

**TOWN OF HAMPTON  
COUNCIL MEETING  
December 8<sup>th</sup>, 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 December 8<sup>th</sup>, 2009 commencing at 7:00 p.m.

**ATTENDANCE:**

Council:	Mayor Ken Chorley Councillor Robert Doucet	Deputy Mayor Dwight Bond Councillor Clara Lights	Councillor Peter Behr
Staff:	Richard Malone, CAO Megan O'Brien Harrison, Clerk/Development Officer Richard King, Building Inspector/By-law Enforcement Officer		
Media:	Erin Dwyer, Telegraph Journal	Jean Whitehead, Kings County Record	
Delegations:	Dennis Parent, Lower Norton Shore Community Club Mike Owen, 55 Vernon Avenue		
Guests:	David Carr, 564 Main Street Don Hamilton, 61 Vernon Avenue Maria Machum, 35 Pickwauket Road Art Mirthes, 35 Pickwauket Road David Tweedie, 272 Pickwauket Road	David Duchesne, 192 Pickwauket Road Paula Kredl, 34 Pickwauket Road Roy Marchand, 65 Vernon Avenue Brian Reid, Lower Norton Shore Road Melanie Atkinson, 128 Pickwauket Road	

**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. 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	
(e)	Violates confidentiality of information obtained from other governments (Federal and/or Provincial)	
(f)	Legal opinions or advice, and privileged communications	4
(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**

Councillor Doucet 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 Dennis Parent, 59 Pickwauket Road**

Dennis Parent stated he was representing the Lower Norton Shore Community Club. He stated that they were very concerned about the condition of the Pickwauket Road (Route 845). He said that the road is breaking up badly at the edges. He also noted that increased construction meant an increase in large trucks which are harder on the road. He said the road just can't take it anymore. Mr. Parent stated that there is an increase in walkers and joggers on the road and they are taking their lives in their hands. Mr. Parent said that Bev Harrison, the MLA for the Town of Hampton, had informed residents at the meeting that provincial money was available for the road repair and the Town just needed to ask for it.

Council stated that they recognize that the road is in bad shape, but provincial funds have not been forthcoming from the provincial Department of Transportation for the project.

Mayor Chorley stated that the project had been on the Town's five year designated highway plan since at least 2004, and had been at the top of the list for a number of years.

Deputy Mayor Bond stated that despite having the project on the list, the Town of Hampton had been unsuccessful in receiving funding for the project. He stated that the Pickwauket Road is a designated highway and therefore is a provincial responsibility.

Council encouraged the residents to lobby their MLA for provincial funding.

Dennis Parent inquired as to whether a traffic count had been completed on the road as it was a through-fare to several communities. The Mayor stated he was not aware of a traffic count being completed.

Brian Reid, Lower Norton Shore Road, stated that the increased traffic at the corner meant that a traffic accident was probably unavoidable unless work was done on the intersection.

David Duchesne, 192 Pickwauket Road, stated that his son was run off the road on his bicycle earlier this year. He also stated that an RCMP officer had advised him

that it was not safe to walk home from Main Street with his children because the Pickwauket Road was dangerous.

Mayor Chorley stated that Council was well aware of the issue. He encouraged residents to lobby the provincial government. He directed staff to set up a meeting in the New Year between Council and concerned residents.

Melanie Atkinson, 128 Pickwauket Road, stated that her son had informed her that a bus had tipped over on its side on the Pickwauket Road. She was not sure of the bus number but thought it may have been bus #30. Council had not heard this before.

Mayor Chorley thanked the residents for attending.

#### 5.1 Mike Owen, 55 Vernon Avenue

Mr. Owen stated that he was accompanied by his neighbours, Roy Marchand and Don Hamilton. He said that all three of them had suffered water damage in the last three storms. He said that his personal damage from water totalled \$34,000.00. Mr. Owen wondered if there was a flow issue. He said that he has owned his residence for 17 years. He said that the amount of storm water has increased. He noted that Clearwater Park playground is now getting flooded.

Mr. Owen indicated that he has spoken to the Town CAO about the issue and that Town staff had visited the site.

He indicated that he is worried about the runoff from Pleasant View Estates and the former Demille property (Orchard Hill Estates). He said during the last three rain storms the water was coming down onto his property like a river.

He stated that he feels that this is a Town issue. He said that all his drain tiles are working. He said that he has consulted a lawyer but would like to work with the Town on the matter.

The Town CAO stated that the Town is waiting for approval from the Department of the Environment to install an additional culvert.

Roy Marchand, 65 Vernon Avenue, wondered if the Town had a water management plan. He stated he was fortunate that he has not gotten water in his basement to date. He is concerned about the effects more development in Pleasant View Estates and on the former Demille property may have on his property.

Deputy Mayor Bond stated that developers must provide engineered drawings for storm water management during the subdivision approval phase. He stated that having a municipal water management plan is key.

Mayor Chorley stated that he understands the concern. He stated that he is not an expert in storm water management, so this is an issue that will have to be considered by the Town's engineer. Council directed staff to consult with the Town's engineer on the matter.

## 6. ADOPTION OF MINUTES

### 6.1 Regular Meeting of November 10<sup>th</sup>, 2009

Moved by Councillor Behr and seconded by Deputy Mayor Bond that the minutes of the November 10<sup>th</sup>, 2009 Regular Council Meeting be adopted.

Motion Carried

### 6.2 Special Meeting of December 1<sup>st</sup>, 2009

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the minutes of the December 1, 2009 Special Council Meeting be adopted.

Motion Carried

## 7. BUSINESS ARISING FROM THE MINUTES

Not applicable.

## 8. Correspondence List

#	NAME	DESCRIPTON	Action
09-223	NB EMO, Department of Public Safety	H1N1 Influenza – Situation Report	Received and filed.
09-224	The Royal Canadian Legion, New Brunswick Command	Certificate of Appreciation for the Town's support of the <i>Military Service Recognition Booklet Volume 6</i> and a copy of the booklet.	Received and filed.
09-225	St. Joseph's Hospital Foundation	Request for donation to Annual Appeal	Received and filed.
09-226	NBCC Foundation	Copy of Annual Report	Received and filed.
09-227	Les Dominey, 62 Walker Crescent	Requesting Street Lights in new development on Walker Crescent	Referred to staff.
09-228	Family of Audrey Dawson (Brian Lamb)	Thank you card	Received and filed.
09-229	Grace Losier	Thank you card	Received and filed.
09-230	N.B. Sports Hall of Fame	Nomination Information	Referred to Leisure Services Advisory
09-231	FCM	Approval of Grant Application for Project Title: Town of Hampton – Integrated Community Sustainability Plan.	<b>Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton sign the FCM grant agreement for application number GMF 10190 as presented.</b>  Motion Carried

09-232	Child Identification Association	Request to sponsor Child Fingerprinting Kits program	<b>Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton donate fifty-five dollars (\$55) to the Child Fingerprinting Kits program.</b>  <b>Motion Carried.</b>
09-233	Canada Post	New Community Mailbox locations	Received and filed.
09-234	Dennis Parent, Lower Norton Shore Community Club	Concerns regarding the condition of the Pickwauket Road	Mr. Parent made his presentation earlier in the meeting. Council directed staff to set up a meeting with representatives from the Lower Norton Shore Community Club in the New Year to discuss possible strategies for seeking DOT funding for road repairs.
09-235	K. Hooper & D. Byers	Thank you letter	Received and filed.
09-236	Hampton Alliance for Lifelong Learning	Request for two rent free rooms	<b>Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton support the Hampton Alliance for Lifelong Learning's request for a rent free office and library space in the Centennial Building from January 1- June 30, 2010.</b>  <b>Motion Carried</b>
09-237	Fundy Region Solid Waste Commission	Minutes of October 2009 meeting	Received and filed.
09-238	Joshua Murphy	Request for donation for <i>Forum For Young Canadians</i> trip	Council has previously made a motion that they will support requests from HHS students to attend the Forum for Young Canadians. <b>Moved by Councillor Lights and seconded by Deputy Mayor Bond that the Town of Hampton donate one hundred dollars (\$100) to Joshua Murphy to attend the <i>Forum for Young Canadians</i>.</b>  <b>Motion Carried</b>
09-239	Ossekeag Place	Thank you letter	Received and filed.
09-240	Shawn Graham, Premier	Information Package regarding the sale of NB Power	Received and filed.
09-241	Sgt. Steve Goudreau	Business Continuity Plan	<b>Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton allow the RCMP Commander and his staff to use office space in the Town Office should their office become inoperable, details of which are included in their Business Continuity Plan.</b>  <b>Motion Carried</b>

## 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 November 1 to November 30, 2009 for the amount of four hundred and fifty-four thousand two hundred and seven dollars and twenty-six cents (\$454,207.26).

Motion Carried.

## 10. Reports from Committees

### 10.1 Environment Committee:

Moved by Councillor Behr and seconded by Councillor Doucet that the Town of Hampton write a letter of support for the New Brunswick Climate Change Hub's Environment Trust Fund (ETF) Application as recommended by the Environment Committee.

Motion Carried.

### 10.2 Communities in Bloom

Councillor Doucet inquired as to the cost of entering the Communities in Bloom competition each year. The Town Manager stated that most of the work that is completed by the Town of Hampton for the competition would be occurring anyway. The budget amount for Communities in Bloom is six thousand dollars per year.

Moved by Councillor Behr and seconded by Deputy Mayor Bond that the Town of Hampton apply to compete internationally in the Communities in Bloom competition in 2010 as recommended by Hampton's Communities in Bloom committee.

Motion Carried.

Council noted that the Communities in Bloom committee's Hampton Spring Clean up has been tentatively set as May 15, 2010. This information should be placed on the Town Website.

### 10.3 Leisure Services Advisory Committee

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that Council immediately accept the resignation of Andrew Peters as the Teacher Representative on the Leisure Services Advisory Committee and that Council appoint John Hooper as his replacement, as recommended by the Leisure Services Director.

Motion Carried.

Council directed the Leisure Services Director to send a letter to Mr. Peters thanking him having volunteered his time to serve on the committee.

### 10.4 Planning Advisory

Deputy Mayor Bond stated that he found the PAC minutes very informative.

**10.5 EMO**

Council did not comment on the EMO newsletter.

**10.6 Utilities Commission**

Council did not comment on the Utilities Commission report.

**10.7 Hampton Regional Library**

Council did not comment on the Hampton Regional Library Report.

**10.8 Finance**

Council did not comment on the Finance Committee Report.

**10.9 Economic Development**

Council noted the resignation of Andrew Ramsay and stated that they would need to fill his vacant position.

**10.10 Joint Health and Safety**

Joint Health and Safety minutes are reviewed in Closed Session.

**Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton accept the Reports from the Environment, Communities in Bloom, Leisure Services Advisory, Planning Advisory, Utilities Commission, EMO, Hampton Regional Library, Finance, Economic Development, and Joint Health and Safety committees as submitted.**

**Motion Carried**

## **11. Reports from Committees**

**Building Inspector**

Council noted that the amount of building permits is down for 2009. The difference was attributed to Ossekeag Place apartments that were constructed in 2008, and the lack of terrace dwelling construction in 2009.

**Dog Constable Report**

**Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton fine Heather Scott-Weberry of 45 Dineen Crescent, Hampton, the amount of twenty-five dollars (\$25.00) for allowing her dogs to run at large, as recommended by the Town of Hampton Dog Constable.**

**Motion Carried**

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton renew the Darin Clarke's Dog Constable contract with terms and conditions remain the same for the period of January 1 – December 31, 2010.**

**Motion Carried**

**Lighthouse River Centre/VIC**

Council did not comment on the Lighthouse River Centre/VIC report.

**Financial**

Council did not comment on the financial report.

**Moved by Deputy Mayor Bond 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**

**12. PETITIONS**

Not Applicable.

**13. READING OF BY-LAWS**

Not Applicable.

**14. NEW BUISINESS**

14.1 Budget/Tax Rate

Deputy Mayor Bond stated that the tax rate of \$1.2500 includes approximately \$0.08 for garbage removal. Many municipalities do not provide this service to their residents. If garbage removal was removed from the budget, the tax rate would be approximately \$1.17, which is in line with the rate set by the Province for the Town of Hampton.

Mayor Chorley stated that he felt that Council did well to maintain the same tax rate as 2009 given the unexpected costs associated with flooding damage that the municipality must contend with.

**Moved by Deputy Mayor Bond and seconded by Councillor Doucet that WHEREAS the base rate calculated under section 5.01(2) of the *Property Tax Act* is \$ 1.1700, and WHEREAS the council of the municipality of HAMPTON has deemed the revenue requirement for the municipality to be greater than the amount generated by this rate; THEREFORE BE IT RESOLVED THAT: The sum of \$ 5,219,507.00 be the total budget of the Municipality, that the sum of \$ 3,567,332.00 be the Warrant of the Municipality, and that the tax rate for the Municipality, for the year 2010, be \$1.2500, in accordance with subsection 5.01(3) (b) of the *Real Property Tax Act*.**

**Motion Carried**



Utility Budget

- 14.2 **Moved by Deputy Mayor Bond and seconded by Councillor Doucet, as recommended by the Utility Commission and the Finance Committee, that Council approve the 2010 Utility Budget as follows:**

<b>Sale of Water</b>	<b>\$ 1,630.00</b>
<b>Sale of Sewerage Service</b>	<b>\$262,890.00</b>
<b>Surplus from 2<sup>nd</sup> Previous Year</b>	<b>\$ 14,303.00</b>
<b>Total Revenue</b>	<b><u>\$278,823.00</u></b>
<b>Water System Expenses</b>	<b>\$ 45,550.00</b>
<b>Sewerage System Expenses</b>	<b>\$229,273.00</b>
<b>MRIF – Capital Reserve Fund</b>	<b>\$ 4,000.00</b>
<b>Total Expenses</b>	<b><u>\$278,823.00</u></b>

**Motion Carried**

- 14.3 **Wage Scale**

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

**Moved by Councillor Behr and seconded by Councillor Doucet that the Town approve the Salary/Wage Scale for the Town of Hampton for 2010 as shown in the “TOWN OF HAMPTON – 2010 WAGE PROPOSAL” document, and effective the first pay of January 2010, as per the recommendation of the Human Resource Committee.**

**Motion Carried**

Councillor Lights returned to the meeting.

- 14.4 **Water and Sewer Charges for the Year 2010**

Mayor Chorley noted that the Residential Sewer Rate was increasing from \$140.00 to \$150.00 per unit per year.

**Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton approve Schedule “A” *Water and Sewer Charges for the Year 2010* as submitted and recommended by the Utilities Commission and the Finance Committee.**

**Motion Carried**

- 14.5 **2010 Building Permit Rate Structure**  
Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the 2010 Building Permit Rates Structure document, as recommended by the Building Inspector.
- Motion Carried**
- 14.6 **2010 Lighthouse River Centre Rate Structure:**  
Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the 2010 Lighthouse River Centre Rate Structure document, as recommended by the Lighthouse River Centre Manager.
- Motion Carried**
- 14.7 **2010 Dog Control Rate Structure**  
Moved by Deputy Mayor Bond and seconded by Councillor Lights that the 2010 Dog Control Rates Structure remain the same as the previous year.
- Motion Carried**
- 14.8 **Staff – Christmas Bonus**  
Moved by Councillor Behr and seconded by Deputy Mayor Bond that Town of Hampton award a Christmas Bonus to Town Staff as detailed in the “2009 CHRISTMAS BONUS” document, as recommended.
- Motion Carried**
- 14.9 **Town Office – Holiday Hours**  
Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve Holiday Office Hours as follows:
- Closed December 24, 2009 at noon.  
Closed December 25, 2009  
Closed December 28, 2009  
Closed December 31, 2009 at noon.  
Closed January 1, 2010
- Motion Carried**
- 14.10 **Special Meetings of Council**  
Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton schedule a Special Meeting of Town Council for December 31<sup>st</sup>, 2009 at 8:30 a.m. for the purpose of reviewing the financial results for 2009 and the disposition of a surplus, should one exist.
- Motion Carried**

14.11 **Community Centre Rates**

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton approve the Community Centre 2010/2011 Fee Structure as submitted and recommended by the Leisure Services Advisory Committee.

Motion Carried

14.12 **Leisure Services Summer Staff Rates**

Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton approve the 2010 Summer Student Wage Scale as submitted and recommended by the Leisure Services Director.

Motion Carried

14.13 **Sports Fields Rates**

Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton approve the 2010 Season Sport Field Fee Structure as submitted and recommended by the Leisure Services Advisory Committee.

Motion Carried

14.14 **2010 Program Registration**

Moved by Councillor Doucet and seconded by Deputy Mayor Bond that the Town of Hampton approve the 2010 Program Fee Structure and Program Registration as submitted and recommended by the Leisure Services Advisory Committee.

Motion Carried

14.15 **MOU – Geopark Project**

Moved by Councillor Lights and seconded by Councillor Behr that the Town of Hampton enter into a Memorandum of Understanding with the Saint John Waterfront Development Corporation regarding the Stonehammer Geopark Project.

Motion Carried

**14.16 Recreation Master Plan**

Deputy Mayor Bond clarified that if Council accepts the Recreation Master Plan is does not mean that they are approving the recommendations or committing to enact any elements of the plan.

**Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton accept the Recreation Master Plan prepared by dmA Planning and Management Services, as presented.**

**Motion Carried**

**14.17 Ambulance Lease**

Moved by Deputy Mayor Bond and seconded by Councillor Behr that the Town of Hampton extend the Ambulance NB lease for a period of six months, followed by a month-to-month lease agreement thereafter.

**Motion Carried**

**14.18 Pandemic Planning**

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton accept the Contingency Plan for Pandemic Influenza for the Town of Hampton, as presented by Don Doran, EMO director.

**Motion Carried**

**14.19 ETF Application**

Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton approve the submission of an Environmental Trust Fund (ETF) application for trail development.

**Motion Carried**

**14.20 Gas Tax Funds**

Moved by Deputy Mayor Bond and seconded by Councillor Doucet that the Town of Hampton transfer one hundred and thirty four thousand, two hundred and four dollars and forty five cents (\$134,204.45) Gas Tax money from the General Capital Reserve fund to the General Operating Fund.

**Motion Carried**

**14.21 Fundy Region Solid Waste Commission Application**

Councillor Behr stated that the pilot project would involve a three month monitoring program to establish a baseline of data on garbage and compost amounts.

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton support an application to the Environmental Trust Fund by the Fundy Region Solid Waste Commission for a Pilot Project for a garbage and compost data collection program in Hampton.**

**Motion Carried**

**14.22 Mayor's Levee**

**Mayor Chorley extended an invitation to all residents, media and the public to the Mayor's Levee on Thursday, January 1<sup>st</sup>, 2010 at the Lighthouse River Centre from 1-3 p.m.**

## **15. OUTSTANDING ISSUES**

**15.1 Route 845**

Councillor Doucet stated that we need to further ensure that the Town continued the process in seeking funding for the repair of Route 845. The Mayor reiterated that Council and Staff would meet with the residents group in the New Year. Deputy Mayor Bond agreed.

**15.2 Crosswalk at William Bell Drive and Main Street**

Councillor Behr asked for an update on the poor lighting at the intersection of William Bell Drive and Main Street. In particular it is difficult to see pedestrians as they are waiting to cross or start to cross on the crosswalk. The Town CAO did not have an update on the issue to date, but stated that it was being looked at.

**15.3 Fire Report**

Deputy Mayor Bond noted that the Fire Chief was late filing his Fire-Rescue report so it would be on the agenda for the next regular meeting of Council. He did note that the Fire Department had responded to a high volume of calls in November.

## **16. ADJOURNMENT**

**Moved by Councillor Behr and seconded by Councillor Doucet that the regular Council Meeting of December 8th, 2009 be adjourned.**

**MOTION CARRIED**

APPROVED:

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Ken Chorley, Mayor

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Megan O'Brien Harrison, Clerk