

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 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 22nd day of November, 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, Fulton, Wright, Wilson and Black. Councillor Fulton left the meeting at 7:05pm before the approval of the agenda and did not return to Council meeting. Also present at this meeting were the Chief Administrative Officer, Michael Cummings and the Town Clerk/Treasurer, Paul Maguire.

It was moved by Councillor Wright, seconded by Councillor Black, 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 – (C) Pearl Hazen.

No members present declared a conflict of interest on any items on the agenda at this time.

It was moved by Councillor Bradley, seconded by Councillor Black, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on October 25, 2010, be approved as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the minutes of the special meeting of the Town Council of the Town of Sussex held on October 21, 2010, be approved as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the minutes of the special meeting of the Town Council of the Town of Sussex held on November 1, 2010, be approved as circulated. Motion carried.

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

It was moved by Councillor Black, seconded by Councillor Wilson, that the minutes of the special meeting of the Town Council of the Town of Sussex held on November 2, 2010, be approved as circulated. Motion carried.

The Council held a hearing of objections to the proposed 2011 Sussex Downtown Business Association Inc. budget. The budget had total revenues of \$30,000.00 and total expenses of \$30,000.00. The proposed budget would require a B.I.A. tax levy of \$0.18 per \$100.00 of assessment. The Town Clerk noted 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 2011 budget.

A letter was received from Jamie Wolverton, Executive Director of the New Brunswick Sports Hall of Fame, requesting nominations to the New Brunswick Sports Hall of Fame.

It was by Councillor Bradley, seconded by Councillor Wilson, that the letter from the New Brunswick Sports Hall of Fame be filed. Motion carried.

A letter was received from Pearl G. Hazen regarding the concerns of some of the senior residents (property owners) in Wallace Court, a community with 50 garden homes. Miss Hazen's letter expressed the property owners concerns over a proposed bar for the former Save-Easy store on Maple Avenue next to the Post Office with concerns of nightly disturbances to the neighbourhood. Present at the Council meeting was Pearl Hazen who addressed Council on the concerns of the Wallace Court neighbourhood.

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

She pointed out that they were concerned with noise, parking and security concerns from a proposed bar being located in the former Save-Easy store on Maple Avenue. Miss Hazen noted that they wanted to express their concerns before the business opened and that there already is a high level of anxiety in the neighbourhood because of recent criminal activity and flooding along Trout Creek. His Worship Mayor Carr noted that this item was on the agenda of the Planning Advisory Committee and the decisions of the Planning Advisory Committee are appealable to the Provincial Planning Appeal Board. Mayor Carr noted that the Council does not have authority to overturn any decision that the Planning Advisory Committee may make in this matter. The Mayor noted that the Administration will be instructed to forward a copy of the letter from Miss Hazen to the Planning Advisory Committee for their information. Deputy Mayor Thorne suggested that the concerned residents should meet with Mr. Mason, the proprietor of the business, to see whether he can alleviate any concerns that the neighbourhood may have and to explain his proposed operations for this location.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the Fire Report for the month of October, 2010, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 20 calls with 14 calls originating within the Town of Sussex and six 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, 2010, be received as circulated. Motion carried. The report indicated that during the

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

month the Building Inspector issued six permits for new construction for a value of \$1,953,000.00, 13 permits for renovations, repairs, alterations and additions for a value of \$197,320.00 and two permits for demolition for a value of \$44,000.00.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the Development Officer's Report for the month of October, 2010, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved six Building Location Surveys, one Tentative Amending Subdivision Plan and one Subdivision Plan.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the minutes of the Planning Advisory Committee meeting dated October 25, 2010, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, that the minutes of the Planning Advisory Committee meeting dated November 10, 2010, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright, that Council have first reading by title of 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, By-Law # 154-10. 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 A By-Law in Amendment of a By-

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

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, By-Law # 154-10. Motion carried. The Town Clerk then read the by-law for the second time by title.

His Worship Mayor Carr noted that there is a special Council meeting set for December 8, 2010, at 6:00pm to hear objections to the new Municipal Plan and Zoning By-Laws.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that the report of the Human Services Committee Meeting dated November 15, 2010, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Campbell, that Council approve the terms of the present canteen agreement between the Town of Sussex and Sully's allowing the extension of the canteen operation at the Sussex Tourism & Interpretive Centre until September 15, 2012. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve the final cost amount of \$246,176.49 including a contingency amount of \$11,779.46 that is owed to Erb Enterprises Ltd. for works completed under Contract 50-001-10, 8th Hussars Sports Centre Dasher Boards and Glass. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wright, that Council approve Policy RD-21, Municipal Recreational Program Schedule of Fees, to include a fee of \$130.00 (HST included) per person for a Co-ed Beginner Hockey Program. Motion carried.

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

It was moved Councillor Bradley, seconded by Councillor Wilson, that Robert Craft be engaged as the Community Services Officer subject to an employment agreement being completed with an ending date of December 31, 2012. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the report of the Economic Development & Long Range Planning Committee meeting dated November 15, 2010, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that the report of the Works Committee meeting dated November 16, 2010, be received as circulated. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Black, that Council approve a three year extension to December 31, 2013, for the existing garbage collection contract between the Town of Sussex and Devine Sanitation Ltd. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Black, that Council approve the purchase of street name signs and posts from Sojourn Enterprises for an amount of \$15,345.37. Motion carried.

It was moved by Councillor Campbell, seconded by Councillor Wilson, that Council approve the final payment in the amount of \$412,209.54 including a contingency in the amount of \$2,599.00 owing to Brown's Paving Ltd. for work completed under Contract 50-004-10, Asphalt Paving. Motion carried.

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

It was moved by Deputy Mayor Thorne, seconded by Councillor Wilson, that the report of the Protective Services Committee Meeting dated November 17, 2010, be received as circulated. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Bradley, that Council accept the proposal from Trane Atlantic in the amount of \$18,365.43 for two Ventilation/Air Exchange systems for the Fire Hall Bays. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright, that the report of the Administration Committee meeting dated November 18, 2010, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve:

- that the Town Treasurer be authorized to transfer the 2010 budgeted amount from the General Capital Reserve Fund to the General Operating Fund in the amount of \$6,400.00;
- that the Town Treasurer be authorized to apply any 2010 General Fund or Utility Fund surplus to the capital projects in each fund;
- 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;
- that the Town Treasurer be authorized to transfer the 2010 budgeted amount from the Utility Operating Fund to the Utility Capital Reserve Fund in the amount of \$16,000.00; and

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

- that the Town Treasurer be authorized to transfer \$10,000.00 from the Utility Capital Reserve Fund to the Utility Operating Fund to pay for capital purchases.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that the Town Clerk/Treasurer issue a cheque for the first payment of the Town's share of the first mortgage at the beginning of the first quarter in 2011 to the Sussex Regional Library Board as well as 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 a Christmas Gift Certificate in the amount of \$40.00 be given to members of the Planning Advisory Committee, Volunteer Firefighters, Animal Control Officer, Crossing Guard, EMO Officer and Full-time Employees. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright, that Council purchase eight (8) Apple Mac Book computers from Terra Consultants Ltd. for an amount of \$12,692.16. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve that the Town supports the Community Services Director for the position as Director at Large on the Recreation New Brunswick Board of Directors. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell, that Council approve that Article 15 of Group Three of Employee Discipline

Town of Sussex

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

Policy, Policy P-7, be transferred to Group Two of the aforesaid mentioned policy. Motion carried.

It was moved by Councillor Wilson, seconded by Deputy Mayor Thorne, that Council accept the Crossing Warning System Agreement between the Canadian National Railway Company and the New Brunswick Department of Transportation and the Town of Sussex and that Council authorize the Mayor and Town Clerk to sign the aforesaid mentioned agreement on behalf of the Town of Sussex. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve the final payment in the amount of \$5,964.00 of the Kings East Development loan for the mural project be written off. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council approve for payment accounts for the month of October, 2010, totaling \$400,924.12. Motion carried.

Deputy Mayor Thorne updated Council on the progress of the Recreational and Cultural Services Committee that was formed approximately one year ago between the Village of Sussex Corner, Village of Norton, Town of Sussex and surrounding Local Service Districts. The Deputy Mayor noted that the Committee has had approximately 15 meetings since its formation. The Deputy Mayor gave a background on how the Committee was formed and the role that the Committee was to undertake. He noted that the participants recognize that every municipality and Local Service Districts have a role to

Town of Sussex

Page 10/11

Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

play in providing recreational services and that the services cost recovery for the services provided. There are possible different funding models and government models such as commission, not for profit corporation or Advisory Board with binding agreements. The Committee is presently having trouble with the financial commitments from the Local Service Districts due to the process they must follow. For example, if every funding request had to be approved separately then the Local Service Districts would be required to go through a series of steps including public meetings in order to secure the funding for each project. The Deputy Mayor noted that a better solution would be if the Local Service Districts were given authority to provide funding up to a set amount per assessment then this pool of money could be used for the proposed projects and services. There is a possibility that funding maybe available for a study from a senior level of government and this funding would be up to 50% matching funding to carry out a study of recreational services needs and funding requirements for the area. It was noted that in order for the community to grow there has to be an active partnership between municipalities and Local Service Districts with each entity contributing a proportional amount towards the funding.

His Worship Mayor Carr noted that the next scheduled regular meeting of Council is scheduled for December 20, 2010.

Town of Sussex

Page 11/11

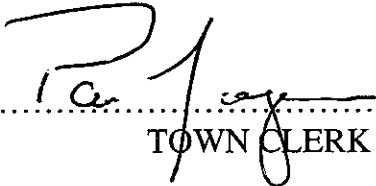
Minutes of Meeting of Council held this
22nd day of November, 2010

A.D.,

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.


.....
MAYOR CARR


.....
TOWN CLERK