

# Town of Sussex

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Minutes of Meeting of Council held this

21st day of June, 2010

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 21<sup>st</sup> day of June, 2010, 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, Wright and Black. 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 Wilson, seconded by Councillor Black, 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 Fulton, seconded by Councillor Wilson, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on May 17, 2010, be approved as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Black, that the Fire Report for the month of May, 2010, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 16 calls with nine calls originating within the Town of Sussex and seven out of town calls.

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It was moved by Councillor Wright, seconded by Councillor Wilson, that the Building Inspector's Report for the month of May, 2010, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued 40 permits for renovations, repairs, alterations and additions for a value of \$586,700.00 and one demolition permit for a value of \$9,000.00.

It was moved by Councillor Wilson, seconded by Councillor Black, that the Development Officer's Report for the month of May, 2010, be received as circulated. Motion carried. During the month, the Development Officer approved five Building Location Surveys, two Subdivision Plans and one Amending Subdivision Plan.

It was moved by Councillor Wright, seconded by Councillor Black, that the minutes of the Planning Advisory Committee Meeting, dated June 9, 2010, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the report of the Human Services Committee Meeting dated June 14, 2010, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wright, that Council approve the purchase of inflatable bouncers and games from Glow Parties for an expenditure of \$4,666.90 for the Canada Day celebrations. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council approve a grant of \$5,200.00 to support staffing costs as outlined in the Tennis Agreement between the Town and the Sussex Tennis Association. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve that the Middlemore Atlantic Society hold a fundraising event in Elliott Park on July 10, 2010. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Black, that Council approve that the Young People's Hour may place a tent in Princess Louise Park from July 12-16, 2010. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wright, that Council approve that Moyra Long and Mary Lea Stafford be appointed to the Sussex Regional Library Board for a term expiring on May 31, 2013. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Black, that Council accept the bid from Worman's Welding Ltd. for Quotation T-12-10, Trailer, for a bid price of \$5,285.00. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wright, that Council approve a revision to Policy # RD-21, Municipal Recreational Program Schedule of Fees Policy, to permit fees to be changed to add a section for Leadership Development Courses. Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve the Red Cross Agreement for the Swimming Program and that the Mayor and Town Clerk sign the Agreement on behalf of the Town. Motion carried.

It was moved by Councillor Fulton, seconded by Councillor Campbell, that the report of the Economic Development and Long Range Planning Committee meeting dated June 14, 2010, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Black, that the report of the Works Committee meeting dated June 15, 2010, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve Policy # WD-1, Works Department Standard Charges, as presented. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve that the wage rate for the Works Department summer students be set at \$9.00 per hour effective May 1, 2010. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that the report of the Protective Services Committee Meeting dated June 16, 2010, be received as circulated. Motion carried.

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It was moved by Councillor Campbell, seconded by Councillor Black, that Council accept Eric Watters, Johnathan Reid and Daniel Hamel as volunteer firefighters for the Sussex Fire Department as of June 22, 2010. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Administration Committee meeting dated June 17, 2010, be received as circulated. Motion carried.

Present at the Council meeting was Mr. Richard Pearson, the property owner of 31 Arnold Avenue having P.I.D. # 00265793. This property was first identified by Council as being unsightly on August 27, 2007, and Mr. Pearson has been given extensions to remedy the unsightly conditions to May 31, 2010. Mr. Pearson addressed Council on his property and indicated that he has been dealing with monetary issues regarding his property and other assets and has been trying to meet his financial obligations and to derive his living from his assets. Mr. Pearson provided two letters from the neighbours of his 31 Arnold Avenue property, signed by Nancy Carpenter and a second letter signed by Dr. and Mrs. Ralph Brooks. The letters indicated that the neighbours felt that legal action was not necessary and a counter productive step and at this time they feel that an extension of up to 12 months would be satisfactory. Council members present had an opportunity to ask questions of Mr. Pearson and Mr. Pearson had an opportunity to reply to the Council's questions about the property.

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It was moved by Councillor Wilson, seconded by Councillor Black, that whereas:

- Mr. Richard Pearson is the registered owner of the premises identified as 31 Arnold Avenue, with P.I.D. # 00265793;
- these premises have been vacant and the water service was shut off on December 12, 2005;
- the property was first identified by Council as being unsightly on August 27, 2007;
- it is recognized that work was started in a sporadic fashion, late in 2008, to construct a proper foundation by raising the existing dwelling and having the room to construct an addition at the rear;
- it is recognized that the owner did demolish the detached garage/shed which was situated at the rear of the lot;
- it has been noted that no additional work has progressed on the structure since late fall 2008;
- the site was left in a condition which poses danger to children which may be playing on this lot by virtue of window openings not having been secured and having an open rear addition;
- no additional work of any kind has been carried out to reduce or eliminate the original unsightly conditions of the residence;

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- the owner has only carried out a bare minimum of yard maintenance which includes, on an irregular basis, the mowing of the grass on the entire property, the application of topsoil in the fall of 2009 and the removal of high weeds along foundation and fence lines;
- the owner has been notified by Registered Mail and by Hand Delivery of the request to attend the August 18, 2009, Works Committee meeting at 6:00pm to explain his reasons for not having the work completed, to remove the conditions which cause the unsightly premises;
- the Works Committee approved a further extension in time to May 31, 2010, for the owner to complete all required works to remove the Unsightly Premises designation; and
- an inspection was carried out on June 14, 2010, on these premises at 31 Arnold Avenue and that no improvements were noted.

Therefore be it resolved that:

- as Mr. Richard Pearson is the owner of the property registered in the Hampton Land Titles Office identified as 31 Arnold Avenue, having a P.I.D. # 00265793, has taken no steps to remedy the Unsightly Conditions of this property to the extended date of May 31, 2010, and he be required to complete all renovations to this property to remove the current dangerous and unsightly conditions of the property by 4:00pm on Thursday, August 12, 2010; and

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Be it further resolved that:

- if the unsightly conditions have not been remedied satisfactorily by 4:00pm on Thursday, August 12, 2010, in particular that the façade of the building be painted, the windows and doors secured, the foundation at the back of the building secured and that the grounds and landscaping of the property be maintained in a tidy manner;
- the Building Inspector proceed to Step # 4 of the Administrative Procedure Policy to carry out the collection of evidence to support an application to Provincial Court and to seek legal assistance for the necessary papers for such application. If the conditions of the façade of the building be painted, the windows and doors secured, the foundation at the back of the building secured and the grounds and landscaping of the property be maintained in a tidy manner are met by Thursday, August 12, 2010, then a one (1) year extension would be granted for the property to meet the additional requests for improvement as identified by the Building Inspector.

In particular, the following need to be completed:

- the finish on existing X90 Masonite siding has worn off and siding to be replaced;
- all woodwork to be repainted and rotten boards or trim to be replaced and painted;
- the foundation knee walls to be finished with siding; and
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- the addition, which was planned by the owner, is to be erected to complete the building as was planned and in accordance with the National Building Code.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve Policy # RD-17, Municipal Recreational and/or Sports Facilities Schedule of Fees. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council set 0.5% interest rate for the interfund loans and balances for the time period July 1, 2010, to June 31, 2011. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council accept the final amount of monies in the amount of \$491,134.03 that includes two contingencies that amount to \$3,765.74 for work completed in Contract 50-006-10, Meadow Lane Subdivision municipal services, by E. J. Cunningham Ltd.. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approves that Robert Trafton is appointed to the Planning Advisory Committee for a term to December 31, 2011. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Black, that Council approve for payment accounts for the month of May, 2010, totaling \$573,135.91. Motion carried.

Councillor Bradley informed Council that she had recently attended the Graduation of 2010 Baccalaureate Service which was held at the Wesleyan Church. There were approximately 230 Graduates in the 2010 Class. Reverend Kevin Vincent spoke to the Graduating Class on the importance of reflection, risk taking and leaving a legacy. His Worship Mayor Carr and members of Council wish the Graduating Class and all Graduates of all courses the best in the future and reminded the Graduates to be responsible in their Graduation celebrations.

Councillor Fulton encourages users of the Town's Trail System and Parks, with animals, to clean-up after their animals in order to leave the trails and parks in an enjoyable state for all the users.

Councillor Fulton also expressed the possibility for the owners of the Sussex Mall to explore the use of their building for retail outlets as a successful concept for this property.

Councillor Fulton and His Worship Mayor Carr informed Council that the Committee of Council that was formed of both Council members and interest groups in the saving of the Sussex Court House met with the Minister and other members of the Department of Justice to visit the Court facilities in Sussex. The Minister and Deputy Minister seemed impressed with the state of the facilities and the meeting seemed

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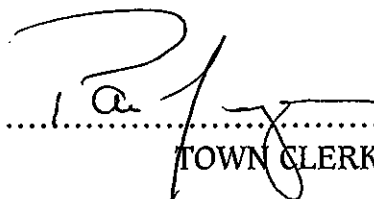
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productive and hopefully the facility will be used in the future and the Justice System will continue to have a presence in the community.

His Worship Mayor Carr noted that the next scheduled meeting of Council is July 19, 2010.

It was moved by Councillor Wright, seconded by Councillor Fulton, 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