

# Town of Sussex

Page 1/11

Minutes of Meeting of Council held this  
26th day of October, 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 26<sup>th</sup> day of October, 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, Bradley, Wilson, Fulton, Stuart and Wright. 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 Campbell, seconded by Councillor Fulton, 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 Bradley, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on September 28, 2009, be approved as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the minutes of the special meeting of the Town Council of the Town of Sussex held on September 30, 2009, be approved as circulated. Motion carried.

# Town of Sussex

Page 2/11

Minutes of Meeting of Council held this  
26th day of October, 2009

A.D.,

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the minutes of the special meeting of the Town Council of the Town of Sussex held on October 19, 2009, be approved as circulated. Motion carried.

A letter was received from Carol Lynn Gamblin, Community Outreach Coordinator for the Sussex Vale Transition House, requesting that Council declare November, 2009, Family Violence Prevention Month.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wright, that the correspondence from Carol Lynn Gamblin be filed. Motion carried.

A letter was received from Douglas Cosman, President Sussex Downtown Business Association, outlining the Association's 2010 budget.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wright, that the letter from the Sussex Downtown Business Association be filed. Motion carried.

A letter was received from Joseph A. Bent requesting that consideration to his rezoning application be extended until the next meeting in November to allow completion of the design changes and provide additional data.

It was moved by Deputy Mayor Thorne, seconded by Councillor Campbell, that the letter from Joseph A. Bent be filed. Motion carried.

# Town of Sussex

Minutes of Meeting of Council held this  
26th day of October, 2009

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It was moved by Councillor Wright, seconded by Councillor Bradley, that the Fire Report for the month of September, 2009, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 20 calls with 13 calls originating within the Town of Sussex and seven out of Town calls.

It was moved by Councillor Wright, seconded by Councillor Fulton, that the Building Inspector's report for the month of September, 2009, 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 \$741,000.00, 24 permits for renovations, repairs, alterations and additions for a value of \$240,000.00 and one demolition permit for a value of \$2,000.00.

It was moved by Councillor Wright, seconded by Councillor Campbell, that the Development Officer's report for the month of September, 2009, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved three Building Location Surveys and one Subdivision Plan.

It was moved by Councillor Bradley, seconded by Councillor Wright, that the minutes of the Planning Advisory Committee meeting dated October 14, 2009, be received as circulated. Motion carried.

# Town of Sussex

Page 4/11

Minutes of Meeting of Council held this  
26th day of October, 2009

A.D.,

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the application for rezoning from Joseph A. Bent that was tabled at the September 28, 2009, Council meeting be removed from the table. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the application for rezoning from Joseph A. Bent be tabled until the next regular monthly Council meeting on November 16, 2009. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council have a reading in its entirety of By-Law # 1056-09, Transient Traders and Peddlers By-Law. Motion carried. The by-law was then read in its entirety.

It was moved by Councillor Fulton, seconded by Councillor Campbell, that Council have third reading by title of By-Law # 1056-09, Transient Traders and Peddlers By-Law. 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.

His Worship Mayor Carr noted that there will be a Hearing of Objections on November 16, 2009, at 6:00pm for the Zoning By-Law Amendment, By-Law # 1350-04-21.

# Town of Sussex

Page 5/11

Minutes of Meeting of Council held this  
26th day of October, 2009

A.D.,

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council set November 25, 2009, at 6:00pm in the Council Chambers of the Town of Sussex as the date, time and place to hear objections to the Municipal Plan By-Law Amendment, By-Law # 704-04-11 and Zoning By-Law Amendment, By-Law # 1350-04-23. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart, that the report of the Human Services Committee Meeting dated October 19, 2009, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council approve that the Sussex Valley Council 8213, Knights of Columbus, be permitted to erect the Christmas Crib in the Peace Park. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Stuart, that the report of the Economic Development and Long Range Planning Committee Meeting dated October 19, 2009, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Fulton, that the report of the Works Committee Meeting dated October 20, 2009, be received as circulated. Motion carried.

# Town of Sussex

Page 6/11

Minutes of Meeting of Council held this  
26th day of October, 2009

A.D.,

It was moved by Councillor Campbell, seconded by Councillor Stuart, that Council approve payment of the final cost, including contingency, to E. J. Cunningham Ltd. for work completed under Contract 50-002-09, Malone Homestead Company Inc. Subdivision, in the amount of \$487,068.04. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart, that Council approve payment of the final cost, including contingency, to Brown's Ltd. for work completed under Contract 50-003-09, Asphalt Pavement, in the amount of \$604,451.89. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart, that Council approve payment of the final cost, including contingency, to E. J. Cunningham Ltd. for work completed under Contract 50-004-09, General Public Works, in the amount of \$848,934.50. Motion carried.

His Worship Mayor Carr and Councillor Wright declared a conflict of interest with respect to the next item on the agenda and vacated the Council Chambers for any discussion or decision on the item. Deputy Mayor Thorne assumed the Chair of the meeting for this item.

It was moved by Councillor Campbell, seconded by Councillor Fulton, that Council approve that Jason Adair be promoted to the position of Equipment Operator 1 as of October 29, 2009. Motion carried.

Minutes of Meeting of Council held this  
26th day of October, 2009

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His Worship Mayor Carr and Councillor Wright returned to the Council Chambers from their conflict of interest and His Worship Mayor Carr assumed the Chair of the meeting.

It was moved by Councillor Campbell, seconded by Councillor Stuart, that Council approve that the Superintendent of Works attend the CPWA conference in Fredericton on October 28, 29 and 30, 2009. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Campbell, that the report of the Protective Services Committee Meeting dated October 21, 2009, be received as circulated. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that Council approve the following Diabetes Cavalcade Parade route to take place on April 29, 2010, commencing at 2:00pm:

- ◆ commencing at the Gateway Mall parking lot;
- ◆ thence along Main Street from the Gateway Mall to Queen Street;
- ◆ thence along Queen Street from Main Street to Broad Street;
- ◆ thence along Broad Street from Queen Street to Main Street;
- ◆ thence along Main Street from Broad Street to Town limit;
- ◆ thence along Main Street from the Town limit to Willow Court;
- ◆ thence along Willow Court to the entrance to the Lion's Club; and
- ◆ thence ending in the parking lot of the Lion's Club.

Motion carried.

# Town of Sussex

Page 8/11

Minutes of Meeting of Council held this  
26th day of October, 2009

A.D.,

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that Council approve that the following Olympic Torch Parade route to take place on November 24, 2009, commencing at 11:30am:

- ◆ commencing in the parking lot of the Sussex Elementary School;
  - ◆ thence along Main Street from Duke Street to Sunnyside Drive;
  - ◆ thence along Sunnyside Drive to Western Street;
  - ◆ thence along Western Street from Sunnyside Drive to Main Street;
  - ◆ thence along Main Street from Sunnyside Drive to Duke Street;
- and
- ◆ thence ending in the parking lot of the Sussex Elementary School.

Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart, that Council approve an expenditure of \$2,113.01 for the Town's share for a regional EMO Software package provided by Sentinel Systems Inc. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that the report of the Administration Committee Meeting, dated October 22, 2009, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve the agreement to permit a driveway to be placed on land for public purposes to service a parcel of land owned by Malone Homestead Inc. from Magnolia Avenue and that the Mayor and Town Clerk be authorized to sign the agreement on behalf of the Town. Motion carried.



# Town of Sussex

Page 9/11

Minutes of Meeting of Council held this  
26th day of October, 2009

A.D.,

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council approve the following Remembrance Day Parade route for Wednesday, November 11, 2009, commencing at 10:30am:

- ◆ commencing at the Royal Canadian Legion parking lot on Magnolia Avenue;
- ◆ thence along Magnolia Avenue from the Royal Canadian Legion parking lot to Main Street;
- ◆ thence along Main Street from Magnolia Avenue to Broad Street;
- ◆ thence along Broad Street from Main Street to Cenotaph;
- ◆ thence from the Cenotaph on Broad Street to Main Street;
- ◆ thence along Main Street from Broad Street to Magnolia Avenue;
- and
- ◆ thence along Magnolia Avenue from Main Street to Royal Canadian Legion parking lot.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve, for payment, accounts for the month of September, 2009, totaling \$694,740.55. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council set December 1, 2009, at 6:00pm in the Council Chambers of the Town of Sussex as the date, time and place to hear objections to the Zoning By-Law Amendment, By-Law # 1350-04-22.

Motion carried.

# Town of Sussex

Page 10/11

Minutes of Meeting of Council held this  
26th day of October, 2009

A.D.,

It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that Council have first reading by title of Municipal Recreational or Sports Facilities and Program Fees By-Law, By-Law # 940-09. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne, that Council have second reading by title of Municipal Recreational or Sports Facilities and Program Fees By-Law, By-Law # 940-09. Motion carried. The Town Clerk then read the by-law for the second time by title.

Councillor Wright informed Council that the Sussex Regional Library Board and Staff invite the Council and members of the public to an open house to be held on October 28, 2009, from 5:30pm to 7:00pm at the Sussex Regional Library to celebrate Canadian Libraries Month.

Councillor Fulton informed Council that at the monthly Protective Services Committee meeting the Sergeant for the local RCMP Detachment was requested to provide a report back to the Committee on the blockage of Main Street at the intersections entering Tim Horton's Drive-Thru and causing potential hazard for emergency vehicles to enter and exit these intersections.

# Town of Sussex

Page 11/11

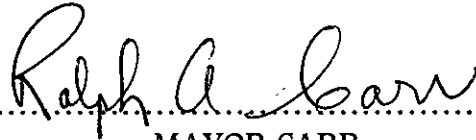
Minutes of Meeting of Council held this  
26th day of October, 2009

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The Councillor reminded the public that it is a violation of the Motor Vehicle Act for motorist to block intersections and that it is important that intersections be kept clear so that traffic can move freely through the traffic lights at the intersections.

His Worship Mayor Carr noted that the next regularly scheduled meeting of Council will be November 16, 2009, at 7:00pm.

It was moved by Councillor Campbell, seconded by Councillor Fulton, that this regular meeting of the Town Council of the Town of Sussex adjourn. Motion carried.



.....  
MAYOR CARR



.....  
TOWN CLERK