

Town of Sussex

Minutes of Meeting of Council held this

28th day of September, 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 28th day of September, 2009, 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, Wilson, Wright and Bradley. Councillor Fulton 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 Stuart, 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 – 6(A) Floral Avenue/Hazel Hill Residents and re-lettering the original items on the agenda from B to F.

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 Bradley, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on August 24th, 2009, be approved as circulated. Motion carried.

It was moved by Councillor Stuart, seconded by Councillor Wilson, that the minutes of a special meeting of the Town Council of the Town

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of Sussex held on August 24th, 2009, be approved as circulated. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Bradley, that the minutes of a special meeting of the Town Council of the Town of Sussex held on September 8, 2009, be approved as circulated. Motion carried.

Present at the Council meeting were residents of the Floral Avenue / Hazel Hill area. The spokesman for the residents was Mr. John Robinson who lives on Floral Avenue. The residents addressed Council on the railroad crossing at Floral Avenue and Hazel Hill Road. The residents noted that there recently was a near accident in the area and that they would like to see a long term solution to the problem being warning lights installed at the crossing. Mr. Robinson noted that the Town had erected a stop sign on the Floral Avenue side of the tracks and that the trains have increased their whistle blowing at the crossing and the railroad has cut back the bushes on both sides of the crossing. His Worship Mayor Carr informed the residents that the Town recently held a meeting with all the stakeholders concerned with the crossing and that the Town has erected the stop sign as indicated by Transport Canada and that the stakeholders, including the Town, are awaiting a report on the crossing from the railroad company which hopefully will include the cost and procedure for installing warning lights at the crossing.

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A letter was received from Joseph A. Bent submitting a request to rezone a parcel of land having PID number of 30201800 on Main Street from a Highway Commercial Zone to an R4 Residential Family Zone in order to construct an apartment complex. Present at the Council Meeting was Mr. Bent who addressed Council on his rezoning request.

It was moved by Councillor Wilson, seconded by Councillor Campbell that the application for rezoning from Joseph Bent be tabled until the next regular monthly Council Meeting on October 26, 2009. Motion carried.

A letter was received from Peter French of RETEP Satellite requesting a zoning by-law amendment for 448 Main Street, PID #30242754 to be rezoned for a commercial/retail use.

It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne that Council accept the rezoning application and refer it to the Administration Committee to start the rezoning process. Motion carried.

A letter was received from Prestige Homes with a rezoning request for a property located on Marble Street with PID #30263461 requesting a rezoning from light industrial to R3. Present at the Council Meeting was Mr. Don Darling and Mr. Dave Fulton on behalf of Prestige Homes and Mr. David Titus on behalf of the Sussex Resource Center. Mr. Darling explained to Council his rezoning request.

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It was moved by Councillor Wilson, seconded by Councillor Stuart that Council accept the rezoning application from Prestige Homes and refer the application to the Administration Committee to start the rezoning process. Motion carried

A letter was received from Rik Reese from the Neon Highway Band thanking the people of Sussex for their reception during their recent performance at the Atlantic Balloon Fiesta.

It was moved by Councillor Wright, seconded by Councillor Campbell that the letter from Rik Reese be filed. Motion carried.

A letter was received from the Commissioner for Communities Responding to Human Needs informing the Council that Restorative Justice Week for 2009 is from November 15th to November 22nd.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart that the letter from the Commissioner Don Head be filed. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley that the Fire Report for the month of August 2009 be received as circulated. Motion carried. During the month, the Fire Department responded to a total of 17 calls with 13 calls originating within the Town of Sussex and 4 out of town calls.

It was moved by Councillor Wilson, seconded Councillor Campbell that the Building Inspectors Report for the month of August 2009 be received as circulated. Motion carried. The report indicated that during the month of August, the Building Inspector issued one (1) permit for

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new construction with a value of \$45,000 and twenty-nine (29) permits for renovations, repairs, alterations and additions for a value of \$409,800.00.

It was moved by Councillor Wilson, seconded by Councillor Bradley that the Development Officer's Report for the month of August 2009 be received as circulated. Motion carried. The report indicated that during the month, the Development Officer approved one (1) Building Location Survey, one (1) Plan of Survey and two (2) Tentative Subdivision Plans.

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne that the minutes of the Planning Advisory Committee meeting dated September 9, 2009, be received as circulated. Motion carried.

Deputy Mayor Thorne was not present for the hearing of objections to the Preservation Area By-Law, By-Law #452-09 and did not vote on the next two items on the agenda.

It was moved by Councillor Wilson, seconded by Councillor Campbell that Council have a reading in it's entirety of the Preservation Area By-Law, By-Law #452-09. Motion carried. The by-law was then read in its entirety.

It was moved by Councillor Campbell, seconded by Councillor Wilson that Council have a third 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 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 Wilson that the report of the Human Services Committee Meeting dated September 22nd, 2009 be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart, that Council approve that the Girl Guides organization:

- may use the field area of Princess Louise Park on Saturday, May 15th, 2010 to host the activities for the nearly 2000 young women and girls who will be participating in the Girl Guides 100th Anniversary celebrations
- may reserve the Sports Centre as a rain venue
- may place a flatbed truck in Burton Park to serve as a stage for guest speakers and presentations;
- may use Golden Jubilee Hall as a Command Post for organizers; and
- may to plant a tree and place a small monument to mark the Anniversary celebrations.

Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve the purchase of a compressor for a dehumidifier at the Sports Center from CIMCO Refrigeration for an amount of \$5,294.05. 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 September 22, 2009 be received as circulated. Motion carried.

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It was moved by Councillor Stuart, seconded by Councillor Bradley that Council approve the bridge financing for the Princess Louise Show Center Inc of \$80,000.00 and a grant of \$10,000 towards the Fire Protection. Motion carried.

It was moved by Councillor Stuart, seconded by Councillor Wilson, that Council approve that the Town purchase an ad in the Provincial Tourism Guide from HAWK Communications for an amount of \$6,955.15. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson that the report of the Works Committee meeting dated September 24, 2009 be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson that Council accept the bid from Saunders Equipment Ltd for Quotation T-16-09 – Sidewalk Tractor in the amount of \$132,932.07 and the funds from the Capital Reserve Fund be drawn to pay for this purchase. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart that Council accept the final amount of \$182,465.81 including contingencies owed to Avondale Construction for work completed under Contract 50-001-09 – Sports Center Renovations. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Bradley that Council accept the bids on item #2,4 and 5 on the surplus equipment materials tender from Harold Crowe, and the bid on item #6

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from Derek McFarlane and that the remaining items be disposed of at the salvage yard. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart that the report of the Protective Services Committee Meeting dated September 23, 2009 be approved as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart that Council approve the following Children's Wish Foundation parade route to take place on Saturday, October 17, 2009 commencing at 11:00am.

- *“Commencing in the parking lot of Wal-Mart;*
- *thence along Main Street from the entrance to Wal-Mart to Queen Street;*
- *thence along Queen Street to Broad Street;*
- *thence along Broad Street to Main Street;*
- *thence along Main Street from Broad Street to the Royal Bank entrance;*
- *thence ending in the parking lot of the Royal Bank”.*

Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson that Council approve the purchase of a positive pressure fan for \$1,843.08 from Acklands Grainger. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson that Council approve the purchase of three bunker suits for \$3,525.60 from MicMac Fire & Safety Ltd. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Stuart that the report of the Administration Meeting dated September 24, 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 an agreement between the Town of Sussex and Bethany Bible College that permits the college to pave a portion of Moffett Avenue closed to the public for an entrance to the Chapel Parking Lot. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley that Council authorize the Mayor and Town Clerk/Treasurer to sign an influenza immunization agreement between the Victorian Order of Nurses for Canada New Brunswick Branch Inc. on behalf of the Town to administer influenza vaccines to Town employees. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart that Council approve a meeting for Monday November 16, 2009 at 6:00 pm to hear objections to the Zoning By-Law Amendment, By-Law #1350-04-21 for the property at 451 Main Street. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell that Council award Contract 50-005-09 - Wastewater Treatment Plant Upgrade Disinfection Unit to Simpson Building Contractors Ltd subject to the Capital Borrowing Board's funding approval for a tender amount of \$977,775.10 and that Council authorize the Mayor and Town Clerk to sign the contractual documents on behalf of the Town. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Stuart that Council award Contract 50-006-09 – Construction of Municipal Services – Meadow Lane Subdivision to E.J. Cunningham Ltd subject to the Capital Borrowing Board's funding approval for a tender bid amount of \$490,404.36 and that Council authorize the Mayor and Town Clerk to sign the contractual documents on behalf of the Town. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley that Council approve that the Town Clerk/Treasurer attend a Fraud Risk Training Workshop in Saint John on November 19, 2009. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart that Council approve for payment accounts for the month of August 2009 totaling \$986,745.98. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright that Council have a first reading by title of the Transient Traders and Peddlers By-Law, By-Law #1056-09. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Wilson, seconded by Councillor Bradley that Council have a second reading by title of the Transient Traders and Peddlers By-Law, By-Law #1056-09. Motion carried. The Town Clerk then read the by-law for the second time by title.

Deputy Mayor Thorne updated the Council on the completion of the four ponds on the Town's trail system by Ducks Unlimited. Deputy Mayor Thorne noted that he is very pleased with the work that has been

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done and that this area will not only help enhance the Town's trail system but will provide educational value in the workings of the conservation of the wetlands.

His Worship Mayor Carr noted that there would be a special Council meeting on Wednesday September 30, 2009 at 6:00 pm to set a date, time and place to have the public presentation of the zoning request by Prestige Homes for a parcel of land off Marble Street.

His Worship Mayor Carr noted that the next regularly scheduled meeting of Council will be Monday, October 26, 2009.

It was moved by Councillor Wright, seconded by Councillor Wilson 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