

**TOWN OF HAMPTON
COUNCIL MEETING
February 10, 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 February 10, 2009 commencing at 7:00 p.m. A second closed session of Council was held from 8:35 p.m. until 9:00 p.m. A second regular session of Council was held commencing at 9:00 p.m.

ATTENDANCE:

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

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

Delegations: Tanya Warren, CPO RCMP District 3
Chris Callbeck, 12 Geldart Court
Joan Beaverstock, 31 Alexander Court

Guest: Gary Moran, 692 Bonney Road
Andrew Gaunce, 341 William Bell Drive
David Carr, 564 Main Street
Jim Hartlen, 4 Alexander Court
Linda Brett, 20 Alexander Court
Sandra Bell, 16 Alexander Court
Gilbert Doucet, 14 Alexander Court

Media: Erin Dwyer, Telegraph Journal David Kelly, Kings County Record

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. A second closed session of Council was held from 8:35 p.m. until 9:00 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	5
(d)	Land transactions for a municipal purpose	3
(e)	Violates confidentiality of information obtained from other governments (Federal and/or Provincial)	
(f)	Legal opinions or advice, and privileged communications	3
(g)	Litigation or potential litigation	1
(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**

Mayor Chorley led Council in a moment of reflection.

4. **DISCLOSURE OF CONFLICT OF INTEREST**

Not Applicable.

5. **PUBLIC HEARING AND DELEGATIONS**

Public Hearing

Mayor Chorley called the public hearing regarding the proposed Town of Hampton By-law No. 184-09, *A By-law to Close Portions of William Bell Drive* to order.

He asked the Clerk to provide a description of the By-law being proposed and to provide the format of the hearing.

The Clerk stated that when William Bell Drive was turned over to the Town of Hampton, it included parcels of land in front of certain properties on William Bell Drive that are classified as street. These parcels are not part of the actual road and the Town has determined that they do not need to retain these parcels for any future expansion of the street. In order for these parcels to be used as anything other than street, they must first be officially closed as a street. The proposed By-law 184-09 would stop up and close portions of this excess land.

Mayor Chorley then asked the Clerk to enter into the record any written comments received. The Clerk noted that there were no written comments received in relation to the proposed By-law.

The Mayor opened the floor to comments. He asked that individuals present themselves at the podium. Prior to speaking, individuals were asked to provide their full name and their residential or business address.

The Mayor asked if there was anyone present who would like to speak in opposition to the proposed By-law.

Gary Moran of 692 Bonney Road, stated that he was owner of 341 William Bell Drive. He rents the property to Andrew Gaunce. Mr. Moran indicated that he had been in negotiations to purchase the parcel of property, currently zoned as highway in front of his property, from the Province of New Brunswick. The Province had than informed him that William Bell Drive would be turned over to the Town of Hampton. Mr. Moran believed that the Town would then provide him with the opportunity to purchase the property for the cost of one dollar (\$1.00) plus legal costs. Mr. Moran also stated that he felt that the proposed By-law would hinder Mr. Gaunce's business. He felt the By-law would land-lock his property. In addition, he stated that his business address is William Bell Drive and changing the address would be costly and could negatively affect Mr. Gaunce's business. He wondered why the Town could not use a parcel of land further down William Bell Drive, even the next parcel over, since it was in front of

undeveloped land. Mr. Moran also raised concerns about a historic right-of-way and cattle pass. Mr. Moran also pointed out that he had spent \$25,000 improving the property. He was worried about how it would affect the value of the property and current financing on the land.

Andrew Gaunce operates a business located at 341 William Bell Drive. He stated that he does not want anything blocking his business. He takes much pride in his business and is concerned that the land value will decrease. He also expressed security concerns if his business was no longer visible from William Bell Drive. He would prefer that he just continue mowing the lawn and cleaning out the ditch on the vacant parcel that the Town was intending to stop up and close.

The Mayor asked three times if there was anyone else who wished to speak in opposition to the proposed By-law.

The Mayor asked three times if there is anyone present who would like to speak in favour of the proposed By-law.

The Mayor asked Council if they had any questions of the two presenters. No questions were asked.

The Mayor closed the Public Hearing. No further submission or public input will be considered.

Delegation: Tanya Warren, CPO RCMP District 3 re: Community Relations Projects

Tanya Warren provided Council with an update on the RCMP's community relation projects. Ms. Warren informed Council that the local school have been very supportive of their crime reduction programs including anti-bullying programs and identification kits. She stated that she would be participating in a Youth Forum at the Hampton High School and was encouraged by this youth engagement activity. Ms. Warren also indicated that she was very pleased with the support she was receiving in Hampton. Council thanked Ms. Warren for her presentation.

Delegation: Chris Callbeck, re: Additional COMEX Stops

Mr. Callbeck stated that he felt that the COMEX bus service was well received and well used by local residents. He stated that he was speaking on behalf of several of the regular users. They are concerned with the additional bus stops. He indicated that the COMEX, i.e. commuter express, service is intended to be a mass transit service not a public transit service. He feels that increased stops make the mass transit concept more difficult, as transfers are difficult to make and riders may be late for work. He felt that there was a danger of losing existing riders. Council indicated that there were no plans at this time to add additional stops and in fact, that the stop at the Tourist Bureau was a "pilot project" and was being monitored for usage and time expended. Council thanked Mr. Callbeck for his comments.

Delegation: Joan Beaverstock re: Alexander Court Street Lights

Ms. Beaverstock spoke on behalf of a group of concerned residents from Alexander Court. They would like Council's assistance as they feel that their street is very poorly lit. It is noted that they previously wrote Council to ask for an additional light. The request was forwarded to the Public Works Advisory Committee, who denied the request and quoted the Town's policy of putting street lights on every second pole.

She noted that there are no more buildings to be constructed at the end of Alexander Court. She stated that they are concerned about safety. Many of the residents on the street are elderly, but are still active. She feels the lack of adequate street lighting increased the possibility of falls and also of break-ins, particularly given the hard economic times. She also noted that in an attempt to conserve money and electricity, residents do not always have their driveways lit, so additional street lighting would assist when, in particular, unexpected evening visitors arrived. She is concerned that emergency vehicles may have difficulty finding the correct house in case of an emergency without increased lighting. She understands that the Town's policy is to light every other pole, but feels that there are some streets where the lights appear on every pole.

Council asked if the residents had the reflective blue civic numbers which is standard for 911 emergency services. Ms. Beaverstock indicated that they did not have these blue reflective civic numbers.

Council asked for examples of streets where every pole had a street light. Ms. Beaverstock provided the example of Osborne and Villa. Councillor Behr corrected her in stating that Villa was in fact lit on every other pole.

Council thanked her for the presentation and indicated that the request would be considered and they would receive a letter in writing when a decision had been made.

6. ADOPTION OF MINUTES

6.1 Regular Council Meeting

Moved by Councillor Lights and seconded by Councillor Doucet that the minutes of the January 13, 2009 Regular Council Meeting be adopted.

Motion Carried

7. BUSINESS ARISING FROM THE MINUTES

Dr. V. A. Snow Center Presentation

Council directed staff to follow up with the Board of Directors as to ways that the Town could assist them, in particular on a volunteer capacity on any fundraising committee.

Traffic Lights on Main Street

Council noted that there were some adjustments that should be made to the new traffic lights at the intersection of the Hall Road and Main Street, including: extending the length of the pedestrian light and the yellow light, and when travelling towards the Hampton Mall, the green light should be on when the green arrow is on.

Deer in the Town Limits

Council advised staff to further pursue options in dealing with the deer population within the Town limits. They asked that staff seek guidance from both the Minister of Natural Resources and the Department of health.

8. CORRESPONDENCE LIST

- 09 – 008 Marc MacLeod, General Manager, Fundy Region Solid Waste Commission
Background information on Plasco Energy Group's proposal with regards to the Fundy Region Solid Waste Commission

It was noted that Councillor Behr attended Plasco Energy Group's presentation and that the Fundy Region Solid Waste Commission plan to discuss the presentation at their next meeting.

- 09 – 009 Kidney Foundation of Canada, Saint John Chapter
Invitation to the *World Kidney Day* breakfast taking place at the Trade & Convention Centre on March 12th at 7:30 a.m. Cost is \$20 per ticket.

Received and Filed

- 09 – 010 Garth Millar, Race Organizer, Hampton Ladies Triathlon
The Hampton Ladies Triathlon will be taking place on Sunday, June 14. They are seeking volunteers and requesting a financial donation.

Council directed staff to post the information regarding the triathlon on the Town's website.

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton donate one hundred dollars (\$100.00) to the Hampton Ladies Triathlon to be held at the Hampton Community Centre on June 14th, 2009.

Motion Carried

- 09 – 011 Key Industries Charitable Foundation
Request for a donation to their *Building a Brighter Tomorrow, Today* Fundraising Campaign for the purchase and renovation of a new home for Key Industries.

Referred to the Finance Committee for 2010 Budget consideration. Staff is directed to send a letter to Key Industries informing them of this decision.

- 09 – 012 Alan Kerr, District Engineer, DOT
The Maintenance and Traffic branch of the Department of Transportation has completed an evaluation of our request for a crosswalk at the intersection of Main Street and Railway Crescent. They cannot recommend a crosswalk at this location due to an insufficient sight distance.

Received and Filed

- 09 – 013 Robert Creamer and Derek Oland
Follow-up to the Imperial Theatre's *Keep it Live* Campaign, Imperial Theatre presentation and request for a donation.

Staff is directed to send a letter thanking them for their presentation and informing them that the Town did not budget for this request in 2009. The request is referred to the Finance Committee for future consideration.

09 – 014 Janalee MacKenzie, St. Paul’s Presbyterian Church
Request for 120 Town pins & brochures for the Atlantic Presbyterian Women’s Retreat being held at St. Paul’s Presbyterian Church on April 24-26th.

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton provide 120 Town pins and brochures for the Atlantic Presbyterian Women’s Retreat being held at St. Paul’s Presbyterian Church on April 24-26th, 2009.

Motion Carried

09 – 015 Dale Wiggins, 233 Lakeside Road
Request that the bus schedules be adjusted to accommodate the new bus stop in Hampton, so that they are still arriving in Saint John on time.
Referred to Staff.

09 – 016 Beth O’Donnell
Concerns regarding the new *COMEX* bus stop.
Referred to Staff.

09 – 017 Cst. Bob Poitras, District #3, RCMP Court Liaison Officer
Request to install Crime Stopper signs in Town and to affix stickers on Town Public Works and Leisure Services vehicles

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton allow for the installation of Crime Stopper signs within the Town limits as approved by Town staff.

Motion Carried

09 -018 Crystal Jones, Randy Jones and Family Foundation
Request for sponsorship (\$1000 per hole) and/or invitation to participate in the Randy Jones and Family “Golf For Kids Sake” Event (\$2000 for foursome)
Received and Filed

09 - 019 Rose Brown
Concerns regarding the new *COMEX* bus stop.
Referred to Staff.

09 – 020 Shawna Fenton
Concerns regarding the new *COMEX* bus stop.
Referred to Staff.

09 – 021 Colleen Bovaird, Joan Beaverstock, Brian & Lynn Sleath, Bernetta Bonnevie
Request for an additional street light on Alexander Court.
Referred to Staff.

09 – 022

Matthew Papineau

Mr. Papineau has been selected as a member of the Team Canada Junior Football team. He is requesting that the Town sponsor him, as the team will be playing football associations around the world.

Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton donate one hundred dollars (\$100.00) and one hundred (100) Town pins to Matthew Papineau as a member of the Team Canada Junior Football team.

Motion Carried

9. 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 January 1 to January 31, 2009 for the amount of two hundred fifty-three thousand, six hundred and forty-three dollars and four cents (\$253,643.04).

Motion Carried

10. REPORTS OF COMMITTEES

10.1 Environment

Council did not comment on the Environment Committee report.

10.2 Leisure Services Advisory

Appoint Committee Members

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton appoint Katie Murphy and Jackie Gomes to the Leisure Services Advisory Committee effective immediately for a term of three years, as recommended by the Leisure Services Advisory Committee.

Motion Carried

Mike Murphy Memorial Night

The Board of Directors of Help the Cops Help The Kids will be hosting a memorial night for former Deputy Mayor Mike Murphy at the Hampton Community Centre on Saturday, February 21, 2009 beginning at 7:30 p.m. The proceeds from the evening will go to the HCHK Trust Fund which will continue to support minor sports for years to come. Admission to the evening is by way of donation and/or purchase of 50/50 tickets. Following the games, a social time will be held upstairs with D.J. Lou McNamara for players, friends and family. The cost at the door is \$10.00/person. Mike, better known as “Mr. Hockey of Hampton” was a friend, coach and mentor to many. He was involved with the planning of the HCHK benefit for 18 years and would be proud to know we are continuing fundraising efforts in his name.

- 10.3** **Fire-Rescue**
Council noted the frequency of downed power lines.
- 10.4** **EMO**
Council did not comment on the EMO report.
- 10.5** **RCMP**
Council did not comment on the RCMP report.

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, EMO and RCMP Committees as submitted.

Motion Carried

11. APPROVAL OF REPORTS

- 11.1** **Dog Constable Report**
Council was pleased with the amount of follow-up that the Dog Constable was doing.
- 11.2** **Building Inspector Report**
Council noted that the lack of building permits issued in January was consistent with last year.
- 11.3** **Tourist Bureau/Lighthouse River Centre**
Council felt that the Lighthouse Park River Centre was operating well and that the staff was doing an excellent job.

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

MOTION CARRIED

12. PETITIONS

Not Applicable.

13. NEW BUSINESS

13.1 Copier

Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton rescind a previous motion in regard to the copier Lease agreement for the Leisure Services Department, made at the regular Council meeting of November 12th, 2008, in light of the fact that the copier specifications did not meet the requirements of the Leisure Services Director, which reads as follows:

“Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton enter into a monthly lease agreement with Xerox for a Phaser 8860MFP/D photocopier for a quarterly lease price of \$ 29.33 with a cost per black and white impression of \$0.0190 and colour impression of \$0.0790. The lease is to be locked for a term of four years.”

MOTION CARRIED

Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton enter into a monthly lease agreement with Xerox for a WorkCentre M20i copier with stand and 2 tray option for a 36 month lease term at the current provincial government lease rate, as recommended by the Leisure Services Director.

MOTION CARRIED

13.2 On-line Registration Contract

Mayor Chorley noted that any administration fees for debit card and credit card use when registering online should not be incurred by the Town, but should be incorporated into the user fees.

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton enter into the agreement as presented with Maximum Solutions Inc. for a four year term for the provision of MaxEnterprise Software to facilitate online registrations and reservations, as recommended by the Leisure Services Director, conditional on final confirmation by the Town Treasurer of its compatibility with our current software program.

MOTION CARRIED

13.3 Planning Advisory Committee

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton appoint Jeremy Erickson and Andre Roux to the Planning Advisory Committee effective immediately for a term of three years.

MOTION CARRIED

13.4 Appointing Staff to Committees

Moved by Deputy Mayor Bond and seconded by Councillor Lights that the Town of Hampton appoint the following Town Staff members as non-voting members of the following Town Committees:

Environment Committee: Richard Malone
Communities in Bloom: Gena Fowler
Health Care: Richard Malone
Leisure Services Advisory: Gena Fowler
Canada Day: Gena Fowler, Nick Cormier and Jennifer Duguay
Planning Advisory: Megan O'Brien Harrison and Richard King
EMO: Gena Fowler, Sherman St. Germain, Nick Cormier and Skip Kane
Public Works Advisory: Mary Osmond, Snooks Kierstead
Utilities Commission: Snooks Kierstead, Sherman St. Germain
EnviroFair: Jennifer Duguay
Finance: Sherman St. Germain and Richard Malone
Hampton Regional Library (Ad Hoc): Richard Malone
Town Square (Ad Hoc): Richard Malone, Gena Fowler, and Megan O'Brien Harrison

Motion Carried

13.5 Dog Fine

Moved by Councillor Behr and seconded by Deputy Mayor Bond that the Town of Hampton fine Mary Brooks, 3 Riverdale Drive fifty dollars (\$50.00), as a result of a violation of Section 7 (1) (a) of the Town of Hampton's By-Law No. 42 *A By-law Relating to the Control and Licensing of Dogs*, in light of the fact that she has not responded favourably to numerous requests from the Town of Hampton and the Town's Dog Control Officer to stop allowing her dog to run at large.

Motion Carried

14. **OUTSTANDING ISSUES**

Transport Trucks on Main Street

Deputy Mayor Bond was concerned about Transport Trucks parking on Main Street on the westbound side by the railway tracks in the vicinity of the Tim Horton's. He felt that it was impeding traffic and leaving tire marks in the grass.

Referred to the Public Works Department.

Infrastructure Funding

Deputy Mayor Bond asked that the following items be considered for infrastructure funding: Main Street Beautification, the Town Square and Curb and Storm Sewer on Main Street.

Referred to Staff.

Street Light poles on the Hall Road

Deputy Mayor Bond noted that there are several street light poles that are leaning on the Hall Road, including two aluminum light standards by the overpass.

Referred to Staff.

15. ADJOURNMENT

Council adjourned into Closed Session at 8:35 p.m.

Moved by Councillor Behr and seconded by Councillor Lights that Council return to closed session.

MOTION CARRIED

16. REGULAR SESSION – PUBLIC COUNCIL MEETING

Mayor Chorley called the Open Session to order at 9:00 p.m.

17. READING OF BY-LAWS

Mayor Chorley noted that when William Bell Drive was turned over to the Town, it includes parcels of land in front of certain properties on William Bell Drive that are classified as street, but that are not in actual fact part of the road. In order for these parcels to be used, they must be officially closed as a street.

The Clerk will note the proposed changes for the third and final reading and the reason for the amendment. She noted that it would allow both access and road frontage to be retained by PID 30177836.

The Mayor read the By-law in its entirety.

Respecting Closing Portions of William Bell Drive

3rd and Final Reading

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton approve the third and final reading of the Town of Hampton By-law No. 184-09, *A By-law to Close Portions of William Bell Drive.*

Motion Carried

Moved by Councillor Behr and seconded by Deputy Mayor Bond that no standards or repair are required to be conducted by the Town of Hampton on the access to PID 30177836 (identified as Lot 97-5 on Schedule C of By-law No. 184-09) which is indicated as PID 30241418, as noted on Schedule C of By-law No. 184-09 and no standards or repair are required until such time as Council stipulates or makes it a requirement for future development or subdivision.

Motion Carried

18. ADJOURNMENT

Their being no further business, the meeting of Council was adjourned at 9:10 p.m.

Moved by Councillor Behr and seconded by Deputy Mayor Bond that the Town of Hampton adjourn the council meeting of February 10, 2009.

MOTION CARRIED

APPROVED:

Ken Chorley, Mayor

Megan O'Brien Harrison, Clerk