

21st July, 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 21st day of July, 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 Campbell, Wilson, Stuart, Fulton and Wright. Councillor Bradley 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 Wilson, seconded by Councillor Wright, 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 Wilson, seconded by Councillor Fulton, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on June 23, 2008, be approved as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that the minutes of the special meeting of the Town Council of the Town of Sussex held on June 23, 2008, be approved as circulated. Motion carried.

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Present at the meeting were members of the Sussex Kiwanis Aktion Club. His Worship Mayor Carr and members of Council presented the Aktion Club with a Certificate of Appreciation for their work towards their efforts in helping to beautify the Town. Members of the Council thanked the members of the Club and hoped that they would take part in next year's clean-up program.

A letter was received from the Canadian Union of Postal Workers requesting that the Town make a submission to the Canada Post Corporation Strategic Review to help save universal public postal service in Canada. It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the Town send correspondence providing a letter of support to the Canada Post Corporation Strategic Review Committee to hold public meetings during their review process. Motion carried.

A letter was received from the Federation of Canadian Municipalities (FCM) regarding the Canadian Red Cross Society Auxiliary Role Project. It was moved by Deputy Mayor Thorne, seconded by Councillor Wright, that Council express their support for the Canadian Red Cross Society Auxiliary Role Project and in particular the renewal of the framework for cooperation between public authorities and the Canadian Red Cross to better address the humanitarian challenges of the 21st century by:

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- a) working to reinforce the status and roles of the Canadian Red Cross as auxiliary to public authorities in the humanitarian field;
- b) and reviewing existing measures, arrangements and instruments supporting the relationship.

Motion carried.

A letter was received from the New Brunswick Lung Association, on behalf of the New Brunswick Climate Change Public Education & Outreach Hub. The letter noted that climate change is one of the major challenges facing society today and that there are many actions that can be taken to mitigate climate change and to prepare for and adapt to the inevitable impacts. It was moved by Councillor Wright, seconded by Councillor Wilson, that the letter from the New Brunswick Lung Association be filed. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the Fire Report for the month of June, 2008, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 24 calls with 12 calls originating within the Town of Sussex and 12 out of Town calls.

It was moved by Councillor Wilson, seconded by Councillor Wright, that the Building Inspector's report for the month of June, 2008, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued six permits for new construction for a value of \$1,030,000.00 and 23 permits for

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renovations, repairs, alterations and additions for a value of \$4,698,200.00.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the Development Officer's report for the month of June, 2008, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved two Building Location Surveys, one Tentative Amending Subdivision Plan, two Amending Subdivision Plans and one Subdivision Plan.

It was moved by Councillor Fulton, seconded by Councillor Campbell, that the minutes of the Planning Advisory Committee meeting dated July 9, 2008, be received as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Campbell, that the minutes of the Planning Advisory Committee meeting dated June 26, 2008, be received as circulated. Motion carried.

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

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

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It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council have a reading in its entirety of the Municipal Plan By-Law Amendment, By-Law # 704-04-07. Motion carried. The Town Clerk then read the by-law in its entirety.

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

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council have a reading in its entirety of Zoning By-Law Amendment, By-Law # 1350-04-14. Motion carried. The Town Clerk then read the by-law in its entirety.

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

It was moved by Councillor Fulton, seconded by Councillor Campbell, that Council have a reading in its entirety 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, By-Law # 940-03. Motion carried. The Town Clerk then read the by-law in its entirety.

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It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council have third 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, 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.

His Worship Mayor Carr noted that items 11 (G) to 11 (L) will stay on the Council agenda until the next regular scheduled Council meeting.

His Worship Mayor Carr noted that a special Council meeting is scheduled for hearing of objections to Zoning By-Law Amendment, By-Law # 1350-04-15, on August 25, 2008, at 6:30pm.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that the report of the Human Services Committee Meeting dated July 14, 2008, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve that the Agility National Committee may operate a bar at the Sports Centre from August 7-10, 2008, inclusive. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart, that Council approve that the Moosehead Oldtimers Hockey Club may operate a bar at the Sports Centre on August 23, 2008. Motion carried.

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It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve that the Recreation Director attend the Recreation New Brunswick Annual Fall Conference and Expo in Saint John, N.B., from September 17-19, 2008. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that the report of the Economic Development and Long Range Planning Committee Meeting dated July 14, 2008, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that the report of the Works Committee Meeting dated July 15, 2008, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve the purchase of a 3 HP pump for the Main Street Lift Station from Thomas Industrial Sales Ltd. for an amount of \$3,992.29. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve the purchase of a municipal sidewalk tractor, with attachments, from Saunders Equipment Ltd. as outlined in Quotation T-13-08: Sidewalk Tractor & Attachments for a net amount of \$140,707.60 including the trade-in of a 1995 MT-5 and attachments with a trade-in value of \$10,100.00. Motion carried.

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It was moved by Councillor Campbell, seconded by Councillor Stuart, that Council approve the purchase of a ditching bucket for the JCB backhoe from Wajax Industries in the amount of \$3,277.00.

Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve the purchase of a wing unit for the 5 ton truck from Parts For Trucks in the amount of \$6,604.85. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve that Atlantic Transport Training Academy Ltd. be engaged to complete an assessment of all Union employees for a driver/heavy equipment training program. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that the report of the Protective Services Committee Meeting dated July 16, 2008, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that the report of the Administration Committee Meeting, dated July 17, 2008, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that deStecher Appraisals Ltd. be engaged to complete a report to update the replacement cost of the Town buildings and structures for an expenditure of \$5,085.00. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council rescind the covenants for Lot 2002-1 on the amending Subdivision Plan, Town of Sussex Industrial Park Subdivision 94-2, as filed in the Registry Office for the County of Kings on July 30, 2002, as Plan # 14689708. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council approve the proposal from Mr. Belliveau, the proprietor of Main Street Subway, to sponsor jerseys for all of the junior and intermediate ball hockey teams for five years, commencing in 2009. Motion carried.

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

- Policy # C-9 External Auditor;
- Policy # C-18 Barrment Procedure;
- Policy # C-24 Property Certification Request;
- Policy # C-25 Vendor Site;
- Policy # C-26 Garden Suites and In-Law Suites;
- Policy # C-28 Non Smoking;
- Policy # F-2 Fire Department Training;
- Policy # F-3 Fire Department Standard Charges; and

that Council rescinds Policy # C-27 Pools & Fencing. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve the following for the 23rd Annual Atlantic International Balloon Fiesta:

- to hold the 23rd Annual Atlantic International Balloon Fiesta in Princess Louise Park from September 5 – 7, 2008, inclusive;
- to utilize the 8th Hussars Sports Centre commencing on September 5, 2008, from 6:00pm to September 7, 2008, ending at 7:00pm;
- to utilize Princess Louise Park and the Golden Jubilee Hall from September 5 – 7, 2008, inclusive;
- to conduct launches and landing of balloons to and from Princess Louise Park from September 5 – 7, 2008, inclusive;
- to permit tethering of hot air balloons in Princess Louise Park from September 5 – 7, 2008, inclusive;
- to permit the landing and taking off of helicopters, powered paragliders, and ultralights from Princess Louise Park from September 5 – 7, 2008, 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 6, 2008;
- to have midway rides in the parking lot adjacent the Sports Centre from September 5 – 7, 2008, 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, powered paragliders and ultralights, 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, powered paraglider pilots, ultralight 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, helicopters, paragliders, and ultralights carry their certificates 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 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, helicopter rides, powered paraglider ride, and ultralight rides leave from and land into Princess Louise Park; and
- ◆ that the Atlantic International Balloon Fiesta Committee be made aware that Council may at any time cancel their approval for launching balloons, having helicopter rides, powered paraglider rides, and ultralight rides leave from and land into Princess Louise Park.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council approve an expenditure of up to \$2,300.00 to support the 23rd Atlantic International Balloon Fiesta breakfast.

Motion carried.

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It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, 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>
Recreation Services 8 th Hussars Sports Centre Front Façade Replacement	\$150,000	10 Years

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, 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 hear objections to the proposed Zoning By-Law Amendment, By-Law # 1350-04-16. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council approve funding in the amount of \$32,494.00 to be applied towards the study for the Sussex Downtown Commercial area. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve an application be submitted to the Canada New Brunswick Building Canada Fund for funding for the Sussex Municipal Wastewater Treatment Plant Disinfection Unit Upgrade Project. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council approve, for payment, accounts for the month of June, 2008, totaling \$580,240.40. Motion carried.

Councillor Wright informed Council that the Kennebecasis Water Restoration Committee is having a boat launch at Smiths Creek Covered Bridge on August 5, 2008, at 2:00pm and all members of Council and the public are invited to attend.

His Worship Mayor Carr noted that present at the Council meeting was Councillor Patterson, a Councillor from Handover, Ontario. His Worship Mayor Carr and members of Council welcomed Councillor Patterson to the Council meeting and hoped that she would be able to enjoy the many sites and attractions of Sussex and area.

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It was moved by Councillor Campbell, 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