

24th

November, 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 24th day of November, 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, Wilson 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 Bradley, 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 Wilson, seconded by Councillor Fulton, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on October 27, 2008, be approved as circulated. Motion carried.

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

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The Council held a hearing of objections to 2009 Sussex Downtown Business Association Inc. budget. Present at the Council meeting was Donald Dobbin, President Sussex Downtown Business Association, and the Association's Manager, Karen Black. The Town Clerk informed the Council that the Town had received no written objections to the proposed budget and His Worship Mayor Carr noted that there was no one present who was objecting to the Association's budget for 2009.

A letter was received from Patio Homes Inc. requesting a rezoning for PID # 465823 which is a parcel of land located beside Jonah Court and that the land be rezoned from "R2" Single and Two-Family Residential Zone to an "R1-a" Single Family Residential Zone.

It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, that the rezoning application from Patio Homes Inc. be accepted. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that the rezoning application from Patio Homes Inc. be forwarded to the Administration Committee for consideration and the development of the proposed by-law amendments. Motion carried.

A letter was received from the Minister of Health informing the Town that Sussex will see an increase in coverage by Ambulance New Brunswick of 12 hours per day which is an additional four paramedics.

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It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the letter from the Minister of Health be filed. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Bradley, that the Fire Report for the month of October, 2008, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 29 calls with 17 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 October, 2008, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued two permits for new construction for a value of \$610,000.00 and 28 permits for renovations, repairs, alterations and additions for a value of \$350,000.00.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the Development Officer's report for the month of October, 2008, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved five Building Location Surveys.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the minutes of the Planning Advisory Committee meeting dated November 12, 2008, be received as circulated. Motion carried.

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Deputy Mayor Thorne and Councillor Stuart did not vote on Items 11 (A) & (B) since they were not present at the hearing of objections to the Zoning By-Law Amendment, By-Law # 1350-04-17.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council have a reading in its entirety of Zoning By-Law Amendment, By-Law # 1350-04-17. Motion carried. The Town Clerk then read the by-law in its entirety.

It was moved by Councillor Fulton, seconded by Councillor Wright, that Council have third reading by title of Zoning By-Law Amendment, By-Law # 1350-04-17. 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 Wilson, that Council have first reading by title of A By-Law In Amendment of a By-Law to Approve the Budget of the Sussex Downtown Business Association and to Establish a Special Business Improvement Area Levy in the Town of Sussex, By-Law # 154-08. 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 Wright, seconded by Councillor Wilson, that Council have second reading by title of A By-Law in Amendment of a By-Law to Approve the Budget of the Sussex Downtown Business Association and to Establish a Special Business Improvement Area Levy in the Town of Sussex, By-Law # 154-08. 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 November 17, 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 November 17, 2008, be received as circulated. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Wilson, that Council accept the Conservation Agreement with Ducks Unlimited Canada and authorize the Mayor and Town Clerk/Treasurer to sign the Ducks Unlimited Canada Conservation Agreement on behalf of the Town. Motion carried.

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

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It was moved by Councillor Campbell, seconded by Councillor Bradley, that Council accept the final amount owing to Brown's Paving Ltd. for work completed under Contract 50-001-08, Asphalt Paving Program, in the amount of \$479,357.30 including a contingency amount of \$495.00. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart, that Council accept the final amount owing to E. J. Cunningham Ltd. for work completed under Contract 50-002-08, General Public Works, in the amount of \$904,797.50 including a contingency amount of \$10,682.11. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve an expenditure of up to \$9,000.00 for replacement of the steel panels on the West side of the Works Centre. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the report of the Protective Services Committee Meeting dated November 19, 2008, be received as circulated. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council approve the purchase of forty (40) firefighter uniform hats from Stokes International for an expenditure of \$1,231.70. Motion carried.

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It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council approve the purchase of forty (40) sets of firefighter station wear from Carleton Uniforms Inc. for an amount of \$4,517.74. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that Council approve the purchase of two (2) sets of firefighter bunker coats and pants from Levitt Safety Ltd. for an amount of \$2,572.49. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council approve the purchase of a Holmatro 4050 Cutters from Micmac Fire & Safety Ltd. for an amount of \$7,175.50. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that Council purchase six (6) pagers and four (4) portable radios from Down East Communications for an amount of \$4,323.43. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Administration Committee Meeting, dated November 20, 2008, be received as circulated. Motion carried.

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

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- ◆ that the Town Treasurer be authorized to transfer the 2008 budgeted amount from the General Capital Reserve Fund to the General Fund in the amount of \$6,400.00;
- ◆ that the Town Treasurer be authorized to apply any 2008 General Fund or Utility Fund surplus to the capital projects in each fund;
- ◆ that the Town Treasurer be authorized to use the proceeds of the sale of capital assets to pay for the acquisition of capital assets or transfer the proceeds to the Capital Reserve Fund; and
- ◆ that the Town Treasurer be authorized to transfer the 2008 budgeted amount from the Utility Operating Fund to the Utility Capital Reserve Fund in the amount of \$9,000.00.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council authorize the Town Clerk/Treasurer to issue a cheque for the first payment of the Town's share of the 1st mortgage at the beginning of the first quarter in 2009 to the Sussex Regional Library Board as well as issue twelve (12) post dated cheques to Bayview Credit Union for the payments on the second mortgage.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council authorize an expenditure of up to \$15,000.00 for a computer server replacement for the Town. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council authorize an expenditure of up to \$7,600.00 for the replacement of six (6) office chairs and monitors. Motion carried.

Councillor Wright 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 Councillor Wilson, seconded by Councillor Fulton, that Council contribute \$9,000.00 towards the cost of three (3) chairs for the new lift at Poley Mountain. Motion carried.

Councillor Wright returned to the Council Chambers from his conflict of interest.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve a three (3) year contract with Maritime Pavement Markings at the existing price rates in the current contract and that Council authorize the Mayor and Town Clerk/Treasurer to sign the contract on behalf of the Town. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council reject the tender for Contract 50-003-08, 8th Hussars Sports Centre Renovations, that was received on November 20, 2008, because of costs and that the tender package be adjusted and a new tender call commence in February, 2009. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council authorize the Administration to attend the Tangible Asset Seminar in Moncton, N.B., on December 11, 2008. Motion carried.

Deputy Mayor Thorne and Councillor Bradley declared a conflict of interest on the next item on the agenda.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council authorize that gift certificates in the amount of \$30.00 be given to full-time employees, Planning Advisory Committee members, Cross-walk Guard, EMO Officer and Volunteer Firefighters. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve, for payment, accounts for the month of October, 2008, totaling \$455,691.19. Motion carried.

Councillor Wilson, Chairperson of the Administration Committee, informed the Council that the Administration Committee had received a letter addressed to His Worship Mayor Carr from the Mayor of the Village of Sussex Corner informing the Town that the Village does not wish to pursue the question of the amalgamation of the two communities at this time as in their opinion it is not necessary. The members of Council expressed their displeasure in the response from the Village; however they noted they respect the decision of the Council of the Village of Sussex Corner on this item.

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The Deputy Mayor and other members of Council noted that the Council will have to move forward in that there is still a need for regionalized services especially in the area of Human Services and Recreation facilities and that the Town will have to look at other models to fund the requested recreation programs and facilities that the residents of the region are expressing interest in.

Councillor Fulton encouraged citizens to vote for the Bay of Fundy as one of the seven natural wonders of the modern world.

Councillor Stuart addressed Council on the need for rebalancing of shared costs for recreational and other services such as Poley Mountain, Doctor Recruitments and facilities which should be shared on a regional basis. Also, Councillor Stuart was encouraged to see the large turnout for the recently held ceremonies at the Town cenotaph.

Councillor Wilson encouraged residents of the region served by the Sussex Health Centre to register with the Sussex Health Centre if they do not have a Doctor since the Province has indicated that new Doctors will be recruited on the basis of the patient registry for people who do not have a family Doctor.

His Worship Mayor Carr noted that the Town of Sussex has been chosen as a stop and community celebration for the 2010 Olympic Games to be held in Vancouver and that a program and

Committee will be established to coordinate the events for the Olympic Torch arrival which is scheduled for November 24, 2009.

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His Worship Mayor Carr noted that the next regularly scheduled meeting of Council will be December 15, 2008.

It was moved by Deputy Mayor Thorne, 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