

17th

March, 2008

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 17th day of March, 2008, 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, Campbell, Wilson, Black and Fulton and Wright. 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 Wilson, 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: B) Malone Homestead Company Inc. rezoning request.

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 Black, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on February 18, 2008, be approved as circulated. Motion carried.

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A letter was received from the Community Wood Briquette Project which is a local community business project which would like local shareholders to invest in their business of making wood briquettes from compressing dry wood chips.

It was moved by Councillor Wilson, seconded by Councillor Black, that the letter from the Community Wood Briquette Project be filed. Motion carried.

A letter was received from John Malone on behalf of The Malone Homestead Company Inc. requesting a Rezoning and Municipal Plan change for property located at the end of Malone Crescent to be rezoned from Single Family Residential (“R1”) to Single and Two-Family Residential and up to and including Twenty-Four Family Residential (“R4”) with the intention to develop the land for townhouses.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that the letter from The Malone Homestead Company Inc. be accepted and referred to the Administration Committee. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Black, that the Fire Report for the month of February, 2008, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 13 calls with nine calls originating within the Town of Sussex and four out of Town calls.

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It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, that the Building Inspector's report for the month of February, 2008, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued three permits for renovations, repairs, alterations and additions for a value of \$46,000.00.

It was moved by Councillor Wright, seconded by Councillor Bradley, that the Development Officer's report for the month of February, 2008, be received as circulated. Motion carried. The report indicated that during the month the Development Officer received 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 hold their regular March, 2008, meeting since there were no items on the agenda.

It was moved by Councillor Wright, seconded by Councillor Fulton, that Council have a reading in its entirety of By-Law # 940-08-01, 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.

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It was moved by Councillor Wright, seconded by Councillor Fulton, that Council have third reading by title of By-Law # 940-08-01, 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 declared the by-law duly enacted.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the report of the Human Services Committee Meeting dated March 10, 2008, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Black, that Council purchase Items 1 through 8 from Kent Building Supplies and Items 9 through 10 from Moffett's Hardware for the purchase of paint under Quotation T-04-8. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council accept the bid from Industrial Commercial Sanitation Supplies in its entirety for cleaning supplies under Quotation 07-08. Motion carried.

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne, that Council accept the bid of \$7,968.76 from Osburn's Bloomin Baskets for flower baskets under Quotation T-02-08. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council accept the bid of \$616.87 from Emmerson Service Center for pool chemicals under Quotation T-06-08. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve the agreement for services for the National Championship Show between the 2008 Agility Association of Canada and the Town of Sussex and that the Mayor and Town Clerk sign the agreement on behalf of the Town. Motion carried.

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne, that Council approve a grant of \$20,000.00 for financing the Jubilee Hall renovations. Motion carried.

It was moved by Councillor Bradley, seconded Councillor Wilson, that Council approve that the Recreation Director may attend an information session titled "A View to the Future of Municipal Recreation" being held on Thursday, March 13, 2008, in Fredericton. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council recommend that the bid from Atlantic Gym and Sports for ball field equipment under Quotation T-09-08 be accepted with the exception of the bid for the line marker bags. Motion carried.

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It was moved by Councillor Fulton, seconded by Councillor Black, that the report of the Economic Development & Long Range Planning Committee dated March 10, 2008, be received as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Black, that Council approve a payment of \$8,192.50 to Virtual Planning Inc. for the development criteria of ten (10) local historic places. Motion carried.

It was moved by Councillor Black, seconded by Deputy Mayor Thorne, that the report of the Works Committee Meeting dated March 11, 2008, be received as circulated. Motion carried.

It was moved by Councillor Black, seconded by Councillor Fulton, that Council accept the bid from E. J. Cunningham Ltd. for equipment rental under Quotation T-03-08 in its entirety. Motion carried.

It was moved by Councillor Black, seconded by Deputy Mayor Thorne, that Council accept the bid from E. J. Cunningham Ltd. for pit run gravel and ¾" crushed gravel under Quotation T-05-08. Motion carried.

It was moved by Councillor Black, seconded by Councillor Fulton, that Council accept the bid from Plaggenborg's Ltd. for flusher and vacuum truck services and the bid from Atlantic Industrial Cleaners for the combination unit under Quotation T-08-08. Motion carried.

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It was moved by Councillor Black, seconded by Councillor Fulton, that Council approve the purchase of a new hydraulic pump and motor for the Trackless sidewalk machine from Saunder's Equipment for a cost of \$8,700.00. Motion carried.

It was moved by Councillor Black, seconded by Councillor Fulton, that Council approve that the Building Inspector attend the 2008 annual general meeting of The New Brunswick Building Officials Association in Saint John, N.B., between April 29 and May 2, 2008. Motion carried.

It was moved by Councillor Black, seconded by Councillor Wilson, that Council approve that James Maker be confirmed as a full-time employee in the position of Water and Sewer Foreman effective March 13, 2008. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Campbell, that the report of the Protective Services Committee Meeting dated March 12, 2008, be received as circulated. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Black, that Council approve that:

- the Fire Chief attend the Fire Chief's Convention scheduled for May 23, 24 & 25, 2008, in Fredericton;
- four (4) firefighters attend the FDIC information conference scheduled for June 6, 7 & 8, 2008, in Wolfville, N.S.; and

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- ten (10) firefighters attend the course provided by N.B.C.C. at the fire station.

Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council accept the resignation of Clifford Kitchen as of June 1, 2007, as a member of the Sussex Fire Department. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Administration Committee Meeting, dated March 13, 2008, be received as circulated. Motion carried.

The Chairman of the Administration Committee noted that the external Auditor had presented the Audit Report of the 2007 General and Utility Funds to the Administration Committee. The audit indicated that the General Fund had a revenue of \$5,266,243.00 and an expenditure of \$5,265,243.00 which resulted in a surplus of \$1,018.00 and that the capital assets of the General Fund were increased by \$1,225,028.00 and that the Utility Fund had a revenue of \$1,578,346.00 and an expenditure of \$1,557,231.00 which resulted in a surplus of \$1,115.00 and that the capital assets of the Utility Fund were increased by \$483,700.00.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council accept the external Auditor's Audit Report on the 2007 General and Utility Funds and that Council authorize the Mayor and Town Clerk to sign the external Audit Report on behalf of the Town. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve that the Mayor and the Town Clerk sign the 2007 letter of engagement of the external Auditor, Allan Eisner of Accounting & Management Group. Motion carried.

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

"Be it resolved that the Clerk and/or Treasurer and/or Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of Sussex debenture in the principal amount of \$104,000.00 on such terms 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.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that A.D.I. Limited and Crandall Engineering Ltd. may be engaged by the Town to develop contracts to carry out projects in the 2008 General and Utility Capital Improvement Program. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve 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>		
Contributions towards an indoor pool complex	\$500,000	10 Years
<u>Transportation Services</u>		
Street Improvement Program	\$780,000	10 Years
Storm Drainage Improvement Program	\$100,000	10 Years
Equipment Improvement Program	\$95,000	10 Years

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that Paul Maguire, Town Clerk/Treasurer, attend the Municipal Administrators Conference in St. Andrews, N.B., from May 21 to May 23, 2008. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve, for payment, accounts for the month of February, 2008, totaling \$262,466.26. Motion carried.

His Worship Mayor Carr noted that there is a special Council meeting scheduled for March 20, 2008, at 6:00pm, for the hearing of objections to By-Law # 1350-04-13.

Deputy Mayor Thorne addressed Council on the developments and procedures that the Developers, Town of Sussex and Village of Sussex Corner have followed to date in the Briars Subdivision approval process. Deputy Mayor Thorne expressed his opinions regarding the process and the frustration that the developers have with regards to the development and the delays that have been placed on them by the different levels of appeal of the development by the Village of Sussex Corner. Members of Council hoped that the appeal process regarding this matter would be concluded as soon as possible.

Councillor Bradley noted that March 29, 2008, is *Earth Hour* and that between the hours of 8:00 and 9:00pm the citizens are encouraged to turn off all lights as a support of this international awareness campaign.

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Councillor Black, Chairman of the Works Committee, noted that the Works Department is trying to fix and fill the potholes on the Town streets that have appeared due to the winter weather conditions and that Councillor Black noted that as soon as the frost is out of the ground the Town will be filling the potholes with asphalt once the asphalt is available.

His Worship Mayor Carr noted that the date of the next scheduled regular Council meeting is April 21, 2008.

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