

19th

February, 2007

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 19<sup>th</sup> day of February, 2007, 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, Black, Bradley, Wright and Campbell. 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 Black, seconded by Councillor Bradley, that the agenda for this regular Town Council meeting be approved. Motion carried.

No members present declared a conflict of interest on any items on the agenda at this time.

It was moved by Councillor Wright, seconded by Councillor Black, that the minutes of the regular meeting of the Town Council of the Town of Sussex, held on January 22, 2007, be approved as circulated. Motion carried.

Present at the Council meeting was the recipients of the Town of Sussex Youth Citizenship Award. This award is given by the Town of Sussex in recognition of an outstanding contribution to the quality of life in the Sussex region.

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Youth Citizenship Awards for 2007 were presented to Brennan Caines, Jordan DeWinter, Ciaran McCarthy, Ellen Watters and members of the musical group Passedge whose members include: Michael John Armitage, Cullen Cunningham, Ryan Evans, Daniel Hogan and Andrew Tremblett. His Worship Mayor Carr and members of Council thanked the recipients for there contributions to Sussex and area.

A letter was received from Wal-Mart Canada Corp. thanking the Town of Sussex staff in assisting Wal-Mart with their new store in Sussex.

It was moved by Councillor Wright, seconded by Councillor Fulton, that the letter from Wal-Mart Canada Corp. be filed. Motion carried.

A letter was received from the Premier's Council on the Status of Disabled Persons requesting that the Town complete a questionnaire which is available on their website.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that the letter from the Premier's Council on the Status of Disabled Persons be filed and that a copy of the letter be forwarded to the Recreation Department so that it can be placed on the Town's website. Motion carried.

A letter was received from the Lieutenant Governor of New Brunswick informing the Town of the 2007 Order of New Brunswick campaign.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that the Council post a copy of the information regarding the 2007 Order of New Brunswick campaign on the Town's bulletin board and that a copy be placed on the Town's website. Motion carried.

A letter was received from Kevin Walsh suggesting a possible slogan or mural for the Town of Sussex.

It was moved by Councillor Wright, seconded by Councillor Bradley, that His Worship Mayor Carr send a letter of thanks to Mr. Walsh for his submission. Motion carried.

A letter was received from the Fundy Model Forest expressing their thanks for the Town's support for the Forest Communities Program proposal.

It was moved by Councillor Wright, seconded by Councillor Bradley, that the letter from the Fundy Model Forest be filed. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the Fire Report for the month of January, 2007, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 28 calls with 10 calls originating within the Town of Sussex and 18 out of Town calls.

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It was moved by Councillor Black, seconded by Councillor Bradley, that the Building Inspector's report for the month of January, 2007, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued one permit for new construction for a value of \$150,000.00 and four permits for renovations, repairs, alterations and additions for a value of \$68,700.00.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the Development Officer's report for the month of January, 2007, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved three building location surveys, one amending subdivision plan and one subdivision plan.

His Worship Mayor Carr noted that there were no meetings of the Planning Advisory Committee held during the month of February, 2007.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the report of the Human Services Committee Meeting dated February 12, 2007, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve the Swimming Pool or "Summer Fun" Day Camp Program Refund Policy # RD-19. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve an expenditure of up to \$4,958.00 for a computer upgrade for the Sussex Regional Library. 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 February 12, 2007, be received as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Bradley, that Council approve that the Town of Sussex create a Local Historic Place Register as a means of participating in the Historic Places Initiative with the objective being to identify, document and designate and list historic places of local significance within the Town of Sussex. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Black, that Council approve that Virtual Planning Inc. be appointed with the task of identifying and documenting sites within the Town of Sussex and that a representative from Sussex Town Council, Local Preservation Review Board and the Downtown Business Association assist Virtual Planning Inc. in identifying sites and recommending them to Sussex Town Council for inclusion on the Town's Local Historic Place Register. Motion carried.

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It was moved by Councillor Fulton, seconded by Councillor Campbell, that Council approve that Michael Cummings, Chief Administrative Officer, to attend the Tourism Seminar in Saint John. Motion carried.

It was moved by Councillor Black, seconded by Councillor Campbell, that the report of the Works Committee Meeting dated February 13, 2007, be received as circulated. Motion carried.

It was moved by Councillor Black, seconded by Councillor Wilson, that Council approve the Works Department Standard Charges Policy # WD-1. Motion carried.

It was moved by Councillor Black, seconded by Councillor Wilson, that Council approve that the Building Inspector attend the 2007 Annual General Meeting for the New Brunswick Building Officials Association scheduled for April 17 to April 20, 2007, in Moncton. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wright, that the report of the Protective Services Committee Meeting, dated February 14, 2007, be received as circulated. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that Council approve an amendment to Schedule "A" of the Animal Control Agreement that reflects the 2007 insurance costs for the Animal Control Officer. Motion carried.

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It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that Council approve the Water Rescue Equipment Policy # F-4. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council approve that three members of the Sussex Volunteer Fire Department be allowed to attend the Level I Firefighter's course and that 12 members of the Department be allowed to attend the Level II Firefighter's course. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that the report of the Administration Committee Meeting, dated February 15, 2007, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council accept the proposal from Atlantic Underground Services Ltd. to complete the maintenance of the reservoir for a cost of \$4,845.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright, that Council approve that the proprietor of Broadway Café may place a café deck on the right-of-way of Broad Street from the time period of May 1, 2007, to October 1, 2007. Motion carried.

Deputy Mayor Thorne 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.

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It was moved by Councillor Wilson, seconded by Councillor Black, that Council set a Council meeting for Tuesday, March 13, 2007, at 6:00pm for the public presentation by the proponent for the Municipal Plan By-Law Amendment By-Law # 704-04-05 for the property at 60 Summit Avenue having P.I.D. # 267849. Motion carried.

Deputy Mayor Thorne returned to the Council Chambers from his conflict of interest.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that two members of Council may attend the U.M.N.B. meeting in Fredericton on March 16, 2007. Motion carried.

His Worship Mayor Carr declared a conflict of interest on the next item and vacated the Council Chambers for any discussion or decision on the item. Deputy Mayor Thorne chaired the meeting for this item.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council accept the Municipal Service Easement for storm drainage that is located on a portion of the property at 67 and 71 Brookview Crescent and that the Deputy Mayor and Town Clerk sign the legal documents for the aforesaid mentioned Municipal Service Easement. Motion carried.

His Worship Mayor Carr returned to the Council Chambers from his conflict of interest and assumed the Chair of the meeting.



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

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve the following terms and conditions for Zoning By-Law Amendment By-Law # 1350-04-06 for the property at 448 Main Street having P.I.D. # 30242754:

- 1) that the Gift Home Decorating Boutique retail store use be limited to the ground floor area of this dwelling;
- 2) that the dwelling use be limited to the second floor of this dwelling;
- 3) that no trade and/or other goods other than those required directly for the purposes of the Gift Home Decorating Boutique retail store be stored on site;
- 4) that no equipment or material used therein is stored other than in the dwelling unit area mentioned in conditions (1) and (2);
- 5) that three (3) off-street parking spaces be provided; and
- 6) that the signage identifying the business be limited to one (1) non illuminated sign attached to the structure having a square area not exceeding 0.25 square metres.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council set a Council meeting for Monday, March 26, 2007, at 6:00pm to hear objections to Zoning By-Law Amendment By-Law # 1350-04-06 for the property at 448 Main Street having P.I.D. # 30242754. Motion carried.

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It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that Council add a seventh term and condition to the proposed Zoning By-Law Amendment By-Law # 1350-04-06 that states:

- 7) that the residential facial exterior of the building remain as it presently is and not be altered.

Motion carried.

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

It was moved by Councillor Wilson, seconded by Councillor Black, that Council set a Council meeting for Tuesday, March 13, 2007, at 6:00pm for the public presentation by the proponent for the Municipal Plan By-Law Amendment By-Law # 704-04-04 for the property at 55/57 Summit Avenue having P.I.D. # 267906. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve that Jason Adair be a regular employee in the classification of Labourer under the CUPE Collective Agreement as of February 7, 2007. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council set a Council meeting for Tuesday, March 13, 2007, at 6:00pm for the proponents to present the Municipal Plan Amendment By-Law # 704-04-06 for the property at 201 Main Street having P.I.D. # 30243067. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council accept the proposal from Kevin Sullivan for rental space at the Sussex Tourist Information and Interpretive Centre subject to a rental agreement between the Town and Mr. Sullivan. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that His Worship Mayor Carr and the Chief Administrative Hospital, Michael Cummings, be authorized to attend the FCM annual meeting in Calgary, Alberta, from June 1 to June 4, 2007. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve for payment the accounts for the month of January, 2007, in the amount of \$233,078.48. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Bradley, that Council have first reading by title of By-Law # 940-07-01, A By-Law to Amend Schedule "B" and Schedule "C" of Recreational and/or Sports Facilities Fees and Recreational and/or Sports Program Fees By-Law, By-Law # 940-03. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Black, seconded by Councillor Bradley, that Council have second reading by title of By-Law # 940-07-01, A By-Law to Amend Schedule "B" and Schedule "C" of Recreational and/or Sports Facilities Fees and Recreational and/or Sports Program Fees By-Law, By-Law # 940-03. 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 first reading by title of By-Law # 1051-07, A By-Law to Regulate Traffic in the Town of Sussex. Motion carried. The Town Clerk then read the by-law for the first time by title.

Deputy Mayor Thorne brought to the attention of Council that the Provincial Legislative Assembly had recently been presented with a bill to give tax credits to volunteer emergency workers. The Legislature did not pass the proposed bill.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council authorize the Mayor to send a letter urging the Provincial Government to reconsider the legislation for the tax credits for volunteer emergency workers and that the letter express the Town of Sussex support for this legislation. Motion carried.

Councillor Campbell noted that he was pleased to see the positive nature of the Council meeting and the positive material that was presented to Council.

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Councillor Fulton noted that the property that the Transfer Station is located on has a pile of scrap metal to the north side of the facility. Councillor Fulton would like to see the Town request that the Commission put a solid fence to screen the Transfer Station yard that holds the material. The Committee agreed that the Town's representative on the Solid Waste Commission bring this item forward at their next meeting.

Councillor Black noted that the Works Department has recently had some problems clearing the streets due to the cold weather. The Works Department normally puts down a layer of salt before they plow which allows the plows to clear the streets down to the bare pavement, however, in the cold weather the salt will not melt the ice properly and therefore the roughness will stay on the streets until the weather warms up. Councillor Black also noted that periodically the Works Department equipment breaks down and that it takes longer for the Works Department to clear the streets until the equipment is repaired.

His Worship Mayor Carr noted that Explore Magazine, Canada's outdoor magazine, has listed the Town of Sussex as one of the ten best outdoor communities in Canada. His Worship noted that it is nice to get national recognition for the Town of Sussex.

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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