

27th

August, 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 27th day of August, 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 Bradley, Fulton, Wright, Campbell and Wilson. Councillor Black 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 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 Fulton, seconded by Councillor Wilson, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on July 16, 2007, be approved as circulated. Motion carried.

A letter was received from Anita Hallyburton suggesting that when the Kiwanis Pool is decommissioned that the land be used to establish a dog park.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the letter from Anita Hallyburton be referred to the Human Services Committee. Motion carried.

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A letter was received from Lieutenant-Colonel M. A. Nixon expressing the National Defence Armour School gratitude towards the citizens and the Town of Sussex for making their recent training exercise in the Town of Sussex and area a resounding success.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the letter from Lieutenant-Colonel Nixon be filed.

Motion carried.

A letter was received from the Minister of Transportation, Denis Landry, informing the Town that funding is available for pursuing a rural to urban commuter service.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the letter from the Minister of Transportation be referred to the Administration Committee. Motion carried.

Present at the Council meeting were Jack Smith and Lynn Tays, members of the Sussex Farmer's Market Board. Mr. Smith made a presentation to Council thanking the Town for their efforts in helping the Farmer's Market get established and providing the funding for the marketing study for the market. Mr. Smith updated the Council on the market's activities to date and reviewed the organizational structure of the market. Members of the Council thanked Mr. Smith and the Board of the Sussex Farmer's Market for their hard work and congratulated them on the success of the market to date.

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It was moved by Councillor Bradley, seconded by Councillor Wright, that the Fire Report for the month of July, 2007, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 17 calls with seven calls originating within the Town of Sussex and ten out of Town calls.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the Building Inspector's report for the month of July, 2007, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued 25 permits for renovations, repairs, alterations and additions for a value of \$1,023,900.00 and two permits for demolition for a value of \$12,000.00.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the Development Officer's report for the month of July, 2007, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved six Building Location Surveys and one Tentative Amending Subdivision Plan.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that the minutes of the Planning Advisory Committee Meeting held on August 8, 2007, be received as circulated. Motion carried.

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It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, that Council have first reading by title of Zoning By-Law Amendment, By-Law # 1350-04-10. 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 Bradley, that Council have second reading by title of Zoning By-Law Amendment, By-Law # 1350-04-10. 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 Wilson, that Council refer to the Planning Advisory Committee for their review and comment on Zoning By-Law Amendment, By-Law # 1350-04-10. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the report of the Human Services Committee Meeting dated August 20, 2007, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council approve the following for the 22nd Annual Atlantic International Balloon Fiesta:

- ◆ to hold the 22nd Annual Atlantic International Balloon Fiesta in Princess Louise Park from September 7-9, 2007, inclusive;
- ◆ to utilize the 8th Hussars Sports Centre commencing on September 6, 2007, from 6:00pm to September 9, 2007, ending at 7:00pm;
- ◆ to utilize Princess Louise Park and the Golden Jubilee Hall from September 7-9, 2007, inclusive;

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- ◆ to conduct launches and landing of balloons to and from Princess Louise Park from September 7-9, 2007, inclusive;
- ◆ to permit tethering of hot air balloons in Princess Louise Park from September 7-9, 2007, inclusive;
- ◆ to permit the landing and taking off of helicopters from Princess Louise Park from September 7-9, 2007, inclusive;
- ◆ to hold a parade along Broad Street/Main Street/Leonard Drive from the Sussex Hotel property to Princess Louise Park commencing at 12:00 Noon on Saturday, September 8, 2007;
- ◆ to have midway rides in the parking lot adjacent the Sports Centre from September 7, 2007, to September 9, 2007, inclusive;
- ◆ to erect manned barricades at both ends of Perry Street during the event as a means of controlling traffic and providing an access emergency entrance as required by Transport Canada; and subject
- ◆ that all balloon launches, helicopter rides and other events shall be subject to all regulations and by-laws covering special launches by Provincial and Federal regulations regarding these various activities;

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- ◆ that the balloonists, helicopter pilots and participants shall be required to obtain and to adhere to all regulations provided for by Provincial and Federal regulations and that the owners of these balloons and helicopters carry their certificate of insurance and provide a copy of said insurance to the Atlantic International Balloon Fiesta Inc.;
- ◆ that midway rides adjacent to the Sports Centre provide proof of insurance and a Provincial certificate of operation for the different rides to the Atlantic International Balloon Fiesta Inc.;
- ◆ that the Atlantic International Balloon Fiesta Inc. shall carry Aviation Liability Insurance and provide to the Town of Sussex a copy of the Aviation Liability Insurance and a certificate of insurance that includes the Town of Sussex as a named insured;
- ◆ that a copy of the Atlantic International Balloon Fiesta Inc. certificate of insurance and Aviation Liability Insurance shall be provided to the Town's insurer;
- ◆ that the Town's Administration inform the Town's insurer that the Town has given permission to the Atlantic International Balloon Fiesta Inc. to have balloon launches and helicopter rides leave from and land into Princess Louise Park; and
- ◆ that the Atlantic International Balloon Fiesta Committee be made aware that Council may at anytime cancel their approval for launching balloons, having helicopter rides and skydiving leave from and land into Princess Louise Park. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve an expenditure of up to \$2,000.00 to support the 22nd Atlantic International Balloon Fiesta Breakfast.

Motion carried.

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne, that Council approve the Swimming Pool or Summer Fun Program Refund Policy, Policy # RD-19. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council approve that the Recreation Director may attend the Recreation New Brunswick Annual Fall Conference and Tradeshow on September 13th to 16th, 2007, in Fredericton. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the report of the Works Committee Meeting dated August 21, 2007, be received as circulated. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council accept the bid of \$34,701.60 from E. J. Cunningham Ltd. for Contract # 50-005-07, Flow Meter Installation. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Bradley, that Council accept the final expenditure of \$637,048.49, including contingencies for Contract # 50-003-06, General Public Works. Motion carried.

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It was moved by Councillor Wright, seconded by Councillor Campbell, that Council replace the sidewalk on Peter Street under the Asphalt Pavement Contract with Brown's Paving Ltd. for an amount of \$34,692.48. Motion carried.

Councillors Wilson and Wright 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 Deputy Mayor, seconded by Councillor Fulton, that Council accept the bid of \$5,367.23 from Sussex Home Building Centre for materials for the replacement of the Town Hall roof. Motion carried.

Councillors Wilson and Wright returned to the Council Chambers from their conflict of interest.

It was moved by Councillor Wright, seconded by Deputy Mayor Thorne, that Council accept the bid of \$3,579.60 from Valley Welding & Machine Works Ltd. for the required work for a steel carrying beam in the canteen area of the Sports Centre. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that the report of the Protective Services Committee Meeting, dated August 22, 2007, be received as circulated. Motion carried.

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It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council approve that Mike Lucas and Michael Ness be appointed as Volunteer Firefighters as of August 28, 2007, subject to the probationary period and training requirements of the Sussex Fire Department. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council accept the retirement of Fire Chief Norman Welsh effective September 6, 2007, and/or upon the appointment of a new Fire Chief. Motion carried.

Deputy Mayor Thorne noted that Chief Welsh has been a member of the Sussex Fire Department for 32 years and has served as Chief of the Sussex Fire Department for the last five years. The Council expressed their appreciation to Chief Welsh for his many years of service and wished him well in his retirement.

It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that Council approve that the 1986 Fire Pumper Truck be used in the annual workshop in Mirimachi on September 14 & 15, 2007. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Administration Committee Meeting, dated August 23, 2007, be received as circulated. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council authorize the Town Clerk/Treasurer to transfer \$52,510.51 representing the 2nd installment of the 2006 Gas Tax Revenue Transfer of \$51,130.00 plus interest of \$1,380.51 from the Utility Capital Reserve Fund to the Utility Fund to be applied against projects as outlined in the Town application for the Gas Tax Transfer Funding. Motion carried.

It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, that Council approve an agreement between the Town and Sussex and Area Senior's Centre Inc. to provide funding up to \$114,000.00 to finance the Jubilee Hall renovation project. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve that James A. Maker be hired as the Water and Sewer Foreman position with the Town of Sussex as of September 6, 2007, subject to the non-union probationary period and the successful completion of the Wastewater Operator Training Program at the 2007 annual salary for this position of \$45,508.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve, for payment, the accounts for the month of July, 2007, totaling \$744,455.31. Motion carried.

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Deputy Mayor Thorne commented on the letter from the National Defence Armour School and noted that the citizens and community at large made the exercise a success and that the Council was very proud of the patriotism shown by the community to the members of the Armed Forces.

Councillor Campbell thanked the summer students who worked for the Town during the summer and wished them the best in their academic studies in the Fall.

Councillor Fulton brought forward a suggestion that flood lights be installed at the N.B. Rangers monument which is located along the Town's walking trail in the 8th Hussars Sports Centre area. The Council referred this item to the Human Services Committee.

His Worship Mayor Carr noted that the date of the next regular Council meeting will be September 24, 2007.

It was moved by Councillor Wright, seconded by Councillor Campbell, 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