

23rd June, 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 23rd day of June, 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, Stuart, 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 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 Wright, seconded by Councillor Wilson, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on May 20, 2008, be approved as circulated. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Fulton, that the minutes of the special meeting of the Town Council of the Town of Sussex held on June 9, 2008, be approved as circulated. Motion carried.

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Present at the Council meeting was Lila Johnson and a representative of the Canadian Parents for French. A presentation was made to the Council from concerned parents regarding the Government of New Brunswick plans to eliminate the Early French Immersion Program and Core Program from Grades 1 through 4. Lila Johnson noted that this decision would not only have an effect on the children in the French Immersion Program, but also could have an economic effect on the area if parents choose to relocate to areas that have French language training for their children.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that correspondence be sent to the Premier and Minister of Education requesting that the Government place a one year moratorium on the decision to alter the French Immersion Programs in the Province of New Brunswick in order to allow for proper public consultation to be held on this issue. Motion carried.

Present at the Council meeting was Mr. Gale Jeffrey, President, of the Dairy Town Classic Basketball Tournament. Mr. Jeffrey made a presentation to Council regarding the recent June, 2008, directive from the Superintendents of Schools of New Brunswick and the effect that this directive will have on schools sports in general and the Dairy Town Classic at the local level. Mr. Jeffrey expressed the concerns of the various sporting organizations on the effect on sports programs in the Province and in particular the effect on the Dairy

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Town Classic. Mr. Jeffrey pointed out the economic benefits to the community from events like the Dairy Town Classic.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that correspondence be sent to the Minister of Education and the Superintendents of Schools requesting that a one year moratorium be placed on the June, 2008, directive of Superintendents regarding extra curricular activities and a consultation process and dialogue be held with the various organizations effected by the June, 2008, directive. Motion carried.

A letter was received from the N.B. Railway Heritage Committee requesting permission for the Town to give the Committee permission to add the Sussex Train Station to the Provincial N.B. Railway Heritage website and promotional material.

It was moved by Deputy Mayor Thorne, seconded by Councillor Fulton, that Council participate in the initiative of the N.B. Railway Heritage Committee. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Fulton, that the Fire Report for the month of May, 2008, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 15 calls with seven calls originating within the Town of Sussex and eight out of Town calls.

It was moved by Councillor Wright, seconded by Councillor Fulton, that the Building Inspector's report for the month of May, 2008, be received as circulated. Motion carried. The report indicated

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that during the month the Building Inspector issued two permits for new construction for a value of \$386,500.00, 39 permits for renovations, repairs, alterations and additions for a value of \$320,200.00 and one permit for demolition for a value of \$5,000.00.

It was moved by Councillor Wright, seconded by Councillor Fulton, that the Development Officer's report for the month of May, 2008, 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 Fulton, seconded by Councillor Wright, that the minutes of the Planning Advisory Committee meeting dated June 11, 2008, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Fulton, that the minutes of the Planning Advisory Committee meeting dated June 18, 2008, be received as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Stuart, that Council have a reading in its entirety of A By-Law to Regulate the Subdivision of Land within the Town of Sussex, By-Law # 1006-08. Motion carried. The by-law was then read in its entirety.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council have a third reading by title of A By-Law to Regulate the Subdivision of Land within the Town of Sussex, By-Law # 1006-08. Motion carried. The Town Clerk then read the by-law for third time by title and His Worship Mayor Carr declared the by-law duly enacted.

Councillor Stuart and Councillor Wright did not vote on items 11 (C), (D), (F), (G) and (H) under Unfinished Business since they were not present at the public presentation of the Municipal Plan By-Law Amendment.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that Council have first reading by title of the Municipal Plan By-Law Amendment, By-Law # 704-04-07. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Fulton, seconded by Councillor Campbell, that Council have second reading by title of the Municipal Plan By-Law Amendment, By-Law # 704-04-07. 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 for their review and comment on Municipal Plan By-Law Amendment, By-Law # 704-04-07. Motion carried.

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It was moved by Councillor Fulton, seconded by Deputy Mayor Thorne, that Council have first reading by title of Zoning By-Law Amendment, By-Law # 1350-04-14. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Fulton, seconded by Deputy Mayor Thorne, that Council have second reading by title of Zoning By-Law Amendment, By-Law # 1350-04-14. 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 for their review and comment on Zoning By-Law Amendment, By-Law # 1350-04-14. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Campbell, that Council have first reading by title of By-Law # 940-08-02, A By-Law to Amend Schedule "A" of Recreational and/or Sports Facilities Fees and Recreational and/or Sports Program Fees, 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 Fulton, seconded by Councillor Bradley, that Council have second reading by title of By-Law # 940-08-02, A By-Law to Amend Schedule "A" of Recreational and/or Sports Facilities Fees and Recreational and/or Sports Program Fees, By-Law # 940-03. Motion carried. The Town Clerk then read the by-law for the second time by title.

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It was moved by Deputy Mayor Thorne, seconded by Councillor Campbell, that Council have first reading by title of Ground Source Heat Exchange Systems and Associated Wells By-Law, By-Law # 453-08. Motion carried. The Town Clerk then read the by-law for the first time by title.

Councillor Wright left the Council Chambers and did not return to the Council meeting.

It was moved by Deputy Mayor Thorne, seconded by Councillor Fulton, that Council have second reading by title of Ground Source Heat Exchange Systems and Associated Wells By-Law, By-Law # 453-08. 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 Campbell, that Council have first reading by title of Cross Connection and Backflow Prevention By-Law, By-Law # 1204-08. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Fulton, seconded by Councillor Campbell, that Council have second reading by title of Cross Connection and Backflow Prevention By-Law, By-Law # 1204-08. Motion carried. The Town Clerk then read the by-law for the second time by title.

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It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council have first reading by title of A By-Law to Regulate the Disposal of Town Owned Land, By-Law # 1054-08. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that Council have second reading by title of A By-Law to Regulate the Disposal of Town Owned Land, By-Law # 1054-08. 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, that Council set August 25, 2008, at 6:30pm in the Council Chambers of the Town of Sussex as the date, time and place to hold a hearing of objections for the Zoning By-Law Amendment, By-Law # 1350-04-15. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the report of the Human Services Committee Meeting dated June 16, 2008, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council authorize the Mayor and Town Clerk to sign the 2009 N.B.A.A.C. Flea Market Agreement on behalf of the Town. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Stuart, that Council appoint Anne Kilfoil and Ruby Gray to the Sussex Regional Library Board for a term expiring June 30, 2011. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council contribute Fifteen Hundred Dollars (\$1,500.00) to support the Benefit Dance that was held in Sussex for the Royal Canadian Regiment Education Fund. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Fulton, that the report of the Works Committee Meeting dated June 17, 2008, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Bradley, that Council approve an expenditure of \$22,600.00 for the 2008 Street Crackfilling Program. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Fulton, that Council award Contract 50-002-08, General Public Works, to E. J. Cunningham Ltd. in the amount of \$910,377.10 and that the Mayor and Town Clerk be authorized to sign contract documents on behalf of the Town. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Bradley, that Council approve an expenditure of \$3,500.00 for an imagery survey of Sussex to be provided by Leading Edge Geomatics. Motion carried.

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It was moved by Councillor Campbell, seconded by Deputy Mayor Thorne, that Council approve that the Works Department remove the tree at 42 Gordon Street which is partially in the Town of Sussex right-of-way due to its unsafe condition. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that the report of the Protective Services Committee Meeting dated June 18, 2008, be received as circulated. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that Council accept the resignation of Volunteer Firefighter Tyler McCready effective May 23, 2008, and Volunteer Firefighter Tyler Embree effective June 12, 2008. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the report of the Administration Committee Meeting, dated June 19, 2008, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council appoint Deputy Mayor Thorne and Councillor Bradley for their term in office to the Planning Advisory Committee commencing on June 9, 2008, and until one (1) month after the first regular Council meeting of the succeeding Council. Motion carried.

It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, that Council appoint Kevin Black to the Kings East Development Partnership Inc. Committee until March 31, 2009. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council set an internal interest rate of 2.80 percent for the interfund loans and balances for the time period July 1, 2008, to June 30, 2009. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council appoint the following Council members for their present term of office and the following Administrative staff to the following Committees:

SOLID WASTE COMMISSION

Deputy Mayor, Marc Thorne

LABOUR/MANAGEMENT COMMITTEE

Councillor, Stephen Campbell

Chief Administrative Officer, Michael Cummings

Works Officer, Peter Blakeney

SUSSEX REGIONAL LIBRARY BOARD

Councillor, Mark Wright

FUNDY CIVIC CENTRE INC.

Councillor, Gary Fulton

TOURISM INITIATIVE COMMITTEE

Chief Administrative Officer, Michael Cummings

PRINCESS LOUISE PARK SHOW CENTRE INC.

Deputy Mayor, Marc Thorne

DOWNTOWN BUSINESS ASSOCIATION

Councillor, Elizabeth Stuart

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KENNEBECASIS WATERSHED RESTORATION COMMITTEE

Councillor, Mark Wright

Works Officer, Peter Blakeney.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council adopt the following policies as circulated:

- Policy # C-2 Vehicle and Machinery Operation Policy
- Policy # C-4 Town of Sussex Disposal of Assets Policy
- Policy # C-6 Purchase Order Procedure Policy
- Policy # C-7 Open House Real Estate Sign Policy
- Policy # C-10 By-Law Enactment Procedure Policy
- Policy # C-12 Schedule of Fees Amendment Policy
- Policy # C-13 Water and Sewer Rate Formula Policy
- Policy # C-14 Disposal of Town Owned Lands Policy
- Policy # C-15 Armed Forces Reservist Policy
- Policy # C-16 Retention and Disposal Schedule Policy
- Policy # C-19 Grant Application Policy
- Policy # C-20 Workplace Harassment Policy
- Policy # C-21 Reserve Funds Policy
- Policy # C-22 Planning Advisory Committee Policy.

Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that the Town surrender the sewer lateral easement on the Royal Bank property and that the Mayor and Town Clerk/Treasurer sign this Surrender of Easement on behalf on the Town. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve, for payment, accounts for the month of May, 2008, totaling \$447,136.18. Motion carried.

Deputy Mayor Thorne addressed Council on the recent Safe Grad that was held by the Graduates of 2008 and their exemplary effort in raising thousands of dollars towards the event and prizes towards Safe Grad.

Councillor Campbell congratulated all students of the Town who have completed the different levels of education and also encouraged the students who will be entering the work force to look at the opportunities available in the local economy.

His Worship Mayor Carr noted that next regularly scheduled meeting of Council will be July 21, 2008.

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It was moved by Councillor Stuart, 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