



***Tentative Agenda for Regular
Meeting of Town Council***

Monday, September 10, 2018 @ 7:00 PM

*55 Victoria Street
Kensington, PEI
C0B 1M0*

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***Please ensure all cell phones and other electronic devices are turned
off or placed on non-audible mode during the meeting.***

**Town of Kensington
Regular Meeting of Town Council
September 10, 2018 – 7:00 PM**

- 1. Call to Order**
- 2. Adoption of Agenda (Additions/Deletions)**
- 3. Declaration of Conflict of Interest**
- 4. Delegations, Special Speakers and Public Input**
- 5. Adoption of Previous Meeting Minutes**
 - 5.1 August 13, 2018 Regular Meeting
- 6. Business Arising from Minutes**
 - 6.1 August 13, 2018 Regular Meeting
- 7. Reports**
 - 7.1 Chief Administrative Officer Report
 - 7.2 Fire Department Statistical Report
 - 7.3 Police Department Statistical Report
 - 7.4 Development Permit Summary Report
 - 7.5 Bills List
 - 7.6 Summary Income Statement
 - 7.7 Credit Union Centre Report
 - 7.8 Mayor's Report -
 - 7.9 FPEIM and KACC Report – Deputy Mayor Mann
- 8. New Business**
 - 8.1 Request for Decisions
 - 8.1.1 RFD2018-56 - Council Code of Conduct Bylaw - Second Reading and Formal Adoption
 - 8.1.2 RFD2018-57 - Municipal Election Proceedings Bylaw - Second Reading and Formal Adoption
 - 8.1.3 RFD2018-58 - Employee Code of Conduct Policy
 - 8.1.4 RFD2018-59 - Kensington Wild 2018-19 Sponsorship Request
 - 8.1.5 RFD2018-60 - Kensington Vipers 2018-19 Sponsorship Request
 - 8.2 Other Matters
- 9. Correspondence**
- 10. Committee of the Whole (In-Camera) – *Nil***
- 11. Adjournment**

**Town of Kensington
Minutes of Regular Council Meeting
Monday, August 13, 2018
7:00 PM**

Council Members Present: Mayor Rowan Caseley; Councillors: Deputy Mayor Mann, Mill, Doucette, Pickering and Spencer.

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

Regrets: Councillor MacLean

Visitors: Colin MacLean – 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.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor Doucette, seconded by Councillor Spencer to approve the tentative agenda for the August 13, 2018 regular meeting of Town Council. Unanimously carried.*

3. Declaration of Conflict of Interest

3.1 Mayor Caseley discussed that members of Town Council or staff who believe they may have a conflict of interest on any matter that will be discussed at this meeting should declare that potential conflict at this time, withdraw at the time of discussion and vacate the Council Chambers during deliberation and decision.

4. Delegations / Presentations

4.1 *Nil*

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Councillor Spencer, seconded by Councillor Doucette to approve the minutes from the July 9, 2018 regular meeting of Town Council. Unanimously carried.*

6. Business Arising from Minutes

6.1 July 9, 2018 Regular Council Meeting – *Nil*

7. Reports

7.1 CAO's Report

7.1.1 *Moved by Councillor Mill, seconded by Councillor Pickering to adopt the August 2018 CAO's Report as prepared by CAO, Geoff Baker. Unanimously carried.*

7.2.1 Councillor Spencer requested that the Town look into the recent Bylaw implemented by the City of Moncton regulating the maximum length of grass permitted. He felt that implementing such a Bylaw may reduce vermin such as ticks, which are becoming for common.

7.2.2 Councillor Spencer inquired if the Department of Transportation had any further updates on repairing the timing issue with the intersection lights. Chief Sutherland commented that the Department of Transportation are well aware of the Town's concern and have committed to working on a solution.

7.2 Fire Department Statistical Report

7.2.1 *Moved by Councillor Pickering, seconded by Councillor Doucette to approve the June 2018 Fire Statistical report as prepared by Deputy Fire Chief, Rodney Hickey. Unanimously carried.*

7.3 Police Department Statistical Report

7.3.1 *Moved by Councillor Spencer, seconded by Councillor Pickering to approve the June 2018 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

7.3.2 Chief Sutherland noted that the fountain at the Alysha Toombs Memorial Park has been installed and four new park benches were purchased for the park through received donations.

Chief Sutherland excused himself from the Council Chamber.

7.4 Development Permit Summary Report

7.4.1 *Moved by Councillor Spencer, seconded by Councillor Doucette to approve the Development Permit Summary Report for the month of August 2018. Unanimously carried.*

7.5 Bills List

7.5.1 *Moved by Deputy Mayor Mann, seconded by Councillor Pickering to approve the June 2018 Bills in the amount of \$149,997.16. Unanimously carried.*

7.6 Summary Income Statement

7.6.1 *Moved by Deputy Mayor Mann, seconded by Councillor Pickering to approve*

the Summary Income Statement for the month of June 2018. Unanimously carried.

7.7 Credit Union Centre Report

7.7.1 *Moved by Councillor Pickering, seconded by Councillor Doucette to approve the Credit Union Centre report for the month of June 2018. Unanimously carried.*

7.8 Mayor's Report

7.8.1 *Moved by Councillor Doucette, seconded by Councillor Spencer to approve the Mayors report for the month of August 2018 as presented by Mayor Caseley. Unanimously carried.*

7.9 Federation of PEI Municipalities and Kensington Area Chamber of Commerce (KACC) Report

7.9.1 The KACC Annual Golf Tournament will be held on September 20, 2018.

Moved by Councillor Pickering, seconded by Councillor Mill to enter a team in the KACC Annual Golf Tournament and the Harvest Festival Annual Golf Tournament. Unanimously carried.

8. New Business

8.1 Request for Decisions

8.1.1 Annexation of PID 77503 & 44985

8.1.1.1 *Moved by Councillor Doucette, seconded by Councillor Spencer*

BE IT RESOLVED THAT the May 2018 resolution directing the CAO to make application to the Island Regulatory Appeals Commission to annex PID No's 77503 and 44985 inside the municipal boundary be hereby rescinded and further that the CAO be authorized to withdraw the annexation application. Unanimously carried.

8.1.2 Procedural Bylaw - Second Reading and Formal Adoption

8.1.2.1 *Second Reading*

Moved Deputy Mayor Mann, seconded by Councillor Pickering

WHEREAS Subsection 86(2)(e) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.;

AND WHEREAS it is deemed desirable to provide rules for:

- a) The calling of meetings of Council and its Committees;***
- b) The procedures of Council;***
- c) The calling of public meetings of Council;***
- d) The behaviour of Council members and members of the public present at meetings of Council and its Committees; and***
- e) The establishment of a Committee of Council;***

AND WHEREAS the Bylaw was read and approved a first time at a regular meeting of Town Council held on July 9, 2018;

BE IT RESOLVED that the Town of Kensington Procedural Bylaw (Bylaw #2018-03) be hereby read a second time.

Unanimously carried.

8.1.2.2 Approval of Second Reading

Moved by Deputy Mayor Mann, seconded by Councillor Doucette

WHEREAS Subsection 86(2)(e) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.;

AND WHEREAS it is deemed desirable to provide rules for:

- a) The calling of meetings of Council and its Committees;***
- b) The procedures of Council;***
- c) The calling of public meetings of Council;***
- d) The behaviour of Council members and members of the public present at meetings of Council and its Committees; and***
- e) The establishment of a Committee of Council;***

AND WHEREAS the Bylaw was read and approved a first time at a regular meeting of Town Council held on July 9, 2018;

AND WHEREAS the Bylaw was read a second time at this meeting;

BE IT RESOLVED that the Town of Kensington Procedural Bylaw (Bylaw #2018-03) be hereby approved.

Unanimously carried.

8.1.2.3 Formal Adoption

Moved by Deputy Mayor Mann, seconded by Councillor Mill

WHEREAS Subsection 86(2)(e) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a council must establish a

procedural bylaw to regulate its proceedings in accordance with the Act.;

AND WHEREAS it is deemed desirable to provide rules for:

- a) The calling of meetings of Council and its Committees;*
- b) The procedures of Council;*
- c) The calling of public meetings of Council;*
- d) The behaviour of Council members and members of the public present at meetings of Council and its Committees; and*
- e) The establishment of a Committee of Council;*

AND WHEREAS the Bylaw was read and approved a first time at a regular meeting of Town Council held on July 9, 2018;

AND WHEREAS the Bylaw was read and approved a second time at this meeting;

BE IT RESOLVED that the Town of Kensington Procedural Bylaw (Bylaw #2018-03) be hereby formally adopted.

Unanimously carried.

8.1.3 Council Code of Conduct Bylaw - First Reading

8.1.3.1 Moved by Councillor Mill, seconded by Councillor Pickering

WHEREAS Subsection 107(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must, by bylaw, establish a code of conduct in accordance with the regulations to govern the conduct of the members of council;

AND WHEREAS the elected officials of the Town of Kensington recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them;

AND WHEREAS the Council for the Town of Kensington desires to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the code of conduct for members of Council;

BE IT RESOLVED that the Code of Conduct for Members of Council Bylaw (Bylaw # 2018-04) be hereby read a first time.

Unanimously carried.

8.1.3.2 *Moved by Councillor Mill, seconded by Councillor Spencer*

WHEREAS Subsection 107(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must, by bylaw, establish a code of conduct in accordance with the regulations to govern the conduct of the members of council;

AND WHEREAS the elected officials of the Town of Kensington recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them;

AND WHEREAS the Council for the Town of Kensington desires to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the code of conduct for members of Council;

AND WHEREAS the Code of Conduct for Members of Council Bylaw was read a first time at this meeting;

BE IT RESOLVED that the Code of Conduct for Members of Council (Bylaw # 2018-04) be hereby approved.

Unanimously carried.

8.1.4 *Municipal Election Proceedings Bylaw – First Reading*

8.1.4.1 *Moved by Deputy Mayor Mann, seconded by Councillor Doucette*

WHEREAS Section 36 of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., requires a municipality to pass a Bylaw that establishes:

- a. Who is eligible to contribute to an election campaign;*
- b. The limits on campaign contributions to a candidate;*
- c. The disclosure requirements in respect of campaign contributions;*
- d. The election campaign spending limits for candidates for mayor and councillor; and*
- e. The disclosure requirements in respect of campaign spending by each candidate.*

AND WHEREAS such Bylaw shall establish procedures and time frames for the reporting of campaign contributions and campaign spending by all candidates;

*BE IT RESOLVED that the Municipal Election Proceedings Bylaw (Bylaw #2018-05) be hereby read a first time.
Unanimously carried.*

8.1.4.2 *Moved by Deputy Mayor Mann, seconded by Councillor Pickering*

WHEREAS Section 36 of the Municipal Government Act R.S.P.E.I 1988, Cap. M-12.1., requires a municipality to pass a Bylaw that establishes:

- a) Who is eligible to contribute to an election campaign;*
- b) The limits on campaign contributions to a candidate;*
- c) The disclosure requirements in respect of campaign contributions;*
- d) The election campaign spending limits for candidates for mayor and councillor; and*
- e) The disclosure requirements in respect of campaign spending by each candidate.*

AND WHEREAS such Bylaw shall establish procedures and time frames for the reporting of campaign contributions and campaign spending by all candidates;

AND WHEREAS the Municipal Election Proceedings Bylaw was read a first time at this meeting;

BE IT RESOLVED that the Municipal Election Proceedings Bylaw (Bylaw #2018-05) be hereby approved.

Unanimously carried.

8.1.5 *Development Permit Application - 22 Park Road*

8.1.5.1 *Moved by Councillor Pickering, seconded by Councillor Doucette*

THAT Kensington Town Council approve a development permit application for Bethany Cousins for the installation of an 8' x 10' Baby Barn 22 Park Road, subject to compliance with the Town of Kensington Development Control Bylaw.

Unanimously carried.

8.1.6 *Request for Financial Support - Kensington Vipers*

8.1.6.1 *Moved by Councillor Spencer, seconded by Councillor Pickering*

THAT Kensington Town Council approve the request from the Kensington Moose Plumbing and Heating Vipers to commit \$5,000 in financial support in their bid to host the 2019 Don Johnson Memorial Cup at the Kensington Credit Union Centre.

Unanimously carried.

8.2 Other Matters

- 8.2.1** Town Council discussed the current status, history of repairs and costs associated with the Town Clock located at the railyards.

Moved by Councillor Spencer, seconded by Councillor Mill to remove the existing Town Clock and place in storage until further options become available. Unanimously carried.

- 8.2.2** Councillor Spencer requested that the grass between the road and sidewalks be trimmed prior to the Harvest Festival Parade.

- 8.2.3** Councillor Spencer noted a recent article regarding the Community of Victoria by the Sea, regulating short term rentals of residential houses through portals such as Airbnb. It was requested by Councillor Spencer that Mr. Baker look into the matter.

- 8.2.4** Councillor Spencer requested that Chief Sutherland look into the temporary fence along a section of Linwood Dr. located across from the Canada Post Mailbox, he requested that the fence be moved back or removed.

- 8.2.5** Councillor Spencer inquired about the replacement of the boardwalk at the Train Station Railyards. Mr. Baker noted that repairs are being made as required.

- 8.2.6** Council discussed the sign at the Credit Union Centre that was damaged last winter. Mr. Baker will speak with Mr. Wood and look into the option of replacing it with an electronic panel.

- 8.2.7** Mayor Caseley reminded Council that the official ribbon cutting for the Credit Union Centre renaming is scheduled take place at the Harvest Festival Opening Ceremonies.

- 8.2.8** Councillor Spencer shared a Thank You from Bethany Spencer for being selected as the 2018 Youth of the Year.

9. Correspondence

- 9.1** A Thank You from the PCH Foundation.

10. In-Camera

- 10.1** *Nil*

11. Adjournment

Moved by Councillor Mill, seconded by Councillor Pickering to adjourn the meeting at 8:29 PM. Unanimously carried.

Wendy MacKinnon,
Deputy Administrator

Rowan Caseley,
Mayor

Town of Kensington		
CAO Monthly Report for Town Council - September 2018		
Item #	Project/Task	Status
1	Emergency Measures Organization	NO UPDATE
2	Exempt Staffing Policy	NO UPDATE
3	STEP Application	NO UPDATE I completed the application on behalf of the Kensington Area Chamber of Commerce (KACC). The application was submitted to ACOA on July 3rd. I have not at this point been given any update on the status of the application.
4	Conflict of Interest Bylaw	NO UPDATE Required under the new MGA. The Bylaw will be drafted by staff and presented to Town Council upon completion.
5	Financial Policy Development	NO UPDATE
6	Access to Information and Protection of Privacy Bylaw	NO UPDATE The Town currently possesses an Access to Information Bylaw however it will be required to be re-drafted to ensure it complies fully with the new Act. The Bylaw will be drafted by staff and presented to Town Council upon completion. It is understood that the Province of PEI are currently in the process of reviewing their Freedom of Information and Protection of Privacy Act.
7	Records Retention and Disposition Bylaw	NO UPDATE Required under the new MGA. The Bylaw will be drafted by staff and presented to Town Council upon completion.
8	Procurement Bylaw	NO UPDATE
9	Street Sweeper Disposal	No action has been taken on this item to date.
10	Signage	I continue to wait for an updated design for the main roadside sign, the map stop sign and the small sign adjacent to the Island Stone Pub.
11	Street Transfer to Province of PEI	I am not anticipating any update on this item through the end of 2018. I understand that the Province are still in the process of identifying rights-of-way. The Province continues to maintain responsibility for street maintenance.
12	Wellfield Protection Plan	It is hoped that a presentation of the draft Wellfield Protection Plan will be made at the September Committee of Council Meeting.
13	Procedural Bylaw	The Bylaw has been processed and submitted to Municipal Affairs for filing.
14	Crossing Guard Volunteers	Four volunteers have received the required training program. The volunteer crossing guard program is scheduled to begin on September 10, 2018. Currently, the four volunteers will cover Monday to Thursday and rotate Fridays based upon their availability, supplemented by public works staff as required.
15	Fire Department Policy Development	The Fire Department Standard Operating Guidelines and Master Plan will be provided to Town Councillors, in draft form, prior to September 14th. It is hoped that the documents can be initially discussed at the September Committee of Council meeting and formally adopted by council at their regular October meeting.
16	Unsightly Properties	The properties identified at the July regular meeting of Town Council were cleaned to a reasonable community standard, however one of the properties, located along Woodleigh Drive continues to be a source of concern.
17	Council Code of Conduct Bylaw	The Council Code of Conduct has been circulated with the tentative agenda package. Second Reading and Formal Adoption is requested.
18	Rail Yards Clock Repair	A decision was made to complete repairs to the clock to keep it operational. A representative from the clock supply company is scheduled to be in Kensington towards the end of September and will replace the internal clock mechanism with a more simpler component. We are informed that the clock should work without issue for a minimum 10 year period.
19	Strategic Plan Development	The online request for feedback is scheduled to be disseminated to the Mayor, Council and staff on September 10th. The introductory session with the consultant (Mayor & Council, CAO, Deputy CAO) has been scheduled for September 25, 2018 from 6:00 pm to 8:00 pm at the Town Hall Council Chambers.
20	Employee Code of Conduct	A draft of the Employee Code of Conduct has been circulated with the tentative agenda package requesting Council's consideration and approval.
21	Annexation of Lands of M.S. Woodside's Ltd.	Approval of the annexation application has been given by the Minister however we are still waiting on the formal approval documentation. We have been advised that they have been placed in the mail. Approval of the annexation has been communicated to the applicant.

Item #	Project/Task	Status
22	Victoria Street West Sidewalk Replacement	Approximately 50% of the required topographic survey has been completed. In speaking with WSP, they are still waiting to hear from the Province as to what their intention is with the replacement of the storm sewer along Victoria Street West. As has been communicated previously, if the province are moving forward with a street related project, and provide sufficient notice to utility companies, then the utility companies are responsible for costs associated with the relocation of utility poles. It is estimated to cost \$75,000 to \$100,000 if the town were to move forward with the relocations.
23	Immigration - PNP Community Endorsement	Several requests for meetings have been submitted for September. No meetings have been confirmed to date.
24	Official Plan and Zoning Bylaw 5 Year Review	All effort will be made to have the Request for Proposals drafted by Monday, September 10, 2018 and issues by September 14th.
25	2018 Municipal Election	Election timelines are being followed as per the requirements under the Municipal Government Act. A returning Officer will be appointed over the next several weeks. Training sessions will be attended by the MEO and Deputy in late September. A copy of the required Elections Bylaw is circulated with the tentative agenda package. Second Reading and Formal Adoption is requested.
26	Development Control Bylaw and Official Plan Amendment - Lands of Jeff Thompson	Approval of the re-zoning application has been received (electronically) from Municipal Affairs.
27	Alysha Toombs Memorial Park - Pond	The proper aerator/fountain has been placed at the pond. It is hoped that another can be procured and placed in the next fiscal year.
28	Credit Union Centre Warm Room	A cost estimate of \$1,000 was received from the architect and engineer to enable the production of the required drawings to facilitate the construction of the warm room. Council have previously given their approval to proceed. It is anticipated that the drawings will be completed and submitted during the week of September 10th.
29	Pothole Patching	Repairs to the town hall, credit union centre, railyards area and sewer repair areas have been completed by Curran and Briggs. The Province continues to patch potholes as required.
30	Intersection Traffic Lights	The Provincial Department of Transportation have made some adjustments to the main intersection traffic and walk lights. In discussions with the police chief, it appears that the adjustments have had a significant positive impact on the movement of traffic and pedestrians through the intersection.
31	Ranchland Estates Engineering Drawings	I have been advised by the owner's engineering representative that no construction will be taking place throughout 2018.

Fire Department Occurrence Report 2018

[illegible]

[illegible]

[illegible]

[illegible]

Police Report July 2018

KPS received 2 false alarms during the month.

July 10 @ 0913hrs - Kensington Legion, alarm cancelled and member did not attend.

July 24 @ 0127hrs – Bakin Donuts, member attended.

Year To Date Approved Development Permits Summary Report
2018

Development Permit Category	January	February	March	April	May	June	July	August	September	October	November	December		Total	
Addition Commercial						1								1	
Addition Single Family Dwelling				1										1	
New Industrial								1						1	
New Residential Accessory Structure	1			1			1	2						5	
New Residential Deck/Fence/Pools				1	1		1							3	
New Semi Detached Dwelling				1										1	
Renovation Commercial						1								1	
Residential additions/alterations						1								1	
Total:						1								14	

Total Estimated Construction Value
\$25,000.00
\$45,000.00
\$1,000.00
\$18,700.00
\$22,000.00
\$300,000.00
\$10,000.00
\$3,500.00
\$425,200.00

Town of Kensington Bills List July 2018

ADL Foods	2353799	\$899.44
Alan MacLeod	JULY 31, 2018 MEDICAL	\$75.00
Alleymar Enterprise Ltd	22577	\$225.40
Andrew Griffin	JULY 2018 RRSP	\$568.38
Andrew Griffin	20180628	\$47.00
Bailey Clark	LIBRARY JULY 13, 18	\$848.02
Bailey Clark	LIBRARY JULY 27, 18	\$848.02
Bell Mobility	2-380469	\$201.25
Black & McDonald Limited	897039	\$1,317.21
Brenda MacIsaac	20180628	\$47.00
Brenda MacIsaac	JULY 2018 RRSP	\$282.68
Brent MacDonald	20180628	\$45.00
Brentt Mills	20180628	\$52.38
Children's Wish Foundation	JULY 2018 DONATION	\$100.00
Coles Doors	3554	\$436.38
Combat Computer Inc	142275	\$323.44
Combat Computer Inc	142801	\$403.58
Combat Computer Inc	142802	\$129.38
Controls & Equipment	30623	\$310.51
Canada Revenue Agency Tax Centre	APR - JUNE 2018 HST	\$15,330.23
Cumings Fire & Safety Equipment Ltd	066689	\$574.93
Canadian Union of Public Employees	JULY 2018 UNION DUES	\$608.96
Daniel Matheson	20180628	\$78.64
Davtech Analytical Services (Canada) Inc	104039	\$289.05
Eastern Fence Products	3295	\$1,035.00
Eastlink	05948717	\$129.84
Eastlink	05878982	\$655.44
Eastlink	05727670	\$99.99
Eastlink	05782893	\$66.07
Eastlink	05688681	\$129.84
Eastlink	5879601	\$23.00
Eastlink	5879295	\$83.89

Elections PEI	2018 ELECTION CONTRACT	\$100.00
Elizabeth Hubley	LIBRARY JULY RENT	\$805.00
Geoff Baker	JULY 2018 MILEAGE	\$332.76
Irving Oil	32487773	\$690.04
Irving Oil	846949	\$361.35
Irving Oil	32451614	\$652.82
Irving Oil	946351	\$377.04
Irving Oil	948586	\$624.79
Irving Oil	33960	\$431.04
Irving Oil	528063	\$175.78
Irving Oil	246397	\$84.41
Irving Oil	619152	\$165.63
Irving Oil	618642	\$546.55
Irving Oil	629549	\$78.56
Irving Oil	32474882	\$1,268.86
Irving Oil	32481070	\$439.38
Island Hot Tubs & Pools	19947	\$37.94
Island Hot Tubs & Pools	19930	\$233.43
Island Hot Tubs & Pools	19915	\$37.94
Island Hot Tubs & Pools	19776	\$37.94
Island Hot Tubs & Pools	19954	\$10.34
Island Hot Tubs & Pools	19762	\$75.88
Island Hot Tubs & Pools	19908	\$21.84
Island Hot Tubs & Pools	20719	\$24.63
Island Hot Tubs & Pools	20713	\$27.59
Island Hot Tubs & Pools	20888	\$195.49
Ken Fornetran	JULY 25 MUSIC NIGHTS	\$200.00
Ken Fornetran	JULY 18 MUSIC NIGHTS	\$200.00
Ken Fornetran	JULY 11 MUSICAL NIGH	\$200.00
Kensington Country Store	2810043272	\$12.64
Kensington Country Store	02810043039	\$83.37
Kensington Country Store	02810044236	\$42.73
Kensington North Watersheds Association	5 YR MEMBERSHIP	\$400.00
Kensington Septic Service	2811	\$391.00

Kent Building Supplies	1075060	\$4.83
Kent Building Supplies	1073921	\$45.52
Kent Building Supplies	1073557	\$230.66
Kent Building Supplies	1073793	\$13.94
Kent Building Supplies	1076656	\$27.54
Kent Building Supplies	1076040	\$26.54
Kent Building Supplies	1070805	\$72.20
Kent Building Supplies	1070621	\$16.42
Kent Building Supplies	1070582	\$6.73
Kent Building Supplies	1069754	\$196.85
Kent Building Supplies	1080629	\$70.93
Kent Building Supplies	1079937	\$120.08
Kent Building Supplies	1082019	\$89.42
Kent Building Supplies	1084550	\$4.50
Kent Building Supplies	1084944	\$14.49
Key Murray Law	233989	\$2,716.88
Kensington Intermediate Senior High School	LEADERSHIP CONFERENC	\$500.00
K'Town Auto Parts	11550/5	\$86.00
K'Town Auto Parts	11783/5	\$17.71
Lewis Sutherland	JULY 2018 RRSP	\$628.20
MacInnis Express (1983) Ltd	192817	\$115.00
Maritime Electric	TRAIN STATION JULY 18	\$988.60
Maritime Electric	SENIOR CO-OP JULY 18	\$48.17
Maritime Electric	CUC SIGN JULY 18	\$86.99
Maritime Electric	CUC RINK JULY 2018	\$2,158.41
Maritime Electric	CUC BALLFIELD JULY 18	\$28.26
Maritime Electric	ART CO-OP JULY 18	\$425.73
Maritime Electric	SPEED RADAR JULY 18	\$105.13
Maritime Electric	STREET LIGHTS JULY 18	\$2,929.75
Maritime Electric	FIRE HALL JULY 18	\$385.09
Maritime Electric	EVK POOL JULY 18	\$892.69
Maritime Electric	LIBRARY JULY 18	\$147.13
Maritime Electric	PW SHOP JULY 18	\$94.70
Maritime Electric	20 STEWART ST JULY 18	\$69.74

Maritime Electric	TOWN HALL JULY 18	\$1,742.40
Maritime Electric	CAR CHARGER JULY 18	\$45.74
Mary's Bake Shoppe	49 JULY 31, 2018	\$15.00
Malpeque Bay Credit Union	JULY 2018 RRSP	\$1,841.74
Medacom Atlantic Inc	0080	\$575.00
Minister of Finance	302274	\$150.00
MJS Marketing & Promotions	2640009	\$51.75
Murphy's Kensington	16283	\$23.89
Murphy's Kensington	16284	\$60.06
Murphy's Kensington	16285	\$32.24
Murphy's Kensington	16286	\$30.23
Murphy's Kensington	159667	\$42.40
Murphy's Kensington	161227	\$137.89
On the Go Property Maintenance Ltd	17102	\$3,536.25
Orkin Canada	8633851	\$28.75
Orkin Canada	8632082	\$67.28
Petty Cash	JULY 2018	\$175.69
Pitney Bowes	3200849995	\$12.00
Prince County Trophy	358496	\$110.40
Princess Auto	184852	\$83.46
Revolution Media	1975-2018	\$63.25
Robert Wood	JULY 2018 MILEAGE	\$206.40
Rogers Plumbing & Heating	12653	\$1,149.45
Saltwire Network	12755	\$320.85
Mikes Independent	031899	\$59.19
Mikes Independent	02 7011	\$44.14
Mikes Independent	01 6496	\$330.10
Mikes Independent	603100636	\$14.34
Mikes Independent	636JUNE27	\$10.78
Mikes Independent	20180625	\$34.14
Mikes Independent	20180711	\$10.78
Mikes Independent	20180703	\$18.96
Scotia Securities	DOUG K JULY 18 RRSP	\$390.68
Scotiabank Visa	WALMART JULY 8, 18	\$126.36

Scotiabank Visa	WALMART	\$148.08
Scotiabank Visa	CANADIAN COAST GUARD	\$2,280.00
Scotiabank Visa	SHOPPERS - BATTERIES	\$124.12
Scotiabank Visa	ISLAND FIRST AID	\$86.25
Scotiabank Visa	NORWEX	\$102.25
Scotiabank Visa	FAIRFIELD INN	\$861.11
Seacor Athletic	SGII3506	\$1,168.28
Spartan Fitness	299898	\$7,709.11
Spring Valley Building Centre Ltd	735043	\$6,070.85
Spring Valley Building Centre Ltd	194317	\$114.98
Spring Valley Building Centre Ltd	194077	\$83.93
Spring Valley Building Centre Ltd	194035	\$226.48
Spring Valley Building Centre Ltd	739096	\$175.90
Spring Valley Building Centre Ltd	193692	\$81.49
Spring Valley Building Centre Ltd	193469	\$147.18
Spring Valley Building Centre Ltd	193468	\$385.25
Spring Valley Building Centre Ltd	194823	\$288.52
Staples	5502594057	\$430.33
Staples	5502653390	\$876.45
Suncor Energy Products Partnership	JULY 2018	\$913.85
Superior Sanitation	649213	\$36.36
Superior Sanitation	649212	\$80.50
Superior Sanitation	649216	\$207.00
Superior Sanitation	649215	\$230.00
Superior Sanitation	649214	\$184.00
Telus	JULY 2018	\$731.38
Tessa MacKinnon	JUNE EXPENSES	\$213.00
Trent Murphy	JULY 6, 2018	\$91.12
Vail's Fabric Services Ltd	308379	\$104.42
Vail's Fabric Services Ltd	310060	\$104.42
Vistaprint	ZW840-W4A59-6K5	\$107.51
Vistaprint	4W2QL-V4A94-9N3	\$23.86
Visual Printing	6137	\$2,390.62
Vital Aire	3517226	\$20.00

Water & Pollution Control Corporation	JULY 2018	\$347.09
Workers Compensation Board of PEI	2ND INSTALLMENT 2018	\$7,432.19
Wet n' Wild Car Wash	292952	\$90.00
Yellow Pages Group	18-6212958	\$22.08
Subtotal		<u>\$95,228.10</u>
July Payroll		\$92,116.79
Total July Bills		<u>\$187,344.89</u>

TOWN OF KENSINGTON

Income Statement Comparison of Actual to Budget for July 2018

	Current Month			Year to Date				
GENERAL REVENUE	Actual	Budget	Variance	Actual	YTD Budget	Variance	Annual Budget	% Full Year
General Revenues	\$86,806.41	\$92,216.00	-\$5,409.59	\$617,010.14	\$601,793.00	\$15,217.14	\$1,316,202.00	47%
Police Service	\$4,119.95	\$4,000.00	\$119.95	\$16,496.05	\$28,000.00	-\$11,503.95	\$60,000.00	27%
Town Hall Rent	\$8,162.15	\$7,842.00	\$320.15	\$55,735.05	\$54,894.00	\$841.05	\$117,630.00	47%
Recreation	\$2,870.00	\$1,000.00	\$1,870.00	\$3,350.00	\$1,500.00	\$1,850.00	\$2,250.00	149%
Sales of Service	\$34,212.30	\$36,300.00	-\$2,087.70	\$245,276.30	\$257,000.00	-\$11,723.70	\$548,900.00	45%
Subtotal Revenue	\$136,170.81	\$141,358.00	-\$5,187.19	\$937,867.54	\$943,187.00	-\$5,319.46	\$2,044,982.00	46%
GENERAL EXPENSES								
Town Hall	\$10,848.45	\$10,450.00	\$398.45	\$98,047.70	\$82,660.00	\$15,387.70	\$181,802.00	54%
General Town	\$33,019.45	\$27,027.00	\$5,992.45	\$292,844.70	\$289,563.00	\$3,281.70	\$642,995.00	46%
Police Department	\$47,066.20	\$30,216.00	\$16,850.20	\$286,014.94	\$242,351.00	\$43,663.94	\$553,994.00	52%
Public Works	\$15,331.09	\$18,839.00	-\$3,507.91	\$92,444.23	\$106,701.00	-\$14,256.77	\$246,897.00	37%
Train Station	\$2,490.15	\$1,685.00	\$805.15	\$15,655.86	\$16,120.00	-\$464.14	\$35,700.00	44%
Recreation & Park	\$7,714.58	\$13,775.00	-\$6,060.42	\$40,941.67	\$52,125.00	-\$11,183.33	\$81,825.00	50%
Sales of Service	\$16,016.71	\$13,723.00	\$2,293.71	\$102,680.00	\$104,592.00	-\$1,912.00	\$233,563.00	44%
Subtotal Expenses	\$132,486.63	\$115,715.00	\$16,771.63	\$928,629.10	\$894,112.00	\$34,517.10	\$1,976,776.00	47%
Net Income (Deficit)	\$3,684.18	\$25,643.00	-\$21,958.82	\$9,238.44	\$49,075.00	-\$39,836.56		
Credit Union Centre								
Credit Union Centre Revenue	\$14,238.09	\$27,100.00	-\$12,861.91	\$206,063.44	\$201,900.00	\$4,163.44	\$510,700.00	40%
Credit Union Centre Expenses	\$17,403.50	\$18,365.00	-\$961.50	\$173,610.86	\$198,878.00	-\$25,267.14	\$479,186.00	36%
Net Income (Deficit)	-\$3,165.41	\$8,735.00	-\$11,900.41	\$32,452.58	\$3,022.00	\$29,430.58		
Fire Department								
Fire Revenues	\$20,770.33	\$20,613.00	\$157.33	\$145,392.36	\$144,291.00	\$1,101.36	\$309,195.00	47%
Fire Department Expenses	\$15,617.80	\$17,779.00	-\$2,161.20	\$136,732.76	\$135,503.00	\$1,229.76	\$309,195.00	44%
Net Income (Deficit)	\$5,152.53	\$2,834.00	\$2,318.53	\$8,659.60	\$8,788.00	-\$128.40		
Consolidated Net Income (Deficit)	\$5,671.30	\$37,212.00	-\$31,540.70	\$50,350.62	\$60,885.00	-\$10,534.38		
							\$99,720.00	
Water and Pollution Control Corporation								
Water & Sewer Revenue	\$48,376.78	\$47,762.00	\$614.78	\$336,162.23	\$334,334.00	\$1,828.23	\$716,503.00	47%
Water & Sewer Expenses	\$44,534.37	\$46,440.00	-\$1,905.63	\$339,305.32	\$327,780.00	\$11,525.32	\$712,537.00	48%
Water & Sewer Net Income (Deficit)	\$3,842.41	\$1,322.00	\$2,520.41	-\$3,143.09	\$6,554.00	-\$9,697.09		
							\$3,966.00	

TOWN OF KENSINGTON – MEMORANDUM

TO: MAYOR AND TOWN COUNCIL, CAO
FROM: ROBERT WOOD, CUC MANAGER
SUBJECT: JULY 2018 CREDIT UNION CENTRE REPORT
DATE:
ATTACHMENT: STATISTICAL REPORT

July 2018

Fitplex

Programming: Aerobics Programming

Resumes in September

Hours

Key FOB Entry	5:45 AM – 12:00 Midnight Daily
Staffed	4:00 PM – 8:00 PM Monday – Thursday

New aerobics flooring arrived and installed.

Arena

Repairs and maintenance

Entrance way, canteen and back hallway painted.

New matts in benches

New Credit Union Centre Signage installed

Dressing room doors reinforced

Dressing room hooks added.

Lady slipper Dog Show was held July 20-22.

Kensington Cash

July, 2018	\$210.00
	\$200.00
	\$200.00
	<u>\$200.00</u>
<u>Total</u>	<u>\$810.00</u>

Ball Fields

Danny Hughes Memorial Recreation Ball Tournament was Held.
Ball Camp – Jean Paul Pendergast- July 2-7, 2018 12 kids registered

Senior Center

Nothing to report

Upcoming Events

Harvest Festival-8 Girls confirmed for pageant

Pat McIver of Kensington Vipers Jr b Team has applied to host Don Johnson Cup Atlantics in late April.

Ice Plant to be started August 31,2018

Town of Kensington Credit Union Centre Monthly Statistical Data 2018

Category	January	February	March	April	May	June	July	August	September	October	November	December	YTD
Fitplex													
Total Members	265	270	267	265	260	240	230						1797
Attendance	1620	1450	1400	1200	1100	920	800						8490
Day Passes Sold	30	25	22	20	22	15	16						150
Memberships Sold	40	30	25	25	40	23	22						205
Monthly Payment Memberships	53	54	54	54	55	55	54						379
Arena													
Hours Rented	150	152	130	48	0	0	0						480
Preschool (Free)	4	4	2	0	0	0	0						10
Adult Skate	4	4	2	0	0	0	0						10
Donated Ice Time	0	10	4	5	0	0	0						19
Total Hours Rented	158	170	138	53	0	0	0						519
Storm Days (no rentals)	3	1	3	0	0	0	0						7

**Town of Kensington
Community Gardens Complex Monthly Statistical Data
2017**

[illegible]



Mayor's Report to Town Council

September 10, 2018

The Mayor's Report to Town Council is an opportunity for the Mayor to provide feedback to Council, Staff, Residents and other interested Stakeholders about activities of the Mayor on their behalf since the last Council meeting. It will include as much as possible a summary of information from meetings and discussions on behalf of the Town of Kensington. Any decisions to be made on behalf of the Town will be brought forward to Council for decisions.

The Mayor is the designated spokespersons for the town and communicates decisions made by Town Council. The Mayor chairs the monthly Town Council Meetings and the monthly Committee of Council meetings. All efforts are made to keep discussions and decisions transparent as we represent the town on behalf of the residents. Agenda's (along with supporting information) for Committee of Council meetings and Town Council meetings are posted on the town website on the Friday afternoon prior to the meeting. (www.kensington.ca)

Committee of Council meetings are held on the 4th Monday of each month (except July and August) at 6:30pm and Town Council meetings are held on the 2nd Monday of each month at 7:00pm. The agenda's (along with supporting information) are emailed to the County Line Courier, Journal Pioneer and CBC on the Friday afternoon prior to the meetings.

Malpeque Fine Iron – I attended the 20 year Celebration and Open House at Malpeque Fine Iron. Many other provincial politicians were also in attendance. It is great to see a company such as theirs so successful.

Community Harvest Festival – Once again I joined other politicians for the opening ceremony of the Kensington and Community Harvest festival. I would like to take this opportunity to thank Mr. Robert Wood and his volunteer committee who take the time to put together such a great event. Thanks to all Councillors who attended and help to staff the Town of Kensington information booth. The Town of Kensington was fortunate this year to have our entry in the pageant win Miss Community Gardens. Congratulation Sheridan Wall! It was disappointing that we had to cancel the Bell Aliant Parade this year because of the heavy rain and potential thunderstorm. Unfortunately, with such a fun packed Festival there was no other time to run the parade. We look forward to better weather in 2019.

Grain Elevator Announcement – Mr. Baker, Councillor Pickering and myself attended the funding announcement for an expansion to the Grain Elevators on PEI. Plans call for the expenditure of \$9.2 million to expand and upgrade the facilities with the capacity of the Kensington Grain Elevator increasing to nearly double its current capacity. Construction will not start this year but hopefully in 2019.

Ross's Place Community Garden – I joined with Jamie Mackay, the organizer of Ross's Place and



others when CBC were on site to review what had been done and how beneficial it is to the community. We received some positive press coverage on this and it is anticipated it will expand to a few more plots in 2019. Thanks Jamie for your contribution and work on this.

Rowan Caseley
Mayor – Town of Kensington

Town of Kensington - Request for Decision

Date: September 6, 2018	Request for Decision No: 2018-56 (Office Use Only)
Topic: Code of Conduct for Members of Council Bylaw – Second Reading and Formal Adoption	
<p>Proposal Summary/Background:</p> <p>Section 107 of the <i>Municipal Government Act</i> requires Town Council by Bylaw, within 12 months of the coming into force of the Act, to establish a code of conduct. The code of conduct has to include, at minimum, the following:</p> <ol style="list-style-type: none"> Rules respecting the confidentiality and disclosure of and access to personal information in the control of the municipality. Rules respecting the acceptance of gifts or other personal benefits by a member. Rules respecting the process for determining whether a member has contravened the code of conduct. And The requirement for each Council member, within 30 days of being elected, to file a disclosure statement in the form approved by the Minister with the Chief Administrative Officer. <p>A copy of the Code of Conduct Bylaw was sent to Council by email on July 13, 2018 to which one response was received. The member of Council who responded requested the following clarifications:</p> <ul style="list-style-type: none"> “I assume some of this also applies to Committee of Council. Should there be a definition that says that” – <i>Section 4.1 was modified to ensure the Bylaw applied to all Council members, Council Committee members, and Committee of Council members in the discharge of their duties.</i> “What are the options of Council if someone gets elected and won’t sign or complete disclosures?” – <i>Clarification was requested from Municipal Affairs in this regard. Not completing the required disclosure would be a breach of the code of conduct and therefore the permitted sanctions and fines under section 107 of the Act could be implemented. In the longer term, potentially Council could ask the Minister to investigate and issue an order but the minister would likely want to see that Council first tried to address it on their own.</i> “I gather there will be a separate code of conduct drawn up for staff.” <i>Yes, this is required under the Municipal Government Act.</i> “If Mayor is accused of breaking code the deputy steps in. What if both are involved? Should there be option for a Councillor to be appointed and by whom.” <i>While it is not appropriate for the CAO to enforce the Code or to impose sanctions against a member of Council, Section 22.7 of the Bylaw has been modified to give the CAO authority, in consultation with Council, to move forward with the appointment of a third-party investigator should both the Mayor and Deputy Mayor be involved in an alleged contravention of the Bylaw. This modification still respects the autonomy of Council to govern itself. Council, as a whole, is expected to enforce its Code.</i> <p>First reading of the bylaw was given at the August 13, 2018 regular meeting of Town Council.</p> <p>A copy of the revised Code of Conduct Bylaw is being circulated with this Request for Decision.</p>	

Benefits: <ul style="list-style-type: none"> Will provide staff and Council with clear direction in dealing with the conduct of Council members in the discharge of their duties in representing the Town of Kensington. 	
Disadvantages: <ul style="list-style-type: none"> None noted. 	
Discussion/Comments: <p>It is recommended by the CAO that Town Council give second reading and formally adopt the Code of Conduct for Members of Council Bylaw. The Bylaw has ben drafted in compliance with the Municipal Government Act.</p>	
Options: <ol style="list-style-type: none"> Give the bylaw second reading and formal adoption as recommended. Not give second reading or formal adoption to the Bylaw and refer back to staff. 	
Costs/Required Resources: N/A	Source of Funding: N/A
<p>It is recommended that Town Council consider and adopt the following resolutions to give second reading and formal adoption to the Town of Kensington Code of Conduct for Members of Council Bylaw:</p> <p><u>Resolution 3</u></p> <p><i>WHEREAS Subsection 107(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must, by bylaw, establish a code of conduct in accordance with the regulations to govern the conduct of the members of council;</i></p> <p><i>AND WHEREAS the elected officials of the Town of Kensington recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them;</i></p> <p><i>AND WHEREAS the Council for the Town of Kensington desires to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the code of conduct for members of Council;</i></p> <p><i>AND WHEREAS the Code of Conduct for Members of Council Bylaw was read and approved a first time at a meeting held on August 13, 2018.</i></p> <p><i>BE IT RESOLVED that the Code of Conduct for Members of Council Bylaw (Bylaw # 2018-04) be</i></p>	

hereby read a second time.

Resolution 2

WHEREAS Subsection 107(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must, by bylaw, establish a code of conduct in accordance with the regulations to govern the conduct of the members of council;

AND WHEREAS the elected officials of the Town of Kensington recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them;

AND WHEREAS the Council for the Town of Kensington desires to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the code of conduct for members of Council;

AND WHEREAS the Code of Conduct for Members of Council Bylaw was read and approved a first time at a meeting held on August 13, 2018;

AND WHEREAS the Code of Conduct for Members of Council Bylaw was read a second time at this meeting;

BE IT RESOLVED that the Code of Conduct for Members of Council (Bylaw # 2018-04) be hereby approved.

Resolution 3

WHEREAS Subsection 107(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must, by bylaw, establish a code of conduct in accordance with the regulations to govern the conduct of the members of council;

AND WHEREAS the elected officials of the Town of Kensington recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them;

AND WHEREAS the Council for the Town of Kensington desires to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the code of conduct for members of Council;

AND WHEREAS the Code of Conduct for Members of Council Bylaw was read and approved a first time at a meeting held on August 13, 2018;

AND WHEREAS the Code of Conduct for Members of Council Bylaw was read and approved a second time at this meeting;

BE IT RESOLVED that the Code of Conduct for Members of Council (Bylaw # 2018-04) be hereby formally adopted.



**CODE OF CONDUCT FOR MEMBERS OF COUNCIL BYLAW
BYLAW 2018-04**

A BYLAW OF THE TOWN OF KENSINGTON, IN THE PROVINCE OF PRINCE EDWARD ISLAND, TO SET MINIMUM EXPECTATIONS FOR THE BEHAVIOUR OF MEMBERS OF COUNCIL IN CARRYING OUT THEIR FUNCTIONS AND MAKING DECISIONS THAT BENEFIT THE TOWN OF KENSINGTON.

WHEREAS Subsection 107(1) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must, by bylaw, establish a code of conduct in accordance with the regulations to govern the conduct of the members of council;

AND WHEREAS the elected officials of the Town of Kensington recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them;

AND WHEREAS the Council for the Town of Kensington desires to exercise its authority pursuant to the *Municipal Government Act* to enact a bylaw to provide for the code of conduct for members of Council:

THEREFORE, the Council of the Town of Kensington, in the Province of Prince Edward Island, duly enacts this bylaw as follows:

1. Citation

1.1 This bylaw may be cited as “The Code of Conduct Bylaw of the Town of Kensington”.

2. Definitions

2.1 In this bylaw “Act” means the *Municipal Government Act*.

a) “Chief Administrative Officer” or “CAO” means the administrative head of the Town of Kensington as appointed by Council under clause 86(2)(c) of the *Municipal Government Act*.

- b) "Confidential Information" means information that could reasonably harm the interests of individuals or organizations, including the Town of Kensington if disclosed to persons who are not authorized to access the information. This type of information includes, but is not limited to, privileged information, personal information, third party information, technical, financial or scientific information and any other information collected, obtained or derived for or from municipal records that must or may be kept confidential.
- c) "Council" means the Mayor and other members of the Council of the Town of Kensington.
- d) "Councillor" means a member of Council other than the Mayor.
- e) "Family Member" means in relation to a person, a spouse, parent, child, brother, sister, aunt, uncle, grandchild, grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law of the person;
- f) "Person Closely Connected" means "person closely connected", in relation to a member, means a family member, an agent, a business partner or an employer of the member;
- g) "Staff" includes the Chief Administrative Officer (CAO) and all staff of the Town of Kensington, whether full-time, part-time, contract, seasonal or volunteers.

3. Purpose

- 3.1 The purpose of this bylaw is to set minimum expectations for the behaviour of members of Council in carrying out their functions and making decisions that benefit the Town of Kensington.

4. Application

- 4.1 This bylaw applies to the Mayor and all members of Council in the discharge of their duties as a member of Council, a Council Committee or Committee of Council. It operates together with, and as a supplement to, the applicable common law and the following statutes, any regulations or other delegated legislation made pursuant to them:
 - a) the *Municipal Government Act*
 - b) the *Criminal Code of Canada*
- 4.2 This Code of Conduct is to operate in addition to other bylaws, policies and administrative directives as may be determined by Council.

5. Severability

- 5.1 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw is deemed valid.

6. Guiding Principles

- 6.1 Members of Council are keepers of the public trust and must uphold the highest standards of ethical behaviour.
- 6.2 Members of Council are expected to act lawfully. They are expected to be free from undue influence and not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends or business interests as a result of the member holding municipal office.
- 6.3 Members of Council have a duty to make decisions based on the best interests of the municipality as a whole.
- 6.4 Members of Council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission. In turn, decision-making processes must be transparent and subject to public scrutiny.
- 6.5 Members of Council must act responsibly within the law and within the authority of the Act. All members of Council must observe the Code of Conduct. This means disclosing actual or potential conflict of interest relating to their public duties and taking steps to resolve the conflict for the protection of the public interest.
- 6.6 Members of Council must demonstrate and promote the principles of the Code of Conduct through their decisions, actions and behaviour. Their behaviour must build and inspire the public's trust and confidence in municipal government.
- 6.7 Members of Council must conduct public business efficiently and with decorum. They must treat each other and others with respect at all times. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in municipal government decision making.
- 6.8 Members of Council have a duty to be as open as possible about their decisions and actions. This means communicating appropriate information openly to the public about decision-making processes and issues being considered, encouraging appropriate public participation, communicating clearly and providing appropriate means for recourse and feedback.

7. General Conduct

- 7.1 Members of Council must adhere to the following principles and provisions:
- 7.2 Members of Council must serve, and be seen to serve, their constituents in a conscientious and diligent manner;
- 7.3 Members of Council must be committed to performing their functions with integrity and to avoiding conflicts of interest and the improper use of the influence of their office;
- 7.4 Members of Council must not extend, in the discharge of their official duties, preferential treatment to persons closely connected to the member or organizations and groups in which the member or persons closely connected to the member have a direct or indirect pecuniary interest;
- 7.5 Members of Council are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny;
- 7.6 Members of Council must seek to serve the public interest by upholding both the letter of the law and the spirit of applicable federal, provincial and municipal laws;
- 7.7 Members of Council are obliged to question any request to act or make a decision that they think may be unethical or unlawful;
- 7.8 Members of Council must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Council officials, staff and advisory body members must avoid conduct that is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others; and
- 7.9 Members of Council will respect the role of staff in the administration of the business affairs of the municipality.

8. Confidential Information

- 8.1 No Member of Council will disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by policy or law or authorized by the Council to do so.
- 8.2 No Member of Council will use confidential information for personal or private gain or for the gain any other person or entity.
- 8.3 Members of Council should not access or attempt to gain access to confidential information in the custody of the municipality unless it is necessary for the

performance of their duties and is not prohibited by legislation, regulations and Council policy.

8.4 Council shall keep confidential, information that falls into the following or similar categories:

- a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;
- b) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;
- c) personal information, other than a person's address, that is protected under the *Municipal Government Act*; and
- d) human resource matters.

9. Public Disclosure Statements

9.1 Each member of Council is required to file a Disclosure Statement with the CAO within thirty (30) days of being elected (See Appendix A).

9.2 The Disclosure Statement will identify:

- a) the name and nature of employment;
- b) financial interests;
- c) other involvement that may be seen to affect fairness in making a municipal decision.

9.3 Public Disclosure Statement will not include specific details about a member of Council's personal financial matters such as salary, the value of holdings or other specific personal financial information.

9.4 Each Council member is required to declare any subsequent changes to employment, financial interests or other involvements. The CAO shall make amendments to the Council member's Disclosure Statement, including a notation stating the date on which the statement is amended.

10. Gifts and Benefits

10.1 No member of Council shall accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:

- a) compensation authorized under the Town of Kensington Mayor and Council Remuneration Bylaw;
 - b) gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - c) a suitable memento of a function honouring the member of Council;
 - d) food, lodging, transportation and entertainment provided by another government or by a conference, seminar or event organizer where the member of Council is either speaking or attending in an official capacity at an official event;
 - e) food and beverages consumed at banquets, receptions or similar events;
 - f) communication to the offices of a member of Council, including subscriptions to newspapers, and periodicals; and
 - g) sponsorships and donations for community events organized or run by a member of Council or by a third party on behalf of a member of Council.
- 10.2 No member of Council shall accept the use of property or facilities, such as a vehicle, office or vacation property, at less than fair market value.
- 10.3 No member of Council shall sell property, goods and services to the municipality at higher than fair market value.
- 10.4 A fee or advance paid, or a gift or benefit provided, with the Member's knowledge, to a person closely connected to a member is deemed to be a gift to the Member of Council.

11. Use of Municipal Property, Equipment and Services

- 11.1 No member of Council shall use, or request the use of, any municipal property, including surplus material or equipment for personal convenience or profit, unless the property is:
- a) available for such use by the public generally and the member of Council is receiving no special preference in its use; or,
 - b) made available to the member of Council in the course of carrying out council activities and duties.
- 11.2 No Member of Council shall use, or request the use of, for personal purpose any municipal staff services, property, equipment, services, supplies or other

municipally-owned materials, other than for purposes connected with the discharge of municipal duties.

- 11.3 No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of municipally-developed intellectual property.
- 11.4 No Member of Council shall use information, or attempt to use information, gained in the execution of their duties that is not available to the general public for any purposes other than carrying out their official duties.
- 11.5 No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of personal property to the municipality, except in compliance with the Act and Bylaws of the Town of Kensington.

12. Reimbursable Expenses

- 12.1 Members of Council may claim reimbursement by the municipality for the following expenses:
 - a) expenses incurred by Members of Council for an official duty or function that are modest and represent the prudent use of public funds and do not involve the purchase of alcoholic beverages; and
 - b) hospitality expenses incurred by Members of Council for meetings that include:
 - i) engaging representatives of other levels of government, international delegations or visitors, the broader public sector, business contacts and other third parties in discussions on official matters;
 - ii) providing persons from national, international and charitable organizations with an understanding and appreciation of the municipality or the workings of its municipal government;
 - iii) honouring persons from the municipality in recognition of exceptional public service and staff appreciation events;
 - iv) recognition events for various agencies, boards and commissions of the municipality; or
 - v) other community groups or associations.

13. Support for Charities

- 13.1 Members of Council may lend their support to and encourage community donations to registered charitable, not-for-profit and other community-based groups; however,

all amounts raised through fundraising efforts shall go directly to the groups or volunteers or chapters acting as local organizers of the group.

- 13.2 No Member of Council shall directly or indirectly manage or control any monies received relating to fundraising for registered charitable, not-for-profit and other community-based groups.

14. Election Campaigns

- 14.1 No Member of Council shall use supplies, services, staff, municipal logo or other resources of the municipality for any election campaign or campaign-related activities.
- 14.2 A member of Council may only utilize a municipal facility or access equipment in the same manner as any other candidate for an election campaign purpose.
- 14.3 All members of Council shall be respectful of the role of the CAO and municipal electoral officer (MEO) in managing the municipal election process and shall not interfere with how the CAO and MEO carries out their duties.
- 14.4 No Member of Council shall use the services of persons for campaign-related activities during hours in which those persons receive any compensation from the municipality.

15. Planning or Procurement Proposals before Council

- 15.1 No members of Council shall solicit or accept support in any form from an individual, group or corporation, with any planning or procurement proposal before Council.

16. Improper Use of Influence

- 16.1 No Member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.
- 16.2 When a matter pertaining to the municipality is before any tribunal, members of Council shall not contact any tribunal members.
- 16.3 In matters relating to municipal administration, direction shall be given to the CAO by Council as a whole rather than by individual members of Council.

17. Business Relations

- 17.1 No Member of Council shall allow the prospect of their future employment by a person or entity to affect the performance of their duties to the municipality.

- 17.2 No Member of Council shall borrow money from any person who regularly does business with the municipality unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.
- 17.3 No Member of Council shall act as a paid agent before Council or a committee of Council or any agency, board or committee of the municipality.
- 17.4 No Member of Council shall refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit.

18. Conduct at Meetings

- 18.1 Members of Council shall conduct themselves with decorum at Council, Committee and Committee of Council meetings in accordance with the provisions of the Procedural Bylaw.

19. Respectful Workplace

- 19.1 Members of Council shall encourage public respect for the municipality and its bylaws.
- 19.2 All Members of Council have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment.

20. Interactions of Council with Staff and Service Providers

- 20.1 Council has the responsibility to govern in accordance with the Act and regulations.
- 20.2 Council officials must act in accordance with Council's Procedural Bylaw and the conduct guidelines outlined in this Code of Conduct Bylaw.
- 20.3 Members of Council shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.
- 20.4 Members of Council must not direct or influence or attempt to direct or influence any municipal staff in the exercise of their duties or functions.
- 20.5 Pursuant to subsection 93(6) of the MGA, members of Council are to direct any inquires to the CAO rather than access staff directly. No Council member or member of a Council Committee shall publicly or privately instruct or direct an employee of the municipality except through the CAO. Members of Council are not to contact or issue instructions to any of the contractors, tenderers, consultants or other service providers to the municipality.

- 20.6 Members of Council must not make public statements attacking or reflecting negatively on the Town of Kensington staff or invoke staff matters for political purposes.

21. Employment of Persons Closely Connect to Members of Council

- 21.1 No member of Council shall attempt to influence any municipal employee to hire or promote a person closely connected to the member.
- 21.2 No member of Council shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the member.
- 21.3 No member of Council shall attempt to use a family relationship for their personal benefit or gain.

22. Breaches, Complaint Handling and Internal Resolution

- 22.1 Members of Council are to abide by the requirements of this Code of Conduct and shall endeavour to resolve interpersonal disputes in good faith.
- 22.2 Before commencing the formal internal resolution procedure specified below, the member or members of Council who are a party or parties to an alleged contravention of this Code of Conduct will endeavour to resolve the matter informally in a courteous and respectful manner, recognizing that they have been elected to represent the best interests of the municipality.
- 22.3 Alleged breaches of this Code of Conduct by a member of Council shall be submitted in a written complaint addressed to the Mayor and/or the CAO within three (3) months of the last alleged breach.
- 22.4 In the event that the Mayor is the subject of, or is implicated in a complaint, the complaint shall be addressed to the Deputy Mayor.
- 22.5 If the alleged contravention cannot be informally resolved, the Mayor will facilitate discussion between the parties.
- 22.6 If the matter is not satisfactorily resolved after mayoral facilitation, the Mayor, with the assistance of the CAO will commence the formal internal resolution process by appointing an independent third-party investigator who has the necessary professional skills, knowledge and experience to carry out the role and investigate the complaint in a fair and objective manner.
- 22.7 If the Mayor is involved in the alleged contravention of the Code of Conduct, the Deputy Mayor shall assume the role of the Mayor in the facilitation process and the

appointment of any third-party investigator. If the Mayor and Deputy Mayor are involved in the alleged contravention, the CAO will appoint, in consultation with council, an independent third-party investigator. All deliberations regarding alleged contraventions of the Code should be conducted in confidence.

22.8 If a third-party investigator is appointed, the parties:

- a) Shall provide reasonable assistance to the investigator if requested; and
- b) Must participate in good faith in the investigation.

22.9 The role of the investigator is to:

- a) Consider the alleged contravention of the Code of Conduct;
- b) Ensure that the parties involved are given an opportunity to be heard by the arbiter;
- c) Explore if the alleged contravention can be resolved between the parties without making any findings; and
- d) Failing resolution between the parties, the third-party investigator will provide an investigation update within ninety (90) days of their appointment to the Mayor or Deputy Mayor, as applicable, and to the complainant and the respondent.

22.10 The third-party investigator will provide a written, confidential report of the findings of the investigation, including findings as to whether there has been a breach of this Code of Conduct, to the Mayor or Deputy Mayor, as applicable, and to the complainant and the respondent. The CAO will receive and retain all reports prepared in relation to breaches of the Code of Conduct.

22.11 Based on the findings in the report of the third-party investigator, the Council, Mayor or Deputy Mayor will determine the most appropriate action to resolve the matter.

22.12 Council may, in accordance with section 107(3) of the Act:

- a) Dismiss the complaint;
- b) Require the member of Council to remove themselves from the meeting if conduct is deemed to be inappropriate;
- c) Reprimand the member of Council for a breach of this Code of Conduct Bylaw;

- d) Suspend the remuneration paid to the member in respect of their services as a member of Council for a period of up to 90 days;
- e) Request for an apology to Council, the complainant, or both;
- f) Impose a fine of not more than \$500; or
- g) Impose any other sanction that is deemed appropriate in the professional judgment of the third-party investigator, where so enabled in the Act.

22.13 The principles of natural justice must be observed during the arbitration of an alleged contravention of this Code of Conduct. There is a right to a fair hearing before an independent investigator. The member of Council who is the subject of an alleged contravention must be given all relevant information in regard to the allegation and an opportunity to respond and be supported if the member so desires. Any member of Council who alleges a contravention of the Code of Conduct must not be disadvantaged because of such action.

22.14 The Code of Conduct does not override, prevail over, or amend legislation applicable to the roles, responsibilities, and duties of members of Council.

22.15 Members of Council are individually responsible for seeking relevant advice from the CAO as to the application of the Code of Conduct.

23. Repeal of Existing Bylaw

23.1 All previous Bylaws of the Town of Kensington pertaining to a Code of Conduct for Members of Council are hereby repealed.

First Reading:

This Code of Conduct for Members of Council Bylaw, Bylaw # 2018-04, was read a first time at the Council meeting held on the _____ day of _____, 2018.

This Code of Conduct for Members of Council Bylaw, Bylaw # 2018-04 was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Second Reading:

This Code of Conduct for Members of Council Bylaw, Bylaw # 2018-04, was read a second time at the Council meeting held on the _____ day of _____, 2018.

This Code of Conduct for Members of Council Bylaw, Bylaw # 2018-04 was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Approval and Adoption by Council:

This Code of Conduct for Members of Council Bylaw, Bylaw # 2018-04, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Signatures:

Rowan Caseley, Mayor

Geoff Baker, CAO

This Code of Conduct for Members of Council Bylaw, Bylaw # 2018-04 adopted by the Council of the town of Kensington on _____ is certified to be a true copy of the original as seen by me.

Geoff Baker
Chief Administrative Officer
Town of Kensington
55 Victoria Street East
Kensington, PE
C0B 1M0
(902) 836-3781

**TOWN OF KENSINGTON
COUNCIL MEMBER DISCLOSURE STATEMENT**

**TOWN OF KENSINGTON
COUNCIL MEMBER DISCLOSURE STATEMENT 1**

Name of Council Member: _____

Address: _____

Note: This form must be completed by each council member within **30 days** of being elected and filed with the Chief Administrative Officer in accordance with clause 107(2)(d) of the *Municipal Government Act*. If applicable, each Council member shall complete a separate disclosure statement for his/her spouse and certify that the information is accurate and complete.

The Administrator will make amendments to this disclosure in accordance with subsequent declarations filed by the member and will note the date on which this statement is amended.

Member: Disclosure of Source of Income

Pursuant to clause 107(2)(d) of the Act, I hereby disclose the name of every employer, person, corporation, organization, association, or other body from which I receive remuneration for services performed as an employee, director, manager, operator, contractor, or agent:

Name(s) of Payer	Nature of Relationship

Member: Disclosure of Property Holdings

Pursuant to clause 107(2)(d) of the Act, I hereby disclose the municipal address or legal description of any property located in the municipality or an adjoining municipality that is owned by:

- a) me and/or my spouse; or
- b) a corporation, incorporated or continued pursuant to *The Business Corporations Act* or the *Canada Corporations Act*, of which I am a director or senior officer or in which I or have a controlling interest:

Owner(s)	Municipal Address or Legal Description	Municipality

Member: Disclosure of Liabilities to Municipality

Pursuant to clause 107(2)(d) of the Act, I hereby disclose any and all liabilities that are considered to be a debt or debts owing to the municipality:

Debt(s) Owing to the Municipality

Member: Disclosure of Corporate Interests

Pursuant to clause 107(2)(d) of the Act, I hereby disclose the name of each corporation in which I have a controlling interest, or of which I am a director or a senior officer:

Name(s) of Corporation	Nature of Interest or Position

Member Disclosure of Partnerships

Pursuant to clause 107(2)(d) of the Act, I hereby disclose the name of each partnership or firm of which I am a member:

Name(s) of Partnership or Firm(s)

Member Disclosure of Business Arrangements:

Pursuant to clause 107(2)(d) of the Act, I hereby disclose the name of any corporation, enterprise, firm, partnership, organization, association, or body that I direct, manage, operate or am otherwise involved in that:

- a) transacts business with the municipality;
- b) the Council considers appropriate or necessary to disclose; or
- c) is required by the Act:

Name of Corporation, Enterprise, Firm, Partnership, Organization, Association, or Body

Member: Disclosure of Contracts and Agreements:

Pursuant to clause 107(2)(d) of the *Act*, I hereby disclose the general nature and any material details of any contract or agreement involving me that could reasonably be perceived to be affected by a decision, recommendation or action of the Council and to affect my impartiality in the exercise of my office:

General Nature and Any Material Details of Any Contract or Agreement

**TOWN OF KENSINGTON
COUNCIL MEMBER DISCLOSURE STATEMENT FOR SPOUSE (IF APPLICABLE)**

Note: If applicable, each Council member must complete this form on behalf of his/her spouse.

Name of Spouse: _____

Address: _____

(If different from address noted on Form MGA-MG-1)

Note: If applicable, this form must be completed by each council member within 30 days of being elected and filed with the Chief Administrative Officer in accordance with clause 107(2)(d) of the Municipal Government Act. If applicable, each Council member shall complete this supplementary disclosure statement on behalf of his/her spouse and declare that the information is accurate and complete.

The Administrator will make amendments to this disclosure in accordance with subsequent declarations filed by the member in relation to his or her spouse and will note the date on which this statement is amended.

Spouse: Disclosure of Source of Income

Pursuant to clause 107(2)(d) of the Act, I hereby disclose the name of every employer, person, corporation, organization, association, or other body from which my spouse receives remuneration for services performed as an employee, director, manager, operator, contractor, or agent:

Name(s) of Payer	Nature of Relationship

Spouse: Disclosure of Property Holdings

Pursuant to clause 107(2)(d) of the Act, I hereby disclose the municipal address or legal description of any property located in the municipality or an adjoining municipality that is owned by:

- a) my spouse and/or me; or
- b) a corporation, incorporated or continued pursuant to *The Business Corporations Act* or the *Canada Corporations Act*, of which my spouse is a director or senior officer or in which my spouse has a controlling interest:

Owner(s)	Municipal Address or Legal Description	Municipality

Spouse: Disclosure of Liabilities to Municipality

Pursuant to clause 107(2)(d) of the Act, I hereby disclose any and all liabilities that are considered to be a debt or debts owed by my spouse to the municipality:

Debt(s) Owing to the Municipality

Spouse: Disclosure of Corporate Interests

Pursuant to clause 107(2)(d) of the Act, I hereby disclose the name of each corporation in which my spouse has a controlling interest, or of which my spouse is a director or a senior officer:

Name(s) of Corporation	Nature of Interest or Position

Spouse: Disclosure of Partnerships

Pursuant to clause 107(2)(d) of the *Act*, I hereby disclose the name of each partnership or firm of which my spouse is a member:

Name(s) of Partnership or Firm(s)

Spouse: Disclosure of Business Arrangements:

Pursuant to clause 107(2)(d) of the *Act*, I hereby disclose the name of any corporation, enterprise, firm, partnership, organization, association, or body that my spouse directs, manages, operates or is otherwise involved in that:

- (a) transacts business with the municipality;
- (b) the Council considers appropriate or necessary to disclose; or
- (c) is required by the Act:

Name of Corporation, Enterprise, Firm, Partnership, Organization, Association, or Body

Spouse: Disclosure of Contracts and Agreements:

Pursuant to clause 107(2)(d) of the *Act*, I hereby disclose the general nature and any material details of any contract or agreement involving my spouse that could reasonably be perceived to be affected by a decision, recommendation or action of the Council and to affect my impartiality in the exercise of my office:

General Nature and Any Material Details of Any Contract or Agreement

DECLARATION

I, _____, of the Town of Kensington, in the Province of Prince Edward Island, do hereby declare that the information, belief, and statements contained and made in this form are, to the best of my knowledge, true, accurate and complete.

If applicable, I further do hereby declare that the information, belief, and statements contained and made in this form in relation to my spouse are, to the best of my knowledge, true, accurate and complete.

I also do hereby declare that I will comply with all Conflict of Interest and Code of Conduct rules established under the *Municipal Government Act* and by Council, by bylaw.

Dated this _____ day of _____, 20_____.

Signature of Declarant

Witness

Date Received

Town of Kensington - Request for Decision

Date: September 6, 2018	Request for Decision No: 2018-57 (Office Use Only)
Topic: Municipal Election Proceedings Bylaw – Second Reading and Formal Adoption	
Proposal Summary/Background: <p>Section 36(1) of the Municipal Government Act requires Town Council to pass a Bylaw, <i>at least 90 days before an election (subsequently modified by Ministerial Order)</i>, that establishes, in accordance with the regulations,</p> <ul style="list-style-type: none">a. Who is eligible to contribute to an election campaign;b. The limits on campaign contributions to a candidate;c. The disclosure requirements in respect of campaign contributions;d. The election campaign spending limits for candidates for mayor and councillor; ande. The disclosure requirements in respect of campaign spending by each candidate. <p>Section 36(2) states that a bylaw passed under subsection (1) shall establish procedures and time frames for the reporting of campaign contributions and campaign spending by all candidates.</p> <p>The draft Election Proceedings Bylaw was originally sent to Town Council by email on July 19, 2018. Subsequently a revised Bylaw was sent out on August 3rd with specific recommendations around campaign expenses and contribution maximum amounts, and wording to clarify general nomination requirements.</p> <p>First reading and approval of the bylaw was given at the regular meeting of Town Council held on August 13, 2018.</p> <p>A copy of the revised Election Proceedings Bylaw is being circulated with this Request for Decision.</p>	
Benefits: <ul style="list-style-type: none">• Will provide Council, staff and those responsible for managing election proceedings with clear direction on the legislative requirements around election proceedings.• Will ensure that municipal election requirements comply with the Municipal Government Act.	
Disadvantages: <ul style="list-style-type: none">• None noted.	
Discussion/Comments: <p>It is recommended by the CAO that Town Council give second reading and formally adopt the Election Proceedings Bylaw. The Bylaw has been drafted in compliance with the Municipal Government Act.</p>	
Options: <ul style="list-style-type: none">1. Give the bylaw second reading and formal adoption as recommended.2. Not give second reading or formal adoption to the bylaw and refer back to staff.	

Costs/Required Resources:	Source of Funding:
N/A	N/A

It is recommended that Town Council consider and adopt the following resolutions to give second reading and formal adoption to the Town of Kensington Code of Conduct for Members of Council Bylaw:

Resolution 1

WHEREAS Section 36 of the Municipal Government Act R.S.P.E.I 1988, Cap. M-12.1., requires a municipality to pass a Bylaw that establishes:

- a. Who is eligible to contribute to an election campaign;*
- b. The limits on campaign contributions to a candidate;*
- c. The disclosure requirements in respect of campaign contributions;*
- d. The election campaign spending limits for candidates for mayor and councillor; and*
- e. The disclosure requirements in respect of campaign spending by each candidate.*

AND WHEREAS such bylaw shall establish procedures and time frames for the reporting of campaign contributions and campaign spending by all candidates;

AND WHEREAS the Municipal Election Proceedings Bylaw was read and approved a first time at a regular meeting of Town Council held on August 13, 2018;

BE IT RESOLVED that the Municipal Election Proceedings Bylaw (Bylaw #2018-05) be hereby read a second time.

Resolution 2

WHEREAS Section 36 of the Municipal Government Act R.S.P.E.I 1988, Cap. M-12.1., requires a municipality to pass a Bylaw that establishes:

- a) Who is eligible to contribute to an election campaign;*
- b) The limits on campaign contributions to a candidate;*
- c) The disclosure requirements in respect of campaign contributions;*
- d) The election campaign spending limits for candidates for mayor and councillor; and*
- e) The disclosure requirements in respect of campaign spending by each candidate.*

AND WHEREAS such Bylaw shall establish procedures and time frames for the reporting of campaign contributions and campaign spending by all candidates;

AND WHEREAS the Municipal Election Proceedings Bylaw was read a first time at a regular meeting of Town Council held on August 13, 2018;

AND WHEREAS the Municipal Election Proceedings Bylaw was read a second time at this

meeting;

BE IT RESOLVED that the Municipal Election Proceedings Bylaw (Bylaw #2018-05) be hereby approved.

Resolution 3

WHEREAS Section 36 of the Municipal Government Act R.S.P.E.I 1988, Cap. M-12.1., requires a municipality to pass a Bylaw that establishes:

- a) Who is eligible to contribute to an election campaign;***
- b) The limits on campaign contributions to a candidate;***
- c) The disclosure requirements in respect of campaign contributions;***
- d) The election campaign spending limits for candidates for mayor and councillor; and***
- e) The disclosure requirements in respect of campaign spending by each candidate.***

AND WHEREAS such Bylaw shall establish procedures and time frames for the reporting of campaign contributions and campaign spending by all candidates;

AND WHEREAS the Municipal Election Proceedings Bylaw was read a first time at the regular meeting of Town Council held on August 13, 2018;

AND WHEREAS the Municipal Election Proceedings Bylaw was read and approved a second time at this meeting;

BE IT RESOLVED that the Municipal Election Proceedings Bylaw (Bylaw # 2018-05) be hereby formally adopted.



MUNICIPAL ELECTION PROCEEDINGS BYLAW BYLAW 2018-05

BE IT ENACTED by the Council of the Town of Kensington as follows:

1. Title

- 1.1. This bylaw shall be known and cited as the “Elections Bylaw.”

2. Purpose

- 2.1. The purpose of this bylaw is to establish the rules and procedures for municipal elections.

3. Authority

- 3.1. This bylaw is adopted pursuant to Part 3 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, the Municipal Election Regulations, and the Campaign Contributions and Election Expenses Bylaw Regulations.

4. Application

- 4.1. This bylaw applies to the Mayor and all members of Council, municipal employees, and the public. It operates together with, and as a supplement to, the *Municipal Government Act* and applicable regulations.

5. Definitions

- 5.1. In this bylaw, any word and term that is defined in the *Municipal Government Act*, the Municipal Election Regulations, or the Campaign Contributions and Election Expenses Bylaw Regulations has the same meaning as in that Act or regulations.
- 5.2. “Act” means the *Municipal Government Act*.
- 5.3. “Campaign Financing Regulations” – means the Campaign Contributions and Election Expenses Bylaw Regulations.
- 5.4. “Campaign Contribution” – means any money paid, or any donation in kind provided, to or for the benefit of a candidate during the election contribution period for the purpose of financing an election campaign, including revenue raised from a fundraising event by the sale of tickets or otherwise, but does not include volunteer labour or services.

- 5.5. “Campaign Contribution Period” – means the same period of time as the elections expenses period for a particular candidate or person who has declared an intention to become a candidate.
- 5.6. “Candidate” - means a person nominated in accordance with Part 3, Division 8, of the Act, and for the purposes of the provisions of this bylaw pertaining to campaign contributions and election expenses, includes a person who has declared an intention to run as a candidate in accordance with clause 2(1)(a) of the Campaign Contributions and Election Expenses Bylaw Regulations.
- 5.7. “Chief Administrative Officer” or “CAO” means the administrative head of the Town of Kensington as appointed by council under clause 86(2)(c) of the Act.
- 5.8. “Council” means the mayor and other members of the council of the Town of Kensington.
- 5.9. “Councillor” means a member of council other than the mayor.
- 5.10. “Election Expense” - means the cost of goods and services, and the value of any donation in kind, used by or for the benefit of the candidate for the purpose of a candidate’s election campaign, but does not include audit fees or volunteer labour or services.
- 5.11. “Election Expenses Period” – means the period in an election year beginning when a person publicly declares the person’s intention to run as a candidate for municipal office, whether in person or by electronic means, and ending, in the case of an election, on the earlier of election day, and the declaration by the municipal electoral officer that the candidate is elected. In the case of a by-election, the election expenses period means the date when council sets the election day and ends on the earlier of election day, and the declaration by the municipal electoral officer that the candidate is elected.
- 5.12. “Election Regulations” – means the Municipal Election Regulations.
- 5.13. “Employee” means, except as provided elsewhere in the Act, a person who performs work for the Town of Kensington for pay and includes a person on leave from employment with the town, a person being trained by a municipality to perform work for the town, a person retained under an employment contract to perform work for the town, and (iv) any other person or class of person designated as an employee by the Minister but does not include an independent officer. In Part 3 respecting candidacy for election, employee also means any employee of a controlled corporation, but does not include a volunteer firefighter who is not otherwise employed by the town.
- 5.14. “List of Electors” means the preliminary list of electors, supplementary list of electors or the official list of electors, as the context requires;

- 5.15. “Municipal Electoral Officer” means the person appointed under section 40 of the Act to be responsible for the administration of the election.

6. Interpretation

- 6.1. This bylaw is to be given a broad, liberal interpretation in accordance with applicable legislation, regulations, and the definitions set out in them.

7. General

- 7.1. All employee election activities and interaction with employees relating to elections shall be undertaken in accordance with subsections 35(1) and (2) of the Act.

8. Election Expenses

- 8.1. Pursuant to clause 2(1)(a) of the Campaign Financing Regulations and effective January 1, 2019, in the case of an election, the election expenses period is the period in an election year beginning when a person publicly declares their intention to run as a candidate (in person or by electronic means) and ending on the election day or the declaration that the candidate is elected, whichever is earlier.
- 8.2. Pursuant to clause 2(1)(b) of the Campaign Financing Regulations and effective January 1, 2019, in the case of a by-election, the election expenses period is the period beginning when Council sets the date of the election day and ending on the earlier of election day and the declaration that the candidate is elected.
- 8.3. Except as provided in section 8.4 of this bylaw, pursuant to subsection 2(2) of the Campaign Financing Regulations and effective January 1, 2019, election expenses shall only be incurred by or on behalf of a candidate during the election expenses period.
- 8.4. Pursuant to subsection 2(3) of the Campaign Financing Regulations, expenses related to the preparation of advertising materials and signs may be incurred prior to the election expenses period. These expenses shall be recorded and disclosed as election expenses in accordance with the provisions of this bylaw.
- 8.5. Pursuant to subsection 3(1) of the Campaign Financing Regulations and effective January 1, 2019, the maximum allowable election expenses of a candidate for mayor is \$5,000.
- 8.6. Pursuant to subsection 3(2) of the Campaign Financing Regulations and effective January 1, 2019, the maximum allowable election expenses of a candidate for councillor is \$2,500.
- 8.7. Pursuant to section 10 of the Campaign Financing Regulations, election expenses incurred by a candidate in an election shall not be carried forward to be considered as an allowable election expenses in a subsequent election.

9. Campaign Contributions

- 9.1. Effective January 1, 2019, campaign contributions shall only be received by a candidate during the campaign contribution period as defined in the Campaign Financing Regulations.
- 9.2. Pursuant to subsection 4(1) of the Campaign Financing Regulations and effective January 1, 2019, the following may contribute to a candidate's campaign in an election or by-election:
 - (a) an individual;
 - (b) an organization;
 - (c) a union;
 - (d) a corporation.
- 9.3. Pursuant to subsection 4(2) of the Campaign Financing Regulations and effective January 1, 2019, contributors shall not make a contribution exceeding \$250 to any one candidate for Mayor in an election.
- 9.4. Pursuant to subsection 4(3) of the Campaign Financing Regulations and effective January 1, 2019, contributors shall not make a contribution exceeding \$250 to any one candidate for Councillor in an election.
- 9.5. Pursuant to subsection 4(4) of the Campaign Financing Regulations and effective January 1, 2019, neither a candidate nor that candidate's spouse shall make a contribution to that candidate's own election campaign exceeding the difference between the maximum expenditure amount and the total contributions from other contributors.
- 9.6. Pursuant to subsection 8(1) of the Campaign Financing Regulations, no candidate shall accept anonymous campaign contributions.
- 9.7. Pursuant to subsection 8(2) of the Campaign Financing Regulations, where a candidate receives an anonymous campaign contribution, the candidate shall ensure that the contribution is not used or spent but is donated to a registered charity of the candidate's choice within 30 days of receipt of the contribution.

10. Candidate Records

- 10.1. Pursuant to subsection 5(1) of the Campaign Financing Regulations, a candidate shall keep complete and proper accounting records of all campaign contributions and election expenses.
- 10.2. Pursuant to subsection 5(2) of the Campaign Financing Regulations, a candidate must ensure that:
 - (a) proper records are kept of receipts and expenses;
 - (b) a record is kept of the value of every campaign contribution, whether the contribution is in the form of money, goods or services, and the name and address of the contributor;

- (c) receipts are provided to the contributor for every campaign contribution referred to in section 10.2(b) of this bylaw; and
- (d) all records kept in accordance of this section remain in the possession and under control of the candidate or the candidate's agent at all times.

11. Candidate Disclosure: Filing and Records

- 11.1. Pursuant to subsection 6(2) of the Campaign Financing Regulations, a candidate shall file a disclosure statement of the candidate's campaign contributions and election expenses, listing all campaign contributions and all elections expenses.
- 11.2. The disclosure statement shall be in writing in the form approved by the Minister and shall be filed with the Municipal Electoral Officer within two months following the date of a municipal election.
- 11.3. If the MEO is no longer appointed, the candidate shall file the disclosure statement with the CAO.
- 11.4. Pursuant to subsection 6(3) of the Campaign Financing Regulations, a candidate's disclosure statement shall include:
 - (a) a statutory declaration that states the total campaign contributions and the total election expenses of the candidate for that election campaign, and whether there is any surplus;
 - (b) the following information in relation to campaign contributions:
 - i. the name and address of each contributor whose cumulative campaign contribution exceeded \$250;
 - ii. the cumulative amount that each of the named contributors has given to the candidate;
 - iii. If no contributor's cumulative campaign contribution exceeded \$250, a notation to that effect;
 - (c) a list of all election expenses and campaign contributions;
 - (d) a full accounting of all election expenses and campaign contributions relating to fundraising events;
 - (e) a description and estimated value of each donation in kind; and
 - (f) a description and estimated value of each loan received for the purposes of the election campaign.
- 11.5. Pursuant to section 7 of the Campaign Financing regulations, no candidate shall file a false, misleading or incomplete disclosure statement.
- 11.6. Pursuant to subsection 9(1) of the Campaign Financing Regulations, where a candidate's disclosure statement filed in accordance with 11.1 of the bylaw discloses a surplus of campaign contributions in the form of money, a named contributor's monetary campaign contribution shall be returned to the contributor, on a pro-rated basis, where

- (a) the candidate withdraws from the election prior to election day; and
 - (b) the contributor requests in writing to the candidate, within 14 days of the candidate's withdrawal, the return of the campaign contribution.
- 11.7. Subject to a refund of a named contributor's campaign contribution pursuant to subsection 11.6 of this bylaw, where a candidate's disclosure statement filed in accordance with 11.1 of the bylaw discloses a surplus of campaign contributions in the form of money, the candidate shall turn over the remaining surplus to the CAO to be used for municipal purposes.
- 11.8. Pursuant to subsection 11(1) of the Campaign Financing Regulations, all documents filed with the municipal electoral officer shall be delivered by the municipal electoral officer to the chief administrative officer of the municipality within two weeks after the time specified in section 11(2) of the bylaw for filing the documents.
- 11.9. Pursuant to subsection 11(2) of the Campaign Financing Regulations, the CAO shall retain the documents referred to in 11.8 of this bylaw in accordance with the records retention and disposal schedule of the municipality that is established pursuant to section 117 of the Act.
- 11.10. Pursuant to subsection 11(3) of the Campaign Financing Regulations, all documents filed with the MEO and retained by the CAO under section 11.9 of this bylaw are public documents and may, upon request, be available for inspection on request to the CAO during regular officer hours.
- 11.11. Pursuant to subsection 12(1) of the Campaign Financing Regulations, a candidate, whether elected or not, shall retain all records required pursuant to the regulations for no less than seven years.
- 11.12. Pursuant to subsection 12(2) of the Campaign Financing Regulations, the MEO, or the CAO if the MEO is no longer appointed, may require a candidate (whether elected or not) to provide additional information and supporting documentation in respect of the candidate's disclosure statement at any time within the seven-year period referred to in section 11.11 of this bylaw.

12. Reporting

- 12.1. Pursuant to subsection 11(4) of the Campaign Financing Regulations, the CAO shall forward to Council a report summarizing the disclosure statement of each candidate, noting any candidate who has exceeded the limit on election expenses pursuant to sections 8.5 and 8.6 of this bylaw and the name of any candidate who failed to file the required disclosure statement.
- 12.2. Pursuant to subsection 11(5) of the Campaign Financing Regulations, the CAO shall ensure that the summary referred to in section 12.1 of this bylaw is posted on the town's website for a period of at least 6 months.

- 12.3. Pursuant to subsection 11(6) of the Campaign Financing Regulations, the CAO shall ensure that the filed disclosure statement of each candidate who sought election in the immediately preceding election (whether elected or not) is posted on the town's website for a period of at least 6 months.

13. Complaints & Compliance

- 13.1. Pursuant to subsection 12(3) of the Campaign Financing Regulations, where:

- (a) a candidate fails or refuses to provide the additional information and supporting documentation referred to in section 11.12 of the bylaw; or
- (b) the MEO or CAO, as the case may be, is not satisfied with the additional information and supporting documentation provided by the candidate;

The MEO or CAO, as the case may be, refer the matter to Council.

- 13.2. Pursuant to subsection 12(4) of the Campaign Financing Regulations, Council may:

- (a) determine that no further action is required;
- (b) order the candidate to provide the additional information and supporting documentation required under section 11.12 of the bylaw; or
- (c) take any further action the Council considers appropriate.

- 13.3. Pursuant to subsection 12(5) of the Campaign Financing Regulations, an elector of the municipality may in writing make a complaint that relates to information contained in a candidate's disclosure statement and deliver the complaint to the MEO, or the CAO if the MEO is no longer appointed.

- 13.4. Pursuant to subsection 12(6) of the Campaign Financing Regulations, the MEO or the CAO, as the case may be, who receives a complaint from an elector under section 13.3 of this bylaw may:

- (a) determine that no further action is required;
- (b) require the candidate who is the subject of the complaint to provide additional information under section 11.12 of the bylaw, or
- (c) refer the matter to Council to be dealt with under section 13.2 of this bylaw.

14. Offences and Penalties

- 14.1. Pursuant to subsection 13(1) of the Campaign Financing Regulations, a person who contravenes a provision of this bylaw is guilty of an offence and liable on summary conviction to a fine not to exceed \$2,000.
- 14.2. Pursuant to clause 13(2)(a) of the Campaign Financing Regulations, a conviction for an offence referred to in section 14.1 of this bylaw does not

relieve the person convicted, including a candidate referred to in section 13.2(b) of this bylaw, from the requirement to comply with this bylaw.

- 14.3. Pursuant to clause 13(2)(b) of the Campaign Financing Regulations, the convicting judge may, in addition to any fine imposed, order the person to do any act or work, within the time specified by the judge in the order, to comply with the provisions of this bylaw.
- 14.4. Pursuant to subsection 14(1) of the Campaign Financing Regulations, where a candidate who is elected has contravened any provision of this bylaw and is convicted of an offence in respect of that contravention, the candidate is disqualified from office and shall resign immediately.
- 14.5. Pursuant to subsection 14(2) of the Campaign Financing Regulations and despite 14.4 of this bylaw, a candidate may not be required to resign where a judge of the Supreme Court decides that the contravention of the candidate arose through inadvertence or by reason of an honest mistake.

15. Nominations

- 15.1. Pursuant to subsection 26(4)(a) of the Municipal Election Regulations, the minimum number of nominators required for each nomination shall be 5.
- 15.2. Pursuant to subsection 26(b) of the Election Regulations, a non-refundable nomination deposit will be required. The fee will be \$50.
- 15.3. Pursuant to section 33 of the Election Regulations, where an officially nominated candidate dies before the close of polls on Election Day, the candidate's deposit shall be returned to the candidate's personal representative.

16. Agreement with Elections PEI

- 16.1. Pursuant to subsection 41(2) of the Act, the Council of the Town of Kensington shall enter into an agreement with the Chief Electoral Officer of Prince Edward Island to obtain data to be used in preparation of a list of electors.
- 16.2. The Municipal Electoral Officer may supplement the information obtained from the agreement with the Chief Electoral Officer of Prince Edward Island with information from any source that, in the opinion of the Chief Electoral Officer, is relevant to ensuring the list of electors is accurate.

17. Voters Not on List

- 17.1. Pursuant to subsection 45(2) of the Election Regulations, electors not appearing on the official list of voters may register at the time of attendance at a voting opportunity if the person is eligible to vote under the Act.

18. Advance polls

- 18.1. An advance poll will be held in accordance with section 45 of the Act and section 43 of the Regulations at least eight (8) clear days prior to the municipal election, between the hours of 9:00 am and 7:00 pm.

19. Location of office

- 19.1. Pursuant to sections 10 and 11 of the Election Regulations, the election office shall be opened from the fourth Tuesday before the election at the Kensington Town Hall Administration Office, located at 55 Victoria Street East, Town of Kensington and shall be open 9:00 am to 4:00 pm, Monday to Friday.

20. Records

- 20.1. Records pertaining to the election will be destroyed or retained, as the case may be, in accordance with section 87 of the Election Regulations and the records retention bylaw, and where such a bylaw has not yet been enacted the records will be retained for at least 7 years.

21. By-Elections

- 21.1. All by-elections will be undertaken in accordance with sections 60-62 of the Act and section 5 of the Election Regulations.

22. Repeal of Existing Bylaw

- 21.1 All previous Bylaws of the Town of Kensington pertaining to the regulation of Municipal Elections are hereby repealed.

23. Effective Date

- 23.1. This Elections Bylaw, Bylaw# 2018-05, shall be effective on the date of approval and adoption below.

First Reading:

This Municipal Election Proceedings Bylaw, Bylaw # 2018-05, was read a first time at the Council meeting held on the _____ day of _____, 2018.

This Municipal Election Proceedings Bylaw, Bylaw # 2018-05 was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Second Reading:

This Municipal Election Proceedings Bylaw, Bylaw # 2018-05, was read a second time at the Council meeting held on the _____ day of _____, 2018.

This Municipal Election Proceedings Bylaw, Bylaw # 2018-05 was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Approval and Adoption by Council:

This Municipal Election Proceedings Bylaw, Bylaw # 2018-05, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Signatures:

Rowan Caseley, Mayor

Geoff Baker, CAO

This Municipal Election Proceedings Bylaw, Bylaw # 2018-05 adopted by the Council of the town of Kensington on _____ is certified to be a true copy of the original as seen by me.

Geoff Baker
Chief Administrative Officer
Town of Kensington
55 Victoria Street East
Kensington, PE
C0B 1M0
(902) 836-3781

Town of Kensington - Request for Decision

Date: September 6, 2018	Request for Decision No: 2018-58 (Office Use Only)
Topic: Employee Code of Conduct Policy – Policy # 02-1103-18	
Proposal Summary/Background: <p>Section 86(2)(f) of the <i>Municipal Government Act</i> states that Town Council:</p> <p><i>“(f) shall establish a code of conduct for employees of the municipality that includes conflict of interest rules that, at a minimum, prohibit an employee from</i></p> <p style="padding-left: 40px;"><i>(i) using information that is obtained as a result of the employee’s employment and that is not available to the public to further, or seek to further, the private interests of the employee or a person closely connected to the employee, and</i></p> <p style="padding-left: 40px;"><i>(ii) using the employee’s position to seek to influence the decision of another person so as to further or seek to further the private interests of the employee or a person closely connected to the employee;”</i></p> <p>The Province’s transition timelines for municipalities to comply with the Act indicates that the Code of Conduct for employees shall be passed by December 23, 2018.</p> <p>The CAO has drafted the attached Employee Code of Conduct which complies with the Municipal Government Act and incorporates ‘best practices’ in regulating the behavior of employees.</p> <p>The purpose of the code of conduct is to help employees maintain standards of behavior related to their employment.</p>	
Benefits: <ul style="list-style-type: none">• Will provide staff with clear policy direction on acceptable standards of behavior.• Will provide Town Council with realistic expectations around the behavior of employees.	
Disadvantages: <ul style="list-style-type: none">• None noted.	
Discussion/Comments: <p>It is recommended by the CAO that Town Council review and approve the attached Town of Kensington Employee Code of Conduct policy.</p>	
Options: <ol style="list-style-type: none">1. Approve the Employee Code of Conduct as recommended.2. Refer the Employee Code of Conduct back to staff or Committee of Council for further consideration.	

3. Not approve the Employee Code of Conduct.

Costs/Required Resources:

N/A

Source of Funding:

N/A

Recommendation:

It is recommended that Town Council consider and adopt the following resolution:

WHEREAS Section 86(2)(f) of the Municipal Government Act R.S.P.E.I 1988, Cap. M-12.1 requires a Town Council to establish a code of conduct for its employees that includes conflict of interest rules;

AND WHEREAS Town Council are desirous of setting acceptable standards of behavior for employees of the Town;

BE IT RESOLVED THAT the Employee Code of Conduct Policy, Policy # 02-1103-18 be hereby formally adopted as presented.



Policy Title:	Employee Code of Conduct	Policy Number:	02-1103-18
Department:	Administration	Approval/Effective Date:	September 10, 2018

Purpose

1. The Town of Kensington strives to maintain a high level of public trust and confidence in the integrity, objectivity, and impartiality of the municipality. The purpose of the employee code of conduct is to help employees maintain standards of behavior related to their employment. As our most valuable and significant resource, our employees are expected to maintain high standards of personal and professional conduct. Employees shall, at all times, perform their duties and functions in manner that recognizes a commitment to the well-being of the community.

Preamble

2. The Code of Conduct operates in addition to other policies, regulations, and administrative directives for employees.
3. Where any provision of this Code is inconsistent with an employment contract/Collective Bargaining Agreement that applies to that employee, the provision of the employment contract/Collective Bargaining Agreement shall prevail.

Definitions

4. **CAO** – means the Chief Administrative Officer of the Town of Kensington.
5. **Code of Conduct** – means this employee code of conduct as adopted and amended from time to time by Town Council.
6. **Confidential Information** – means information in the possession of the municipality that the municipality is prohibited from disclosing under the *Municipal Government Act* or other legislation or bylaw.
7. **Council** – means the Council of the Town of Kensington and its Committees.
8. **Employee** – includes the CAO, and means all categories of municipal staff, including full-time, part-time, casual (including students and volunteers), temporary and seasonal employees,

including those funded through Federal or Provincial employment programs.

9. **Family Member** – means a person who is the spouse (through marriage or common law), child or parent of an employee.
10. **Relative** – means a person who is the employee’s spouse (through marriage or common law), parent, grandparent, grandson, granddaughter, child, sister, brother, daughter, son, uncle, aunt, niece, nephew, cousin or in-law.
11. **Municipal Property** – include, but are not limited to, municipal buildings and land, equipment, supplies, vehicles, materials, electronic networks, and financial assets.
12. **Municipality** – means the Town of Kensington.

Confidential Information

13. In the course of their duties, employees may have access to confidential information. Employees are expected to keep information confidential, until the information is available to the general public.
14. Employees must not use confidential information concerning the affairs of the municipality to advance their personal interests, the interests of family members or relatives, or the interests of any other persons.

Use of Influence

15. The Town of Kensington strives to ensure fairness and objectivity in its decision-making process. Employees shall not improperly use their influence in order to affect the proper outcome of any procedure/matter before the Municipality. Employees shall not give anyone preferential treatment that would advance their personal interests, the interests of family members or relatives, or the interests of any other persons.
16. The improper use of influence shall be immediately reported to the CAO.

Acceptance of Gifts

17. Citizens’ perception of the integrity of the municipality and its employees is important. Employees shall refuse gifts, hospitality or other benefits that could influence their judgement and performance of official duties from persons, groups or organizations having dealings with the municipality.
18. Employees may accept incidental gifts, hospitality or other benefits associated with their official duties and responsibilities if such gifts, hospitality or other benefits:
 - a. are appropriate, a common expression of courtesy or within the normal standards of

- hospitality;
- b. do not cause suspicion about the objectivity and impartiality of the employee;
- c. would not compromise the integrity of the municipality.

Use of Municipal Property

- 19. All municipal property, as defined in section 11 of this code is, and shall remain, the property of the municipality.
- 20. No employee shall use municipal property or permit municipal property to be used for activities not associated with the performance of their duties unless otherwise permitted by the CAO.

Political Activity

- 21. The municipality recognizes the right of all employees to participate in a personal capacity in political, trade union or professional association activity. At the same time, employees must be and appear to be politically neutral in their official employment duties in order to sustain public trust in local government. Employees should recognize that political activity can give rise to perceived conflicts of interest.
- 22. Employees who wish to seek election to a position on the Municipal Council, as a member of the provincial legislature or Parliament of Canada shall do so in accordance with the *Municipal Government Act* and/or any other applicable legislation or regulation.

Employee/Council Relations

- 23. The interaction of employees with Council is of critical importance to the municipality. Council fulfils a representative and policy making role on behalf of the municipality and its residents while employees provide policy advice and deliver municipal services to the public, in accordance with Council's policies. Employees must be respectful of Council's role in order to serve the public interest.
- 24. Employees shall treat all members of Council with professionalism and courtesy, but must not favour, nor be seen to favour, the interests of one Councillor or other elected official over the interests of Council as a whole.
- 25. Employees shall conduct themselves with decorum at Council meetings. Employees shall show courtesy and not distract from the business of Council during presentations or when other members have the floor. Comments, suggestions or advice from employees should be accurate, respectful and germane to the subject at hand.
- 26. Employees should direct inquiries from individual Councillors and other elected officials to the CAO, or obtain CAO approval prior to contacting Councillors or other elected officials to provide information about a particular matter.

27. Employees should obtain the approval of the CAO prior to speaking publicly on a matter where they may be perceived to be representing the municipality.
28. Employees shall not utilize municipal funds, goods, services or assets to make political contributions.

Conflict of Interest

29. Employees shall not make decisions on behalf of the municipality, make recommendations to the municipality, use their position within the municipality, or take any action on behalf of the municipality in respect of matters in which they have or believe they have a conflict of interest.
30. Employees, who attend Council meetings and who are responsible for providing advice/recommendations to Town Council, who wish to declare a conflict of interest in a matter to be discussed during a meeting, shall follow the following steps:
 - a. the conflict of interest must be declared at the appropriate time during the meeting; and
 - b. the employee must leave the room prior to discussion of the matter so that it is clear that the employee has not participated in the discussion or attempted to influence the deliberations of Council.

Outside Employment/Business Interests

31. Employees shall ensure that they avoid any outside employment or business activities:
 - a. that may interfere with the performance of an employee's duties;
 - b. in which the employee has an advantage or appears to have an advantage as a result of their employment with the municipality;
 - c. that will or might appear to influence or affect the employee in carrying out their duties;
 - d. that requires or involves the use of municipal property or assets;
 - e. that is contrary to the interests of the municipality;
 - f. that creates a real or perceived conflict of interest with municipal duties.
32. Employees who have a financial interest in any business that may do business with the municipality shall be required to register such interest in writing with the CAO.
33. Employees considering outside employment/business activities have a responsibility to request an interpretation of this code of conduct from the CAO.

Alcohol and Drug Use

34. While within the workplace, no use of alcohol is permitted unless the consumption of alcohol occurs at an event approved by Council at which alcohol is served.
35. While within the workplace, no use of non-prescription or illegal drugs is permitted. Normal use

of over the counter or prescription medications is allowed.

36. Alcohol or drug use shall not negatively affect the performance of an employee within the workplace, whether the alcohol or drug was consumed within or outside the workplace. i.e. the employee consumes alcohol or drugs outside the workplace and in the opinion of their supervisor or CAO, comes to work with a smell of an alcoholic beverage or drug while exhibiting erratic or unusual behavior, stumbling, difficulty speaking, etc.

Enforcement

37. Complaints regarding contraventions to this code shall be in writing and may be made by any person.
38. Complaints shall be filed with the CAO. If the CAO is the subject of the complaint, it shall be filed with the Mayor.
39. The CAO shall have the responsibility for enforcing this code and determining if an employee is in breach of its provisions. The CAO shall have the authority to investigate any complaints with assistance and advice as required. Should the CAO be the subject of complaint, the Mayor shall have the authority to investigate the complaint with assistance and advice as required.

Penalty

40. Any employee who contravenes any section of this code may be subject to:
- a. verbal or written warning;
 - b. suspension without pay;
 - c. dismissal;
 - d. such other action or penalty as may be appropriate and permitted by law and/or the terms of the Collective Agreement between the municipality and CUPE Local 4893.

Date of Passage: 2018

I certify that this policy was adopted by Town Council as indicated above.

Chief Administrative Officer

Date

Town of Kensington - Request for Decision

Date: September 7, 2018	Request for Decision No: 2018-59
Topic: Kensington Wild 2018/19 Sponsorship Request	
Proposal Summary/Background: <p>A request has been received from Kensington Wild Major Midget Hockey Club President, Mike Gallant, for the Town to consider sponsoring the team for their 2018/19 season. In each of the past five years the Town has been a “Jersey Sponsor” for the team at a cost of \$750.00 annually.</p> <p>In exchange for the \$750.00 sponsorship the Town receives its name on a home and away jersey, recognition in their game programs and 5 season passes. In past years, the Town has given away the 5 season passes on an individual game basis, i.e. 5 passes to each game throughout the season. This is typically done through social media contests.</p> <p>The Kensington Wild have provided two options for sponsorship for the Town’s consideration as follows:</p> <p><u>Jersey Sponsor - \$750.00</u> Company name on home and away jersey Company name in game program 5 season passes</p> <p><u>Game Sponsor - \$250.00</u> Company name in program 1 home game recognition as game sponsor 10 free tickets to your game night</p>	
Benefits: <ul style="list-style-type: none">• N/A	
Disadvantages: <ul style="list-style-type: none">• N/A	
Discussion/Comments: <p>It is recommended by the CAO that Town Council proceed with a sponsorship of the Kensington Wild for the 2018/19 season in the amount of \$750.00.</p>	
Options: <ol style="list-style-type: none">1. Sponsor the Kensington Wild in the amount of \$750.00.2. Sponsor the Kensington Wild in the amount of \$250.003. Not sponsor the Kensington Wild for the 2018/19 season.	
Costs/Required Resources:	Source of Funding:

\$750.00	General Government – Donations and Grants
<p>Recommendation:</p> <p>That Town Council consider and adopt the following motion:</p> <p><i>THAT Kensington Town Council approve a “Jersey Sponsorship” for the Kensington Wild Major Midget Hockey Club for the 2018/19 hockey season in the amount of \$750.00.</i></p>	



Kensington Wild Hockey Club
PO BOX 835
Kensington .PE
C0B-1M0

Sponsorship Letter 2018/2019

Dear Potential Sponsor,

On behalf of the Kensington Wild Major Midget Hockey Club, we would like to extend an invitation to you and your company to become a sponsor for our 2018/2019 season. Let me take this opportunity to introduce you to the Kensington Wild. The Wild franchise is entering its 6th year in the NB/PEI Major Midget League. Our team plays host to and travels to Moncton, Fredericton, St John, Grand Falls, and Charlottetown. We compete in a 35 game schedule; attend tournaments in Moncton and Halifax. The Wild will play home games at the Community Gardens in Kensington and will once again be a very competitive team.

The Kensington Wild team will consist of 20 players from across Pei. This league hosts the future talented players that will go on to be drafted in the Major Junior, Junior A hockey Leagues. It's our plan to continue to be a part of our community and to provide an exciting environment for our players, fans and sponsors.

The Wild Hockey Club looks forward to building a strong partnership with your company. We truly believe that together we can help grow your community involvement while investing in today's youth and having a lot of fun doing it. We are a team that represents Prince County and strongly involved in the communities of Prince Edward Island.

We are proposing a couple of options for you to consider. This is going to be an exciting year for the Wild in Kensington. We will work hard to bring business your way with our team along with the travelling teams to our area. If you have any questions at all please feel free to contact myself. We thank you for your time and look forward to hearing from you soon.

Respectfully Yours;

Mike Gallant
Kensington Wild President

902-439-3565
pei.wildhockey@hotmail.com



Jersey Sponsor \$750.00

Company name on home and away jersey

Company name in our game program

5 Season Passes

Game Sponsor \$250

Company name in our program

1 home game for you to be recognized as game sponsor

10 free tickets to your game night

Season Passes \$75.00

Great gift for your staff

Checks can be made payable to Kensington Wild.

Kensington Wild

4 Linwood Drive

Kensington PE

C0B1M0

902-439-3565

KENSINGTON MONAGHAN FARMS WILD

Kensington Monaghan Farms Wild Major Midget Hockey

p.o. box 835

Kensington, PE

C0B1M0

Phone 902-439-3565 Fax 902-836-4749

DATE:

Aug 30, 2018

INVOICE #

1303

FOR:

Received from

Town of Kensington

Phone



DESCRIPTION	AMOUNT
2018/2019 player sponsor Payment received Thank You for your support	<i>750.00</i>
TOTAL	\$750.00

Make all checks payable to Kensington Wild

If you have any questions concerning this invoice, contact Mike Gallant 902-439-3565

pei.wildhockey@gmail.com

THE WILD THANKS YOU FOR YOUR SUPPORT!

Town of Kensington - Request for Decision

Date: September 7, 2018	Request for Decision No: 2018-60
Topic: Kensington Vipers 2018/19 Sponsorship Request	
Proposal Summary/Background: <p>A request has been received from Pat McIver of the Kensington Moase Plumbing and Heating Vipers for the Town to consider sponsoring the team for their 2018/19 season. In each of the past five years the Town has been a “Jersey Sponsor” for the team at a cost of \$750.00 annually.</p> <p>In exchange for the \$750.00 sponsorship the Town receives its name on two (2) home and away jersey, recognition in their game programs and four (4) season passes. In past years, the Town has given away the four (4) season passes on an individual game basis, i.e. 4 passes to each game throughout the season. This is typically done through social media contests.</p> <p>The Kensington Wild have provided a singular option for sponsorship for the Town’s consideration as follows:</p> <p><u>Jersey Sponsor - \$750.00</u> Name on two home and away jerseys Company name on game day programs 4 season passes</p>	
Benefits: <ul style="list-style-type: none">• N/A	
Disadvantages: <ul style="list-style-type: none">• N/A	
Discussion/Comments: <p>It is recommended by the CAO that Town Council proceed with a sponsorship of the Kensington Vipers for the 2018/19 season in the amount of \$750.00.</p>	
Options: <ol style="list-style-type: none">1. Sponsor the Kensington Vipers in the amount of \$750.00.2. Sponsor the Kensington Vipers in the amount of \$250.003. Not sponsor the Kensington Vipers for the 2018/19 season.	
Costs/Required Resources: <p>\$750.00</p>	Source of Funding: <p>General Government – Donations and Grants</p>

Recommendation:

That Town Council consider and adopt the following motion:

THAT Kensington Town Council approve a “Jersey Sponsorship” for the Kensington Moose Plumbing and Heating Vipers for the 2018/19 hockey season in the amount of \$750.00.



Kensington Moose Plumbing & Heating Vipers

1113 Newton Road

Kinkora PE

COB 1N0



Mayor and council,

The Kensington Moose Plumbing and Heating Vipers are seeking your help. The Vipers are entering their 19th season at Community Gardens in Kensington where the team has had a great deal of on ice success.

The Vipers play in the 4 team IJHL that sees teams in communities such as Wellington, Sherwood, and Souris and last year joined the NBJHL where we played an interlocking schedule that brought and will continue to bring NB teams to our community. It provides 20+ teenage hockey players (mostly local) the opportunity to keep playing hockey past their minor hockey days.

The Vipers have had a great deal of success in the last 15 years winning 11 IJHL championships as well as 2 Don Johnson Memorial Cup championships. The Kensington Vipers name is not only synonymous on PEI but throughout the Maritimes as well. The Vipers are arguably the most successful hockey team in all the Maritimes in the past 50 years.

To operate a successful program like the Vipers have, it takes a great deal of support from not only the fans but the corporate community as well and this is where we hope the Town of Kensington can help us again.

The Vipers are seeking a sponsorship in the form of a player sponsor. On page 2 you will see what the costs associated with these are and the benefits that come along with them.

I'd like to thank you for taking the time to review this proposal and hope that we can form a partnership for the future. If you have any questions please do not hesitate to call me at 9024398654 or send me an email to pat.mciver@pei.sympatico.ca.

Regards

Pat McIver
Kensington Vipers

Player Sponsor

2 for \$750

Benefits

Name on 2 home and 2 away sweater

4 regular season passes

Name on game day programs

Please make checks payable to

Kensington Vipers

1113 Newton Road

Kinkora PEI

C0B1N0

Thank You ***Town of Kensington***


On behalf of Special Olympics
Team PEI 2018's athletes, coaches,
and mission staff, thank you for
supporting the Team PEI 2018
Booster Club ahead of the 2018
National Bowling Championships
and 2018 National Summer Games.

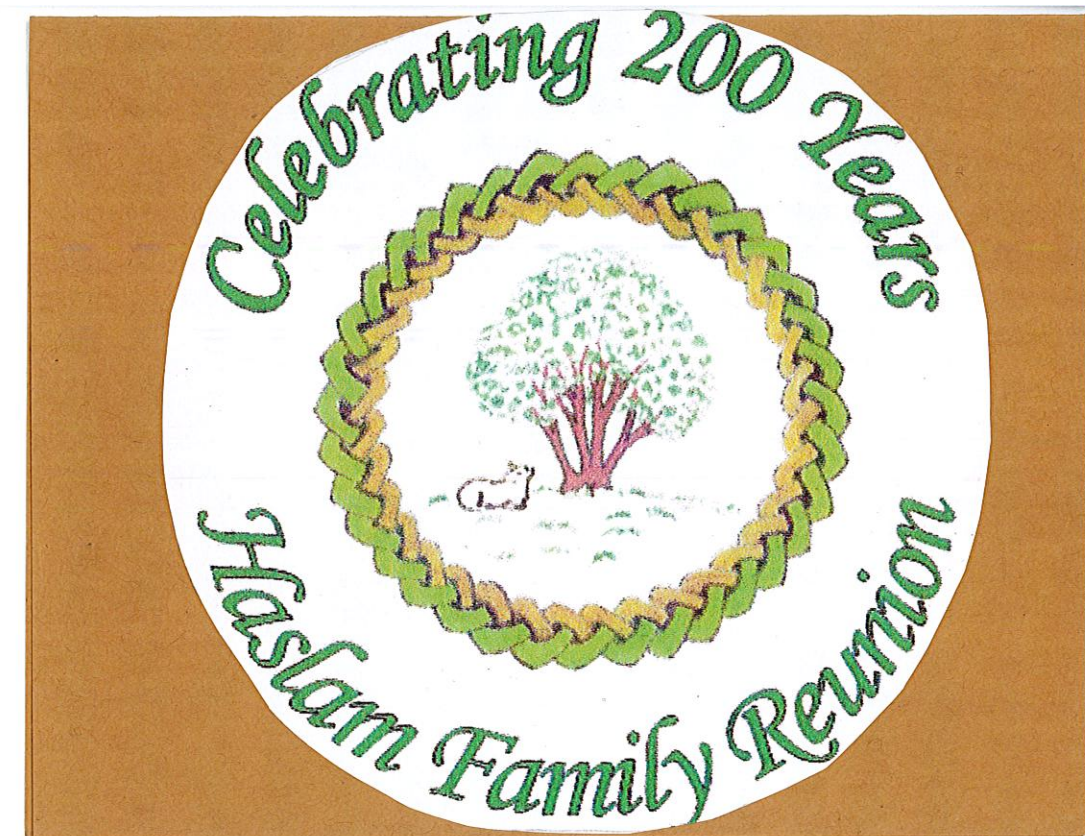


Special Olympics
Prince Edward Island



Thank You for Supporting Team PEI 2018


TEAM PEI
SPECIAL OLYMPICS



Grace ~

Velma Haslam
Beryl Lark
Joyce Leo.

Barb
Strongman
Judy Loo
Don Haslam

Ricky Loo
Gary Loo

Aug. 30th, 2018

Dear Mayor Caseley,

Thank You Ronan for gracing
our Haslam 200 Year Celebration Reunion
with your official greetings from
the town of Lexington. Your
official visit on Sat. Aug 11th was an
important part of our successful
event. We appreciate you and all
that you do! The Organizing Committee