

**TOWN OF HAMPTON
COUNCIL MEETING
May 12, 2009**

A Closed Session of Council was held immediately preceding the regular Council meeting, commencing at 5:30 p.m. A regular meeting of Council was held in the Council Chambers at 27 Centennial Road on May 12, 2009 commencing at 7:05 p.m. A second closed session of Council was held from 9:15 p.m. until 9:50 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: Sgt. Steve Gourdeau, Hampton RCMP
Joe Kennedy, Department of Natural Resources

Guests: Dave Carr, Main Street

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 5:30 p.m. and adjourned the same meeting at 7:00 p.m. A second closed session of Council was held from 9:15 p.m. until 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	
(c)	Financial loss or gain (individual or municipal) or could jeopardize negotiations leading to an agreement or contract	4
(d)	Land transactions for a municipal purpose	1
(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 7:05 p.m.

3. MOMENT OF SILENCE AND MOMENT OF REFLECTION

Councillor Behr led Council in a moment of reflection.

4. DISCLOSURE OF CONFLICT OF INTEREST

Deputy Mayor Bond declared a conflict of interest on all issues dealing with land development in the Town of Hampton.

5. PUBLIC HEARING AND DELEGATIONS

Sgt. Steve Gourdeau, RCMP

Sgt. Gourdeau noted that there has been an increase in motor vehicle break and enters in recent months. He advised residents to lock their vehicles. He planned to put an article in the Hampton Herald and Telegraph-Journal regarding this issue.

He stated that the RCMP would be willing to work with the organizers of the Town Wide Yard Sale to assist with the issues of parking and traffic flow.

He also noted that there were some staff changes in their office as two officers had been transferred.

Joe Kennedy, Wildlife Biologist, Provincial Department of Natural Resources

Council invited Mr. Kennedy to speak on potential responses to the nuisance deer problem in the Town of Hampton. Council believes these deer have become more than a nuisance and raised safety concerns, citing the potential for motor vehicle collisions and Lyme disease.

Mr. Kennedy provided an overview of deer population statistics for the Kennebecasis Valley region that includes Hampton. He stated that factors that favour the deer population in the municipality are mild winters, reduced harvest of does, abundance of food, feeding of deer, and lower numbers of predators near humans and reduced hunting pressures.

He stated that concerns with overpopulation are reduced body size due to food competition, increased spread of disease, increased public concern, public safety issues, and damage to crops and ornamental gardens.

Mr. Kennedy noted that deer are living within the Town limits year round because of the food source. They have changed their behaviour to tolerate humans because there is a stable food source and less predatory pressure in the municipality. He stated that feeding the deer commercial deer pellets greatly adds to the problem.

He stated that the Department of Natural Resources (DNR) agrees the deer population must be controlled, and have increased the harvest levels of antlerless deer for this hunting season in recent years.

DNR is also making changes to harvesting with archery equipment within urban areas, balanced with public safety issues, as a means to control the urban population. For the upcoming deer hunting season, Kennedy said the shooting zone for archers has been changed from 200 metres to 100 metres to allow more urban harvesting. Kennedy noted that archers still have to get permission from property owners before hunting on private land.

DNR does not trap and relocate nuisance deer. This technique is ineffective when dealing with large numbers. They would not recommend this option to the Town of Hampton. Other options such as darting them with birth control or hiring a professional sharpshooter are not practical financially. He noted some options were fencing, chemical deterrents, selective planting and a municipal by-law banning feeding of deer with commercial deer pellets.

Council thanked Mr. Kennedy for his presentation and directed staff to explore the possibility of a Municipal By-law.

6. ADOPTION OF MINUTES

Moved by Councillor Behr and seconded by Councillor Lights that the minutes of the April 14, 2009 Regular Council Meeting be adopted.

Motion Carried

7. BUSINESS ARISING FROM THE MINUTES

Military Service Recognition Book

As directed by Council, staff obtained the price list to advertise in the Royal Canadian Legion New Brunswick Provincial Command "*Military Services Recognition Booklet*."

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton purchase a business card sized advertisement in the Royal Canadian Legion New Brunswick Provincial Command "*Military Service Recognition Booklet*" at a cost of \$195.00 including HST.

Motion Carried

8. CORRESPONDENCE LIST

09-070 Alexandra Melanson, "Better Safe Than Sorry" Child Safety Journals

Advertising Opportunity in 15th Annual Child Safety Journal, which is distributed free in Atlantic Canada and provides safety information geared towards children and parents.

Received and Filed.

09-071 Dorothy MacDonald, Hampton Golf Club – Ladies Division

Sponsorship Opportunity – 1st Annual *Golf Fore The Cure* Tournament on June 12th, supporting Breast Cancer Research

Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton sponsor signage on a hole (Bronze Level) at the 1st Annual *Golf Fore The Cure* Golf Tournament taking place on Friday, June 12th at a cost of two hundred dollars (\$200.00).

Motion Carried

09-072 Brooke Young, Coalition for Rural NB

Membership request for the *Coalition for Rural New Brunswick* which seeks to address the need for shared vision for rural New Brunswick.

Referred to Staff.

09-073 UMN

New guidebook for Canadian communities adapting to climate change

Referred to Staff.

09-074 Dr. Michael Barry, Chair, Saint John Board of Trade

Encouraging Council to voice their concerns to Federal Government regarding to cuts to CBC Radio.

Moved by Councillor Behr and seconded by Deputy Mayor Bond that the Town of Hampton write a letter to the Federal Government expressing concerns of the proposed staff cuts at the CBC Station in Saint John.

Motion Carried

09-075 Don Connolly, Corporate Representative, Canada Mortgage & Housing Corp.

One page information sheet regarding Municipal Infrastructure Lending Program Housing-Related Infrastructure.

Referred to Staff.

09-076 Province of New Brunswick, Department of the Environment

Information regarding amendments to the *Community Planning Act* with respect to the delivery of planning services.

Referred to the Clerk/Development Officer.

09-077 Peter Thomas, Gagetown

Concerned regarding the proposed closure of the Belleisle and Gagetown ferries.

Received and filed.

09-078 Hampton & Area Chamber of Commerce

Invitation to Annual Chamber Golf Tournament

Moved by Councillor Lights and seconded by Deputy Mayor Bond that the Town of Hampton send two councillors to participate in the Hampton & Area Chamber of Commerce Annual Golf Tournament taking place on Friday, June 19th, at a cost of one hundred and fifty dollars (\$150.00) total.

Motion Carried

09-079 Ashlyn Hebert, Viola Avenue

Request to have up to five chickens as pets

Referred to the Planning Advisory Committee as it requires either a variance or re-zoning application.

09-080 Stephen Battah, Executive Director, Local Governance & Community Infrastructure

Clarification of Federal Gas Tax Funding Announcements of April 3, 2009. There are no additional funds for 2009-2010 allocated under the current round of the Gas Tax Fund.

Received and filed.

09-081 Gordon Gilmore, Kennebecasis River Road

Mr. Gilmore is unhappy with 14% increase in property taxes for 2009 and wondering if the Town of Hampton will adjust 2010 mill rates.

Referred to the Finance Committee.

09-082 Janice Bates, Kiersteadville

Mrs. Bates objects to the removal of pre-2000 championship banners from the Hampton Community Centre.

Referred to the Leisure Services Advisory Committee.

09-083 Atlantic Institute for Market Studies

7th Annual Report Card on Atlantic Canadian High Schools

Received and filed.

09-084 Jake Whelpley, HHS Student

Request for sponsorship for summer exchange to China.

Received and filed as a second correspondence was submitted.

09-085 Canada Mortgage & Housing Corp.

Municipal Infrastructure Lending Program Housing-Related Infrastructure Information.

Referred to Staff.

09-086 Tina McIntosh, Spring Cleanup Coordinator, Hampton Communities in Bloom

Hampton's Cleanup Celebration is being held at the Hampton Community Centre on the morning of Saturday May 23rd. Events include a Nature Walk to Spooner Island, a plant sale, presentations on Community Gardens, Tree Pruning & Creating Hanging Baskets, Sea Cadets bottle drive, collection of unwanted building materials for Habitat for Humanity Restore, and a presentation of the Recreation Master Plan.

Staff is directed to post information on the Town website.

09-087 FCM

CRTC announces Municipal Exemption from the National Do Not Call List, which includes municipal governments, municipal election candidates and office holders.

Referred to staff.

09-088 Human Resources and Skills Development Canada

Nomination brochure and poster for the 2009 Thérèse Casgrain Volunteer Award.

Received and filed.

09-089 Muscular Dystrophy Canada

Request for a Hampton *Walk and Roll* event on Friday, June 5th at noon in support of NB's Disability Awareness Week.

Referred to the Leisure Services Advisory Committee.

09-090 David Schellenberg, Environmental Services

Denial of ETF for *Town Square Restoration Project 2009*.

Received and filed.

09-091 Nestlé Waters Canada

Environmental stewardship & health benefits of bottled water.

Received and filed.

09-092 Mayor Grace Losier, Event Chair *Imagine the Possibilities*

Mayor Losier encouraged Council to sign up to make possibilities a reality at www.saintjohnlifeonyourterms.ca.

Council is directed to visit the site.

09-093 UMNB

Recreational Infrastructure Program Information.

Referred to Staff.

09-094 University of New Brunswick

Invitation of Farewell Dinner for President John McLaughlin.

Council is directed to advise the Town's administrative assistant if they wish to attend. It is not in the Town's budget to cover the cost of this event.

09-095 Alex Donovan

Thank you for donation to trip to Forum for Young Canadians.

Received and filed.

09-096 Ellen Snider, Senior Manager, Public Issues, Canadian Cancer Society, New Brunswick

An invitation to attend Canadian Cancer Society's networking session at FCM conference in Whistler.

Received and filed.

09-097 Dr. Graham Sher, Canadian Blood Services

Response to Council's letter regarding the closure of NB production site.

Referred to the Health Care Committee.

09-098 David Brown, Jake Whepley, Craig Martin

These three students of Hampton High School have been accepted by the Atlantic Education International Inc. (AEI) to attend a summer camp in Beijing, China. AEI is an incorporated body in partnership with the New Brunswick Department of Education. They were requesting sponsorship by way of a cash donation or promotional items that could be used as gifts to offer their Chinese hosts and volunteers.

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton donate one hundred dollars (\$100) each to David Brown, Jake Whelphey and Craig Martin to attend an Atlantic Education International Summer Camp program in Beijing, China.

Motion Carried.

09-099 Marlene Vaughan

Request for a prize donation for Golf Fore the Cure Tournament being held at the Hampton Golf Club on Friday, June 12th.

Received and filed. Council opted instead to sponsor a hole at the Tournament.

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 April 1 to April 30, 2009 for the amount of one hundred and seventy-one thousand, nine hundred and forty-three dollars and sixteen cents (\$171,943.16).

Motion Carried.

10. REPORTS OF COMMITTEES

10.1 Environment

Council did not comment on the Environment Report.

10.2 Communities in Bloom

Council noted that the Communities in Bloom Garden Tour is planned for Saturday, July 4th. Staff is directed to post the information on the Town's website in the Calendar of events.

Council noted that Bloomin' Artists will return this year and will take place at the Lighthouse River Centre on July 25th and 26th. Staff is directed to post the information on the Town's website in the Calendar of events.

10.3 Health Care

Council announced that Dr. Douglas Hall is planning to move to Hampton and set up his practice in the fall.

10.4 Leisure Services Advisory

Council noted that the Recreation Master Plan Online Survey is now on the Town's website (www.townofhampton.ca). Residents are encouraged to participate.

The Leisure Services Department has ordered some compostable dog waste bags to try in various public spaces. The Town CAO is directed to include information in an upcoming Town Talk.

The Leisure Services Director informed Council that the Cenotaph hedge is being replaced by a Blue Spruce hedge.

10.5 Canada Day

Council noted that the committee was once again offering a large variety of activities for the Town's Canada Day festivities.

10.6 Planning Advisory

Council noted that they would address the issue of Orchard Hills Subdivision under New Business.

10.7 Fire-Rescue

Council questioned the number of firefighters required per call. Deputy Mayor Bond stated that it is difficult to regulate the number of firefighters that respond per call. Council agreed that they trusted the judgement of the Fire Chief.

Council also questioned why the RCMP would contact the fire department to clean up debris in a car accident.

10.8 EMO

Council noted that on May 21st, there was an EMO presentation of the Sentinel Systems software program at 7 p.m. at Samuel de Champlain School, 67 Ragged Point Road. Council is encouraged to attend to receive an overview of this emergency management technical tool.

10.9 RCMP

Council did not comment on the RCMP report.

10.10 Public Works Advisory

Council noted that they would address the issue of Orchard Hills Subdivision under New Business.

10.11 Utilities Commission

Council noted that they would address the issue of Orchard Hills Subdivision under New Business.

10.12 Town Square

Council noted that there is a public meeting on Tuesday May 19th from 7-9 at the Lighthouse River Centre regarding the proposed design of the Town Square. Everyone is encouraged to attend.

10.13 Focus Hampton

Council noted that there is a public meeting on Thursday May 28th from 7-9 at the Lighthouse River Centre regarding the new Municipal Plan, Zoning By-law and ICSP. Everyone is encouraged to attend.

10.14 Library

Council noted that the Library Committee met with the Recreation Master Plan consultants.

Councillor Lights suggested that if the Town were to acquire the Courthouse in the future than perhaps the Town Offices could be moved to that site and the Municipal Office could be used as a Library. Council directed staff to add the Municipal Office to the consultants list as a potential site should the Town decide to create a library in the municipality.

Moved by Councillor Doucet and seconded by Council Behr that the Town of Hampton accept the reports from the Environment, Communities in Bloom, Health Care, Leisure Services Advisory, Canada Day, Planning Advisory, Fire-Rescue, EMO, RCMP, Public Works Advisory, Utilities Commission, Town Square, Hampton Regional Library and Focus Hampton Steering Committees as submitted.

Motion Carried

11. APPROVAL OF REPORTS

11.1 Building Inspector Report

Council noted that 2009 was experiencing a slow start to the building season.

11.2 Dog Constable

Council noted that they felt that the dog constable was doing a good job.

11.3 Financial Report

Council did not comment on the Financial Report.

11.4 Lighthouse River Centre/Visitor Information Centre

Council noted that the Visitor Information Centre is scheduled to open on May 25th.

Council also discussed the uses of the Lighthouse River Centre, and asked staff to consider other community-minded uses for the building, such as potential art/craft exhibits, etc. There was also some discussion as to rental policies and what the mandate of the building was.

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

Motion Carried

12. PETITIONS

Not Applicable.

13. READING OF BY-LAWS

Not Applicable.

14. NEW BUSINESS

14.1 **FCM**

Moved by Deputy Mayor Bond and seconded by Councillor Lights that the Town of Hampton develop a sustainable community plan which will include a sustainable community vision and sustainability targets. Be it further resolved that the Town of Hampton commit sixty-eight thousand dollars (\$68,000.00) from its budget towards the costs of this initiative.

Motion Carried

14.2 **Economic Development Committee**

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton appoint Beverly Campbell and Andrew Ramsay to the Economic Development Committee for one year terms effective immediately.

Motion Carried

14.3 Orchard Hill Estates

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

Moved by Councillor Lights and seconded by Councillor Doucet that prior to approving the tentative plan, Orchard Hills Subdivision Overall Scheme, dated April 21, 2009, as prepared by Keirstead, Quigley and Roberts Ltd, the Town of Hampton advise the developer that the following conditions must be addressed:

- **Adjustment to Land for Public Purpose;**
- **Proof of a written agreement between AMH Properties Limited & St. Paul's Church;**
- **The creation of another road off Viola Avenue between Lots 41 and 42;**
- **AMH Properties Limited securing necessary sanitary sewer easements and providing written proof of same;**
- **Review of Plans by the Town's Environment Committee; and**
- **The satisfactory completion on an Environmental Assessment of the property;**

The approval of the tentative plan will be conditional on the following:

- **Application will be made to the Planning Advisory Committee for any variances once the field survey has been completed;**
- **Proof of transfer of the property in question from George Demille to AMH Properties Limited;**
- **Individual phases of Orchard Hills are subject to final approval of Council and will require the execution of the developer's agreement between the Town of Hampton and AMH Properties Limited;**
- **Placement of appropriate bonding as determined by the Town Engineer, Godfrey Associates;**
- **Final Subdivision Plans to be signed by appropriate Utilities;**
- **and the satisfactory completion of a Comprehensive Water study**

As recommended by the Planning Advisory Committee, Utilities Commission, Public Works Advisory Committee, Leisure Services Advisory Committee, and Town Staff. It is noted that the plans are still subject to the review and recommendations of the Town's Environment Committee.

Motion Carried

Deputy Mayor Bond returned to the meeting.

14.4 Tanker Tender

Council noted that the surplus asset would be sold at a later date.

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton award the Fire Tanker Tender #09-FireRescue-01 to Metalfab Ltd. for the amount of three hundred and thirty-eight thousand, one hundred and forty-four dollars (\$338,144.00), including taxes, as recommended by the Hampton Fire-Rescue Department.

Motion Carried

14.5 By-law 184-09

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton proceed with an application for a Declaration that By-law 184-09 is formerly and substantially valid and for a determination to any questions pertaining to its effect on landowner(s) in the vicinity of the parcels referred to in the By-law.

Motion Carried

14.6 Town-Wide Yard Sale

Councillor Lights declared a conflict of interest and left the meeting.

Moved by Councillor Behr and seconded by Councillor Doucet that the Town of Hampton donate one hundred dollars (\$100.00) towards printing and advertising costs for the Town-Wide Yard Sale, to benefit the Hampton Seniors Resource Centre.

Motion Carried.

15. OUTSTANDING ISSUES

Culvert Issue

Dwight Bond noted that the resident of 141 Highland Drive contacted him because of an issue with his driveway culvert.

Referred to the Public Works Department.

Garden Homes – Kennebecasis River Road

Councillor Behr asked for an update on the work that needed done on Town Property and in front of the adjacent property as a result of construction of the 5-unit terrace dwelling on Kennebecasis River Road.

The Town CAO noted that he would follow-up on the issue.

Community Centre Use

Councillor Behr recommended that the Director of Leisure Services consider having roller skating at the arena during the summer months.

Referred to the Leisure Services Director.

Grand March – Parking at Town Square

Councillor Lights inquired as to whether there would be parking at the Town Square for the Grand March on Monday, June 15th.

The Town CAO will check the work schedule with the Public Works Superintendent.

Dumping Station

Councillor Lights asked if the Town would consider the installation of a dumping station at the Tourist Bureau. The Town has considered this request in the past.

Referred to the Utilities Commission.

16. ADJOURNMENT

Council adjourned into Closed Session at 9:15 p.m.

Moved by Councillor Behr and seconded by Deputy Mayor Bond that Council return to closed session.

MOTION CARRIED

APPROVED:

Ken Chorley, Mayor

Megan O'Brien Harrison, Clerk