

Town of Sussex

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Minutes of Meeting of Council held this
16th day of November, 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 16th day of November, 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 Deputy Mayor Thorne, 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 Wright, seconded by Councillor Stuart, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on October 26, 2009, be approved as circulated. Motion carried.

Council had a hearing of objections to the Sussex Downtown Business Improvement Area 2010 Budget. The budget included a levy of \$0.18 per \$100.00 of tax assessment. The total proposed budget had revenues of \$29,000.00 and expenditures of \$29,000.00.

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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 Sussex Downtown Business Improvement Area 2010 Budget.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that the Fire Report for the month of October, 2009, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 27 calls with 17 calls originating within the Town of Sussex and 10 out of Town calls.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the Building Inspector's report for the month of October, 2009, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued one permit for new construction for a value of \$75,000.00 and 27 permits for renovations, repairs, alterations and additions for a value of \$272,300.00.

It was moved by Councillor Stuart, seconded by Councillor Fulton, that the Development Officer's report for the month of October, 2009, be received as circulated. Motion carried. During the month of October there were numerous enquiries relating to zoning and subdivision regulations however no plans or instruments were submitted for approval.

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His Worship Mayor Carr noted that the Planning Advisory Committee did not meet during November.

It was moved by Councillor Fulton, seconded by Councillor Stuart, that Council remove from the table a motion made on October 26, 2009, which stated "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 Wright, that Council accept the application for rezoning from Joseph A. Bent for a parcel of land having P.I.D. # 30201800 and identified as Ashley Long Subdivision, Lot # 200-1, dated December 31, 2001, from a Highway Commercial Zone to an "R4" Residential zone in order to construct an apartment complex and refer the application to the Administration Committee. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright, that Council have a reading in its entirety of By-Law # 940-09, Municipal Recreational or Sports Facilities and Program Fees By-Law. Motion carried. The Town Clerk then read the by-law in its entirety.

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It was moved by Councillor Fulton, seconded by Councillor Wilson, that Council have third reading by title of By-Law # 940-09, Municipal Recreational or Sports Facilities and Program Fees 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.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council have first reading by title of By-Law # 1350-04-21, Zoning By-Law Amendment. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council have second reading by title of By-Law # 1350-04-21, Zoning By-Law Amendment. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Stuart, seconded by Councillor Wright, that Council refer the Zoning By-Law Amendment, By-Law # 1350-04-21, to the Planning Advisory Committee for their review and comment. Motion carried.

It was moved by Councillor Stuart, seconded by Councillor Bradley, that Council have first reading by title of By-Law # 154-09, 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.

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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 Campbell, that Council have second reading by title of By-Law # 154-09, 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.

Motion carried. The Town Clerk then read the by-law for the second time by title.

His Worship Mayor Carr noted that there will be a hearing of objections on November 25, 2009, at 6:00pm 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.

His Worship Mayor Carr noted that there will be a hearing of objections on December 1, 2009, at 6:00pm to hear objections to the Zoning By-Law Amendment, By-Law # 1350-04-22.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the report of the Human Services Committee Meeting dated November 9, 2009, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Stuart, that Council approve the following route for the 2009 Santa Clause Parade scheduled to take place on Saturday, December 5, 2009, at 6:30pm:

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- ◆ commencing on Perry Street in Princess Louise Park;
- ◆ thence along Leonard Drive from Perry Street to Main Street;
- ◆ thence along Main Street to Wal-Mart entrance; and
- ◆ thence ending in Wal-Mart parking lot.

Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that the report of the Works Committee Meeting dated November 10, 2009, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Stuart, that Council approve that Works Department Operators, Mechanic and Supervisory personnel attend a training session on the Trackless MT to be held in Moncton on November 19, 2009. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the report of the Protective Services Committee Meeting dated November 10, 2009, be received as circulated. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council accept the resignations of volunteer firefighters Tim Gregg and Lance Chown from the Sussex Fire Department as of October 27, 2009. Motion carried.

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It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that Council approve the purchase of Items 1-3 from Safety Source Ltd.; Items 4-7 from Micmac Fire & Safety Ltd. and Item # 8 from Acklands Grainger on the Fire Equipment quotation request. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Stuart that Council approve that ten members of the Sussex Fire Department attend an advanced SCBA Training Course provided by Fire Training Associates at the Sussex Fire Station. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Administration Committee Meeting, dated November 12, 2009, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright, that Council approve the following polices:

- ◆ RD-17 – Municipal Recreational and/or Sports Facilities Schedule of Fees Policy; and
- ◆ RD-20 – Municipal Recreational Program Schedule of Fees Policy.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council approve a Service Agreement with Service New Brunswick for software application Report-A-Problem for the Town of Sussex and that Council authorize the Mayor and Town Clerk to sign the agreement on behalf of the Town. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Stuart, that Council authorize the Town Clerk/Treasurer to issue the Town's share of the first mortgage at the beginning of the first quarter in 2010 to the Sussex Regional Library Board as well as permission to issue 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 Wright, that Council approve:

- ◆ that the Town Treasurer be authorized to transfer the 2009 budget 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 2009 General Fund or Utility Fund surplus to the capital projects in each fund;
- ◆ that the Town Treasurer be authorized to transfer \$110,000.00 from the General Capital Reserve Fund to the General Fund for payment towards the purchase of the 2009 Sidewalk Tractor;
- ◆ 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 2009 budgeted amount from the Utility Operating Fund to the Utility Capital Reserve Fund in the amount of \$9,000.00.

Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve, for payment, accounts for the month of October, 2009, totaling \$336,365.70. Motion carried.

Deputy Mayor Thorne addressed Council on the tax assessment accountability mechanism that has been put into place for the Province of New Brunswick. The Deputy Mayor pointed out that the benchmark of 0.6% CPI is not realistic when applied to the Town's budget since many of the budget items exceed the national CPI rate. The Deputy Mayor pointed out that the Town has been informed by the Department of Public Safety that the R.C.M.P. cost for 2010 will be rising between three and four percent and that the Protective Services budget is approximately 25% of the Town's total budget. The Deputy Mayor pointed out that the tax assessment accountability is a benchmarking process in that the Town will be required to explain any increase over the rate suggested by the mechanism and that the Town in the past had always provided an explanation of the Town's tax rate.

Councillor Fulton requested that His Worship enquire to the Minister of Public Safety to see whether residents of the Town will be required to pay for parking at the new Justice facilities in Saint John once the Court House in Sussex is closed and court services are provided in Saint John.

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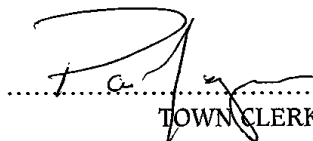
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Councillor Fulton pointed out that there would not only be a burden on residents of Sussex to pay for public parking, they will also be required to pay there gas and car expenses to travel to Saint John to access the Justice facility.

His Worship Mayor Carr noted that the next regularly scheduled meeting of Council will be December 21, 2009, at 7:00pm.

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


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MAYOR CARR


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TOWN CLERK