

22nd

September, 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 22nd day of September, 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, Stuart, Fulton, Wright and Bradley. Councillor Wilson 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 Bradley, seconded by Councillor Fulton, 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, the letter A) RCMP Presentation on Restorative Justice.

No members present declared a conflict of interest on any items on the agenda at this time.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on August 25, 2008, be approved as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wright, that the minutes of the special meeting of the Town Council of the Town of Sussex held on August 25, 2008, be approved as circulated. Motion carried.

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Present at the Council meeting was Corporal Oliver and Constable Danells of the Sussex RCMP. Constable Danells made a presentation to Council on the Restorative Justice Model and reviewed the differences between an offender having his case heard in Court, the Alternative Justice Method and the Restorative Justice Method. Constable Danells noted that the Restorative Justice Model has been very successful in the community. The Council had an opportunity to ask questions on the Model.

It was moved by Councillor Stuart, seconded by Councillor Bradley, that the proclamation for Restorative Justice Week be placed on the October, 2008, Council agenda. Motion carried.

It was moved by Councillor Stuart, seconded by Councillor Campbell, that the Fire Report for the month of August, 2008, 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 Wright, seconded by Councillor Bradley, that the Building Inspector's report for the month of August, 2008, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued three permits for new construction for a value of \$799,000.00 and 29 permits for renovations, repairs, alterations and additions for a value of \$271,200.00.

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

It was moved by Councillor Campbell, seconded by Councillor Stuart, that the minutes of the Planning Advisory Committee meeting dated August 21, 2008, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wright, that the minutes of the Planning Advisory Committee meeting dated September 16, 2008, be received as circulated. Motion carried.

Councillor Bradley did not vote on items 11 (A), (B), (C) and (D) since she was not present at the hearing of objections to Zoning By-Law Amendment, By-Law # 1350-04-15 and Zoning By-Law Amendment, By-Law # 1350-04-16.

It was moved by Councillor Wright, seconded by Councillor Stuart, that Council have a reading in its entirety of Zoning By-Law Amendment, By-Law # 1350-04-15. Motion carried. The by-law was then read in its entirety.

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

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that Council have a reading in its entirety of Zoning By-Law Amendment, By-Law # 1350-04-16. Motion carried. The by-law was then read in its entirety.

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

It was moved by Councillor Fulton, seconded by Councillor Stuart, that Council have a reading in its entirety of the Community Disaster Planning By-Law, By-Law # 202-08. Motion carried. The by-law was then read in its entirety.

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

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It was moved by Councillor Bradley, seconded by Councillor Stuart, that the report of the Human Services Committee Meeting dated September 15, 2008, be received as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Bradley, that the report of the Economic Development and Long Range Planning Committee Meeting dated September 15, 2008, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Deputy Mayor Thorne, that the report of the Works Committee Meeting dated September 16, 2008, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Fulton, that Council approve that the Superintendent of Works and the Water and Sewer Foreman attend the ACWWA course in Fredericton on November 27 and 28, 2008. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Fulton, that Council approve that the Superintendent of Works be permitted to attend the Canadian Public Works Association Fall Conference in Bathurst, N.B., on October 29 to 31, 2008. Motion carried.

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

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It was moved by Deputy Mayor Thorne, seconded by Councillor Campbell, that Council accept the application of Christopher Marriott as a volunteer firefighter, subject to the training requirements of the Sussex Fire Department as of September 23, 2008. Motion carried.

Councillor Stuart 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 Thorne, seconded by Councillor Campbell, that Council approve the purchase of a 2005 Dodge Ram from Norrad Chrysler for an amount of \$18,298.15. Motion carried.

Councillor Stuart returned to the Council Chambers from her conflict of interest.

It was moved by Councillor Bradley, seconded by Councillor Fulton, that the report of the Administration Committee Meeting, dated September 18, 2008, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council approve that no fee be charged for public skate for the 2008-2009 ice season at the 8th Hussars Sports Centre. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart, that Council approve that the Chief Administrative Officer, the Town Clerk/Treasurer and Councillor Fulton attend the Municipal Law Seminar in Fredericton on Wednesday, October 29, 2008. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Stuart, that Council approve that one Council member, the Chief Administrative Officer and the Town Clerk/Treasurer attend the Local Government Management Seminar in Fredericton on November 1, 2008, if they so desire. Motion carried.

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne, that Council authorize the Mayor and Town Clerk to sign the Municipal Services Agreement for Briars Subdivision on behalf of the Town. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council approve the following terms and conditions for Zoning By-Law Amendment, By-Law # 1350-04-17:

1.0 DEFINITIONS

- a) *“business office”* means any building or part of a building in which one or more persons are employed in the management, directly or conducting of an agency, business, brokerage, labour or fraternal organization; but does not include such uses as retail sales, manufacture, assembly or storage of goods or places of assembly or amusement;
- b) *“dwelling unit”* means a room or suite of two or more rooms designed or intended for use by an individual or family in which kitchen and sanitary conveniences provided for the exclusive use of such individual or family;

- c) *“fascia sign”* means a sign placed flat against the face of a building and projecting no more than 0.5 metres;
- d) *“line of vision of triangle”* for corner lots is defined as the triangular area formed by the intersecting street property lines and line joining the points 9.0 metres from the intersection of said lines;
- e) *“parking space”* shall be:
 - (i) an area of not less than 6 metres in length and not less than 2.75 metres in width, and
 - (ii) readily accessible from the nearest street;
- f) *“personal service shop”* means an establishment providing personal grooming services and includes a barber shop, a beauty salon a hairstylist and aesthetician or massage therapist;
- g) *“retail store use”* is limited to a home decorating shop with crafts and decorations.

2.0 SPACE ALLOCATION

The structure on this property shall contain a space for a personal service office, an office, and one (1) dwelling unit on the ground floor while one (1) dwelling shall occupy the second floor.

3.0 STORAGE

The storage in the structure on this property shall be for goods required directly for a personal service shop or office and no other trade and/or other goods shall be permitted to be stored on this property.

4.0 PARKING SPACES

This lot shall provide for nine (9) parking spaces with a two (2) meter landscape buffer adjacent the southern boundary line for the proposed uses in the structure on this lot and the access to the parking spaces shall be off Essex Street.

5.0 LINE OF VISION OF TRIANGLE

In the line of vision of triangle, no building, structure, fence, shrub or tree foliage may be placed in the line of vision of triangle on the northwest corner of this lot.

6.0 SIGNAGE

The signage on this property shall be located on the structure and shall be limited to one (1) non-illuminated sign per business.

The maximum size of a sign shall be 0.75 square metres.

7.0 BUILDING EXTERIOR

The residential facial exterior of the building shall remain as it is presently and not be altered.

Motion carried.

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It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne, that Council set a Council meeting for Thursday, October 23, 2008, at 6:30pm to hear objections to Zoning By-Law Amendment, By-Law # 1350-04-17. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Fulton, that Council authorize the Mayor and Town Clerk to sign the Municipal Service Agreement, for the Malone Homestead Inc. Subdivision, on behalf of the Town. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Fulton, that Council approve, for payment, accounts for the month of August, 2008, totaling \$487,269.09. Motion carried.

His Worship Mayor Carr noted that the next regularly scheduled meeting of Council will be October 27, 2008.

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