

23rd April, 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 23<sup>rd</sup> day of April, 2007, at 7:00 o'clock in the evening.

The following members of the Council were present: Deputy Mayor Thorne, Councillors Black, Fulton, Bradley, Wright, Campbell and Wilson. His Worship Mayor Carr was absent. 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 Wilson, 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 Fulton, seconded by Councillor Wilson, that the minutes of the regular meeting of the Town Council of the Town of Sussex, held on March 19, 2007, be approved as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Black, that the minutes of the special meeting of the Town Council of the Town of Sussex, held on March 13, 2007, be approved as circulated. Motion carried.

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It was moved by Councillor Fulton, seconded by Councillor Black, that the minutes of the special meeting of the Town Council of the Town of Sussex, held on March 26, 2007, be approved as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the minutes of the special meeting of the Town Council of the Town of Sussex, held on March 28, 2007, be approved as circulated. Motion carried.

Present at the Council meeting were the members and coaches of the 2007 New Brunswick Mini Boys AAA Tier II Basketball Team. The Council presented Certificates of Achievement to the following members and coaches in recognition of their team capturing the Mini Boys AAA Tier II Provincial Age Class Championship: Brandon Moore; Broghan Ryan; Marcus Robinson; Brady Mallory; Jesse Monaghan; Thomas Lauridsen; Michael Tays; Ryan Palmer; John Robinson; Mitchell Folkins; Josiah Gosman; Brady Arsenault; and Coaches Jim Ryan, John Robinson and Jack Davidson.

Present at the Council meeting was Kimberley Maguire a member of the 2007 Canada Winter Games Archery Team. The Council presented Miss Maguire a Certificate of Achievement in recognition of being a member of the New Brunswick Archery Team.

Present at the Council meeting were the members, coaches and manager of the 2007 New Brunswick Mini Girls AAA Tier II Provincial Team. The Council presented Certificates of Achievement

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to the following members, coaches and manager in recognition of winning silver at the 2007 N.B. Mini Girls AAA Tier II Provincial Championship: Taneesha Dalling; Mary-Kate Phillips; Marika DeWinter; Dominique Armitage; Jennifer Parrisella; Jenna Miller; Jenna Reid; Brianna Waugh; Alison Murphy; Kayla Beson; Olivia Bradley; Amy Reid; Manager Nadia Parrisella; and Coaches Derm Murphy; and George Parrisella.

Present at the Council meeting were the members of the Sussex Atom A Rangers Hockey Team. The Council presented Certificates of Achievement to the following members, coaches and manager in recognition of winning the 2007 S.N.B.M.H.L. Day of Champions, Atom Division: Brodi Plaggenborg; Connor Fanjoy; Aaron Cummings; Marty McKenna; Kole Hayward; Morgan Cunningham; Madison Urquhart; Andrew Gass; Brodie Cunningham; Colton Burgess; Joshua Vincent; Ryan Dunfield; Cole Keith; Tyler Murphy; Matthew Candy; Ryan Carson; Marcus Smith; Coach John Dunfield; Assistant Coaches Jim Gass and Larry McKenna; and Manager David Fanjoy.

Present at the Council meeting were the members, coaches and trainer of the 2007 Sussex PeeWee Rangers Hockey Team. The Council presented Certificates of Achievement to the following members, coaches and trainer in recognition of winning the 2007 S.N.B.M.H.L. Day of Champions, PeeWee Division: Bradley Payne; Johnathan Vail; Zach Ricketson; Kaile Hayward; Morgan Johnston;

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Travis Gray; Katie Johnson; Christopher deWinter; Evan Irvine; Caleb MacCallum; Joel Mullin; Cole Hutton; Cullan Sprague; Tania Guptill Teagan Anderson; Bobby-Jo Norris; Coach John deWinter; Assistant Coaches Jim Ricketson, Newton Johnston and Justin Fullarton; and Trainer Bruce Hutton.

A letter was received from the Multiple Sclerosis Society of Canada notifying the Town that the month of May is Multiple Sclerosis Awareness Month in Canada.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that the letter from the Multiple Sclerosis Society of Canada be filed. Motion carried.

Councillor Black 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 the Kings East Development Partnership Inc. notifying the Town that the second phase of the Murals Project is underway.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the letter from the Kings East Development Partnership Inc. be filed. Motion carried.

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

A letter was received from Carolyn McCready regarding the subject of crosswalks and pedestrian safety in the Town of Sussex.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that the letter from Carolyn McCready be filed. Motion carried.

A letter was received from Jeff Doherty thanking members of the community for their help after he and seven other people were in a single vehicle accident on the highway between Fredericton and Moncton.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the letter from Jeff Doherty be filed. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the Fire Report for the month of March, 2007, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 13 calls with seven calls originating within the Town of Sussex and six out of Town calls.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the Building Inspector's report for the month of March, 2007, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued 10 permits for renovations, repairs, alterations and additions for a value of \$153,100.00.

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It was moved by Councillor Wright, seconded by Councillor Black, that the Development Officer's report for the month of March, 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.

It was moved by Councillor Black, seconded by Councillor Wilson, that the minutes of the Planning Advisory Committee Meeting held on March 21, 2007, be received as circulated. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the minutes of the Planning Advisory Committee Meeting held on April 11, 2007, be received as circulated. 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.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council have a reading in its entirety of Zoning By-Law Amendment, By-Law # 1350-04-06. Motion carried. The Town Clerk then read the by-law in its entirety.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council have third reading by title of Zoning By-Law Amendment, By-Law # 1350-04-06. Motion carried. The Town Clerk then read the by-law for the third time by title and the Deputy Mayor declared the by-law duly enacted.

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

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council have a reading in its entirety of By-Law # 1051-07, A By-Law to Regulate Traffic in the Town of Sussex. Motion carried. The by-law was then read in its entirety.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council have third 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 third time by title and the Deputy Mayor declared the by-law duly enacted.

Councillor Bradley and Councillor Black noted that they will not be voting on Items E, F, G, H, I and J on the agenda. These items are Municipal Plan By-Law Amendment, By-Law # 704-04-06 and Zoning By-Law Amendment, By-Law # 1350-04-09, since they were not present at the public presentation of the Municipal Plan By-Law Amendment, By-Law # 704-04-06.

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It was moved by Councillor Wilson, seconded by Councillor Wright, that Council have first reading by title of Municipal Plan By-Law Amendment, By-Law # 704-04-06. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council have second reading by title of Municipal Plan By-Law Amendment, By-Law # 704-04-06. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council refer to the Planning Advisory Committee Municipal Plan By-Law Amendment, By-Law # 704-04-06, for their review and comment. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council have first reading by title of Zoning By-Law Amendment, By-Law # 1350-04-09. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Wilson, seconded by Councillor Wright, that Council have second reading by title of Zoning By-Law Amendment, By-Law # 1350-04-09. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council refer to the Planning Advisory Committee Zoning By-Law Amendment, By-Law # 1350-04-09, for their review and comment. Motion carried.



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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council have first reading by title of Municipal Plan By-Law Amendment, By-Law # 704-04-04. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council have second reading by title of Municipal Plan By-Law Amendment, By-Law # 704-04-04. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council refer to the Planning Advisory Committee Municipal Plan By-Law Amendment, By-Law # 704-04-04, for their review and comment. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that Council have first reading by title of Zoning By-Law Amendment, By-Law # 1350-04-07. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council have second reading by title of Zoning By-Law Amendment, By-Law # 1350-04-07. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council refer to the Planning Advisory Committee Zoning By-Law Amendment, By-Law # 1350-04-07, for their review and comment. Motion carried.

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Deputy Mayor Thorne declared a conflict of interest on Items Q, R, S, T, U and V on the agenda. These items are Municipal Plan By-Law Amendment, By-Law # 704-04-05 and Zoning By-Law Amendment, By-Law # 1350-04-08. Deputy Mayor Thorne vacated the Council Chambers for any discussion or decision on the items and Councillor Wilson Chaired the meeting in his absence.

It was moved by Councillor Black, seconded by Councillor Fulton, that Council have first reading by title of Municipal Plan By-Law Amendment, By-Law # 704-04-05. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Wright, seconded by Councillor Black, that Council have second reading by title of Municipal Plan By-Law Amendment, By-Law # 704-04-05. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Bradley, seconded by Councillor Fulton, the Council refer to the Planning Advisory Committee Municipal Plan By-Law Amendment, By-Law # 704-04-05, for their review and comment. Motion carried.

It was moved by Councillor Black, seconded by Councillor Fulton, that Council have first reading by title of Zoning By-Law Amendment, By-Law # 1350-04-08. Motion carried. The Town Clerk then read the by-law for the first time by title.

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It was moved by Councillor Fulton, seconded by Councillor Bradley, that Council have second reading by title of Zoning By-Law Amendment, By-Law # 1350-04-08. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Black, seconded by Councillor Wright, the Council refer to the Planning Advisory Committee Zoning By-Law Amendment, By-Law # 1350-04-08, for their review and comment. Motion carried.

Deputy Mayor Thorne returned to the Council Chambers from his conflict of interest and assumed the Chair of the meeting.

It was moved by Councillor Bradley, seconded by Councillor Black, that the report of the Human Services Committee Meeting dated April 16, 2007, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wright, that Council approve a refund of \$436.00 to the Minor Hockey Association for ice time not used due to a snow storm. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve that the Sussex Skating Club be permitted to use the parking lot at O'Connell Park for fundraising during the Flea Market and Balloon Fiesta events. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Black, that Council approve that the Recreation Department may conduct a Ball Hockey Program at the 8<sup>th</sup> Hussars Sports Centre. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve that two persons per session be donated to the Jumpstart Program to attend lessons in the Town's Red Cross Swim Program at the Kiwanis Pool in O'Connell Park. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve, in principle, to give permission to the Computer Access Centre to operate in the Golden Jubilee Hall in exchange for personnel services. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve that the Recreation Director attend the 2007 Maritime Recreation Facilities Conference to be held in Moncton, N.B., on June 6-8, 2007. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve that the Recreation Department may tender the following surplus equipment: wooden play structure; 16 staging sections; 19 panels of arena glass; water cooler; and obsolete electronics. Motion carried.

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It was moved by Councillor Fulton, seconded by Councillor Wilson, that the report of the Economic Development and Long Range Planning Committee Meeting dated April 16, 2007, be received as circulated. Motion carried.

It was moved by Councillor Black, seconded by Councillor Wilson, that the report of the Works Committee Meeting dated April 17, 2007, be received as circulated. Motion carried.

It was moved by Councillor Black, seconded by Councillor Bradley, that Council accept the quotation from the following companies for water and wastewater materials: Items # 1 through 19 from Wolseley Canada Inc.; Items # 20 through 25 from Eddy Group; and Items # 26 through 27 from McLennan Sales. Motion carried.

It was moved by Councillor Black, seconded by Councillor Wilson, that Council approve the disposal of U-6, a 3" Monarch trash pump; G-34, a homemade 4X6' utility trailer; 14 Christmas fixtures purchased in 1992; and 12 Christmas fixtures purchased in 1993. Motion carried.

It was moved by Councillor Black, seconded by Councillor Fulton, that Council approve the disposal of the following items through a Surplus Materials Tender:

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- a plate tamper which is not in operating condition;
- a Bolens tractor which was used by the Recreation Department for ball field maintenance and the only value in this machine now is for spare parts;
- a Yazoo self-propelled walk-behind lawn mower which is not in operating condition and there is little value except for parts;
- playground equipment which blew down in windy weather, was damaged and is in pieces;
- traffic light heads and pedestrian heads which were replaced when the traffic lights were upgraded to LED luminaries in 2006. These have very little actual value as all municipalities are changing to LED luminaries. Saint John indicated that they would come up to take them off our hands but would not buy them. We will first contact other municipalities to see if any would be interested; and
- traction chains for the former grader and trucks.

Motion carried.

It was moved by Councillor Black, seconded by Councillor Wilson, that Council approve that the Town engage ADI Limited to complete a Traffic Count Survey and summary for an amount of \$5,942.00. Motion carried.

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It was moved by Councillor Black, seconded by Councillor Wilson, that Council approve that the Chief Administrative Officer, Michael Cummings, attend a Sustainable Storm Water Management Conference to be held in Moncton, N.B., on May 10, 2007. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Protective Services Committee Meeting, dated April 17, 2007, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council accept the resignation of Volunteer Firefighter Gerald Chown as of April 2, 2007. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Administration Committee Meeting, dated April 18, 2007, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve Five Hundred Dollars (\$500.00) be drawn from the N.B. Ranger's Trust Agreement of the N.B. for a scholarship to be awarded to a 2007 Sussex High School graduate who is entering into a regular Community College program. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that the Town Clerk/Treasurer remove miscellaneous park items which include a wooden slide, steel slide, exercise bar, teeter-totters and swing that were disposed of when new equipment was placed in Malone and Sunnyside Parks from the capital asset list at the original cost of \$7,700.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve that the Town engage the Maricor Group to complete a Capital Assessment Plan for the 8<sup>th</sup> Hussars Sports Centre for an amount of \$3,147.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve that the Town acquire an Enhanced Membership Fee for the Covered Bridge Visitor Information Centre for an amount of \$1,710.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve the following 2007 Utility Capital Improvement Program:

I. EXPENDITURES

A. WATER NETWORK IMPROVEMENTS \$ 347,300.

Water Source Alternative  
Back Flow/Cross Connection Prevention Program  
Queen Street (Pine St. to Street end)  
Fowler Avenue (Elliott Dr. to Creek Lane)

B. SANITARY SEWER IMPROVEMENTS \$ 100,900.

Queen Street ((Pine St. to Street end)



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I.	EXPENDITURES (cont'd)	
	C.	STRUCTURE IMPROVEMENT
		\$ 613,000.
		Lagoon Upgrade
	D.	EQUIPMENT IMPROVEMENT
		\$ 115,000.
		Backhoe Loader – Diesel
	GRAND TOTAL	<u>\$1,176,200.</u>

## II. REVENUE

OPERATING FUND	10,139.
PRINCIPAL PAYMENT PROGRAM	144,600.
UTILITY CAPITAL RESERVE FUND	51,130.
INFRASTRUCTURE FUND	408,200.
LONG TERM BORROWING	511,000.
GAS TAX REVENUE	51,131.
TOTAL REVENUE	\$1,176,200.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that Paul Maguire, Town Clerk/Treasurer attend the A.M.A.N.B. Conference in Edmundston from June 6-8, 2007. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council adopt the Employee Discipline Policy, Policy # P-7. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve the 2007 General Capital Improvement Program which includes the following expenditures:

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STORM DRAINAGE IMPROVEMENT \$145,400.00

- Magnolia Avenue
- St. George Street

ASPHALT PAVING PROGRAM \$500,400.00

- Castlewood Close
- Bryant Drive
- Canterbury Close
- Peter Street (Winter St. to Church Ave.)
- Maxwell Drive (Pine St. to Sunshine Gardens)

CONCRETE CURB AND GUTTER  
& CONCRETE SIDEWALK \$253,900.00

- Bryant Drive
- Canterbury Close
- Magnolia Avenue (Leo Ave. to Church Ave.)

BUSINESS IMPROVEMENT PROGRAM \$ 40,000.00

PLAYGROUND AND PARK IMPROVEMENT \$ 51,000.00

- Pathway Development
- Equipment Replacement Program
- Tree Program
- Princess Louise Park
- O'Connell Park
- Barbour's Park
- Wards Creek
- Trout Creek
- Parson's Brook

STRUCTURE & SIGNAGE IMPROVEMENT \$563,000.00

- 8<sup>th</sup> Hussars Sports Centre
- Dominion Building/Town Hall
- Public Works Garage
- Sussex Museum and Gallery
- Proposed Pool

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EQUIPMENT IMPROVEMENT PROGRAM      \$ 123,300.00

- Welder
- 1993 Chev. Truck Replacement
- BAS Software – Sports Centre
- Administration Services
- Computer Equipment Upgrades and Programs
- Office Equipment Replacement

TOTAL EXPENDITURES                              \$1,677,000.00

The following is the funding for the 2007 General Capital

Improvement Program:

PRINCIPAL PAYDOWN PROGRAM	\$ 357,700.00
GENERAL OPERATING FUND	\$ 58,900.00
GENERAL CAPITAL RESERVE FUND	\$ 100,000.00
DEVELOPMENT AGREEMENT	\$ 196,700.00
LONG TERM BORROWING	<u>\$ 963,700.00</u>
 TOTAL FUNDING	 <u>\$1,677,000.00</u>

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the Municipality of Sussex submit to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the following term and amount:

<u>PURPOSE</u>	<u>AMOUNT</u>	<u>TERM</u>
<u>Recreation Services</u>		
Replacement of Sports Centre Roof	\$300,000	10 Years
<u>Water &amp; Sewerage Utility</u>		
Water Network Improvements	\$250,000	10 Years
Sanitary Sewer Network Improvement	\$261,000	10 Years

Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council engage the Consulting Firms of A.D.I. Limited, Crandall Engineering and The Maricor Group to provide engineering and project managers for the approved capital work in the General and Utility Fund.

It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve for payment accounts of the month of March, 2007, totaling \$462,792.75. Motion carried.

Councillor Black noted that the RCMP Policing Services have recently reinstated the 24 hour policing coverage in the community and the profile of policing in the community has benefited due to personnel changes and the reinstatement of the 24 hour coverage.

Deputy Mayor Thorne brought forward the proper flag protocol for the flying of flags at half mast on public buildings. The Deputy Mayor noted that the Town follows the Provincial protocol; however, there appears to be some confusion when the flags on a public building are to be flown at half mast. The Deputy Mayor suggested that the Town send correspondence to the Minister responsible to encourage the Province to review their protocols for flying flags at half mast for serving military personnel, also a method to provide this information to government facilities and municipalities so that the policy is uniform across the Province.

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

.....  
DEPUTY MAYOR

.....  
TOWN CLERK