

TOWN OF SAINT ANDREWS
Regular Council Meeting
Minutes
October 1, 2012

A Regular meeting of Town Council was held in the Council Chambers beginning at 7:00 p.m. with the following members present: Mayor Stan Choptiany, Deputy Mayor Catherine Akagi, Councillors Edie Bishop, Melanie Wood, Alan Golding and Lee Sochasky. Also present were Staff Members: Tim Henderson, Clerk and Chris Spear, Deputy Clerk/Treasurer.

DISCLOSURE OF CONFLICT OF INTEREST IF ANY— None

PRESENTATIONS- None

MINUTES

It was moved by Councillor Bishop, seconded by Councillor Sochasky and carried to adopt the minutes of the Regular Meeting of Council September 10, 2012

STAFF REPORTS

It was moved by Councillor Bishop, seconded by Councillor Sochasky and carried to accept the Staff Reports as presented.

COMMUNICATIONS

COMMITTEE REPORTS & RESOLUTIONS

Business Recreation & Special Events

It was moved by Councillor Sochasky, seconded by Councillor Golding and carried to allow the CMHA Charlotte County Suicide Prevention Committee to tie ribbons in the business district for their November 18-30 suicide awareness and prevention “Link to Life” campaign.

Finance & Administration

It was moved by Councillor Bishop, seconded by Deputy Mayor Akagi and carried to send a letter to Mr. Leigh Beaton stating that the Town has need for the scow for the foreseeable future.

It was moved by Councillor Bishop, seconded by Councillor Golding and carried to approve a Town of Saint Andrews advertisement for \$45 in the 2013 SJDA Yearbook.

It was moved by Councillor Bishop, seconded by Councillor Sochasky and carried that Jamie Matthews of the Alzheimer Society of Saint John be advised that space at the VIC will be offered to hold a free workshop on October 18 or 19, 2012.

It was moved by Councillor Bishop, seconded by Councillor Wood and carried to send a letter to Asloob Mohammad at Parks Canada, Saint John, NB requesting permission for the St. Andrews Tree Committee to plant a memorial tree on the Blockhouse property to mark the occasion of the 200th Anniversary of the War of 1812.

It was moved by Councillor Bishop, seconded by Deputy Mayor Akagi and carried to establish a subcommittee to be comprised of Councillor Golding, Councillor Sochasky, Deputy Mayor Akagi and Mayor Choptiany as ex-officio to develop recommendations for procedures for CEO succession.

Public Works Committee

It was moved by Councillor Golding, seconded by Deputy Mayor Akagi and carried to approve the request form Avant-Garde Construction to close Carleton Street, Adolphus Street and Acadia Street as per the application and to be reopened at the earliest opportunity and no later than March 31, 2013.

It was moved by Councillor Golding, seconded by Deputy Mayor Akagi and carried to approve the following five-year plan for designated highways for submission to the Department of Transportation and Infrastructure.

2013	Bayview Drive- Intersection with Marine Science Drive Storm Sewer, roadway widening to accommodate turn lanes onto Marine Science Drive, curb and gutter both sides roadway recap for 200 meters <u>with bike lanes</u> .	\$250,000
2014	Mowat Drive From 000 to 500 meters north of the Bar Road Storm Sewer and road widening- 500 meters	\$200,000
2015	Mowat Drive From 500 to 1,000 meters north of Bar Road to Town Boundary Storm Sewer and road widening – 500 meters	\$200,000
2016	Mowat Drive Curb and gutter – east side Bar Road to Town boundary	\$215,000
2017	Mowat Drive Curb and gutter- west side Bar Road to Town boundary	\$215,000

INTRODUCTION, CONSIDERATION AND PASSING OF BY-LAWS

It was moved by Councillor Sochasky, seconded by Deputy Mayor Akagi and carried that leave be granted to introduce Bylaw No. 12-05, a Bylaw Respecting the Fire Department of the Town of Saint Andrews and that the same now be read by title a first time.

It was moved by Councillor Golding, seconded by Councillor Bishop and carried that Bylaw No. 12-04, a Bylaw Respecting the Fire Department of The Town of Saint Andrews and that the same now be read by title a second time.

BY-LAW NO. 12-05 A BY-LAW RESPECTING THE FIRE DEPARTMENT

THE COUNCIL OF THE TOWN OF SAINT ANDREWS UNDER THE AUTHORITY VESTED IN IT BY SECTION 109 OF THE MUNICIPALITIES ACT RSNB 1973, CH. M-22, HEREBY ENACTS AS FOLLOWS:

1. In this By-law

“Chief” means the Fire Chief of the Town of Saint Andrews,

“Council” means the Mayor and Councilors of the Town of Saint Andrews,

“Department” means the Saint Andrews Fire Department

“Firefighter” means volunteer, temporary, and/or permanent firefighters of the Town of Saint Andrews,

“Fire Prevention Officer” means any person duly appointed as a fire prevention officer by resolution of Council, including the Fire Chief, to enforce provisions under the Saint Andrews Fire Department By-law, and its amendments, and to enforce the *Fire Prevention Act* and the regulations made there under,

“Member” means a member of the Saint Andrews Fire Department and includes an officer,

“Officer in Charge” means the senior member at an incident where no officer is present.

“Off Road Rescue” means a rescue taking place on water, un-surfaced roads, trails or tracks, made of such materials as sand, gravel, riverbeds, peat moss, mud, snow, rocks and such other natural terrain.

2. The Saint Andrews Fire Department is hereby established (and continued) and it shall consist of the Fire Chief and as many Assistant Fire Chief's, Captains, Lieutenants, other Officers, Firefighters and Driver-Caretakers as the Council may from time to time determine by resolution.

3. FIRE CHIEF

3.1. The Fire Chief is responsible to Council through the Chief Administrative Officer for the proper administration and operation of the Fire Department. The Fire Chief shall:

- (a) supervise and take charge of the fire station and the firefighting equipment and ensure the same is in good order and repair,
- (b) be responsible for and certify the correctness of all accounts against the Fire Department of which he or she has personal knowledge and file the same with the Chief Administrative Officer,
- (c) make an annual report to Council of the activities of the Fire Department during the preceding year, including all calls answered by the Fire Department, all fires, an inventory of the firefighting apparatus, the names of all members of the Fire Department, and recommendations as he or she may deem desirable to promote the efficiency of the Fire Department,
- (d) attend all fires and supervise the firefighting thereof,
- (e) have full charge and sole command at fires over all persons whether members of the Fire Department or not, and take all proper measures for the extinguishment of fires and the protection of property, the preservation of order and the observance of the laws and regulations respecting fires within the Town,
- (f) assign to firefighters their regular duties and such other work as he or she may deem proper from time to time, and make or cause to be made a record of the attendance at each fire of all firefighters.

3.2 The Fire Chief may suspend any member of the Fire Department for neglect of duty, misconduct or breach of any by-law or regulation, and shall forthwith report such suspension to the Council through the Chief Administrative Officer.

4. ASSISTANT FIRE CHIEF

4.1 the Assistant Fire Chief shall, while on duty, respond to all fire incidents and shall obey all lawful orders of the Fire Chief,

4.2 in the absence of the Fire Chief, the Assistant Fire Chief shall have all the powers and perform all the duties of the Fire Chief at the fire scene, and may perform such other duties as assigned by the Fire Chief from time to time .

5. CAPTAIN

5.1 a Captain shall, while on duty, respond to all fire incidents and obey all lawful orders of the Fire Chief and the Assistant Fire Chief,

5.2. in the absence of the Fire Chief and the Assistant Fire Chief, a Captain shall have all the powers and perform all the duties of the Fire Chief at the fire scene, and may perform such other duties as assigned by the Fire Chief from time to time .

6. LIEUTENANT

6.1 a Lieutenant shall, while on duty, respond to all fire incidents and obey all lawful orders of the Fire Chief, the Assistant Fire Chief, and the Captain,

6.2 in the absence of any senior officer mentioned in this section, a Lieutenant shall assume command of the fire ground operations until such a time as a senior officer arrives to assume command.

7. VOLUNTEER FIREFIGHTERS

7.1 the Fire Chief shall appoint as many volunteer firefighters as may be determined by the Council by resolution and may dismiss a volunteer firefighter for just cause,

7.2. the Fire Chief may appoint as many senior officers from among the volunteer firefighters as he or she deems necessary.

10. DUTIES OF FIREFIGHTERS

10.1. every firefighter must make a reasonable effort to care for any electronic communications equipment or any other equipment entrusted to him or her and report any defects in such equipment to the officer on duty at the time a deficiency is noted,

10.2. when so ordered by the Fire Chief, Assistant Fire Chief, or department training officer, all firefighters shall assemble for drill and instruction in the use of fire fighting equipment at the time and place specified by the Fire Chief,

10.3. if a member is absent for one-third, or more, of the alarms or practice drills during the year, without just cause, such absence shall be considered good cause for the member's dismissal.

10.4. members shall comply with this by-law and the rules and regulations of the Saint Andrews Fire Department.

11. EQUIPMENT USE REGULATIONS

11.1. no firefighting equipment shall be taken beyond the Town limits without permission of the Fire Chief, or if the Fire Chief is absent or otherwise unavailable, the officer in charge, as per mutual aid agreements,

11.2. when any firefighting equipment is taken beyond the limits of the Town to any fire, the Fire Chief, or the officer in charge, shall take charge of the firefighting equipment. The Fire Chief, or officer in charge, shall ensure that a sufficient number of firefighters remain in the Town for emergency protection,

11.3. the Council may authorize firefighting equipment to be taken beyond the limits of the Town for parades and other special functions provided sufficient notice is given to the Fire Chief and assurance is given by the Fire Chief that emergency protection for the Town is maintained,

11.4. no department vehicle shall be used for emergency transportation of a person or persons other than a member of the Fire Department,

11.5. no firefighting equipment shall be released or loaned to another fire department or agency without written authorization of the Fire Chief and in no circumstances shall property of the Town Fire Department be released or loaned to an individual or commercial body,

11.6. without written authorization of the Fire Chief, Fire Department vehicles and fire firefighting equipment shall not be used for any work other than work of the Saint Andrews Fire Department.

12. DEMOLITION OF BUILDINGS

The Fire Chief may, in order to prevent the spread of a fire, issue an order for the pulling down, demolition, or removal of any building or structure.

13. GENERAL PROVISIONS

13.1. no person shall disobey the orders and directions of the Fire Chief of Assistant Fire Chief, or other senior officer in charge, while in the performance of their duties at a fire, nor shall any person interfere with or obstruct any such officer or any firefighter while in the performance of any duty at a fire,

13.2. every person attending a fire shall, upon request of the Fire Chief of Assistant Fire Chief, or officer in charge, assist any firefighter engaged at such fire and shall obey all orders and directions given to him or her by the Fire Chief or Assistant Fire Chief or officer in charge in connection with such fire,

13.3. whenever the Fire Chief, or Assistant Fire Chief, or officer in charge of any fire deems it advisable to guard the locality of such fire from the crowding of persons or vehicles, they may place or cause to be placed a rope or other barrier across and street or public place to indicate the area from which persons or vehicles are prohibited,

13.4. no person except a member of the Fire Department, the Fire Marshal, the RCMP, or persons authorized by the Fire Department, shall enter or be within an area marked off by ropes or barriers to indicate an area from which persons and vehicles are prohibited,

13.5. no person shall remain in the fire station between 2330hrs and 0700hrs of the following day, except a member on duty, or as approved by the Fire Chief or Assistant Fire Chief,

13.6. no person shall be in the fire station or report to any alarms while under the influence of intoxicating liquor or a drug, nor shall a person bring or have intoxicating liquor or a drug in the fire station. Any firefighter in contravention of this subsection shall be immediately relieved of his or her duties according to section 3.2,

14. PENALTY PROVISION

A person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollard (\$200.00).

15. REPEAL PROVISION

15.1. By-law No. 92-5, A By-law Respecting the Town of Saint Andrews Fire Department, passed by Town Council on April 27, 1992, and amendments thereto, is hereby repealed,

15.2. By-law No. 92-5, a By-law Respecting the Town of Saint Andrews Fire Department, and amendments thereto, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

Read a first time this ____ day of _____ 2012

Read a second time this ____ day of _____ 2012

Read a third time and passed this ____ day of _____ 2012

MAYOR

TOWN CLERK

NEW BUSINESS

J1. Mayor's Comments

J2. Councillor's Comments

It was moved by Councillor Golding, seconded by Councillor Bishop and carried to add Katy's Cove and its future operation to the Committee Registers for discussion and to give consideration of approaching New Castle Hotels and Resorts to discuss options of keeping Katy's Cove operating.

ADJOURNMENT

At 8:30 p.m. Deputy Mayor Akagi moved that the meeting be adjourned.

Mayor

Clerk