

**Town of Kensington**  
**Minutes of Regular Council Meeting**  
**Monday, September 13<sup>th</sup>, 2010**  
**7:05 PM**

**Council Members Present:** Mayor Gordon Coffin; Deputy Mayor Paul Chessman;  
Councillors: Gallant, Caseley, Spencer, Mill and MacLean

**Staff Members Present:** Town Manager/Administrator, Geoff Baker; Deputy  
Administrator, Wendy MacKinnon; Administrative  
Assistant, Maria Hickey; Police Chief, Lewis Sutherland

**Visitors:** Paul Brown & Kevin Simmonds, Dunk River Industries,  
Ryan Simmons, KARA President

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**1. Calling of Meeting to Order**

**1.1** Mayor Gordon Coffin called the meeting to order at 7:05 PM and welcomed Council members, staff and visitors.

**2. Approval of Tentative Agenda**

**2.1** *Moved by Councillor Spencer, seconded by Councillor Mill to approve the tentative agenda for the September 13<sup>th</sup> 2010, regular Council meeting. Unanimously carried.*

**3. Minutes of Previous Regular, Special and Public Meeting**

**3.1** *Moved by Councillor Caseley, seconded by Councillor MacLean to approve the minutes for the August 9<sup>th</sup> 2010, Regular meeting of Town Council. Unanimously carried.*

**3.2** *Moved by Councillor Spencer, seconded by Councillor Gallant to approve the minutes for the August 11<sup>th</sup> 2010, Special Council meeting. Unanimously carried.*

**3.3** *Moved by Councillor Caseley, seconded by Councillor Mill to approve the minutes for the August 30<sup>th</sup> 2010, Public meeting. Unanimously carried.*

**3.4** *Moved by Councillor Spencer, seconded by Councillor MacLean to approve the minutes for the August 30<sup>th</sup> 2010, Special Council meeting. Unanimously carried.*

#### **4. Business Arising from Minutes**

- 4.1** Councillor Caseley inquired if any action has been taken with respect to civic re-numbering within the Town limits. Town Manager responded that no action has been taken at this point in time.
- 4.2** It was indicated that the minutes were dated August 10<sup>th</sup> and will need to be changed to the correct date of August 9<sup>th</sup>.
- 4.3** Councillor MacLean asked if there were any updates on the renovations to the commercial building at 48 Broadway Street. No update available at this point in time.
- 4.4** The Town Manager has spoken to the owner of the property at 27 School Street (PID No. 79806) regarding the Town's potential purchase of the property. Council has directed the Town Manager move forward to purchase with the option of 10 year no development clause, or to purchase outright for \$45,000 with no restrictions.

#### **5. Approval of Accounts**

- 5.1** *Moved by Councillor Caseley, seconded by Deputy Mayor Chessman to approve expenditures from August 4<sup>th</sup> – August 31<sup>st</sup> 2010, in the amount of \$127,185.69. Unanimously carried.*

#### **6. Committee Reports**

##### **6.1 Police Report**

*Motion by Councillor MacLean, seconded by Councillor Caseley to approve the Police report as prepared by Police Chief Sutherland. 5 for, 1 abstention.*

The new 2010 Dodge Charger Police car has been commissioned with positive comments being received from Town Council, staff and residents.

##### **6.2 Property Report**

**6.2.1** *Motion by Councillor Spencer, seconded by Councillor Caseley to approve a building permit for Bruce Champion, 35 Victoria Street East, PID # 077032, to construct a patio at the front of the house. Unanimously carried.*

**6.2.2** *Motion by Councillor Spencer, seconded by Councillor MacLean to approve a building permit for Paul & Michelle Cordeiro, 44 Victoria Street, PID # 076927, to do renovations to the interior, add a bathroom, remove porch and replace with an extension to the current patio and have new water & sewer line to town hookup. Unanimously carried.*

### **6.3 Recreation, Parks & Special Events Committee Report**

- 6.3.1** Councillor Mill reported on the success of the parade and Arts & Cultural Festival. Both events were very well attended.
- 6.3.2** Councillor Mill reported on the success of Hike for Health BBQ at the Train Station on August 29, 2010. Councillor Spencer thanked Town staff for their contribution to this event.
- 6.3.3** *Moved by Councillor Mill, seconded by Councillor Caseley to accept the Recreation Report as presented. Unanimously carried.*
- 6.3.4** Councillor MacLean requested that the Sopapilla Hut at the Island Stone Pub be removed for the winter to accommodate snow removal. The Town Manager will speak with the owner to have the hut removed.
- 6.3.5** Recognition was given, in the form of a certificate, to Noella Gaudet, a Credit Union staff member, for taking part in the Hike for Health walk across PEL.

### **6.4 Public Works Committee Report**

- 6.4.1** *Motion by Deputy Mayor Chessman, seconded by Councillor Caseley to accept the Public Works Report as presented by Deputy Mayor Chessman. Unanimously carried.*
- 6.4.2** The Public Works Committee has discussed modifying the current five day schedule to a rotating seven day schedule for the Public Works staff. The Public Works Committee will continue to discuss the issues prior to a recommendation being brought before Town Council.
- 6.4.3** Sewer maintenance (jetting) has been ongoing for the last week and is nearing completion for the year. Once the lines are cleaned appropriately a sewer camera will be brought in to view and record the lines.

### **6.5 Fire Report**

- 6.5.1** *Motion by Councillor Gallant, seconded by Councillor Mill to accept the Fire Report as prepared by Fire Chief Folland. Unanimously carried.*
- 6.5.2** *Motion by Councillor Gallant, seconded by Councillor Caseley to approve payment to Dunk River Industries in the amount of \$6043.35 including applicable taxes for the construction of a deck, railing and access stairs at the Kensington Fire Hall. Unanimously carried.*
- 6.5.3** *Motion by Councillor Gallant, seconded by Councillor Spencer to approve payment to Dunk River Industries in the amount of \$5157.20*

*including GST (Original Invoice \$8622.20 – Tanker Credit of \$3465.00) for additional charges with respect to the retrofit of the donated Tanker Truck. 5 for 1 against, motion carried.*

**6.5.4** *Motion by Councillor Gallant, seconded by Deputy Mayor Chessman to approve payment to KENMAC Auto Body in the amount of \$8397.08 including applicable taxes for body work completed on the donated Tanker Truck. Such work included sandblasting, tank repair, prime and paint tank, pipes, storage boxes, fenders, etc. 5 for, 1 against, motion carried.*

**6.5.5** Councillor MacLean questioned if the correct purchasing procedures were carried out with the Fire Truck retrofit. The Town Manager indicated that the majority of the work completed was done prior to the enactment of the purchasing policy; however purchasing procedures were not properly adhered to.

## **6.6 Finance Committee Report**

**6.6.1** *Motion by Councillor Caseley, seconded by Deputy Mayor Chessman to approve the Finance Committee Report as prepared by Councillor Caseley. Unanimously carried.*

**6.6.2** *Motion by Councillor Caseley, seconded by Councillor Spencer to adopt the Mobile Device Usage Policy # 02-103-10, effective immediately. Unanimously carried.*

**6.6.3** *Motion by Councillor Caseley, seconded by Councillor Spencer to adopt the Residential Tax Incentive Policy # 03-103-10, effective January 1, 2011. Unanimously carried.*

**6.6.4** **WHEREAS** the Kensington Water and Pollution Control Corporation has completed a water and sewer extension along Victoria Street East to provide central water and sewer services to the new Natures Crops Facility;

**AND WHEREAS** the project reached substantial completion on or about the 26<sup>th</sup> of August;

**AND WHEREAS** the Town of Kensington has received formal approval of funding for the project at approximately \$143,000;

**BE IT RESOLVED** that the Kensington Water and Pollution Control Corporation be empowered to borrow up to \$325,000 plus applicable taxes from the Scotiabank, Summerside repayable in full by Town Council over an amortization period not to exceed 25 years.

*Moved by Councillor Caseley, seconded by Councillor Chessman Unanimously carried.*

**6.6.5** *Motion by Councillor Caseley, seconded by Deputy Mayor Chessman to accept the Income Statement to August 30<sup>th</sup>, 2010. Unanimously carried.*

## **7. Mayor's Report**

- 7.1** Mayor Coffin thanked everyone who attended the staff appreciation BBQ at his home.
- 7.2** Mayor Coffin and the Town Manager attended Prime Minister Steven Harper's reception at the Crapaud Agri-Plex.
- 7.3** Mayor Coffin participated in the Harvest Festival Parade.
- 7.4** Mayor Coffin and Council hosted the Hike for Health BBQ on August 29<sup>th</sup> at the Train Station Gazebo.
- 7.5** Mayor Coffin attended the fundraiser for Camp Triumph in Malpeque on Saturday September 11<sup>th</sup> 2010.
- 7.6** The Grass Roots and Cowboy Boots PCH Foundation Fundraiser was held recently with Mayor and Council members attending with their spouses.
- 7.7** Mayor Coffin attended two anniversaries and presented certificates of congratulations.
- 7.8** Men's Softball Orthodox Tournament was held in September and Mayor Coffin attended the awards ceremony.
- 7.9** Mayor Coffin attended a number of meetings for the Wellness Complex.
- 7.10** Mayor Coffin reminded everyone that the FCM Conference is in Halifax in May 2011 and requested Councillors to determine as soon as possible if they will be attending so the necessary arrangements can be made.

## **8. 2010 Asphalt Overlay Project**

- 8.1** *Motion by Councillor Caseley, seconded by Councillor Chessman to award the contract for the 2010 MacLean Avenue/Linwood Drive Asphalt Overlay Project to Curran and Briggs for their tendered amount of \$61,898.00 + GST. Unanimously carried.*

## **9. Canada Post Mailbox Request**

- 9.1** *Motion by Councillor MacLean, seconded by Councillor Gallant to decline the request from Canada Post to locate two central mailboxes at the corner of Pleasant Street and Woodleigh Drive and at 21 School Street. Unanimously carried.*

- 9.2 Following considerable discussion the Town Manager was directed to contact Canada Post to determine more suitable locations within the community taking into account vehicle ingress and egress safety and aesthetic appeal of the mailboxes.

**10. Zoning and Subdivision Control (Development) Bylaw and Official Plan Amendment – Wind Turbine as a Special Permit use in the Recreation and Open Space Zone.**

- 10.1 *Motion by Councillor Gallant, seconded by Councillor Mill to approve second reading to amend the Zoning and Subdivision Control (Development) Bylaw to allow the installation of a wind turbine in the Recreation and Open Space Zone (01) as a Special Permit Use as follows:*

Section 14 – Recreation and Open Space Zone (01) shall be amended by the addition of the following as section 14.3.

*14.3 Special Permit Uses Notwithstanding Section 14.2 above, Council may issue a special development permit for the following use where it deems the development is appropriate, all other relevant provisions of this Bylaw are met and subject to such conditions as Council may impose:*

*(1) Wind Turbines*

The subsequent subsection shall be re-numbered to account for the new section.

Section 14.3 LOT REQUIREMENTS (which will become Section 14.4) shall be amended by the addition of the following:

*The maximum height restriction shall not apply to Wind Turbines where a permit has been issued pursuant to Section 14.3 above.*

*Unanimously carried.*

- 10.2 *BE IT RESOLVED that Kensington Town Council hereby amend the Zoning and Subdivision Control (Development) Bylaw to allow the installation of a wind turbine in the Recreation and Open Space Zone (01) as a Special Permit Use as follows:*

Section 14 – Recreation and Open Space Zone (01) shall be amended by the addition of the following as section 14.3.

*14.3 Special Permit Uses Notwithstanding Section 14.2 above, Council may issue a special development permit for the following use where it deems the development is appropriate, all other relevant provisions of this Bylaw are met and subject to such conditions as Council may impose:*

*(1) Wind Turbines*

The subsequent subsection shall be re-numbered to account for the new section.

Section 14.3 LOT REQUIREMENTS (which will become Section 14.4) shall be amended by the addition of the following:

***The maximum height restriction shall not apply to Wind Turbines where a permit has been issued pursuant to Section 14.3 above.***

***Motion by Councillor Caseley, seconded by Councillor Chessman. Unanimously carried.***

- 10.3** ***Motion by Councillor Spencer, seconded by Councillor Caseley to approve an amendment to the Official Plan to allow the installation of a wind turbine in the Recreation and Open Space Zone (01) as a Special Permit Use. Unanimously carried.***

***Motion by Councillor Chessman, seconded by Councillor Caseley to recess at 9:00 PM for 10 minutes. Unanimously carried.***

Mayor Coffin called meeting back to order at 9:10 PM.

## **11. Correspondence**

- 11.1** A card from Wade & Cindy Toombs thanking the Town for the kindness and support with the fundraising golf tournament held in memory of their daughter Alysha Toombs. *Received.*

- 11.2** KISH newsletter. *Received.*

- 11.3** Ryan Simmons made a request for a donation to help with the travel expenses for Miss Community Gardens to participate in the annual fall fair in Harbor Grace, Newfoundland.

***Motion by Councillor Caseley, seconded by Councillor Mill to donate the cost of the flight up to a maximum of \$350.00 for Miss Community Gardens to attend the Fall Fair in September at Harbor Grace, Newfoundland. Unanimously carried.***

- 11.4** The Town of Stratford invited the Mayor and Councillors to attend “The Modern Museum” presentation September 23, 2010. *Received.*

- 11.5** A letter from ParaSport and Recreation PEI with information regarding their 24<sup>th</sup> Annual Christmas Shopping Spree Draw fundraiser. *Request referred to individual staff and Councillors if they would like to purchase a ticket.*

- 11.6** Letter from Prince County Hospital requesting a donation to their Capital

Campaign Launch of \$10,000 over the next three years. *Finance and Administration Committee will review and make a recommendation to Council.*

**11.7** Letter from James McIver, Kensington Agricultural Services requesting permission to display new equipment with seasonal attachments on the parcel of land recently purchased on Broadway Street, Route 2 from Alan Champion. *This matter referred to Staff for recommendation.*

**11.8** Gloria McNeill, MADD Chapter for East Prince sent an email inquiring on the availability of free office space to use within the Town of Kensington.

*Motion by Councillor Caseley, seconded by Councillor Gallant to donate an office on the upper level of the Town Hall to the East Prince Chapter of MADD at a value of \$200.00 per year. Unanimously carried.*

**11.9** A letter from United Way inviting Mayor Coffin to their “United Way Business Luncheon” at the Loyalist Lakeview Resort in Summerside. *Received.*

**11.10** A letter from the Aviation Heritage Society (PEI) requesting support in the form of a donation for the restoration and maintenance of three historical aircrafts presently displayed at Slemon Park. *Request denied.*

**11.11** A letter was received from Family Violence Prevention Services seeking a donation in the amount of \$2,500.00 for the Anderson House shelter for the 2010 fiscal year. *Request denied. Consideration will be given in the 2011 budget.*

## **12. Other Matters and Adjournment**

**12.1** *Motion by Councillor Spencer, seconded by Councillor MacLean to adjourn the meeting of Town Council at 9:45 PM. Unanimously carried.*

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Geoffrey Baker  
Chief Administrative Officer

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Gordon Coffin,  
Mayor