



## **APPROVED MINUTES FROM REGULAR COUNCIL MEETING**

**HELD TUESDAY, OCTOBER 10, 2017 AT 7:05 P.M.**

The regular council meeting was held Tuesday, October 10, 2017 at 7:05 P.M. with Mayor Murphy presiding and Councillors Tremblay, Bernard, Curtis, Williams and Cahill present also Frances Ready, Jillian Trainor - West Prince Graphic and staff Susan Wallace-Flynn. Councillor Duggan was absent due to sickness and had nothing new to report.

**The motion was made by Councillor Williams, seconded by Councillor Cahill and carried for the approval of the agenda.**

### **DISCLOSURE OF CONFLICT OF INTEREST**

Councillor Williams said she would leave for the tender for the fire hall snow removal.

### **APPROVAL OF MINUTES**

**The motion was made by Councillor Bernard, seconded by Councillor Curtis and carried to approve the minutes from the last regular council meeting held September 11, 2017.**

### **BUSINESS ARISING FROM THE MINUTES**

Councillor Cahill asked if any more information had been received from J.C. Handyman. Mayor Murphy said the ramp is on hold for now.

### **PRESENTATIONS/DELEGATIONS TO COUNCIL**

Nil

### **CORRESPONDENCE**

A quote was received from D & M Tools for a new 10 foot 3 PH rotary cutter, \$7,935.00 and a new W10 Walco cutter for \$10,925.00 including HST.

**The motion was made by Councillor Williams, seconded by Councillor Tremblay and carried to purchase the first option for \$7,935.00 including tax from D & M Tools Ltd. and to trade in two old cutters.**

A request was received from a Brownie Unit in Ottawa, Ontario for town pins for 25 girls.

**The motion was made by Councillor Tremblay, seconded by Councillor Bernard and carried to send 25 town pins to the Brownie troop in Ottawa, Ontario.**

A letter was received from the St. Anthony's Legion Branch 27 in Bloomfield about a Christmas dinner theatre on December 1<sup>st</sup> and 2<sup>nd</sup> \$35.00 tax included.

**The motion was made by Councillor Cahill, seconded by Councillor Bernard and carried to give a donation to Kid's West for Christmas in the same amount as last year instead of a Christmas party.**

Councillors Cahill, Williams, Bernard and Tremblay voted yes and Councillor Curtis abstained.

Mayor Murphy stated that a letter was received from Minister Biggar that said her department will be glad to work with the town to oversee the orderly conveyance of roads to become their responsibility.

Mayor Murphy read an email that came from Municipal Affairs last year that stated that it has come to the Department's attention that some municipal bylaws may seek to enable municipal staff to enter onto property to undertake the clean-up upon the passage of a resolution to that effect by Council. The email also stated that she would like to note that while the Charlottetown Area Municipalities Act and the City of Summerside Act do include such authority, the Municipalities Act currently does not. A document was attached which covers the regulation of property maintenance. It also stated that as you are aware, ensuring that the scope and intent of municipal bylaws comply with legislation is the responsibility of the municipality. Therefore, we recommend that all municipalities review their property maintenance/unsightly premises bylaws and seek legal advice as to whether or not the bylaws are supported by enabling legislation.

Mayor Murphy said there lots of questions and concerns regarding why the holes had not been fixed in the parking lot by the pond. Mayor Murphy said he would like to update the taxpayers and residents of Alberton on the reason the potholes have not been filled in the parking lot. He said that council had hired a lawyer to clarify the ownership of the parking lot. Mayor Murphy read the following statement -

The area highlighted in blue and adjacent to the parking lot in question to the east is PID 30510. This is the lot owned by Loblaws. You will see that there is an area highlighted in pink that runs through both the northern portion of PID 30510, and the parking lot in question. This pink area is land which was owned by Myricks of Alberton ("Myricks"). Myricks conveyed the blue portions of the pink parcel to Loblaws – however, there is no evidence that the parking lot in question was ever conveyed by Myricks to Loblaws – or to anyone else for that matter. There is a portion of the parking lot at issue which appears to have been conveyed to the Town of Alberton through Quit Claim deeds of previous holders of land now encapsulated by PID 30577. Frankly these conveyances are likely to have little legal

foundation as it is reasonably clear that it was Myricks who had lawful authority to convey the parking lot. The remaining area of the parking lot in question has technically never been conveyed away by Myricks.

Hopefully that in an at least partially-clear fashion provides an overview. The strongest claim to the parking lot at issue rests with the successor to Myricks. The Town of Alberton does have a claim to a portion of the parking lot; however it is based on quit-claim deeds from landowners which appear to have had no foundation upon which to grant the portion in any event. I should mention that I do not intend this to be a binding legal recommendation; this is meant merely as an overview of the current state of the deeds which have dealt with the area at issue.

Mayor Murphy stated that Council made a decision at the last council meeting to fix the potholes in the parking lot by the pond.

Two tenders received for patching the parking lot with 50 tons of asphalt, milling, sweeping and tack included - Preston Murphy Trucking \$19,837.50 HST included and Curran & Briggs \$17,750.00 plus HST.

**The motion was made by Councillor Cahill, seconded by Councillor Tremblay and carried to award the tender for patching potholes in the parking lot to Preston Murphy Trucking.**

Only one tender was received for the fire hall snow removal from O'Meara's Heavy Equipment Ltd. in the amount of \$2,500.00 plus HST.

**The motion was made by Councillor Bernard, seconded by Councillor Williams and carried to hire O'Meara's Heavy Equipment for snow removal for the fire hall.**

Two tenders were received for two heat pumps to be installed at the town hall – Ramsay's Appliance Repair Inc. \$9,545.00 including HST and F.J. Shea & Son Ltd \$7,475.00 including HST. Council requires more information including the SEER and HSPF ratings.

A request was received from the Journal Pioneer to purchase an ad for Halloween curfew for \$90.00 plus taxes.

**The motion was made by Councillor Bernard, seconded by Councillor Tremblay and carried to go with the same curfew of 7:30 p.m. as last year and purchase the Halloween curfew ad from the Journal for \$90.00 plus taxes.**

#### **BUSINESS LICENSES AND/OR PROPERTY DEVELOPMENT APPLICATIONS**

No new applications this month.

## **NEW BUSINESS**

**The motion was made by Councillor Cahill, seconded by Councillor Tremblay and carried to tender for snow removal for the edge of Main Street and the parking lot by the pond.**

## **COMMITTEE REPORTS**

### **ENVIRONMENT**

Councillor Williams reported for environment. She said she had received the email September 20<sup>th</sup> that Westech was fumigating. She said there were no problems and no calls.

### **RECREATION**

Councillor Tremblay reported for recreation. It was a busy summer with Active Start. The ballfield bleachers were painted. The Terry Fox walk and the 55+ games were held.

### **LIBRARY SERVICES AND PARKS**

Councillor Bernard reported on library services and parks (see attached).

RCMP Staff Sgt. Gill arrived at the meeting.

### **FIRE AND POLICE**

Councillor Curtis read the monthly fire report (see attached).

Staff Sgt. Gill read the police report. During the month of September, Prince District RCMP members spent 119 hours providing policing services to the Town of Alberton. Members responded to 20 calls for service which included – 6-False alarm, 2-Traffic complaint, 2-Off – Road Vehicle Act, 1-Theft, 1-Disturbing the peace, 1-Mischief, 1-Suspicious person, 1-Fail to comply with probation, 1-Assist Provincial Agency, 1-Sudden death, 1-Motor vehicle collision, 1-Family Relations Act and 1-Trespass Act. Nine criminal record checks were completed for residents of Alberton.

Staff Sgt. Gill left the meeting.

### **FINANCE**

**The motion was made by Councillor Cahill, seconded by Councillor Bernard and carried to pay bills in the amount of \$52,252.34.**

Financial statements for August for General and Sewer including balance sheets, income statements and trial balance were distributed and also for sewer for September.

## **STREETS**

Mayor Murphy reported that the storm drain and culvert work has been completed on Dufferin, Central, Elder and Prince William Streets.

## **NEW BUSINESS**

**The motion was made by Councillor Williams, seconded by Councillor Bernard and carried to register for Communities in Bloom for \$550.00 plus taxes per year and to provide accommodations and meals for the judges for two days.**

**The motion was made by Councillor Cahill, seconded by Councillor Williams and carried to buy shrubs in the amount of \$600.00.**

**The motion was made by Councillor Cahill, seconded by Councillor Williams and carried to have a 5 minute break followed by a committee of the whole.**

**The motion was made by Councillor Cahill, seconded by Councillor Williams and carried to return from a committee of the whole.**

**The motion was made by Councillor Tremblay, seconded by Councillor Bernard and carried for Garth Davey to become the maintenance supervisor, events coordinator and development officer and hire a maintenance casual worker as needed and a ball and soccer coordinator during the summer months and to increase his pay to \$18.00 per hour.**

**The motion was made by Councillor Cahill, seconded by Councillor Tremblay and carried to adjourn the meeting.**

### **Parks Report for October**

-Grounds are nicely kept and getting lots of use by kids and families in and outside our little town of Alberton.

### **Library Report for October**

-Bedtime stories are starting to pick up now that school is back in. We had a very successful literacy week last month with the super potato.

-For the month of October it is Canadian Library Month. The Alberton Library is hosting many events for all ages.

-Story Telling every Tuesday from 6:30-7:30 for children ages 3-5, wear your PJ's and bring their teddy bear

-Do it yourself projects with blocks, puppets and crafts every Saturday for ages 6-12

- Basic Computer and Internet Help every Wednesday from 9:30-10:30 for all ages

- Color Me Calm on Wednesday Oct 4th at 1pm for adults

-Craft Tutorial to turn books into art on Wednesday Oct 11 at 1pm

- Cranium Game for family game night Oct 24th at 7pm, some fun prizes will be awarded.

- Circling the Sun by Paula McLain on Oct 25th at 7pm

- All events are free of charge

-Reminder of the Library hours are Tuesdays from 4:30-8:00, Wednesdays 10:00-5:00, Fridays 10:00-5:00 and Saturdays 10:00-2:30

Halloween falls on a Tuesday this year so we are adjusting the hours that day from 1:30-5:00  
Drop in and visit your local library we are more than just books.

### **Monthly Fire Report September 2017**

Fire call: medical first responder – 8

Fire alarms – 1

Total – 9 Training: regular monthly training

Pump operation and mfr training

Kelly Williams also completed a two day pump

Operations and maintenance course at the

Wellington fire dept. Congratulations Kelly!!!

New equipment: 1 pair of gloves, 2 front tires for tanker and 1 new portable radio.

Deputy Chief: Shannon Dumville

## CAO REPORT SEPTEMBER 12, 2017 to OCTOBER 10, 2017

September 12<sup>th</sup> I contacted Joey Carragher regarding his property development application and asked for a clearer diagram. He said if he did not get back to me before the meeting he would delay it until spring.

September 13<sup>th</sup> I contacted Curran & Briggs, Preston Murphy Trucking and Alton O'Rourke for prices on patching the parking lot by the pond. Curran & Briggs came up the next day and looked at the lot and the following day Trevor Murphy asked me to go with him to the lot and he said he would give a price.

September 18<sup>th</sup> was Garth Davey's first day on the job so I showed him what properties the town owned. Since then major cleaning has been completed at the town hall and library, grass at the lagoon has been cut, the fields behind Home Hardware and the fire hall cut with the big tractor, all the sewer lines flushed, flower beds weeded, trees and shrubs trimmed, batting cage taken down, ballfield sign taken down and stored and scoreboard covered. Our plumber has winterized the ball field washroom building.

On September 19<sup>th</sup> I attended a session at the Rural Action Centre facilitated by Lori Wakelin of PEI Worker's Compensation Board on the national changes to the Hazardous Products Act & Regulations.

On September 20<sup>th</sup> Mitchell Jay and David Dowell from the Agriculture and Environment Unit came to report that Westech would be starting to fumigate field in Alberton but they were uncertain which fields but they would be monitoring.

On September 21<sup>st</sup> Garth and I went to the 55+ singles bowling and dropped off water and materials. We went back at 2 p.m. to see the start of the team bowling. There were some very excited bowlers there that had bowled in the morning and had received medals! We picked up the food at the bakery and set up the Prince County Exhibition dining hall for the reception which was from 4:30 p.m. to 6:00 p.m. The fishing was from 4 to 8 p.m. I stayed after the reception cleaned the hall and removed the garbage as agreed when exhibition gave us the facility rent free.

Did bank reconciliation for the general and sewer accounts for August and for sewer for September and printed copies of the balance sheet, income statement and trial balance.

In an effort to expedite the process and not leave unfinished business with the streets being turned over to the Province on June 26<sup>th</sup> we asked if they could close the dead end of Prince William street so the property owner would not have to wait for the new Municipalities Act to be approved and for the town to have a public meeting and prepare a bylaw. On September 26<sup>th</sup> I received an email from the government requesting a copy of the subdivision plan. I contacted the property owner, Leonard O'Meara and received permission to send the plan to the government for them to review.

Received calls from several concerned residents regarding communal housing.

On October 2<sup>nd</sup> I met with Danya O'Malley, Executive Director with PEI Family Violence Prevention Services and she requested a donation.

On October 3<sup>rd</sup> Scott Lundrigan, Coordinator with P.E.I. Crime Stoppers dropped in with the Crime Stoppers Awareness Guide (copy in your boxes) and he plans to attend the November council meeting to make a presentation.

I followed up with our engineer on the CWWF storm water project that was started last week.

On October 4<sup>th</sup> I attended an information session at the Rural Action Centre on the hiring process of immigrant workers with presenter Sean Morency, Employer Liaison Officer for the Atlantic Region with immigration, Refugee and Citizenship Canada and Alex Mackenzie, Program Officer, PEI office of Immigration.

On October 4<sup>th</sup> I attended a 55+ wrap up meeting followed by a reception. There were 35 people registered between 55-60 years of age, 49 between 60-65 years, 85 between 70-75 years, 50 between 76-80 years and 41 between 81 to 98 years of age.