

19th

March, 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 19th day of March, 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 Black, Fulton, Bradley, Wright, Campbell and Wilson. 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 Wilson, seconded by Councillor Fulton, 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 Black, seconded by Councillor Wright, that the minutes of the regular meeting of the Town Council of the Town of Sussex, held on February 19, 2007, be approved as circulated. Motion carried.

19th

March, 2007

A letter was received from the N.B. Antique Auto Club Inc. Flea Market Committee extending their appreciation to the Town of Sussex for its ongoing support of their annual Flea Market. It was moved by Councillor Wilson, seconded by Councillor Black, that the letter from the N.B. Antique Auto Club Inc. Flea Market Committee be filed. Motion carried.

A letter was received from Sussex Safe Kids Canada informing the Council that the 2007 campaign is focusing on prevention of drowning. The organization will be having an awareness campaign in O'Connell Park on June 2nd from 11am-1pm. It was moved by Councillor Black, seconded by Councillor Campbell, that the letter from Sussex Safe Kids Canada be filed. Motion carried.

A letter was received from the Combat Training Centre Gagetown informing the Council that they will be conducting training in and around Sussex, Sussex Corner from July 30 to August 3, 2007. It was moved by Councillor Wilson, seconded by Councillor Campbell, that the letter from the Combat Training Centre Gagetown be filed. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Black, that the Fire Report for the month of February, 2007, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 18 calls with 12 calls originating within the Town of Sussex and 6 out of Town calls.

19th

March, 2007

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the Building Inspector's report for the month of February, 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 \$3,400,000.00 and six permits for renovations, repairs, alterations and additions for a value of \$75,200.00.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the Development Officer's report for the month of February, 2007, be received as circulated. Motion carried. The report indicated that during the month there were numerous enquiries relating to zoning and subdivision regulations, however, there were no plans or instruments submitted for approval.

His Worship Mayor Carr noted that the Planning Advisory Committee did not meet for their regular monthly meeting in March.

It was moved by Councillor Bradley, seconded by Councillor Fulton, that Council have a reading in its entirety 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 by-law was then read in its entirety.

19th

March, 2007

It was moved by Councillor Fulton, seconded by Councillor Wilson, that Council have third 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 third time by title and His Worship Mayor Carr then declared the by-law duly enacted.

It was moved by Councillor Wright, seconded by Councillor Black, that Council have second 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 second time by title.

His Worship Mayor Carr noted that there is a special Council Meeting scheduled for Monday, March 26, 2007, at 6:00pm to hear objections to the proposed rezoning request at 448 Main Street.

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

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne, that Council accept the bid of \$7,843.20 from Osburn's Bloomin Baskets for 86 flower baskets for Quotation T-01-07. Motion carried.

19th

March, 2007

It was moved by Councillor Bradley, seconded by Councillor Wright, that Council accept the bid from Industrial Commercial Sanitation Supplies in its entirety for Quotation T-02-07, Cleaning Supplies. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council accept the bids from: Kent Building Supplies for Items 1 through 8; Sussex Home Building Centre for Item 9; and Moffett's Hardware for Item 10 on Quotation T-03-07, Paint. Motion carried.

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne, that Council approve a donation of one set of swim lessons at the Kiwanis Pool in O'Connell Park for Sussex Safe Kids Promotion Program. Motion carried.

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

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

19th

March, 2007

It was moved by Deputy Mayor Thorne, seconded by Councillor Campbell, that Council approve the following 2007 Antique Tractor parade route to be held on May 19, 2007, at 10:00am:

- commencing in the parking lot of the 8th Hussars Sports Centre;
- thence from the parking lot of the 8th Hussars Sports Centre to Leonard Drive;
- thence along Leonard Drive from the entrance of the 8th Hussars Sports Centre to Main Street;
- thence along Main Street from Leonard Drive to Queen Street;
- thence along Queen Street from Main Street to Broad Street;
- thence along Broad Street from Queen Street to Main Street;
- thence along Main Street from Broad Street to Leonard Drive;
- thence along Leonard Drive to the 8th Hussars Sports Centre entrance; and
- thence along the driveway from the entrance of the 8th Hussars Sports Centre to the 8th Hussars Sports Centre parking lot.

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

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council authorize the Mayor and Town Clerk to sign the 2006 Letter of Engagement for the external Auditor, Allan Eisner of Accounting & Management Group. Motion carried.

19th

March, 2007

The Administration Chairperson noted that Allan Eisner, C.G.A., of Accounting & Management Group who was the Town's 2006 external Auditor presented the external audit of the General and Utility Funds to the Administration Committee. The audit indicates that the 2006 General Fund had an expenditure of \$4,841,718.00 and a revenue of 4,842,272.00 which resulted in a surplus of \$554.00 and that the Utility Fund had an expenditure of \$1,363,379.00 and a revenue of \$1,364,279.00 which resulted in a surplus of \$900.00. In 2006 the audit indicated that the value of capital work completed and equipment purchased in the General Fund was \$1,816,954.00 and the value of capital work completed and equipment purchased in the Utility Fund was \$680,721.00.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council accept the 2006 external audit of the General and Utility Funds as presented by the external Auditor, Allan Eisner of Accounting & Management Group. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve the Train Station space agreement between the Town of Sussex and Kevin Sullivan and that the Mayor and Town Clerk be authorized to sign the aforesaid agreement on behalf of the Town. Motion carried.

19th

March, 2007

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council accept the Letter of Offer from the Department of Wellness, Culture and Sports of New Brunswick and that the Mayor and Town Clerk be authorized to sign the Letter of Offer on behalf of the Town for the Local Historic Places Program. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve an expenditure of \$8,105.48 for equipment for the Lockout and Tag Program for Town owned facilities and equipment. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright, that Council approve the following terms and conditions for Zoning By-Law Amendment, By-Law # 1350-04-09:

1. Definitions

“retail store” means a building or part thereof where goods, wares, merchandise, substances, articles or things are kept for sale by retail directly to the public but not including an adult bookstore or adult video as defined in this term of reference;

“adult bookstore or adult video rental” includes an establishment or place for the purpose of retail trade or rental where 20% or more of the value of the total stock in trade in any such establishment or place is comprised of videos books, magazines or other periodicals relating to, or portrayed as relating to sexual activities;

1. Definitions (cont'd)

“office” means any building or part of a building in which one or more persons are employed in the management, directing, or conducting an agency or business; and

“screening” means anything which shelters, conceals or protects and includes a berm, hedge, row of trees, or fence.

2. The developer is required to have approved by the Town, prior to the issuing of a building permit, a landscape plan for this property. This plan is to provide a tree screen along the eastern, southern and a portion of the western boundary that is opposite the residential properties on Lansdowne Avenue; to provide a green space along the boundaries that do not have a tree screen and to provide a berm along the southern boundary of this lot upon which the trees will be planted. The trees are to be planted as a tree screen and are to be coniferous trees planted at two (2) metres centre and have a minimum height of twenty four hundred millimetres (2400 mm) above grade.
3. The driveway off Route 121 be used for a right in and right out driveway and that the driveway off Main Street be used for an entrance and exit for this property and that each driveway width be limited to ten (10) metres.
4. The illumination lights on this property be directed away from any adjacent properties.

Motion carried.

19th

March, 2007

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council resolve that the Town Clerk/Treasurer and Mayor be authorized to issue and sell to the Municipal Finance Corporation a Municipality of Sussex debenture in the principal amount of \$230,000.00 on such term and conditions as are recommended by the New Brunswick Municipal Finance Corporation and be it resolved that the Municipality of Sussex agree to issue post-dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve the amended Water Rescue Equipment Policy # F-4. 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.

It was moved by Councillor Wilson, seconded by Councillor Wright, that Council set a Council meeting for Wednesday, April 18, 2007, at 6:00pm in the Council Chambers of the Town Hall to hear objections to the following Municipal Plan and Zoning By-Law amendments:

- 201 Main Street

Municipal Plan By-Law Amendment

By-Law # 704-04-06

19th

March, 2007

- 201 Main Street
Zoning By-Law Amendment
By-Law # 1350-04-09
- 60 Summit Avenue
Municipal Plan By-Law Amendment
By-Law # 704-04-05
- 60 Summit Avenue
Zoning By-Law Amendment
By-Law # 1350-04-08
- 55/57 Summit Avenue
Municipal Plan By-Law Amendment
By-Law # 704-04-04
- 55/57 Summit Avenue
Zoning By-Law Amendment
By-Law # 1350-04-07

Motion carried.

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

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve that Two Hundred and Fifty Dollars (\$250.00) be drawn from the O'Connell Trust to assist in the Children's Program for Canada Day. Motion carried.

19th

March, 2007

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve the following remunerations for students in 2007:

POSITION	2007 WAGE
Administrative Assistant	8.00
Works Students	7.75
Engineering Assistant (University)	10.75
Engineering Assistant (College)	10.75
Tourist Information Assistant	7.75
Tourist Information Director	7.75
Program Coordinator	11.00
Lifeguard Supervisor	9.50
Lifeguard/Instructor	8.50
Parks Maintenance	7.75
Day Camp Monitors	8.00
Special Needs Monitor	7.25

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve that Jason Thorne, Recreation Director, may attend the N.B. True Sport Forum in Fredericton on March 21, 2007. Motion carried.

It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, that Council approve that Paul Maguire, Town Clerk/Treasurer, attend a Risk Management Seminar in Moncton on April 19, 2007. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve for payment accounts of the month of February, 2007 totaling \$342,906.21. Motion carried.

19th

March, 2007

Deputy Mayor Thorne addressed Council on an article that was recently published in the Telegraph Journal noting that the Penobsquis well for the proposed water system in Penobsquis would be in the 60 gallon per minute range. Deputy Mayor Thorne noted that a previous meeting with the representatives of the Department of Environment, they indicated that they would be looking for a regional water supply with an output of approximately 1,000 gallons per minute. The Council instructed the Administration to inquire of the Province regarding the status of regional water supply.

Councillor Campbell noted that there are students from the Sussex and area who have been recognized for their athletic endeavours at their Universities.

Councillor Fulton inquired of the Administration the time frame for bringing forward a plebiscite at a municipal election. The Administration was instructed to bring forward the requirements at the next Administration Committee meeting.

His Worship Mayor Carr informed Council that he will be having a knee operation on March 29, 2007. While Mayor Carr is recuperating from his operation, Deputy Mayor Thorne will be carrying out the duties of the Mayor during the Mayor's period of convalescence.

19th

March, 2007

It was moved by Councillor Black, seconded by Deputy Mayor Thorne, that this regular meeting of the Town Council of the Town of Sussex adjourn. Motion carried.

.....

MAYOR

.....

TOWN CLERK