

**MINUTES  
GEORGETOWN TOWN COUNCIL  
11/19/2007**

The regular monthly meeting of the Georgetown Town Council was held in the Council Chambers on Monday, November 19, 2007, at 7:00 p.m.

Council Attendance: Mayor Peter Llewellyn  
Deputy Mayor Lewis Lavandier  
Councillor Peggy King  
Councillor Faye McQuillan  
Councillor Wade Williams  
Councillor Barry O'Brien  
Councillor Craig Murphy

**Agenda:** Monday, November 19, 2007

Moved for approval without additions: Councillor O'Brien

Second: Councillor McQuillan. Motion Carried.

**Business from Floor or Other: None**

**Conflict of Interest Provision**

Declaration under the *PEI Municipalities Act*: Part VI, Section 23 of the *PEI Municipalities Act*, which maintains that no member of Council shall derive any profit or financial advantage from his/her position as a member of Council and, where a member of Council has any pecuniary interest in or is affected by any matter before the Council, shall declare his/her interest therein and abstain from voting and discussion thereon. None declared.

**Minutes of the last meeting:** October 15, 2007

Moved for adoption: Councillor O'Brien

Second: Councillor McQuillan Motion Carried.

**Business from Minutes:** None

**Financial Statements:**

**General Account:**

Moved for adoption: Councillor O'Brien

Second: Councillor Williams Motion Carried.

**Sewer Corporation:**

Moved for adoption: Councillor O'Brien

Second: Councillor Williams Motion Carried.

**Outstanding Expenditures:**

Moved for approval as presented: Councillor O'Brien

Second: Councillor Williams      Motion Carried.

**Correspondence (October 15 – November 19, 2007):**

1. Tom Gray – International Coat of Arms: Offer of new product line - introducing high quality business stationery and carding.
2. AMA / Julie McMurrer: Information update on Veteran's Week, November 5-11, 2007.
3. Strategic Sponsorship Marketing – Information on marketing workshops November 7<sup>th</sup>.
4. Federation Canadian Municipalities: Green Municipal Funds, Extended Dates – submit intent to apply before Oct. 26, 2007 regarding Brownfield projects.
5. Charlottetown Christmas Parade Committee: Notice of parade, November 24, 2007 – 5:00 p.m. Enclosing application to participate.
6. Honourable Carolyn Bertram, Minister of Communities, Cultural Affairs and Labour: Thank You card to Mayor Llewellyn for attending the Infrastructure Announcements held in Hunter River.
7. Ocean 100.3 and KRock 105.5: Offer of advertising package as per request from Mayor Llewellyn.
8. Federation Canadian Municipalities: Second Notice of extended Funding Opportunity – for Brownfield Projects.
9. Derek MacConnell: Correspondence by email to Mayor Llewellyn responding to letter received by Mr. MacConnell from Mayor Llewellyn addressing complaints received by the Town in regard to Mr. MacConnell's dog barking.
10. John Dewey, Federation PEI Municipalities: Notice of call for proposals for the EcoEnergy Retrofit Incentive for Buildings – Open Oct 15 – Dec. 14/07. Mayor Llewellyn advised that ADI Ltd., engineering firm have been contacted and they are researching possible proposals that could possibly be incorporated into the upgrades of water and sewer upgrade on Water Street.
11. Federation Canadian Municipalities: Members' Advisory regarding offer for municipalities, municipal associations and individual municipal

- practitioners to engage internationally through programs funded by the Canadian Development Agency (CIDA). Since 1987 FCM's international programs have enabled more than 200 Canadian municipalities to work with local governments in 42 countries.
12. Federation Canadian Municipalities: Members' Advisory regarding FCM's Green Municipal Corporation opens Carbon Offset Market to Canadian Municipalities.
  13. Saltscapes Expo 2008: Invitation to participate 4<sup>th</sup> Annual Expo Lifestyle Show. April 25, 26, 27 in Halifax, NS.
  14. CHRSC / Julie Murphy – Email: Oct. 17/07 Press Release – New Cultural Sector Online Tool to Aide Workers in Finding Training Opportunities.
  15. PEI Community Development: Invitation to Provincial Community Development Conference Saturday, Nov. 24 – Emerald Community Centre.
  16. Senior's United Network – Update regarding 2009 Activity Challenge: Information providing details and invitation to participate as follows:  
**Everyone can participate!** All Islanders can take the 2009 Canada Games Activity Challenge. Get involved in physical activity over the two-year period leading up to the 2009 Canada Games, and see how you can help support the Games while becoming more fit. You are encouraged to maintain a PEI Active lifestyle beyond 2009! **The Challenge:** All Islanders are challenged to collect the number of kilometers that equals the distance to get **all** of the Canada Games team members from each province and territory in Canada to Prince Edward Island by being active.  
To achieve this in time for August 15, 2009, the start of the 2009 Canada Games, the overall goal is 13,144,360 kilometers, or on average, 110 km per Islander.  
**How to collect kilometers?** You can collect kilometers by participating in a variety of physical activities and then creating an online profile at the [www.peiactiveliving.com](http://www.peiactiveliving.com) website.  
Here you will be able to track your progress as often as you like, converting your activity into kilometers. **Start date and how does it work? Phase One** of the 2009 Canada Games Challenge begins in October 2007 and continues until the Games begin on August 15th, 2009. When you create your online profile, you will be asked to join one of 12 communities that have been created in Prince Edward Island. Communities across PEI will be paired up against each other in a friendly competition to see which one can collectively gather the most kilometers. Mayor Llewellyn noted that the Active Communities organization is in the process of making arrangements for an Animator position that will employ a person to work with Georgetown and Cardigan on this program and other fitness activities.
  17. Canadian Water and Wastewater Association: Registration for the "Window on Ottawa" event.
  18. Darlene Rhodenizer, PEI Infrastructure Secretariat: Correspondence advising receipt of correspondence from the Town of Georgetown

regarding Kings Ferry Transit Service Proposal. The proposal will be presented to the next Public Transit Capital Trust Committee for direction. Georgetown will be updated on the results once the meeting is held.

19. FCM: RE: 2008 FCM – CH2M Hill – Sustainability Community Awards, informational package with application 2008 and awards video 2007.
20. Georgetown Minor Hockey: Memo requesting \$200.00 donation for Georgetown Minor Hockey fundraising event (Brad Richards Skateathon) Councillor O'Brien advised that the Recreation Association will support this event.
21. Island East: Letter of support for the Pedestrian Ferry proposal submitted to Public Transit Capital Fund.
22. Honourable Carolyn Bertram, Minister of Communities Cultural Affairs and Labour: Correspondence advising that the Department is unable to oblige with the Abbies Season Passes offer. Minister Bertram offered congratulations to Georgetown and the Three Rivers Sportsplex for building the partnership with the MJHL Junior "A" Abbies.
23. Grace Blackette, Island Trails: Thank you to Georgetown for hosting hospitality site for Island East Cycle Event.
24. Department of Environment, Energy and Forestry: Water Quality Assessment results for sample number 199787 for the Georgetown lagoon effluent.
25. PEI Emergency Measures: Notice of Basic Emergency Management Course scheduled for December 11 – 13, 2007.
26. Town of Souris: Notice of the 27<sup>th</sup> Annual Christmas Parade – being held on December 1, 2007 at 1:30 p.m.
27. CIBC: Correspondence advising that they are unable to support offer to purchase MJHL Games Passes
28. Department of Tourism, Janet Wood: Correspondence advising that they are unable to support offer to purchase MJHL Games Passes.
29. Johan "Yogi" Van Weichen: Correspondence with thank you comments regarding the Town's granting of property for Grad Party in June and also comments regarding Mayor Llewellyn's comments on the Montague Sportsplex.
30. Motorcycle PEI: Information to participate in advertising proposal.

31. GADC: Correspondence in support of Pedestrian Ferry proposal.
32. Federation Canadian Municipalities: Notice of Municipal Green Building Workshops – November 2007;
33. Island East, Eastern P.E.I. Tourism Group: RE: letter of support re: Pedestrian Ferry. (Duplicate of # 21 above)
34. Federation Canadian Municipalities: Information on Act Grants, next deadline for application is December 17<sup>th</sup>.
35. Active Communities Inc.: Letter of support for the Pedestrian Ferry proposal.
36. Lower Montague Community Council: Letter of support regarding the Pedestrian Ferry proposal.
37. UPEI: Invitation to sponsor a UPEI Panthers basketball game (\$500.00);
38. Coast Discoveries Guide: Offer to submit information to the 2008 Guide
39. Leo Creamer, Provincial Lands Manager: Email advising that the Province has received a request from Darren Martell owner of parcel 171165 to acquire a portion of the former CNR corridor located adjacent to and South of Mr. Martell's property.

Mr. Martell's property is currently about 0.03 of an acre in size and the portion of the former CNR property he is wishing to acquire is about 0.07 of an acre which would make the new parcel about 0.10 acre in size. This portion of the former CNR corridor is not developed for trail use and he is not aware if Georgetown has any plans to develop it in future.

Mr. Creamer inquired if the Town has any concerns or objections to this land being conveyed to Mr. Martell? Mr. Martell would be required to obtain the consent of the land owner to the South of the corridor parcel 498758 before we would give any consideration to a conveyance of the land to him. Council discussed this issue.

- Moved by Councillor Lavandier and seconded by Councillor O'Brien that that Mr. Creamer be advised that the Town has no concerns or objections to this land being conveyed to Darren Martell. Carried.

40. TIAPEI: Invitation to TIA PEI's President's Christmas Reception.
41. United Way: Invitation to offer a donation to the campaign.
42. White Ribbon Campaign: Informational correspondence regarding the campaign.

43. Development & Technology, Honourable Richard Brown, Minister Development and Technology: Correspondence advising that the King's Playhouse Improvements funding has been approved in the amount of Five Thousand Dollars.
44. Community Development / Stephen Lewis: Invitation to Members of Council to the 7<sup>th</sup> Annual Community Development Conference to be held on Saturday, November 24, 2007 at the emerald Community Centre (map attached);
45. Georgetown Volunteer Fire Department: Invitation to Mayor and Council to attend their Annual Meeting & Dinner Banquet on Sunday, Nov. 24, 2007 at Maclans.
46. Georgetown Elementary School: Copy of letter sent from the school to a resident dog owner expressing concerns about the dog running at large at the school ground.
47. Jim Garrity: Information regarding the sale of a 1977, 90 foot, 12 Car, Ferry Boat for Sale in New York.

## **COMMITTEE REPORTS**

### **Finance, Government Relations:**

*Mayor Peter Llewellyn advised that he had nothing new to report at this time.*

- Department of Transportation: Met with Matt Collins, DOT and Darrell Fisher, ADI to review survey plans for Water Street upgrade. A letter to been sent to the Minister requesting that the Georgetown project be scheduled and confirmed to be completed tin 2008.

### **Public Works, Property, Main Street Programs & Utilities:**

*Councillor Wade Williams reported:*

#### **Sewer Corporation:**

- Talked to Contractor about repairs to Lagoon Project. Nothing done yet.
- Also attended a site meeting about water improvements on Kent Street with the Contractor. Asphalt curbing, sidewalks and landscaping repairs. Nothing to report.
- Water & Sewer Hookup on East Street left road in bad shape. Talked to Phil Chiasson about making repairs. Nothing was done yet. Looking for a price to fix problem.

### Public Works:

- West Street Beach had some damage to the trail lights. Approximate cost \$400.00. Replacement bulbs have been ordered. The police were contacted and a statement was given.

### Community and Media Relations

Councillor Faye McQuillan reported:

Special Events – Remembrance Day was a huge success. We had a large crowd this year, well over 200 in attendance. Thank you goes to Mike Gallant for all his help. Hopefully, he will be just as involved next year. A letter of thanks will be sent to Mike. Also thank you to the Councillors for the carrying of the flags.

Seniors – The Seniors Grant in the amount of \$5,000.00 has been approved. Plan to meet with Patsy (CAO) review proposed expenditures. The next meeting for the Senior's Club is going to be held the second Wednesday in January.

Tree Lighting Ceremony: Scheduled for December 9<sup>th</sup> with Santa to be in attendance.

### Three Rivers Sportsplex:

*Councillor Peggy King reported:*

Ice rentals continue to remain steady with approximately 30-35 hours rented per week. The Fair Isle Ford Hockey Mommas held a women's tournament over the past weekend hosting six teams, overall this event was quite successful!

Abbies – the Abbies hosted their 2<sup>nd</sup> of 7 games on November 2, 2007 against the Miramichi Timber Wolves. Once again we had a great crowd of over 400 fans and a victory for the Abbies. The Abbies will host their 3<sup>rd</sup> game on November 30, 2007 against the Moncton Beavers.

Jingle Bell Rock - Three Rivers Sportsplex was once again invited (3<sup>rd</sup> year in a row) to sell 50/50 tickets at this great event. The total raised was \$675.50. A great fundraiser for only about 3 hours work. Special thanks to Syd McMullin for setting us up with this event!

Eaglesnest Bar – now open from Wednesday to Sunday.

Zamboni – The Board of Directors at the Sportsplex has decided to sell the old Zamboni. Approval needed from Council.

- **Moved by Councillor O'Brien that the Town grant approval to the Three Rivers Sportsplex Board of Directors to sell the old Zamboni, seconded by Councillor Williams. Opposed by Councillor McQuillan.**

Board Members – The Board of Directors have received letters of resignation from Board Members Bill Wozniak and Brenda Yorston. The Board is seeking new members immediately.

Shane Yorston – has been hired at the Sportsplex for the next three weeks. Shane will be entering data into the computer which will help speed up our draft for the audit. Hopefully the final result will appear in the next month.

Ticket Masters – Jim McConnell and Ron Babineau are very busy selling tickets for the Christmas One Thousand Dollar Bill Draw. To date, they have sold about \$5,000.00 worth of tickets. Way to go fellows!

Financial Statement: Copy of Sportsplex Financial Statement distributed to Council members for their information.

- **Moved by Councillor O'Brien, seconded by Councillor King that the Town forward the Three Rivers Sportsplex the balance of their budgeted funds for 2007. Carried.**

**Recreation / Youth and Fire Department:**

*Councillor Barry O'Brien reported:*

Recreation and Youth

- Once again contacted UFIT and presently awaiting a list of dates they have available to come to our School. This is something that may take a while to put together but the benefit is great so waiting is not a big issue.
- Exchanged emails with Principal Bryand and they have put together a wish list. It ranges from equipment to aesthetic upgrades to the school yard. Would like to set up a meeting to go over these with Council and plan to present the list to the Fireman next week to see if they are interested in helping out.
- On Wednesday 28<sup>th</sup> an open meeting at the town hall is scheduled to discuss ideas on Recreation. Hopefully at that time we can get some interest in forming a Recreation Committee like we had with Minor Baseball this summer. If the meeting room is available I would like to meet at 7 pm. If this could be sent as a mail out it would be great.

Fire Department:

While attending the superb George Canyon show at the Kings Playhouse I was overwhelmed with the presentation made by Chief Allan Gallant and the Fire Department to George Canyon making him a Life Time Honorary member of the Department. This is a classy move that will surely raise Georgetown's awareness across Canada. It reminds us how lucky we are to have the great group of volunteers we have in the Fire Department. Great Job!! Fire Chief's Report: Not available, Fire Chief away on holiday.

**King's Playhouse:**

*Councillor Craig Murphy reported:*

- George Canyon played to a sold out house on November 7<sup>th</sup> and had rave reviews for the Town of Georgetown.
- The Fire Department made a wonderful gesture of making George Canyon an Honorary Volunteer Fireman for life.
- The Georgetown Inn received rave reviews as well for the beautiful five course dinner they supplied to the crew and George.
- A Night to Remember received 265 people in attendance and was a huge success.
- The Remembrance Day Ceremony was well received with a large crowd in attendance.
- With shows that they have put on recently and are scheduled in the future they are making Georgetown proud. They have worked through many bumps in the road that come along with the forming of a new Board and getting a late start to the Season. The Board deserves a lot of credit with keeping the Theatre going. Keep up the great work.

**Community Planning & Development:**

*Councillor Lewis Lavandier reported:*

We have received 5 resumes for our construction foreman position for the lookout project. We will be holding interviews this week to pick a foreman who will be suitable for the project. Hoping to get started on December 2<sup>nd</sup> if everything goes as planned.

As we will be giving the second reading to the Municipal Offence Ticket Bylaw tonight, I would hope that when this Bylaw is in place, Council will give serious consideration to the Town hiring a Bylaw Enforcement Officer. I for one am getting very frustrated with having to tell our citizens with complaints that our hands are tied because we are unable to enforce our bylaws.

**Community Heritage and Beautification:**

*Councillor Wade Williams reported:*

Heritage River plaque with the correct name change has been completed. Will be installing next sprint or get installed by the crew working on the park this winter. Annual meeting of the Heritage Rivers Association will be held this Wednesday at 7 pm.

The glass for the Anglican Church has been delivered. Awaiting Joe Clory to be available for install.

**Georgetown and Area Development Corporation:**

*Councillor Craig Murphy reported:*

- Currently waiting estimates on a few proposed changes to the Interpretive Centre to make a decision on the possibility of a new tenant.

**Administrator's Report**

*Patsy Gotell, CAO reported:*

Water Utility Extension Update: Hubert Proud advised that the project is winding down. The lines still need to be flushed and sampled for acceptable levels. Landscaping will not be completed until next spring (seeding). There is to be a major clean up this fall and curb replacement will also be in the Spring. Email with report from CBCL distributed to Council members.

Sewer Billing Arrears: Residential arrears.... 25 customers have been notified that they must make payments or set up a schedule for payments or their service will be disconnected. Administrator will meet with Sewer Corp Committee this month.

Finance Committee: Meeting to be set up to review year to date revenues and expenditures.

Municipal Offence Tickets: Tickets ordered, the Municipalities of Montague, Souris, Georgetown placed a combined order. Dianne from Souris graciously looked after the details and they should be in very soon.

Animal Control: Information in packages from PEI Humane Society (two options) Other option would be to hire an Enforcement Officer.

Photocopier/Printer/Scanner: Proposal received from Konica Minolta and waiting for a quote from Xerox and other distributors.

Website Launch: Tentative schedule is December 9<sup>th</sup> after tree lighting ceremony.

AMA Meeting: Plan to attend a meeting of AMA on November 23<sup>rd</sup>. The agenda includes update from Province and Federal government regarding MRIF, Capacity Building, Gas Tax etc.

Civic Centre: Roof problems at the Civic Centre, Joe looked at shingles that have been blown off – he can do a quick fix or do we want to consider insurance claim? Finance Committee will review this and make a recommendation.

Breedon Property: Council agreed that advertising be placed to offer the house for rent. Councillor Murphy will make arrangements to have the house cleaned.

Anglican Church: Repairs being scheduled. Further information to come for Council's consideration in the acquisition of the property.

Cap Site: Librarian contacted Mayor and myself to see what we can do about starting up a new program and updating equipment. Expecting a reply from the Province on how we may be able to proceed.

## **New Business:**

### **Second Reading: Bylaw for Municipal Offences, Penalties and Ticketing, Bylaw # 001-2007:**

- Moved by Councillor Lavandier, seconded by Councillor Williams that: Second Reading be hereby given to Town of Georgetown Bylaw for Municipal Offences, Penalties and Ticketing as follows:

## **Bylaw for Municipal Offences, Penalties and Ticketing Town of Georgetown**

### *Definitions*

1. For the purpose of this bylaw:

- (a) "Act" means the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13 and associated regulations;
- (b) "Bylaw(s)" means any and all bylaws passed by the Council of the Town of Georgetown in relation, either directly or indirectly, to any of the following matters:
  - i) animal control;
  - ii) dangerous or unsightly premises;
  - iii) the parking of vehicles; or
  - iv) noise or public nuisance control;
- (c) "Bylaw Enforcement Officer" means an individual appointed under section 29.1 of the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13;
- (d) "Council" means the Council of the Town of Georgetown;
- (e) "Municipality" means the Town of Georgetown;
- (f) "Municipal Offence Ticket" means a ticket that may be issued pursuant to a bylaw made under subsection 58.1(2) of the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13; and,
- (g) "Person" includes a corporation.

### *Municipal Offences*

- 2. Every Person who hinders or obstructs, or attempts to hinder or obstruct, any Person exercising a power or performing a duty of the Municipality in respect to the Act and/or the Bylaws is guilty of an offence and shall be prosecuted in accordance with the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9.
- 3. Every Person who contravenes a provision of the Act and/or Bylaws is deemed to have hindered or obstructed, or to have attempted to hinder or obstruct, a Person exercising a

power or performing a duty of the Municipality in respect to the Act and/or the Bylaws and is therefore guilty of an offence in accordance with provision 2 herein.

### *Penalties*

4. Every Person who has committed or who has been deemed to have committed an offence pursuant to this bylaw is liable on summary conviction of a fine not less than \$200.00 and not more than \$1,500.00.
5. Each day that an offence pursuant to provision 2 herein continues constitutes a new offence.
6. Every Person who has committed or who has been deemed to have committed a continuing offence as provided for in provision 5 herein shall be subject to a further fine not exceeding \$1,500.00 for each day during which the offence continues as permitted by section 58(2) of the Act which authorizes the Municipality to set the continuing cost of an offence.

### *Municipal Offence Ticketing*

7. A Municipal Offence Ticket may be issued for an offence against any of the Bylaws as defined herein.
8. A Bylaw Enforcement Officer appointed pursuant to Subsection 29.1(1) of the Act, or any other Person having responsibility for the enforcement of a provision of any of the Bylaws, who has reasonable and probable grounds to believe and does believe that one or more Persons have committed an offence against any of the Bylaws for which a Municipal Offence Ticket may be issued, may issue a Municipal Offence Ticket, and such ticket shall be signed and sworn to before a justice of the peace or a provincial court judge by the Bylaw Enforcement Officer or other Person who issued the Municipal Offence Ticket.
9. Any Municipal Offence Ticket issued in accordance with this bylaw must be marked on its face to specify the nature and name of the Bylaws form the basis of the offence.
10. Any Municipal Offence Ticket shall be issued in the form attached hereto as a Schedule and shall include provision for the information, the summons, and a record for the Person who issues the Municipal Offence Ticket. This Municipal Offence Ticket shall be referred to as the Bylaw Offence Ticket for the Municipality or such other similar name as can easily be identifiable.

### *Enforcement*

11. An offence against any of the Bylaws and/or the Act shall be prosecuted in accordance with the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9 or in the case of an offence against any of the Bylaws for which a Municipal Offence Ticket has been issued, in accordance with the terms of the Municipal Offence Ticket.
12. Application may be made by the Municipality to the Supreme Court of Prince Edward Island in relation to the enforcement of any of the Bylaws, such application to seek any such remedy or remedies as are provided for in Subsection 58(3) of the Act.
13. Notwithstanding provision 12 herein, every Person who contravenes or who has been deemed to have contravened a provision of any of the Bylaws, and against whom a Municipal

Offence Ticket has been issued, shall have the option to pay the minimum fine as established in the appropriate Bylaw in lieu of contesting the Municipal Offence Ticket in Court.

Motion Carried.

**Resolution: Bylaw for Municipal Offences, Penalties and Ticketing, Bylaw # 001-2007:**

- Moved by Councillor Lavandier, seconded by Councillor Williams that; Whereas, the Town Council of the Town of Georgetown wishes to enact a Bylaw for Municipal Offences, Penalties and Ticketing; and Whereas, in accordance to PEI Municipalities Act, Section 58.1; First Reading was given to Town of Georgetown Bylaw for Municipal Offences, Penalties and Ticketing (Bylaw # 001-2007) on October 15, 2007; and

Whereas, Second Reading was given to Town of Georgetown Bylaw for Municipal Offences, Penalties and Ticketing (Bylaw # 1-2007) on November 19, 2007.

Therefore Be It Resolved, that the Town of Georgetown Bylaw for Municipal Offences, Penalties and Ticketing be hereby formally adopted and that the Mayor and Chief Administrative Officer be authorized to affix their signature and corporate seal of the Town thereto.

Motion Carried.

**Adjournment:**

Moved by Councillor King, seconded by Councillor O'Brien that the meeting be adjourned. Carried.

Minutes submitted by:  
P. Gotell, C.A.O.



