

Town of Kensington
Minutes of Regular Council Meeting
Monday, April 27, 2020
7:00 PM

Council Members Present: Mayor Rowan Caseley; Deputy Mayor Pickering;
Councillors: Toombs, Gallant, Bernard, Spencer and Mann

Staff Members Present: Chief Administrative Officer, Geoff Baker; Deputy Chief
Administrative Officer, Wendy MacKinnon; Administrative
Assistant, Kim Caseley; Police Chief, Lewie Sutherland

Visitors: Alison Jenkins – Journal Pioneer

1. Calling of Meeting to Order

1.1 Mayor Caseley called the meeting to order at 7:00 PM and welcomed Council members, staff and visitors to the first virtual meeting of Kensington Town Council and thanked everyone who has been listening to the protocols set by Dr. Heather Morrison as we continue unprecedented measures to slow the spread of COVID-19. Mayor Caseley requested that all attending the meeting stand and share a moment of silence for the victims, families and the communities of the recent tragedy in Nova Scotia.

2. Approval of Tentative Agenda

2.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Spencer to approve the tentative agenda for the April 27, 2020 regular meeting of Town Council with the addition of item 8.1.7 – Railyards Lamp Posts. Unanimously carried.*

3. Declaration of Conflict of Interest

3.1 Deputy Mayor Pickering declared a conflict with item 8.1.7.

4. Delegations / Presentations

4.1 *Nil*

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Councillor Gallant, seconded by Councillor Toombs to approve the minutes from the March 9, 2020 regular meeting of Town. Unanimously carried.*

6. Business Arising from Minutes

6.1 March 9, 2020 Regular Meeting

6.1.1 Councillor Gallant expressed his appreciation to Mr. Rudy Croken for his

presentation at the March Council Meeting and inquired about any updates on the issue. Mayor Caseley noted that a letter had not been sent at this time due to the recent setbacks associated with COVID-19. Mayor Caseley noted that the issue has been discussed with Minister Matthew MacKay and an official letter will be sent to the Province.

7. Reports

7.1 Chief Administrative Officer Report

7.1.1 *Moved by Councillor Gallant, seconded by Deputy Mayor Pickering to adopt the April 2020 CAO Report as prepared by CAO, Geoff Baker. Unanimously carried.*

7.1.2 Councillor Spencer inquired about the status of the Victoria Street Sidewalk Replacement project. Mr. Baker confirmed that no additional details are available on construction dates; however, a delay is expected due to the current pandemic situation.

7.1.3 Councillor Spencer noted that the North side of the Train Station requires cleaning /beautification.

7.1.4 Deputy Mayor Pickering spoke to the owners of the Island Stone Pub about having their dumpsters moved to the grassed area behind the freight shed. Mr. Baker will look at this as an available solution.

7.1.5 Councillor Gallant commented that the Train Station area requires more work; flowers should be planted along the building. He suggested that the Town look at an agreement with Kent Building Supplies whereby the town would cover the cost of replacing the fence in the rail yards area and that Kent be responsible for asphalt repairs in the vicinity of their truck access gate. It was noted that the fence behind the freight shed has been knocked down over the winter and requires repair. Mr. Baker will look into these items and report back to Town Council.

7.2 Fire Department Statistical Report

7.2.1 *Moved by Councillor Bernard, seconded by Councillor Toombs to approve the February 2020 Fire Statistical report as prepared by Fire Chief, Rodney Hickey. Unanimously carried.*

7.3 Police Department Statistical Report

7.3.1 *Moved by Councillor Spencer, seconded by Councillor Bernard to approve the February 2020 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

7.4 Development Permit Summary Report

7.4.1 *Moved by Councillor Gallant, seconded by Councillor Bernard to approve the April 2020 Development Permit Summary Report. Unanimously carried.*

7.5 Bills List

7.5.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Toombs to approve the February 2020 Bills in the amount of \$383,954.34. Unanimously carried.*

7.6 Summary Income Statement

7.6.1 *Moved by Councillor Gallant, seconded by Councillor Spencer to approve the Summary Income Statement for the month of February 2020. Unanimously carried.*

7.7 Credit Union Centre Report

7.7.1 *Moved by Councillor Toombs, seconded by Councillor Spencer to approve the Credit Union Centre report for the month of February 2020. Unanimously carried.*

7.8 Mayor's Report

7.8.1 *Moved by Councillor Bernard seconded by Deputy Mayor Pickering to approve the Mayors report for the month of April 2020 as presented by Mayor Caseley. Unanimously carried.*

7.8.2 Deputy Mayor Pickering inquired if there is a proposed date in which the current physical distancing requirements would be relaxed to allow the Town to host Canada Day Celebrations. Mayor Caseley confirmed that, at this time, we do not know what the regulations will be on July 1st. It was determined that the Youth and Citizen of the Year Award winners would still be selected for 2020.

7.8.3 Councillor Mann inquired if the Kensington Police Service would be reimbursed for their time spent patrolling the access at the Confederation Bridge during the restrictions. It was confirmed they would be compensated for their time.

7.8.4 *Moved by Deputy Mayor Pickering, seconded by Councillor Bernard to approve a monthly donation of \$50 (\$600 a year) to Kids Help Phone. Unanimously carried.*

7.9 Federation of PEI Municipalities (FPEIM) Report

7.9.1 FPEIM has postponed their AGM due to COVID-19 restrictions.

7.9.2 The 2020 annual budget has been adopted.

7.9.3 FPEIM successfully selected a Chartered Accounting firm to conduct the annual audit of its financial statements for a five-year period beginning with the 2019-20 fiscal year.

7.10 Heart of the Island Initiative (STEP) Report

7.10.1 Jennifer Waugh has been appointed the Project Co-ordinator for the Heart of the Island Initiative.

7.10.2 Sub-committees have been set up for Marketing, Beautification, Events and Boardwalk Concept.

7.10.3 A blog has been created and the committee is welcoming content on local businesses and activities.

7.11 Kensington Area Chamber of Commerce (KACC) Report

7.11.1 KACC is proceeding to apply for summer student funding.

7.11.2 They are exploring the possibility of expanding the current district.

7.11.3 Staff are sharing and keeping businesses informed on COVID-19 updates and resources.

7.12 PEI 55 Plus Games

7.12.1 Following consultation with the PEI 55 Plus Games, Councillor Gallant and the committee determined that it was in everyone best interest to consider cancelling the 2020 Games due to the uncertainty around COVID-19 and to look at hosting the Games in 2021. Postponing the Games require a resolution of Town Council.

Moved by Councillor Gallant, seconded by Councillor Toombs to cancel the 2020 PEI 55 Plus Games due to the current COVID-19 pandemic situation and that a request be submitted to the 55 Plus Games society for consideration of Kensington being the host community in 2021. Unanimously carried.

8. New Business

8.1 Request for Decisions

8.1.1 2016 Dodge Charger Replacement – Police Cruiser

8.1.1.1 Discussions were held regarding the replacement of the Dodge Charger Police Interceptor. It was noted that production of police vehicles has been heavily impacted due to COVID-19 and availability is an issue. It was determined that Chief Sutherland will further inquire on available options for extended warranty.

Moved by Councillor Spencer, seconded by Councillor Bernard

BE IT RESOLVED THAT Town Council authorize the CAO to proceed with the purchase of a 2019 Ford Explorer Police Cruiser from Calgary BMW as per their quote dated April 15, 2020 in the amount of \$33,875.00 plus applicable taxes;

BE IT FURTHER RESOLVED THAT Town Council authorize the CAO to proceed with the installation of required emergency equipment on the 2019 Ford Explorer Police Cruiser through Anderson Automotive as per their quote dated April 3, 2020 in the amount of \$5,324.73 plus applicable taxes;

5 for – 1 opposed (Gallant). Motion carried.

8.1.1.2 Moved by Deputy Mayor Pickering, seconded by Councillor Bernard

WHEREAS Section 164 of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1. authorizes a Town Council to borrow money for the completion of a capital project;

AND WHEREAS Town Council has authorized the purchase of a 2019 Ford Explorer Police Cruiser;

AND WHEREAS the amount to be borrowed will not cause the Town to exceed its legislated debt capacity;

BE IT RESOLVED that the Town of Kensington be empowered to borrow \$39,199.73 from the Scotiabank, under the following terms:

i. repayable in full by Town Council over an amortization period not to exceed 5 years.

ii. at an interest rate of Prime, less 0.3% per annum with interest payable monthly.

iii. Advances repayable on demand.

5 for – 1 opposed (Gallant). Motion carried.

8.1.2 Kensington Police Study and Service Model Review – Consulting Contract

8.1.2.1 Moved by Councillor Bernard, seconded by Councillor Spencer

WHEREAS Town Council desires to undertake a Policing Study and Service Model Review for the Kensington Police Service;

AND WHEREAS the Town issued a Request for Proposals on February 11, 2020 requesting submissions from qualified consultants to complete the Study and Model Review, as per the requirements of the Town’s Procurement Policy;

AND WHEREAS Presidia Security Consulting successfully met the requirements of the RFP process and, following a formal and independent review of all proposals, were deemed to provide the best value to the Town;

BE IT RESOLVED that Kensington Town Council award a contract to Presidia Security Consulting to undertake and complete and Police Study and Service Model as per their proposal in the amount of \$29,500.00 plus HST.

Unanimously carried.

Chief Sutherland excused himself from the Council Chamber at 8:20 pm.

8.1.3 Town of Kensington Harassment Policy – Policy #01-1-103-20

8.1.3.1 Moved by Councillor Bernard, seconded by Councillor Toombs

WHEREAS Section 27 of the Employment Standards Act R.S.P.E.I 1988, Cap. E-6.2 requires employers to issue a policy statement on sexual harassment;

AND WHEREAS the Province of Prince Edward Island is scheduled to amend Occupational Health and Safety Legislation effective July 1, 2020 to include requirements for employers around harassment and bullying in the workplace;

AND WHEREAS Town Council are desirous of setting acceptable standards of behavior in the workplace for management and employees;

BE IT RESOLVED THAT the Town of Kensington Harassment Policy, Policy # 01-1-103-20 be hereby formally adopted as presented.

Unanimously carried.

8.1.4 Kensington Wellfield System Upgrades - Tender Recommendation

8.1.4.1 Moved by Councillor Toombs, seconded by Deputy Mayor Pickering

BE IT RESOLVED THAT Kensington Town Council award the contract for the Kensington Wellfield System Upgrades project to AJL Limited as per their tender submission in the amount of \$313,191.00 including HST.

Unanimously carried.

8.1.4.2 Moved by Councillor Mann, seconded by Councillor Gallant

WHEREAS Section 164 of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1. authorizes a Town Council to borrow money for the completion of a capital project;

AND WHEREAS The Town is intent on completing two capital projects in 2020, the Kensington Wellfield Upgrades and Kensington

Lagoon Upgrades, which are funded at 73.3% by the Province of Prince Edward Island and the Government of Canada;

AND WHEREAS the total value of the Kensington Wellfield Upgrades and Lagoon Upgrades projects is estimated at \$910,000.00;

BE IT RESOLVED THAT Town Council authorize the CAO to set up short term borrowing (line of credit) in the amount of \$910,000.00 through Scotiabank to finance the Kensington Wellfield Upgrades and Lagoon Upgrades projects under the following terms:

- Repayments to be made as progress claims are paid to the Town by the Province of Prince Edward Island and the Government of Canada (including HST reimbursement).*
- short term borrowing is interest only, at an interest rate of Prime, less 0.3.*
- any residual borrowing upon completion of the capital projects will be converted to long term debt by the Town.*

Unanimously carried.

8.1.5 Memorandum of Understanding (MOU) – Use of Murray Christian Centre as a Reception Centre/Shelter Facility

8.1.5.1 Moved by Councillor Toombs, seconded by Councillor Gallant

BE IT RESOLVED THAT Kensington Town Council approve the Memorandum of Understanding between the Town of Kensington and the Kensington United Church Official Board as presented and that the Mayor and CAO be authorized to execute the Agreement on behalf of Town Council, with the addition of two items in the event of the termination of the agreement:

- The generator is the property of the Town of Kensington*
- The Town is responsible for re-instating the Murray Christian Centre to its original state.*

Unanimously carried.

8.1.6 Development Permit Application – M&S Rentals Inc.

8.1.6.1 Moved by Councillor Toombs, seconded by Councillor Gallant

BE IT RESOLVED THAT Kensington Town Council approve a development permit application for M&S Rentals Inc. to facilitate the construction of an 18-unit housing complex on PID No 77271 subject to:

- *Confirmation from the Provincial Fire Marshalls Office of the number of residential units permitted at the end of a dead-end street;*
- *Confirmation from the Provincial Public Health Office that construction can proceed.*
- *Subject to the issuance of a Building Permit from the Province of Prince Edward Island, unless it is determined that a Provincially issued Building Permit is not required;*

BE IT FURTHER RESOLVED THAT Kensington Town Council waive the frontage requirements for the development according to Section 4.11 of the Town's Development Control Bylaw as in Town Council's opinion, adequate and safe access is being provided, and the lot width at the building line measures at least as much as the minimum lot frontage for the applicable zone.

Unanimously carried.

Deputy Mayor Pickering declared a conflict and excused herself from the meeting.

8.1.7 Railyards Lamp Posts – Pole Banner Supply and Installation

8.1.7.1 *The Town of Kensington has been working with the Heart of PEI initiative to enhance the destination appeal of Kensington and area. The town owns 8 decorative lamp posts located adjacent to the Confederation Trail in the Rail Yards area which have the capacity to hold pole banners. It is proposed that Town Council consider the design and purchase of 16 double sided pole banners (2 per lamp post) to be installed along the Trail.*

Councillor Gallant was not in favour of this project and suggested that the existing work at the railyard area be completed prior to adding additional projects.

Mayor Caseley noted that the boardwalk project has been awarded and the remainder of the work to the train station will be completed as the weather and COVID-19 restrictions are lifted.

Councillor Bernard inquired why only one quote for the project was submitted.

8.1.7.2 *Following Council's discussions, it was determined that the request be deferred at this time and an additional quote be requested.*

Deputy Mayor Pickering returned to the meeting.

8.2 Other Matters

- 8.2.1** Deputy Mayor Pickering inquired if residents are permitted to rake lawn debris into the streets for the street sweeper to collect. Mayor Caseley confirmed that the Department of Transportation has been doing street sweeping in Town and residents are encouraged to not pile sand and lawn debris on the road as it is a potential road hazard.
- 8.2.2** Councillor Bernard reported on her recent travel to Bedford, Quebec for the Annual Pee wee Hockey Exchange where she brought greetings from the Town of Kensington.
- 8.3.3** Councillor Bernard addressed a concern from Firefighter Jason Paynter regarding the replacement of Firefighter Clark Waite's personal truck following the rescue of campers at Crystal Beach Campground during Hurricane Dorian. Mr. Baker confirmed that the potential replacement of the vehicle was discussed between both the Town's and Mr. Waite's Insurance Companies. Councillor Bernard suggested that firefighters be notified of the existing insurance coverage of personal vehicles. It was the town's understanding that Mr. Waite's insurance company was to cover the vehicle replacement and that no subrogation to the Town's policy would be pursued. Councillor Bernard was encouraged to have Mr. Waite contact the CAO should he wish to discuss this matter further.
- 8.3.4** Councillor Bernard inquired when the street sweeper would be sweeping Brookins Drive. It was noted by Councillor Mann that not all streets qualify for street sweeping by the Department of Transportation. Mr. Baker will speak with the Province again and request they be completed while they are in Town.
- 8.3.5** Councillor Bernard brought forward a concern from a Brookins Drive resident regarding the water drainage on the street. Mr. Baker commented that some ditches were filled in following proper installation of drainage and approvals, however not all were given approval. It was noted that it is a shared responsibility between the Town, Department of Transportation and some developers of the area.
- 8.3.6** Councillor Toombs inquired if the Town's maintenance yard would be opened for residents who are still dealing with the clean-up of debris following Hurricane Dorian. As the site is not regulated, or a certified drop off location, the Town will have to receive approval from the Department of Environment. Mr. Baker will contact the Department of Environment and report back to Town Council.
- 8.3.7** Councillor Gallant has received a number of resident inquiries regarding street sweeping and lawn repairs. Residents are encouraged to call the Town Hall and ensure they are on the lawn repair list. Mr. Baker will speak with Chief Sutherland regarding enforcement options pertaining to raking debris onto the street.
- 8.3.8** Councillor Gallant requested that the owner of 40 Woodleigh Drive be contacted regarding the property's untidy garbage disposal containers. He suggests that the containers be moved closer to the building and off of the corner of the street.
- 8.3.9** Councillor Gallant requested the sidewalk on Victoria Street E be repaired and the stumps of old electrical poles be removed in the area.

8.3.10 Councillor Gallant announced that his employer, Castle Building Supplies, was having a sale on their fire equipment and encouraged the Kensington Fire Department to look at the equipment available.

8.3.11 Councillor Mann noted that only streets with curbs were swept last year and inquired if the policy had changed. Mr. Baker will contact the Department of Transportation as it appears some streets that do not have curbs have been swept.

Deputy Mayor Pickering declared a conflict and excused herself from the meeting at 9:37 pm.

9. Correspondence

9.1 A donation request from Make-A-Wish (Children's Wish Foundation)

Moved by Councillor Spencer, seconded by Councillor Bernard to approve a \$250.00 donation to Make-A-Wish Canada (Children's Wish Foundation). 5 for – 1 abstention (Pickering). Motion carried.

Deputy Mayor Pickering returned to the Council Meeting.

9.2 An update from the Department of Agriculture and Land on the status of Building Permits and Building Code Act regulations.

Deputy Mayor Pickering declared a conflict and excused herself from the meeting at 9:40 pm.

9.3 A letter from the Heart of the Island working committee requesting a letter of support from the Town to develop a plan for a boardwalk concept to be developed on the current green space located behind the Malpeque Bay Credit Union.

Moved by Councillor Spencer, seconded by Councillor Bernard to offer a letter of support to the Heart of the Island working committee to develop a conceptual plan for development of the green space land located behind the Malpeque Bay Credit Union (Commercial Street). 5 for – 1 abstention (Pickering). Motion Carried.

Deputy Mayor Pickering returned to the Council Meeting.

10. In-Camera

10.1 *Nil*

11. Adjournment

Moved by Councillor Pickering, seconded by Councillor Toombs to adjourn the meeting at 9:48 PM. Unanimously carried.

Geoff Baker,
CAO

Rowan Caseley,
Mayor