

# TOWN OF HAMPTON COUNCIL MEETING

## March 10, 2020

A closed session of Council was held immediately preceding the regular Council meeting, commencing at 5:00 pm. A regular meeting of Council was held at the Town Hall, 648 Main Street on March 10, 2020 commencing at 7:00 p.m.

### ATTENDANCE:

Council: Mayor Ken Chorley Deputy Mayor Rob Doucet  
Councillor Todd Beach Councillor Dwight Bond

Staff: Richard Malone, Town CAO  
Megan O'Brien Harrison, Town Clerk/Communications Officer  
Sherman St. Germain, Town Treasurer  
Carolyn Walker, Building and Development Officer

Delegation: Peter Logan, Teed Saunders Doyle  
Melanie A. Wade, Kings County Museum  
Terry Shear, Bonney Construction  
Del Getson, Pleasant View Homeowners Association

Guests: Peter F. Quinn, 113 Demille Court  
Alfred McClintock, 121 Demille Court  
John and Gayle Stevens, 5 Mapleview Drive  
Borden McLellan, 9 Mapleview Drive  
Bill and Linda Marshall, 11 Mapleview Drive  
Ken and Jackie Oikawa, 12 Mapleview Drive  
Sharon MacCullam, 13 Mapleview Drive  
Gary and Sylvia Worrell, 16 Mapleview Drive  
Don and Carole Coughlan, 17 Mapleview Drive  
Lana Van Beelen, 20 Mapleview Drive  
Dale and Freida Needle, 22 Mapleview Drive  
Neil Connolly, 24 Mapleview Drive  
Donna Farid, 27 Mapleview Drive  
Doug Crowley, 34 Mapleview Drive  
Jean and John Demerson, 39 Mapleview Drive  
Ron and Mary Lou Sherwood, 40 Mapleview Drive  
Dave and Linda Yeomans, 42 Mapleview Drive  
Elizabeth Mitham, 44 Mapleview Drive  
Joe and Myrtle McCarthy, 1 Oakleaf Lane  
Valerie and Wayne Hallett, 2 Oakleaf Lane  
John Boyd, 3 Oakleaf Lane  
Austin Wetmore, 11 Oakleaf Lane  
Lisa McKay, 13 Oakleaf Lane  
Ron and Brenda Badger, 15 Oakleaf Lane

## 1. CLOSED SESSION

In accordance with Section 68(1) of the *Local Governance 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:

Subsection of 68 (1)	Category	# of Items
a)	Information of which that confidentiality is protected by law	
b)	Personal information as defined by the <i>Right to Information and Protection of Privacy Act</i>	
c)	Information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract	3
d)	The proposed or pending acquisition or disposition of land	
e)	Information that could violate the confidentiality of information obtained from the Government of Canada or from the government of a province or territory	
f)	Information concerning legal opinions or advice provided to the local government by its solicitor or privileged communications between solicitor and client in a matter of local government business	
g)	Litigation or potential litigation affecting the local government or any corporation referred to in subsection 8(1), the local government's agencies, boards or commissions including a matter before an administrative tribunal	
h)	Access to or security of buildings and other structures occupied or used by the local government or access to or security of systems of the local government or access to or security of systems of the local government, including computer or communications systems	
i)	Information gathered by police, including the Royal Canadian Mounted Police, in the course of investigating any illegal activity or suspected illegal activity, or the source of that information	
j)	Labour and employment matters, including the negotiation of collective agreements	2

## 2. OPEN REGULAR SESSION

Mayor Chorley called the Open Session to order at 7:00 pm. It was noted that Councillor Behr was absent as he was awaiting surgery in the morning.

## 3. SILENT MOMENT OF REFLECTION

Mayor Chorley led Council through a silent reflection.

## 4. APPROVAL OF AGENDA

**Moved by Councillor Beach and seconded by Councillor Behr that the agenda of the March 10, 2020 Council meeting be approved as presented.**

**MOTION CARRIED**

## 5. DISCLOSURE OF CONFLICT OF INTEREST

Mayor Chorley asked Council to disclose any conflicts of interest when the matter arises on the agenda.

## 6. DELEGATIONS AND PUBLIC HEARINGS

### 6.1 Peter Logan, Auditors from Teed Saunders Doyle & Co.

Peter Logan presented an overview of the audit. He noted that the Town of Hampton once again had a clean audit. It was noted that Council continues their priority of paying off debt. The Town's current debt service ratio is well within the Provincial Guideline of 20% with 10.3% for the General Fund and 12.8% for the utility account. Mr. Logan offered kudos to Town Treasurer and the Accounting Assistant for their audit preparation and their eleventh clean audit.

**Moved by Councillor Beach and seconded by Deputy Mayor Doucet that the Town of Hampton approve the audited Financial Statement as presented by Teed Saunders Doyle & Co. Chartered Accountants for the year ending December 31, 2019 for the General and Utility Fund.**

**MOTION CARRIED**

Mayor Chorley declared a short Recess to sign the copies of the audit at 7:10 pm.

Mayor Chorley called the meeting back to order at 7:12 pm.

**Moved by Deputy Mayor Doucet and seconded by Councillor Beach that the Town of Hampton appoint Teed Saunders Doyle & Co. as the Auditors for the 2020 Audit.**

**MOTION CARRIED**

### 6.2 Melanie Wade, Kings County Museum

Melanie Wade, President of the Kings County Historical and Archival Society thanked the Town of Hampton for their support. She said that Kevin Breau and Skip Kane are an amazing support to the museum. She provided Council with an update of what they have been up to. Noting that they had just hosted a Valentine's Tea and have plans to host a Christmas Tea on the day of the Santa Claus parade. She noted their good working relationship with Chris White, the Town's Tourism Coordinator. She did note a leak in the conduit from either NB Power or Bell Aliant. This leak is in the genealogy room. Staff will follow up with the museum on the issue.

### 6.3 Terry Shears, Bonney Construction, Application to Amend Developer's Agreement

Mr. Shears stated that Bonney Construction is asking for an amendment to Phase 2 of the Pleasant View Estate Developers agreement to allow for the construction of a 12 unit luxury condo building. Oakleaf Lane would still have a similar number of residents, the type of units would just be amended to reflect the current market demand. It would include eight 1500 square foot units and four 1700 square foot units. They would have a similar look and feel to the terrace dwellings with complimentary sliding and stonework. He stated that the land has been idle for a number of years. Bonney Construction was interested in developing the land but was investing in the property to ensure that it blended with the development. He noted that the parking would be to the rear of the units and would be landscaped so they were not visible from the street.

### 6.4 Del Getson on behalf of Pleasant View Estates Homeowners

Del Getson stated that the Pleasant View homeowners are not against the continued development in Hampton. They are just against this type of development on the proposed lots. He stated that they have 113 residents leaving in their community and had obtained 108 signatures on a petition to support opposition of any rezoning or amendment of this property

for the development of anything other than garden homes or terrace dwellings. He did not present a copy of the petition to Council. He noted that a Developer's Agreement is in place that protects their community's continuity. They are concerned that there will be an increase in traffic and the building will need a parking lot.

The organization stated that they would be excluding the condo from their covenants. They will also not provide access to their wells and would be concerned that their water supply may be impacted. They were also concerned about storm water.

They were concerned about the impact on their real estate values and a possible decrease in value. They were concerned about whether this would mean more condos in the future. The homeowners were very concerned about whether unsold units would be rented.

One of their biggest issues was the concern that the second access road off William Bell Drive has not yet been completed. They are a one way in and one way out subdivision. They are concerned about heavy equipment damage during construction phase.

Linda Yeomans expressed that the association had covenants in place and that they used to being able control who resides in their community and that they wanted to preserve it as a seniors' community. She did acknowledge when asked that they could not legally restrict individuals by age but she stated that the real estate agents know not to bring people to those properties that aren't seniors. She said the condo building would not be part of their covenants.

Ron Badger recently purchased his home. He said it was a \$300,000 investment. His front door faces the proposed project. He is concerned about the increased traffic and the fact that he will not be able to sell his home for what he put into it.

Neil Connolly said that the unfinished second access road is a big concern. He said that the road actually appears on Google Maps and looks finished. He stated that he had needed an ambulance and they had trouble locating him because their GPS tried to take them down the unfinished road as well.

Gail Stevens said she was frustrated because it appeared that Council had already made up their mind on this project.

Bill Marshall said Mapleview already has water issues and is a badly planned street with catch basins in the driveways.

**Moved by Councillor Beach and seconded by Deputy Mayor Doucet that the decision to be tabled until such time as Council could complete a site visit to the proposed development.**

**MOTION CARRIED**

Mayor Chorley noted that Council would be pleased to meet with the Pleasant View Estates Homeowners' Association executive on site during this visit.

**7. ADOPTION OF MINUTES**

7.1 Minutes of February 11, 2020

**Moved by Councillor Beach and seconded by Councillor Bond that the minutes of the February 11, 2020 Regular Council Meeting be adopted.**

**MOTION CARRIED**

**8. BUSINESS ARISING FROM MINUTES**

There was none.

**9. CORRESPONDENCE LIST**

20-018	Kristen Anderson, Development Coordinator, Make-A-Wish Canada (Children's Wish)	Invitation to purchase tickets to the Night of Wonders Gala.	<b>Moved by Councillor Beach and seconded by Deputy Mayor Doucet that the Town of Hampton make a donation to the Children's Wish – New Brunswick Chapter in the amount of two hundred and fifty dollars.</b> <b>MOTION CARRIED</b>
20-019	Rotary Club of Hampton and Scotiabank	Invitation to purchase tickets to the <i>Suitcase Social</i> fundraiser in support of the Hampton Food Basket	<b>Moved by Councillor Bond and seconded by Councillor Beach that the Town of Hampton purchase two tickets at a cost of \$60.00 each to the <i>Suitcase Social</i>.</b> <b>MOTION CARRIED</b>
20-020	The family of Greg Anderson	Thank you for memorial donation.	<b>Moved by Deputy Mayor Doucet and seconded by Councillor Bond that correspondence #20-020 be received and filed.</b> <b>MOTION CARRIED</b>
20-021	Bill Oliver, Minister Department of Transportation	Letter regarding designated highway funding.	<b>Moved by Councillor Beach and seconded by Councillor Bond that correspondence #20-021 be referred to staff.</b> <b>MOTION CARRIED</b>
20-022	The Honourable Brenda L. Murphy, Lieutenant Governor of New Brunswick	Call for nominations for the 2020 Order of New Brunswick.	<b>Moved by Deputy Mayor Doucet and seconded by Councillor Bond that correspondence 20-022 be received and filed.</b> <b>MOTION CARRIED</b>
20-023	Cade Libby, Acting President, Regional Development Corporation	Response to the Town's Expression of Interest for funding for the Hampton Regional Multipurpose Facility indicating the project was not chosen for funding under the Integrated Bilateral Funding and was not identified as a project that meets the current funding focus area.	<b>Moved by Councillor Beach and seconded by Councillor Bond that correspondence #20-023 be referred to staff and forward to the Hampton Regional Facilities Committee.</b> <b>MOTION CARRIED</b>

20-024	Duncan McRae and Jeremy Fry, Hampton River Runners	Request for title sponsor of the 20 <sup>th</sup> annual and final Hampton 5-miler road race.	<b>Moved by Deputy Mayor Doucet and seconded by Councillor Bond that the Town of Hampton be a 2020 Hampton 5-miler Platinum Mile Sponsor for the cost of five hundred dollars (\$500.00)</b> <b>MOTION CARRIED</b>
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**10. APPROVAL OF ACCOUNTS**

10.1 **Moved by Councillor Bond and seconded by Councillor Beach that the Town of Hampton approve the General and Utilities Fund Paid Invoices from February 1 to February 29, 2020 for the amount of four hundred and seventy-three thousand five hundred and sixteen dollars and seventy-four cents (\$473,516.74).**

**MOTION CARRIED**

**11. REPORTS FROM COMMITTEES**

11.1 EMO

Councillor Bond reviewed the EMO minutes with Council. He noted that Keith Copeland reported progress on the Community Volunteer Network (CVN). EMO is making presentations to faith-based groups and service clubs in Hampton. The CVN is intended to augment Hampton EMO in a variety of ways. They will be encouraged to organize internally to ensure their own members are looked after in an emergency. The CVN will also be used as a pool of human resources which may be required to help our community and extend the reach of the EMO committee.

11.2 Health Care

The Town CAO noted that the Health Care committee had a guest speaker at their last meeting. Dawn O’Dell, Program Coordinator of the Canadian Mental Health Association of New Brunswick, Saint John Office.

11.3 Fire-Rescue

Council reviewed the Fire-Rescue Report.

11.4 Planning Advisory

Councillor Beach reported that PAC imposed the 697800 NB Corp with the following terms and conditions related to two proposed 12-unit apartment buildings for the property identified as PID 00189415, located at 153 DeMille Court:

- i. The Department of Transportation approve access via Hall Road.
- ii. An acceptable water study to ensure quantity and quality of potable water and possible impacts to neighbouring properties will be carried out by a qualified professional.
- iii. The applicant will make every effort to maintain the vegetation on the DeMille / west side of property.
- iv. A Developer’s Agreement is reached with the Town.

11.5 Public Works Advisory and Utilities Commission

Councillor Bond reviewed the Public Works Advisory and Utilities Commission minutes. It was noted that at the last meeting the committee toured the Public Works facility.

11.6 Environment

Council reviewed the Environment Committee minutes.

11.7 Leisure Services Advisory

**Moved by Deputy Mayor Doucet and seconded by Councillor Bond that the Town of Hampton enter into Hampton Community Centre Pro Shop Space Lease with Anthony Walker for a term ending – March 31, 2022, as recommended by the Leisure Services Advisory Committee.**

**MOTION CARRIED**

11.8 Age-Friendly Community

Deputy Mayor Doucet provided an overview of the Age-Friendly Community minutes.

11.9 Canada Day

Deputy Mayor Doucet reviewed the Canada Day minutes.

11.10 Economic Development and Tourism

**Moved by Councillor Beach and seconded by Councillor Bond that the Town of Hampton appoint Michel Boudreau to the Economic Development and Tourism Committee for a three-year term ending December 31, 2022.**

**MOTION CARRIED**

11.11 Finance

Application for Re-financing – Debenture BC10-2010 is up for renewal June 2-2020. The renewal portion is \$222,000. It was decided to payoff portion of the debt and refinance only \$157,000 over five years. The portion being refinanced is for a tanker under Protective Services.

**Moved by Councillor Bond and seconded by Deputy Mayor Doucet to resolve that the Treasurer and Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation, a Municipality of Hampton, a debenture in the principal amount of \$157,000 on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and be it resolved that the Municipality of Hampton agree to issue post-dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture.**

<u>General Revenue Fund – Purpose</u>	<u>Amount</u>	<u>Term</u>
Fire Tanker Re-financing	\$ 132,000	5 Years
Transportation Re-financing	\$ 25,000	5 Years

**MOTION CARRIED**

**Moved by Deputy Mayor Doucet and seconded by Councillor Beach that the Town of Hampton accept the reports from EMO, Health Care, Fire-Rescue, RCMP, Economic Development and Tourism, Environment, Leisure Services Advisory, Age-Friendly Community, Canada Day, Planning Advisory, Public Works Advisory and Utilities Commission, Finance and Joint Health and Safety Committee Minutes as submitted.**

**MOTION CARRIED**

## **12. Approval of Reports**

- 12.1 Building Inspector Report  
Council reviewed the Building Inspector Report.
- 12.2 Dog Constable  
Council reviewed the Dog Constable Report.
- 12.3 Financial Reports  
Council reviewed the Financial Report.
- 12.4 Communications Report  
The Communications Officer provided an overview of the Communications report for February.

**Moved by Councillor Beach and seconded by Deputy Mayor Doucet that the Town of Hampton approve the Building Inspector, Dog Constable Report, Financial, and Communications reports as presented.**

**MOTION CARRIED**

## **13. READING OF BY-LAWS**

### **13.1 PAC**

**Moved by Councillor Beach and seconded by Deputy Mayor Doucet that the Town of Hampton approve and enact the third and final reading of By-law 213-20: A By-law of the Town of Hampton to Amend Planning Advisory Committee By-law No. 206-14.**

**MOTION CARRIED**

## **14. NEW BUSINESS**

### **14.1 RICOH**

**Moved by Councillor Beach and seconded by Councillor Bond that the Town of Hampton renew the agreement with RICOH CANADA INC. for Equipment, Software, Software Maintenance and Support for the Laserfiche Software until March 28, 2021.**

**MOTION CARRIED**

14.2 Bell Tower

**Moved by Councillor Bond and seconded by Deputy Mayor Doucet that the Town of Hampton renew rental lease agreement with BELL MOBILITY INC. for the tower located on PID 30188346 (Hampton Fire-Rescue Building).**

**MOTION CARRIED**

**15. OUTSTANDING ISSUES**

There were none.

**16. ADJOURNMENT**

There being no further business, the meeting of Council was adjourned at 9:28 p.m.

**Moved by Councillor Beach that the Town of Hampton adjourn the council meeting of March 10, 2020.**

**MOTION CARRIED**

APPROVED:

  
Ken Chorley, Mayor

  
Megan O'Brien Harrison, Clerk

