

20th

November, 2006

The Town Council of the Town of Sussex met in regular session, by appointment of the Mayor of the said Town, in the Council Chambers of the said Town on Monday the 20th day of November, 2006, at 7:00 o'clock in the evening.

The following members of the Council were present: His Worship Mayor Carr, Deputy Mayor Thorne, Councillors Fulton, Wilson, Wright, Black and Bradley. There were no absentees. Also present at this meeting were the Chief Administrative Officer, Michael Cummings and the Town Clerk/Treasurer, Paul Maguire.

It was moved by Councillor Wright, seconded by Councillor Black, that the agenda for this regular Town Council meeting be approved as amended. Motion carried. The agenda was amended by adding under Item # 6 - Delegations, Petitions and Correspondence: Item 5.1, Sussex & Area Senior's Centre Inc. Agreement, from the Human Services Report To Council and Item (B) Hearing of Objections – B.I.A. 2007 Budget (b) Aiton Automatics.

Councillor Fulton declared a conflict of interest on Item # 6 (E) Rezoning Application – 448 Main Street.

It was moved by Councillor Wilson, seconded by Councillor Black, that the minutes of the regular meeting of the Town Council of the Town of Sussex, held on October 23, 2006, be approved as circulated. Motion carried.

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Present at the Council Meeting were members of the Sussex and Area Seniors Centre Inc. who are interested in taking over management of the Golden Jubilee Hall.

It was moved by Councillor Bradley, seconded by Councillor Black, that Council approve an agreement between the Town of Sussex and Sussex and Area Seniors Centre Inc. for the management of the Golden Jubilee Hall and that Council approve that the Mayor and Town Clerk sign the aforesaid mentioned agreement on behalf of the Town. Motion carried.

Present at the Council meeting were Mr. Larry Adair of Adair's Wilderness Lodge and Jeff Legere of JR's Meat Market. Mr. Adair and Mr. Legere made a presentation to Council which included a donation of \$200.00 each towards the new regional tourism sign encouraging tourists to travel Route 10 from the new four lane highway to the Sussex area. Mr. Adair and Mr. Legere wanted to make a challenge to other businesses in the area to make a donation to the same cause since they are under the firm belief that the sign will draw people, not only to see the Fundy Coast and Trail, but also to enjoy the Town and beautiful new murals that are located throughout the Town. His Worship Mayor Carr and members of Council thanked Mr. Adair and Mr. Legere for their generous donation and were encouraged that the individuals in small businesses would make a donation towards the betterment of tourism in the area.

The Council held a hearing of objections to the proposed 2007 Sussex Downtown Business Association budget. The budget included a rate levy of \$0.18/\$100.00 of tax assessment. The Town Clerk informed the Council that the necessary advertisements had been carried out and that the Town had received two written objections to the proposed budget.

The first objection was from Mrs. Bernadine Yerxa, of 18 Riverview Avenue, who was objecting to the budget because the possibility of her taxes increasing. The Town Clerk explained to the Council that Mrs. Yerxa lives outside the Business Improvement Area and that the budget would have no effect on her taxes. The second objection was from Mr. Harold Aiton, of Aiton Automatics Ltd., who was objecting to the proposed \$0.18 tax levy and the possibility of it raising his property taxes. The Town Clerk informed the Council that Mr. Aiton's property is located outside the Business Improvement Area and that the budget would have no effect on his taxes.

His Worship Mayor Carr noted that there was no one present at the meeting who was objecting to the proposed 2007 B.I.A. budget.

The Town received a letter from Therese Murray, Executive Director of the Muriel McQueen Fergusson Foundation, notifying Council that November has been declared Family Violence Prevention Month and to ask their assistance in helping to raise public awareness about family violence which hopefully will greatly assist our efforts towards eliminating this problem from our society.

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It was moved by Councillor Black, seconded by Councillor Bradley, that the letter from the Muriel McQueen Fergusson Foundation be filed. Motion carried.

A letter was received from Deborah Bourque, National President of the CUPW, regarding the moratorium on Post Office closures and rural delivery. It was moved by Councillor Wilson, seconded by Councillor Fulton, that the letter from CUPW be filed. Motion carried.

Councillor Fulton declared a conflict of interest on the next item on the agenda and vacated the Council Chambers for any discussion or decision on the item.

A letter was received from Stephen Main, Wanda McKay, Harley Murray and Ruth Murray requesting the rezoning of 448 Main Street from an "R3" Single and Two-Family Residential and Up to and Including Six-Family Residential to a commercial zone. It was moved by Councillor Wilson, seconded by Councillor Black, that Council accept the application for rezoning for the property located at 448 Main Street. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the letter requesting rezoning of 448 Main Street be referred to the Administration Committee. Motion carried.

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Councillor Fulton returned to the Council Chambers from his conflict of interest.

It was moved by Councillor Wright, seconded by Councillor Black, that the Fire Report for the month of October, 2006, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 18 calls with seven calls originating within the Town of Sussex and 11 out of Town calls.

It was moved by Councillor Wright, seconded by Councillor Black, that the Building Inspector's report for the month of October, 2006, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued 21 permits for renovations, repairs, alterations and additions for a value of \$257,100 and one demolition permit for a value of \$5,000.00.

It was moved by Councillor Bradley, seconded by Councillor Black, that the Development Officer's report for the month of October, 2006, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved one building location survey, one tentative amending subdivision plan, one amending subdivision plan and one subdivision plan.

His Worship Mayor Carr noted that the Planning Advisory Committee did not hold their regularly scheduled meeting in November, 2006, as there were no items on the agenda.

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It was moved by Councillor Bradley, seconded by Councillor Fulton, that Council have first reading by title of A By-Law In Amendment of A By-Law To Approve The Budget of The Sussex Downtown Business Association and To Establish a Special Business Improvement Area Levy In The Town of Sussex, By-Law # 154-06. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Fulton, seconded by Councillor Bradley, that Council have second reading by title of A By-Law In Amendment of A By-Law To Approve The Budget of The Sussex Downtown Business Association and To Establish a Special Business Improvement Area Levy In The Town of Sussex, By-Law # 154-06. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Fulton, seconded by Councillor Black, that Council have a reading in its entirety of A By-Law to Regulate Water, Sanitary and Storm Sewer Systems, By-Law # 1203-06. Motion carried. The by-law was then read in its entirety.

It was moved by Councillor Bradley, seconded by Councillor Black, that the report of the Human Services Committee Meeting dated November 15, 2006, be received as circulated. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Black, that Council approve that Sussex Machine Shop be engaged to refurbish the light standards in the parking lot of the 8th Hussars Sports Centre for an expenditure of \$10,334.10. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wright, that Council approve an expenditure of up to \$7,130.00 to purchase LED outdoor luminaries for the light standards in the parking lot of the 8th Hussars Sports Centre. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve that Tara-Lynn Olesen be approved for the position of Part-time Secretary for the Town. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that the report of the Economic Development and Long Range Planning Committee Meeting, dated November 14, 2006, be received as circulated. Motion carried.

It was moved by Councillor Black, seconded by Councillor Bradley, that the report of the Works Committee Meeting dated November 14, 2006, be received as circulated. Motion carried.

It was moved by Councillor Black, seconded by Councillor Wright, that Council approve that the Town engage Landmark Tank & Tower Services for inspection and cleaning and an inspection report of the Town's water reservoirs for an amount of \$15,272.00. Motion carried.

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It was moved by Councillor Black, seconded by Councillor Wilson, that Council approve that the Town engage R. S. Webb Electrical to complete electrical conduit repairs for the aerators at the Sussex lagoon for an amount of \$3,822.14. Motion carried.

It was moved by Councillor Black, seconded by Councillor Wright, that Council approve the final cost of \$391,028.55 which includes a contingency item of \$3,351.60 for Contract 50-002-06, Asphalt Pavement, as completed by Brown's Paving Ltd. Motion carried.

It was moved by Councillor Black, seconded by Councillor Bradley, that Council approve an extension of time to May 31, 2007, for E. J. Cunningham Ltd. to complete the projects under Contract 50-003-06, General Public Works. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the report of the Protective Services Committee Meeting, dated November 15, 2006, be received as circulated. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council purchase a thermal imaging camera from Acklands-Grainger Inc. for an amount of \$10,944.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Administration Committee Meeting, dated November 16, 2006, be received as circulated. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve the 2007 operating budget of the Kings County Region Solid Waste Commission. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve the revised Travel and Meal Allowance Policy, Policy # P-2, dated November 20, 2006, as circulated. Motion carried.

It was Councillor Wilson, seconded Councillor Fulton, that Council authorize:

- the Town Treasurer to transfer the 2006 budgeted amount from the General Capital Reserve Fund to the General Fund in the amount of \$18,400.00;
- the Town Treasurer to apply any 2006 General Fund or Utility Fund surplus to the capital projects in each fund;
- the Town Treasurer to use the proceeds of the sale of capital assets to pay for the acquisition of capital assets or transfer the proceeds to the Capital Reserve Fund;
- the Town Treasurer to transfer the 2006 budgeted amount from the Utility Operating Fund to the Utility Capital Reserve Fund in the amount of \$9,000.00; and
- the Town Treasurer to transfer \$100,000.00 from the General Capital Reserve Fund to the General Fund to be used to fund the 2006 capital purchase.

Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council authorize the Town Treasurer to transfer \$51,130.00 representing the second installment of the Gas Tax Transfer received from the Province of New Brunswick from the Utility Operating Fund to the Utility Capital Reserve Fund to be used when required to fund the completion of the projects as outlined in the Town application for the Gas Tax Transfer. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve the bid from Aon Reed Stenhouse Inc. as the lowest bidder on the Town's Insurance Quotation that closed on November 21, 2006, for an amount of \$75,614.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve for payment the accounts for the month of October, 2006, in the amount of \$605,823.93. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Bradley, that Council have first reading by title of A By-Law To Amend A By-Law Respecting The Establishment Of The Sussex Fire Department And The Prevention And Extinguishment Of Fires, By-Law # 350-05-01. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Bradley, seconded by Councillor Black, that Council have second reading by title of A By-Law To Amend A By-Law Respecting The Establishment Of The Sussex Fire Department And The Prevention And Extinguishment Of Fires, By-Law # 350-05-01. Motion carried. The Town Clerk then read the by-law for the second time by title.

Deputy Mayor Thorne and Councillor Wright noted that they were both encouraged and happy to see that five candidates have put their names forward in the running for the vacant Council seat. The Council wished all the candidates best of luck in the upcoming election.

Councillor Fulton noted that he has been an advocate of the Town's trail system and hoped that the Council would continue to support and reforest the trail system. Councillor Fulton noted that the recent weather has exposed the roots of the trees that are susceptible to the wet areas of the trail. Councillor Fulton would like to see the public come forward with ideas for the improvement and sustainability of the Town's trail system.

His Worship Mayor Carr noted that during his recent illness he had an opportunity to view some programming regarding Municipal workers being injured or killed in underground excavation work and noted that he was very pleased that the Town had purchased a trenching box for underground excavation work and encouraged the

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employees to work safely and follow all the guidelines of the Worker's Health and Safety Act.

It was moved by Councillor Wright, seconded by Councillor Bradley, that this regular meeting of the Town Council of the Town of Sussex adjourn. Motion carried.

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MAYOR

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TOWN CLERK