

# Town of Sussex

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Minutes of Meeting of Council held this  
24th day of August, 2009

A.D.,

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 24<sup>th</sup> day of August, 2009, at 7:00 o'clock in the evening.

The following members of the Council were present: His Worship Mayor Carr, Councillors Campbell, Stuart, Fulton, Wilson, Wright and Bradley. Deputy Mayor Thorne was absent and Councillor Fulton left the meeting and did not return at 7:40 o'clock. Also present at this meeting were the Chief Administrative Officer, Michael Cummings and the Town Clerk/Treasurer, Paul Maguire.

Before the start of the Council meeting, the Council held a moment of silence for William Gamblin who recently passed away. Mr. Gamblin was a Councillor for the Town of Sussex from 1958-1960.

It was moved by Councillor Stuart, 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 Stuart, seconded by Councillor Fulton, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on July 20<sup>th</sup> 2009, be approved as circulated. Motion carried.

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Present at the Council meeting were members of the Kiwanis Aktion Club who recently helped in a beautification effort in the Town by having a Town clean-up in the month of June. Members of the club were presented with Certificates of Appreciation for their efforts in enhancing the beautification of this Community. His Worship Mayor Carr presented the Certificates to the members of this club and the Council thanked the club for their continued interest in the Community. Members of the Aktion Club who received Certificates were: Angel Ryder, Owen Fairweather, Natasha Brown, Theresa Richard, Patti Barton, Rosemary Elliott, Karen Folkins, Jackie Munroe, Vanessa Palmer, Natisha McCutcheon, Eroy Goguen, Todd Hanson, Eddie McPhee, Darren Ganong, Doug Wheaton, Jonathan Hawkes, Matthew Crealock, Larry Gidney, Jason Beck, and Barb Olsen.

A rezoning request was received from Gregory, Jane and Edward Keith for a property they own at 451 Main Street. They are requesting a rezoning from an "R3" to allow the operation of their financial services business. It was moved by Councillor Wilson, seconded by Councillor Wright that Council accept the application for the rezoning of the property at 451 Main Street and that the application be forwarded to the Administration Committee for further consideration. Motion carried.

A letter was received from Colonel S.J. Bowes from the Combat Training Center of the Canadian Forces Base in Gagetown thanking the Town for their support during the recent military exercise held in the Sussex area.

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It was moved by Councillor Wilson, seconded by Councillor Campbell that the letter from Colonel Bowes be filed. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley that the Fire Report for the month of July 2009 be received as circulated. Motion carried. During the month the Fire Department responded to a total of fourteen (14) calls with seven (7) calls originating within the Town of Sussex and seven (7) out of Town calls.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the Building Inspector's report for the month of July 2009 be received as circulated. Motion carried. The report indicated that during the month of July, the Building Inspector issued one (1) permit for new construction with a value of \$150,000.00, twenty-nine (29) permits for renovations, repairs, alterations and additions with a value of \$529,300.00.

It was moved by Councillor Stuart, seconded by Councillor Wilson, that the Development Officer's report for the month of July 2009 be received as circulated. Motion carried. The report indicated that during the month, the Development Officer approved two (2) building location surveys, one (1) tentative subdivision plan and one (1) subdivision plan.

It was moved by Councillor Stuart, seconded Councillor Wilson, that the minutes of the Planning Advisory Committee meeting dated August 18, 2009, be received as circulated. Motion carried.

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It was moved by Councillor Stuart, seconded by Councillor Wilson that the minutes of the Planning Advisory Committee Meeting dated July 28, 2009 be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright that Council have a third reading by title of 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, By-Law #940-09-02. 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 Stuart that Council have a first reading by title of the Preservation Area By-Law, By-Law #452-09. Motion carried. The Town Clerk then read the By-Law for the first time by title.

It was moved by Councillor Stuart, seconded by Councillor Campbell that Council have a second by title of the Preservation Area By-Law, By-Law #452-09. 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 Campbell that the report of the Human Services Committee Meeting dated August 17<sup>th</sup>, 2009 be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve that the Community Services Officer attend

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the Recreation NB Annual Conference in Fredericton on September 16<sup>th</sup> - 18<sup>th</sup>, 2009 on behalf of the Town. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve the following for the 24<sup>th</sup> Annual International Balloon Fiesta:

- to hold the 24<sup>TH</sup> Annual Atlantic International Balloon Fiesta in Princess Louise Park from September 11 – 13, 2009, inclusive;
- to utilize the 8<sup>th</sup> Hussars Sports Centre commencing on September 9, 2009, from 6:00pm to September 13, 2009, ending at 7:00pm;
- to utilize Princess Louise Park and the Golden Jubilee Hall from September 9 – 13, 2009, inclusive;
- to conduct launches and landing of balloons to and from Princess Louise Park from September 9 – 13, 2009, inclusive;
- to permit tethering of hot air balloons in Princess Louise Park from September 9 – 13, 2009, inclusive;
- to permit the landing and taking off of helicopters, powered paragliders, and ultralights from Princess Louise Park from September 9 – 13, 2009, 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 12, 2009;
- to have midway rides in the parking lot adjacent the Sports Centre from September 9 – 13, 2009, 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

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launches by Provincial and Federal regulations regarding these various activities;

- 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 Bradley, seconded by Councillor Stuart, that Council approve an expenditure of up to \$2500.00 to

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support the 24<sup>th</sup> Annual International Balloon Fiesta breakfast. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart, that Council approve the 2010 NB Antique Auto Flea Market Agreement and that Council authorize the Mayor and Town Clerk to sign the Agreement on behalf of the Town. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart that Council accept the quotation from B&W Contracting Ltd for flooring for the Sports Center offices for an amount of \$4,146.48. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council authorize the Mayor and Town Clerk to sign O'Connell Park Subdivision 2009-1 dated August 12, 2009 on behalf of the Town. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart, that Council authorize the Mayor and Town Clerk to sign the letter of offer from Recreational Infrastructure Canada Program for rink boards and lighting for the 8<sup>th</sup> Hussars Sports Center. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart that Council approve a special event license for the Moosehead Oldtimers to hold a dance at the 8<sup>th</sup> Hussars Sports Center on August 27, 2009. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson that Council approve the expenditure of \$550.00 for a local

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family to attend the NB Community Living Foundation Conference in Dieppe on October 23<sup>rd</sup> and 24<sup>th</sup>, 2009. Motion carried.

It was moved by Councillor Stuart, seconded by Councillor Wilson that the report of the Economic Development and Long Range Planning Committee Meeting dated August 17, 2009 be received as circulated. Motion carried.

It was moved by Councillor Stuart, seconded by Councillor Wilson, that His Worship Mayor Carr become a member of the Southern NB Forestry Working Group. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart that the report of the Works Committee meeting dated August 18, 2009 be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Bradley that Council purchase from Universal Truck and Trailer a 5 ton truck complete with plow, wing and dump for quotation T-13-09 for an amount of \$177,862.00. Motion carried.

Councillor Stuart declared a conflict of interest on the next three items and vacated the Council chambers for any discussion and decision on the items.

It was moved by Councillor Campbell, seconded by Councillor Wilson that Council approve the purchase for quotation T-14-09 from MacDonald Pontiac Buick GMC Limited for a ½ ton truck complete with cap for an amount of \$23,437.96. Motion carried.



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It was moved by Councillor Campbell, seconded by Councillor Bradley that Council purchase from Norrad Chrysler Dodge Jeep a 1 ½ truck for quotation T-15-09 for an amount of \$53,184.58. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Bradley that Council approve that the 1991 Freightliner 5 ton complete with plow and wing, with trade in value of \$8,000.00 be traded in on a 2010 5 ton International complete with plow and wing, that the 1998 Chevrolet ¼ ton pickup with a trade in value of \$500.00 be traded in on the ½ ton GMC Truck complete with cap and that the 1996 Ford 1 ton complete with service box having a trade-in value of \$3,500.00 be traded in on a 1 ½ ton truck complete with service box. Motion carried.

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

It was moved by Councillor Campbell, seconded by Councillor Bradley that Council approve the release of the final guarantee in the amount of \$29,141.82 to Brown's Paving Ltd in regards to Contract 50-001-08 – Asphalt Pavement. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Bradley that Council approve the final expenditure of \$39,026.64 for chain link fence that was installed by Eastern Fence in Princess Louise Park. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart that the Building Inspector Peter Blakeney attend the two-day seminar

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in Fredericton on the National Building Code on September 29<sup>th</sup> and 30<sup>th</sup>, 2009. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson that the report of the Protective Services Committee Meeting dated August 19, 2009 be approved as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson that Council approve that Firefighters Mike Ness, Craig Long and Jeremy McFarlane attend the Annual Miramichi Workshop in Miramichi City on September 18<sup>th</sup> and 19<sup>th</sup>, 2009. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart that Council approve that the Fire Department may provide the 1986 Pumper/Tanker for use at the Miramichi Annual Workshop to be held in Miramichi City on September 18<sup>th</sup> and 19<sup>th</sup>, 2009. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright that the report of the Administration Committee Meeting dated August 20, 2009 be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart that Council authorize the Mayor and Town Clerk/Treasurer to sign the Memorandum of Agreement with Service New Brunswick to provide BizPal to the Town of Sussex. Motion carried.

Councillor Wilson declared a conflict of interest on the next item on the agenda and vacated the Council chambers for any discussion and decision on the item.

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It was moved by Councillor Bradley, seconded by Councillor Campbell that Council approve the sale of a parcel of land having PID 30011001 to Source Atlantic for \$17,000.00 including land transaction costs and that Council authorize the Mayor and Town Clerk to sign the legal documents associated with this land sale. Motion carried.

Councillor Wilson returned to Council chambers from his conflict of interest.

It was moved by Councillor Wilson, seconded by Councillor Stuart that Council engage Virtual Planning Inc. to assist the review committee in reviewing the Municipal Plan and Zoning By-Laws. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart that Council authorize the Mayor and Town Clerk/Treasurer to sign the employment agreement with Joel W. Wannamaker for the Fire Truck Driver/Operator with the Sussex Fire Department. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell that Council approve the job description for the Equipment Operator I classification. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart that Council approve the job description for the Laborer classification. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart that Council approve for payment accounts for the month of July 2009 totaling \$1,174,102.24. Motion carried.

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Councillor Bradley, His Worship Mayor Carr and members of Council expressed their best wishes to Councillor Wright on his upcoming wedding on Saturday August 29, 2009.

Councillor Wilson noted that the Economic Development and Long Range Planning Committee has been entertaining discussion with Red Ball Internet to provide wireless internet services to the Community and that these discussions may lead to the ability of the Town to have remote motion light sensors or remote wireless security cameras in the Town Parks and Downtown area.

His Worship Mayor Carr noted that the next regularly scheduled meeting of Council will be Monday, September 28, 2009.

It was moved by Councillor Wright, 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