

**TOWN OF ST. STEPHEN**  
**REGULAR COUNCIL**  
**73 MILLTOWN BLVD., SUITE 112**  
**APRIL 20, 2009 @ 7:00 P.M.**

I. PRAYER

II. CHANGE OF ORDER OF BUSINESS

**ORDER OF COUNCIL BUSINESS**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

**79/09 THAT** the order of business be varied, as permitted by Section 13.01 of By-Law No. A-2, "A By-Law Respecting Procedures of the Town Council and Town Administration". **CARRIED**

III. RECORDING OF ATTENDANCE

**PRESENT:** Mayor G. L. (Jed) Purcell; Deputy Mayor Jim Maxwell; Councillors Ralph Williams, Robert Tinker, and Gavin Toumishey; CAO/Clerk Hendrik Slegtenhorst; Treasurer Tim Tozer; and, Assistant Clerk Joan Flewelling.

IV. APPROVAL OF AGENDA

**AGENDA**

Moved by Councillor Tinker

Seconded by Councillor Williams

**80/09 THAT** the Agenda be approved as circulated. **CARRIED**

V. CONFLICT OF INTEREST

Councillor Tinker declared a conflict of interest and left Council Chambers at 7:40 p.m. and returned at 7:42 p.m.

VI. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

1. Teed Saunders Doyle & Co. – Peter Logan, Auditor, presented the 2008 financial statements.

Peter Logan commended the Treasurer and staff for their preparation, and both Mayor Purcell and Chief Administrative Officer Slegtenhorst extended sincere gratitude to the Treasurer for a clean audit.

2. April – Parkinson Awareness Month  
Mayor Purcell proclaimed the month of April as Parkinson Awareness Month:

**WHEREAS:** Parkinson's is a progressive neurological condition that affects over 100,000 Canadians, and

**WHEREAS:** There continues to be an urgent need to create awareness and discover a cure for Parkinson's, and

**WHEREAS:** The Parkinson Society Maritime Region has been instrumental in improving the lives of people affected by Parkinson's – through research, education, support services and advocacy.

**THEREFORE:** I, G.L. (Jed) Purcell Mayor of the Town of St. Stephen proclaim the month of April 2009 as **Parkinson Awareness Month** in the Town of St. Stephen and do commend this thoughtful and respectful observance to all the citizens of our Province.

3. May – Community Pride Month

Mayor Purcell proclaimed the month of May as Community Pride Month:

**WHEREAS** St. Stephen was settled by hardy people and developed by enterprising business men and women, and

**WHEREAS,** from the earliest days the St. Croix River defined St. Stephen as a border community with Calais, Maine and is now the busiest border crossing in Atlantic Canada, and

**WHEREAS** the Town, incorporated in 1871, is an historic community with spacious homes and tree lined streets, museums and fine shops, flower adorned parks and spectacular views of the St. Croix River, and

**WHEREAS** the residents and businesses of the Town of St. Stephen are known for their hospitality and friendliness, and are proud of the Town's rich heritage, and

**WHEREAS** the Town Pride Campaign will do much to enhance the appearance of our Town by incorporating our local Townspeople, businesses and groups to volunteer their time to participate in various projects such as litter pickup, painting, repair and general cleanup of all the community including Town parks, and

**WHEREAS** the dedication and commitment of our Townspeople in keeping St. Stephen a vital, picturesque, progressive community exemplifies the true spirit of our Town,

**THEREFORE,** I, G. L. (Jed) Purcell, Mayor of the Town of St. Stephen, do hereby proclaim the month of May 2009 to be Community Pride Month.

VII. NOTICES OF MOTIONS

No notices of motions.

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VIII. APPROVAL OR AMENDING OF MINUTES

**REGULAR COUNCIL MEETING**

Moved by Councillor Tinker  
Seconded by Councillor Toumishey

**81/09 THAT** the Minutes of the Regular Council meeting held on March 16, 2009 be approved as circulated. **CARRIED**

**SPECIAL COUNCIL MEETING**

Moved by Councillor Williams  
Seconded by Councillor Tinker

**82/09 THAT** the Minutes of the Special Council meeting held on April 14, 2009 be approved as circulated. **CARRIED**

IX. COMMUNICATIONS

**COMMUNICATION FOR INFORMATION FILE**

Moved by Councillor Williams  
Seconded by Deputy Mayor Maxwell

**83/09 THAT** Communication for Information, note and file, be adopted. **CARRIED**

COMMUNICATION FOR ACTION

No communication for action.

X. APPROVAL OF COMMITTEE MINUTES

**PLANNING & PRIORITIES COMMITTEE**

Moved by Councillor Tinker  
Seconded by Councillor Toumishey

**84/09 THAT** the Minutes of the Planning & Priorities Committee meeting held on March 11, 2009 be approved. **CARRIED**

**PUBLIC SAFETY & ENVIRONMENT COMMITTEE**

Moved by Councillor Tinker  
Seconded by Councillor Williams

**85/09 THAT** the Minutes of the Public Safety & Environment Committee meeting held on March 25, 2009 be approved. **CARRIED**

**PUBLIC SAFETY & ENVIRONMENT COMMITTEE and  
PLANNING & PRIORITIES COMMITTEE**

Moved by Deputy Mayor Maxwell  
Seconded by Councillor Tinker

**86/09 THAT** the Minutes of the Public Safety & Environment Committee and Planning & Priorities Committee held on April 7, 2009 be approved. **CARRIED**

XI. CONSIDERATION OF BY-LAWS

**BY-LAW NO. L-8 - A BY-LAW TO REGULATE THE USE OF SWIMMING POOLS – THIRD AND FINAL READING – SHORT TITLE ONLY**

Moved by Councillor Williams

Seconded by Councillor Toumishey

- 87/09 THAT** By-Law No. L-8 – “A By-Law to Regulate the Use of Swimming Pools” – be given Third and Final Reading – Short Title Only . **CARRIED**

**BY-LAW NO. S-7.2 - A BY-LAW TO AMEND A BY-LAW TO REGULATE THE COLLECTION AND DISPOSAL OF GARBAGE AND OTHER MATERIAL – FIRST READING – SHORT TITLE ONLY**

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 88/09 THAT** By-Law No. S-7.2 – “A By-Law to Amend a By-Law to Regulate the Collection and Disposal of Garbage and other Material” – be given First Reading – Short Title Only. **CARRIED**

XII. CONTINUING BUSINESS

**APPOINTMENT - CHOCOLATE MUSEUM OPERATIONAL COMMITTEE**

Moved by Councillor Tinker

Seconded by Councillor Toumishey

- 89/09 THAT** Deputy Mayor Jim Maxwell be appointed to the Chocolate Museum Operational Committee for a three (3) year term commencing May 1, 2009 and expiring April 30, 2012. **CARRIED**

**AMENDMENTS TO COUNCIL AND COMMITTEE BUSINESS**

Moved by Councillor Williams

Seconded by Councillor Tinker

- 90/09 THAT** further to Resolution #145/08 passed at a Regular Session of Council on July 28, 2008, the following amendments are approved and adopted:

**THAT** all standing policy committees of the Council of the Town of St. Stephen meet sequentially in committee of the whole on the same date, regularly for two hours on the second Wednesday prior to regular Council, and on any other date as necessary;

**AND THAT** additional individual committee meetings may be held as required by the Chair;

**AND THAT** the practice be maintained of appointing, either permanently or temporarily, from the community and beyond non-elected members with desired expertise in various areas as deemed advantageous by the committee chair;

**AND THAT** the agendas be set by the committee chair in consultation with the CAO/Clerk and with the approval of the Mayor, the order of business to be

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established by priority with items not reached for consideration carried over to the next meeting;

**AND THAT** the recommendations of each committee be forwarded to (a) a future committee meeting; (b) to the CAO/Clerk for the action of staff; or, (c) to Council for determination. **CARRIED**

**REMUNERATION OF COUNCIL**

Moved by Councillor Williams

Seconded by Councillor Toumishey

**91/09 THAT** the Council of the Town of St. Stephen agrees with the following change to its annual stipends which are paid in two installments, and first reading to an amendment of By-Law No. A-2, "A By-Law Respecting Procedures of the Town Council and Town Administration" will be considered at the next Regular Session of Council on Tuesday, May 19, 2009:

Mayor	\$11,000
Deputy Mayor	\$ 6,500
Councillor	\$ 5,500

**CARRIED**

XIII. **NEW BUSINESS**

1. **CAO Report**

**REPORT OF CHIEF ADMINISTRATIVE OFFICER**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

**92/09 THAT** the report of the Chief Administrative Officer dated 15 April 2009 be received. **CARRIED**

2. **RCMP REPORT** – received for information.

3. **CAO**

**STRATEGIC PLAN: STATUS OF SPECIFIC INITIATIVES** – Memo from CAO dated 15 April 2009 received for information.

**2008 AUDIT**

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

**93/09 THAT** the 2008 Audit as presented by the Town of St. Stephen's Auditors, Teed Saunders Doyle & Co. be approved. **CARRIED**

**CHEQUE REGISTER:**

**PAID BILLS**

Moved by Councillor Williams  
Seconded by Councillor Toumishey

**94/09 THAT** paid bills in the amount of \$797,353.59 (seven hundred and ninety-seven thousand, three hundred and fifty-three dollars and fifty-nine cents) be ratified.

**CARRIED**

**PAID BILL: CONFLICT – THE TIDE**

Moved by Deputy Mayor Maxwell  
Seconded by Councillor Toumishey

**95/09 THAT** the paid bill (cheque #3964) in the amount of \$156.96 (one hundred and fifty-six dollars and ninety-six cents) for The Tide be ratified. **CARRIED**

**CHANGE OF DATE: MAY REGULAR TOWN COUNCIL MEETING**

Moved by Councillor Williams  
Seconded by Councillor Tinker

**96/09 THAT** the Council of the Town of St. Stephen changes the date of the May Regular Town Council Meeting from the third (3<sup>rd</sup>) Monday, 18<sup>th</sup> day of May, 2009, to Tuesday, 19<sup>th</sup> day of May, 2009 at 7:00 p.m. as outlined in Section 9.01(1) of By-Law No. A-2, "A By-Law Respecting Procedures of the Town Council and Town Administration". **CARRIED**

**CHANGE OF DATE: JUNE REGULAR TOWN COUNCIL MEETING**

Moved by Councillor Williams  
Seconded by Councillor Tinker

**97/09 THAT** the Council of the Town of St. Stephen changes the date of the June Regular Town Council Meeting from the third (3<sup>rd</sup>) Monday, 15<sup>th</sup> day of June, 2009, to the fourth (4<sup>th</sup>) Monday, 22<sup>nd</sup> day of June, 2009 at 7:00 p.m. as outlined in Section 9.01(1) of By-Law No. A-2, "A By-Law Respecting Procedures of the Town Council and Town Administration". **CARRIED**

**CANADIAN BLOOD SERVICES DISTRIBUTION CENTER**

Moved by Deputy Mayor Maxwell  
Seconded by Councillor Williams

**98/09 WHEREAS** the Canadian Blood Services (CBS) has, without consultation, chosen to close New Brunswick's Blood Distribution Center located in Saint John; and,

**WHEREAS** the convenient and speedy access to the full range of blood services is a vital component of any comprehensive health care system; and,

**WHEREAS** the citizens of St. Stephen, as well as all those living in Southern New Brunswick, rely heavily upon the Regional Hospital in Saint John for trauma, cardiac, and most surgical treatment, as well as many other treatments not available in our local hospital; and,

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**WHEREAS** a blood distribution center is an integral part of the health care system made available in every province save Prince Edward Island,  
**BE IT RESOLVED THAT** the Council of the Town of St. Stephen and its citizens vigorously oppose this decision, and fully support the bi-partisan committee of the New Brunswick Legislature in its efforts to have this decision reversed.

**CARRIED**

**BUILDING CANADA FUND – SAINT JOHN AIRPORT INC.**

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

**99/09 THAT** the Council of the Town of St. Stephen welcomes and supports the Saint John Airport Inc.'s participation in the Communities Component (Airports) of the Building Canada Fund in view of its key role as an economic enabler, and an essential component for activity in the region. **CARRIED**

4. **PLANNING & PRIORITIES COMMITTEE**

(i) **Economic Development Update** – Councillor Toumishey thanked the Chamber of Commerce, Business Improvement Area (BIA) and Development St. Stephen (DSS) for their ongoing assistance to develop an action plan for economic development of the community. He noted the following will be useful tools in developing a plan:

- feedback from the BIA's public meeting with respect to downtown development;
- the Downtown Development Final Report from UNB Saint John submitted to DSS; and
- the Town's Municipal Plan.

Councillor Toumishey reiterated the positive impact the Civic Centre will have on the area.

5. **FINANCE & ADMINISTRATION COMMITTEE**

**87 PRINCE WILLIAM STREET – JOHN O'HALLORAN**

Moved by Councillor Tinker

Seconded by Councillor Williams

**100/09 THAT** the Council of the Town of St. Stephen agrees in principle to pay John O'Halloran or his assigns, the following development grant in the amount of \$81,000 (eighty-one thousand dollars) for the expansion of 87 Prince William Street by ten (10) senior units, subject to final approval of plans and other details of the development:

- In kind services (during construction year) \$30,000
- Waived building permit fees (during construction year) \$ 3,000
- Annual \$4,000 grant over 12 years (commencing in the

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year of completion of construction)

\$48,000

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**\$81,000**

**CARRIED**

**RESCINDING OF RESOLUTION (APPOINTMENT – MUNICIPAL PLANNING OFFICER)**

Moved by Councillor Williams

Seconded by Councillor Toumishey

**101/09**      **THAT** Resolution #153/06 as stated in the Minutes of July 17, 2006, which reads

**THAT** the Council of the Town of St. Stephen appoints the Chief Administrative Officer to act as the Town's Municipal Planning Officer as outlined in Section 16(1)(a)(ii) of the *Community Planning Act* effective immediately. **CARRIED**

be rescinded effective immediately. **CARRIED**

**APPOINTMENT – MUNICIPAL PLANNING OFFICER**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

**102/09**      **THAT** the Council of the Town of St. Stephen appoints Janet McAuley to act as the Town's Municipal Planning Officer as outlined in Section 16(1)(a)(ii) of the *Community Planning Act*, and who shall also be the Town's Development Officer as outlined in Section 16(2) of the *Community Planning Act*, retroactive to 1 April 2009. **CARRIED**

The Chief Administrative Officer congratulated Mrs. McAuley and stated that the appointment is well-warranted.

**MUNICIPAL PLANNING OFFICER - SALARY ADJUSTMENT**

Moved by Councillor Williams

Seconded by Deputy Mayor Maxwell

**103/09**      **THAT** the Council of the Town of St. Stephen authorizes a salary adjustment of \$4,000.00 (four thousand dollars) to Janet McAuley retroactive to 1 April 2009, which represents an unbudgeted expenditure for 2009. **CARRIED**

**STEVE HARTFORD – CUPE LOCAL 770**

Moved by Councillor Williams

Seconded by Councillor Tinker

**104/09**      **THAT** Steve Hartford be reclassified as full-time within the Canadian Union of Public Employees (CUPE) Local 770 Collective Agreement, in the position of Labourer, retroactive to 6 April 2009. **CARRIED**

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**TOWN HALL – LUNCH HOUR CLOSURE**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

- 105/09       **THAT** the Council of the Town of St. Stephen approves the closure of Town Hall during the lunch hour of 12:00 noon and 1:00 p.m. on a three months' trial basis effective 1 May 2009. **CARRIED**

6.       **PUBLIC SAFETY & ENVIRONMENT COMMITTEE**

**TERMS OF REFERENCE: PROVISIONS GOVERNING THE PROCEDURE AND OPERATION OF THE ST. STEPHEN SUBSTANDARD PROPERTIES APPEAL COMMITTEE**

Moved by Councillor Tinker

Seconded by Councillor Williams

- 106/09       **THAT** the Council of the Town of St. Stephen approves the terms of reference as outlined in the "Provisions Governing the Procedure and Operation of the St. Stephen Substandard Properties Appeal Committee dated February 23, 2009. **CARRIED**

**ST. STEPHEN SUBSTANDARD PROPERTIES APPEAL COMMITTEE**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Toumishey

- 107/09       **THAT** the Council of the Town of St. Stephen appoints the following five members of Council to form the Town's Substandard Properties Appeal Committee:

- 1)       Councillor Robert Tinker               (Chair)
- 2)       Deputy Mayor Jim Maxwell            (Co-Chair)
- 3)       Mayor G. L. (Jed) Purcell
- 4)       Councillor Ralph Williams
- 5)       Councillor Gavin Toumishey

**CARRIED**

**STOP SIGN - UNION STREET AT BOUNDARY STREET**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

- 108/09       **THAT** the Council of the Town of St. Stephen approves the amendments to Schedule "E" of the Town's By-Law T-1, "A By-Law to Regulate Vehicular Traffic", by deleting the stop sign at "Boundary Street at Five Corners", and adding a stop sign at "Union Street at Boundary Street – West". **CARRIED**

**AWARDING OF TENDER: KING STREET RECONSTRUCTION (MILLTOWN BOULEVARD TO BILLY WESTON BROOK) – PROJECT NO. 046-177**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

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**109/09** **THAT** of the seven (7) tenders received, the low tender of \$1,596,045.54 (one million, five hundred and ninety-six thousand, and forty-five dollars and fifty-four cents), including HST, from Mira Construction Ltd. of Fredericton, NB, for the reconstruction of King Street between Milltown Boulevard to Billy Weston Brook be accepted, contingent on Municipal Capital Borrowing Board approval.

**CARRIED**

**RESCINDING OF RESOLUTION (REMOVAL OF TWO HOUR PARKING (A. E. HORNE & SON LTD.)**

Moved by Councillor Williams

Seconded by Councillor Tinker

**110/09** **THAT** Resolution # 51/07 as stated in the Minutes of March 19, 2007, which reads

**THAT** the Council of the Town of St. Stephen authorizes the removal of painted parking lines and any "Two Hour Parking" signage in front of the A. E. Horne & Son Ltd. building at 213 Milltown Boulevard after consultation with the Department of Transportation. **CARRIED**

be rescinded effective immediately. **CARRIED**

**TWO HOUR PARKING RESTRICTION: 207 - 215 MILLTOWN BOULEVARD**

Moved by Councillor Williams

Seconded by Councillor Toumishey

**111/09** **THAT** the Council of the Town of St. Stephen authorizes the erection of "Two Hour Parking" signage in front of the St. Stephen Tax & Duty Free, 207 Milltown Boulevard, up to and including 215 Milltown Boulevard, to a point approximately 12 metres east of the intersection of Milltown Boulevard and Watson Street. **CARRIED**

7. **COMMUNITY SERVICES COMMITTEE**

No items this month.

8. **PLANNING ADVISORY COMMITTEE**

No items this month.

XIV. **REPORTS OF MAYOR AND COUNCILLORS**

**Mayor Purcell**

- Attended an Enterprise Charlotte Strategic Plan meeting in St. George.
- Attended a BIA open house on downtown redevelopment at the SSES.

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- Attended a dinner hosted by the Chamber of Commerce with guest speaker, the Honourable Greg Byrne.
- Presented plaques to two new businesses: Tyme to Dine Catering and Laura Porter Law Office.
- Attended a Charlotte County Housing Forum hosted by Enterprise Charlotte.

Deputy Mayor Maxwell

- Attended a dinner hosted by the Chamber of Commerce with guest speaker, the Honourable Greg Byrne.
- Attended a BIA open house on downtown redevelopment at the SSES.
- Attended a meeting with the Charlotte County Hospital Facility Administrator with respect to Dialogue NB.
- Provided many volunteer hours.

Councillor Williams

- Attended a dinner hosted by the Chamber of Commerce with guest speaker, the Honourable Greg Byrne.
- Attended a Charlotte County Housing Forum hosted by Enterprise Charlotte.
- Suggested that the Public Safety & Environment Committee review water bill calculations for apartment building owners.
- Attended a meeting of the Civic Centre Transition Committee.
- Welcomed the two new Councillors and trust they will enjoy their term.
- Thanked the Treasurer for his many dedicated hours which enabled the 2008 audit to proceed smoothly.
- Wished Greg Pomeroy of the Fire Department a speedy recovery from his recent stroke.

Councillor Toumishey

- Further to earlier comments on the Economic Development Update, stated he looks forward to the completion of an Economic Development Plan, a very worthwhile plan for the community.
- Welcomed the two new Councillors.

Councillor Tinker

- Welcomed the two new Councillors.
- Attended a Chocolate Fest meeting.
- Attended several Town meetings.
- Organizing the door-to-door campaign for the Canadian Diabetes Association for Charlotte County.

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- As Chair of the Public Safety & Environment Committee, reiterated his pleasure with the Department of Transportation's commitment of \$1.25 million over the next five years for the rehabilitation of King Street, as well as Council's decision to spend \$250,000 on streets rehabilitation in 2009.
- Pleased with the announcement of Federal and Provincial funding for the Combined Sewers' Overflow project.
- Advised that money through grants to stabilize the old Town Hall is being looked into and no decision to date has been made on the future of the building.
- Suggested Boundary Street should be renamed to reunite the two communities.

**XV. QUESTION PERIOD**

Councillor Elect Barb Donovan questioned whether or not the old Town Hall could be preserved through a possible heritage program.

The Chief Administrative Officer advised that in conjunction with Development St. Stephen and Doug Dougherty, who was appointed by Council with the task of identifying and documenting sites of local significance for inclusion on an Historic Places Register, he has been in contact with the Built Heritage sector at the conceptual stage only, and information will be brought to a future Committee of Council when time permits.

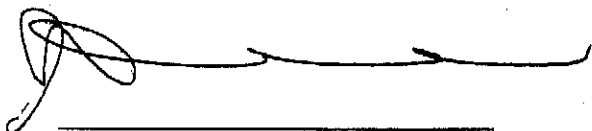
**XVI. ADJOURNMENT**

**ADJOURNMENT**

Moved by Deputy Mayor Maxwell

Seconded by Councillor Williams

112/09 **THAT** the meeting adjourn at 8:25 p.m. **CARRIED**



Mayor



CAO/Clerk