violation of the Winter Parking Ban with the 2009-2010 rates being \$50.00 per tow and a storage charge of \$10.00 per day.

MOTION CARRIED

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

13.6 Executive Estates

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton assent to the subdivision plan, entitled *Executive Estates: Subdivision Phase 1*, dated October 8, 2009 as prepared by Kierstead Quigley and Roberts Limited which created 10 residential building lots (Lots 5-9 and 25-29) and creates and vests a new Public Street, Executive Drive and new public utility easements subject to the following conditions:

- Execution of the Developer's Agreement between the Town and numbered company Kennebecasis Development Inc. as presented by the Town CAO and the Development Officer;
- Placement of appropriate bonding as determined by the Town Engineer, Godfrey Associates Ltd.; and
- Plans to be signed by appropriate utilities.

MOTION CARRIED

13.7 The Links and Walker Estates – Bonding Extension

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton extend paragraph 16 of the Subdivision agreement between Ironwood Enterprises Inc. (IEI) and the Town of Hampton entered into on June 12, 2008, to allow the application of the asphalt seal of the street to be completed no later than October 31, 2010, conditional on the Town of Hampton receiving an updated bonding certificate to cover same.

MOTION CARRIED

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton extend paragraph 13 of the Subdivision agreement between numbered company 607152 N.B. Ltd. (John Smith Carpentry) and the Town of Hampton entered into on September 29th, 2009, to allow the application of the asphalt seal of the street to be completed no later than October 31, 2010, conditional on the Town of Hampton receiving an updated bonding certificate to cover same.

MOTION CARRIED

Deputy Mayor Bond returned to the Council meeting.

13.8 Remembrance Day

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton close the portion of Main Street from the Hampton Middle School to Cemetery Road to traffic, with the exception of emergency vehicles during the Remembrance Day ceremony being held at the cenotaph on November 11, 2009.

MOTION CARRIED

13.9 Lower River Passage

Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton enter into a Memorandum of Understanding regarding the Lower River Passage Marketing Cooperative and approve the Town of Hampton's pro-rated portion of the Lower River Passage funding.

MOTION CARRIED

13.10 Sand Bid Approval

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton accept the recommendation of the Public Works Superintendent to purchase *Winter Road Sand* from the low bidder, Kevin H. Steele Contracting Limited, in the amount of \$9.50 per tonne plus HST delivered to the Town storage dome.

MOTION CARRIED

14 OUTSTANDING ISSUES

14.1 Flooding Issues

Council reiterated that they would like staff to investigate any possible solutions to the flooding issues on St. Paul's Street.

15 ADJOURNMENT

Council adjourned the Open Session at 9:07 p.m. and moved back into a second Closed session.

Moved by Councillor Behr and seconded by Deputy Mayor Bond that the regular Council Meeting of October 13th, 2009 be adjourned into a Closed Session.

MOTION CARRIED

APPROVED:

Ken Chorley, Mayor

Megan O'Brien Harrison, Clerk