

25th

August, 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 25th day of August, 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, Wright and Bradley. 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 Stuart, seconded by Councillor Wilson, that the agenda for this regular Town Council meeting be approved as amended. The agenda was amended by adding under Item 6: Delegations, Petitions and Correspondence, the letter E) Big Brothers/Big Sisters. 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 Stuart, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on July 21, 2008, be approved as circulated. Motion carried.

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A letter was received from Kevin McKenna and Wendy Miller-McKenna requesting that the Town consider rezoning the lots on 359 and 363 Main Street to commercial. It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council accept the application for rezoning of the lots located at 359 and 363 Main Street and that the application be referred to the Administration Committee to develop the proposed by-law amendment. Motion carried.

A letter was received from the Co-Chairperson of NB Disability Awareness Week outlining the steps for the development of a Municipal Advisory Committee on Disabled Persons, Structure and Composition. It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the letter from the Co-Chairperson of NB Disability Awareness Week be referred to the Administration Committee. Motion carried.

A letter was received from Elizabeth Stevens of 55 Paradise Row, who has written to express her concerns regarding the paving of her street and the ascetic look of the street and sidewalk. It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that the letter from Elizabeth Stevens be filed and that the Administration inform her of the Town's Capital Program progress and proposed upgrade for the 2009-2010 Capital Program. Motion carried.

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A letter was received from Darlene Hall voicing her concerns about the mobility of handicap persons in the Town of Sussex. It was moved by Councillor Wilson, seconded by Councillor Wright, that the letter from Darlene Hall be filed and that His Worship Mayor Carr contact Darlene Hall directly to review her mobility concerns. Motion carried.

A letter was received from the Kings County Big Brothers/Big Sisters Association informing the Town that with deep regret the Association will close effective September 30, 2008, after 21 years of operation in the area. It was moved by Councillor Bradley, seconded by Councillor Stuart, that the letter from the Kings County Big Brothers/Big Sisters Association be filed. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Bradley, that the Fire Report for the month of July, 2008, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 11 calls with six calls originating within the Town of Sussex and five out of Town calls.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the Building Inspector's report for the month of July, 2008, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued one permit for new construction for a value of \$310,000.00 and 28 permits for renovations, repairs, alterations and additions for a value of \$254,680.00.

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

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the minutes of the Planning Advisory Committee meeting dated August 13, 2008, be received as circulated. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council have a reading in its entirety of Ground Source Heat Exchange Systems and Associated Wells By-Law, By-Law # 453-08. Motion carried. The by-law was then read in its entirety.

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

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council have a reading in its entirety of the Cross Connection and Backflow Prevention By-Law, By-Law # 1204-08. Motion carried. The by-law was then read in its entirety.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council have third reading by title of the Cross Connection and Backflow Prevention By-Law, By-Law # 1204-08. 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 Wright, seconded by Councillor Stuart, that Council have a reading in its entirety of A By-Law to Regulate the Disposal of Town Owned Land, By-Law # 1054-08. Motion carried. The by-law was then read in its entirety.

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

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Councillor Bradley did not vote on Items (G), (H), (I), (J), (K) and (L) under Unfinished Business which included the Zoning By-Law Amendments, By-Law # 1350-04-15 and # 1350-04-16 since Councillor Bradley was not present at the hearing of objections to these by-laws.

It was moved by Councillor Wright, seconded by Councillor Fulton, that Council have first reading by title of Zoning By-Law Amendment, By-Law # 1350-04-15. 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 Stuart, that Council have second reading by title of Zoning By-Law Amendment, By-Law # 1350-04-15. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council refer to the Planning Advisory Committee the Zoning By-Law Amendment, By-Law # 1350-04-15, 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 # 1350-04-16. 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 Wilson, that Council have second reading by title of Zoning By-Law Amendment, By-Law # 1350-04-16. 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 Stuart, that Council refer to the Planning Advisory Committee the Zoning By-Law Amendment, By-Law # 1350-04-16, 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 the Community Disaster Planning By-Law, By-Law # 202-08. 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 Wilson, that Council have second reading by title of the Community Disaster Planning By-Law, By-Law # 202-08. 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 Wilson, that the report of the Human Services Committee Meeting dated August 18, 2008, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council accept the bid of \$11,123.72, for Quotation T-15-08, Brine Pump & Motors, from Electrical and Refrigeration Services Ltd. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council authorize the Mayor and Town Clerk to sign the Olympic Torch Relay Agreement on behalf of the Town. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council approve that the Town participate in the Hometown New Brunswick 2009 page for an amount of \$6,514.45. 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 August 18, 2008, be received as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that Council approve the registration of the following ten (10) local historical properties as described on the Town of Sussex Register of Historic Places on the Province of New Brunswick Register of Historic Places and subsequently on the Canadian Register of Historic Places:

- 1) Jonah Residence
- 2) Diadema White House
- 3) Black-Palmer Residence
- 4) Gunn House
- 5) Arnold House
- 6) Forbes Residence

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- 7) Wallace Twins Houses
- 8) Sutherland Residence
- 9) Williamson Residence
- 10) Squarebriggs Residence.

Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Bradley, that the report of the Works Committee Meeting dated August 19, 2008, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Bradley, that Council approve that Stephen Hayward attend the Water Distribution Level I course in Moncton, N.B., between October 28 and 31, 2008. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve the purchase of two ultra sonic level sensors from Omnitech in the amount of \$3,720.00. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve that the Building Inspector attend a Building Inspector's Workshop in Fredericton, N.B., on September 17, 2008. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the report of the Protective Services Committee Meeting dated August 20, 2008, be received as circulated. Motion carried.

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It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council accept the proposal from R. S. Webb Electrical for the fire alarm system at the fire building for an amount of \$7,206.58. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council approve that the Fire Department may send the 1986 GMC Pumper/Tanker to be used for the annual Miramichi Workshop on September 12 & 13, 2008, in the City of Miramichi, N.B. Motion carried.

It was moved by Deputy Thorne, seconded by Councillor Stuart, that Council approve that David DeMerchant and Derek Friars attend the annual Miramichi Workshop in the City of Miramichi, N.B., on September 12 & 13, 2008. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that Council accept the applications of Scott Hoyt, Craig Long, Jeremy McFarlane and David Parlee as volunteer firefighters, subject to the training requirements of the Sussex Fire Department as of August 26, 2008. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the report of the Administration Committee Meeting, dated August 21, 2008, be received as circulated. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve the Surrender of Easement on Belleisle Leasing Ltd. property adjacent Eveleigh Street on Lot 92-1 on Subdivision Plan Maple Foods Subdivision 92-1 filed in the Kings County Registry Office as number 11135 and that the Mayor and Town Clerk/Treasurer sign the Surrender of Easement document on behalf of the Town. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council accept the agreement from the Canadian Red Cross New Brunswick Region of the Atlantic Zone and that Council authorize that the Mayor and Town Clerk/Treasurer sign the agreement document on behalf of the Town. Motion carried.

It was moved Councillor Wilson, seconded by Councillor Bradley, that Council authorize that the storm sewer on Pitt Street be included in Contract 50-002-08, General Public Works, for an estimated cost of \$27,800.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that the Crosswalk Guard's hourly wage be adjusted to \$9.75 per hour. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve the Amending Subdivision Plan Town of Sussex Industrial Park, Subdivision 00-1, dated August 20, 2008, and that Council authorize the Town Clerk/Treasurer to sign the Amending Subdivision Plan Town of Sussex Industrial Park, Subdivision 00-1, on behalf of the Town. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council place the Community Disaster Planning By-Law, By-Law # 202-08, on the Council agenda for Council approval. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve the following policies:

- Policy # P-4 - Time Off
- Policy # P-5 - Workers' Compensation Form Procedure
- Policy # P-6 - Personal Protective Equipment
- Policy # PD-9 - Live Animal Cage
- Policy # RD-4 - Recreation Department Financial Accountability
- Policy # RD-6 - Adapted Aquatics Procedure
- Policy # RD-10 - 8th Hussars Sports Centre Non-Smoking.

Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve, for payment, accounts for the month of July, 2008, totaling \$433,883.19. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve the sale of Lot 2008-01 on the Amending Subdivision Plan Town of Sussex Industrial Park, Subdivision 00-1, to Company # 632220 NB Ltd., 984 Riverside Drive, Fredericton, N.B., for \$18,000.00 plus appropriate taxes and legal costs. Motion carried.

Councillor Campbell thanked the students who worked for the Town of Sussex during the summer and wished them well with their academic endeavours in the upcoming school year.

Councillor Wilson noted that the Southern part of the Province is going through a growth development phase where there are several large industrial projects such as the new Potash Mine in Sussex, L&G Terminal in Saint John, possible second Nuclear Reactor in Point Lepreau and Phase II in the Irving Oil Refinery Project. Councillor Wilson would like to see the communities in the Southern part of the Province who are benefiting from this growth, issue a joint statement supporting these large industrial projects. His Worship agreed to bring this item up at the next Zone Meeting of the U.M.N.B. to see whether they would be agreeable to issuing a joint statement supporting this industrial development and pointing out the economic benefits to the residents of the various communities.

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Councillor Fulton noted that the Sussex area needs to encourage more cooperation in the Regional Government forum in particular the development of a Regional Industrial Park for the Sussex area. Councillor Fulton noted that the local governments and Local Service Districts should meet to discuss the idea of a Regional Industrial Park and in particular where such a park could be located and how it could possibly be financed. His Worship Mayor Carr agreed to contact the Mayor of Sussex Corner and possibly invite the Chairpersons of the Local Service Districts to have meetings to start the process of more cooperation regionally and in particular the idea of a Regional Industrial Park.

His Worship Mayor Carr noted that the next regularly scheduled meeting of Council will be September 22, 2008.

It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, 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