

# Town of Sussex

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Minutes of Meeting of Council held this  
21st day of November, 2011

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 November, 2011, 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, Black, Bradley, Wilson, Wright and Fulton. There were no absentees. Also present at this meeting were the Chief Administrative Officer, Scott Hatcher and the Town Clerk/Treasurer, Paul Maguire.

It was moved by Councillor Black, seconded by Councillor Wright, 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: D) Major Orin Wing and under Item #13 - New Business - C) Works Committee Members.

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

It was moved by Councillor Wilson, seconded by Councillor Campbell, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on October 24, 2011, be approved as circulated. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the minutes of the special meeting of the Town Council of the Town of Sussex held on October 18, 2011, be approved as circulated. Motion carried.

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The Council held a Hearing of Objections to the 2012 Sussex Downtown Business Association budget. The budget included revenue of \$34,000 to be funded from the tax base assessment and expenditures of \$34,000. 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 at the Council meeting who was objecting to the 2012 Sussex Downtown Business Association budget.

A letter was received from Rob Frenette, Executive Director of Bullying Canada informing the Council that Friday December 16, 2011 is anti-bullying day. It was moved by Councillor Wright, seconded by Councillor Wilson that the letter from Rob Frenette be filed. Motion carried.

A letter was received by the President and CEO of Windsor Energy, Mr. Khalid Amin apologizing to the Mayor, Council and residents of the Town of Sussex for instructing his contractors to proceed with 200 metres of seismic testing along Highway 1. In his letter, Mr. Amin noted that he looks forward to continuing their explorations in New Brunswick and will work towards building better relationships with the Town of Sussex area municipalities, governments and residents.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the letter from the president of Windsor Energy be filed. Motion carried.

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A letter was received from Major Orin Wing informing the Town that the Royal Regiment of Canadian Artillery School would be conducting an exercise in the Community in January 2012.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the Mayor and Town Clerk be authorized to sign the forms allowing the Royal Regiment of Canadian Artillery School to hold a one day exercise in the Community on January 27, 2012 and that the letter from Major Wing be filed. Motion carried.

It was moved by Councillor Black, seconded by Councillor Fulton, that the Fire Report for the month of October, 2011, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 21 calls with 12 calls originating within the Town of Sussex and 9 out of Town calls.

It was moved by Councillor Black, seconded by Councillor Wright, that the Building Inspector's Report for the month of October, 2011, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued 22 permits for renovations, repairs, alterations and additions for a value of \$223,950.00 and 2 permits for demolition for a value of \$7,000.00.

It was moved by Councillor Black, seconded by Councillor Campbell, that the Development Officer's Report for the month of October, 2011, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved one building location survey and one amending subdivision plan.

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It was moved by Councillor Black, seconded by Councillor Fulton, that the minutes of the Planning Advisory Committee meeting of November 9, 2011, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton that the Council have a Reading in it's Entirety of By-Law #701-11, A By-Law for Maintenance and Occupancy Standards for Residential Properties. Motion carried. The By-Law was then read in it's entirety.

It was moved by Councillor Wilson, seconded by Councillor Wright that the Council have a Third Reading by Title of By-Law #701-11, A By-Law for Maintenance and Occupancy Standards for Residential Properties. 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 Bradley, seconded by Councillor Black, that the report of the Human Services Committee Meeting dated November 14, 2011, be received as circulated. Motion carried.

It was moved by Councillor Bradley, seconded by Deputy Mayor Thorne that Council make an exception to the vacation policy to allow the Community Services Director to carry 6 days vacation from 2011 to 2012. Motion carried.

It was moved by Councillor Bradley, seconded by Councillor Wilson, that Council approve the 2011 Santa Claus parade route as follows:  
"Beginning at 6:30pm on December 3rd leaving Princess Louise Park, thence turning right onto Leonard Drive, thence turning right onto Main Street, and ending at the Wal-mart parking lot." Motion carried.

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It was moved by Councillor Bradley, seconded by Councillor Wright that that Council approve that the Sussex Fire Department flood the proposed skating surfaces at Sussex Place and that any fees associated with water usage from the former Canadian Tire building for these purposes be waived. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Fulton, that the report of the Works Committee meeting dated November 15, 2011, be received as circulated. Motion carried.

It was moved by Councillor Wright and seconded by Councillor Wilson that Council approve the recommended dates for the 2012 special garbage collections as follows:

- Spring Clean-up April 24th & 25th
- Fall Clean-up October 23rd & 24th.

Motion Carried.

It was moved by Councillor Wright and seconded by Councillor Campbell that Council approve that the Administration advertise in the media for two (2) positions of Temporary Labourer. Motion carried.

It was moved by Deputy Mayor Thorne, seconded by Councillor Fulton, that the report of the Protective Services Committee Meeting dated November 14, 2011, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that the report of the Administration Committee meeting dated November 17, 2011, be received as circulated. Motion carried.

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

- that the Town Treasurer be authorized to transfer the 2011 budgeted amount from the General Capital Reserve Fund in the amount of \$6,400.00;
- that the Town Treasurer be authorized to apply any 2011 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 2011 budgeted amount from the Utility Operating Fund to the Utility Capital Reserve Fund in the amount of \$16,000.00; and
- that the Town Treasurer be authorized to transfer \$110,000.00 from the Utility Operating Fund to the Utility Capital Reserve Fund.

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve the RV Anderson Associates Inventory and Valuation of Tangible Capital Assets report dated October 2011 and that the Town Treasurer be authorized to restate, as of December 31, 2010, the General Fund Capital Assets for a value of \$28,006,626.00 and the Utility Fund Capital Assets for a value of \$16,965,279.00 as outlined in the report.

Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Fulton, that Council approve the purchase of the asset management report and database in order to be more accountable for future infrastructure investment recommendation and decisions from RV Anderson Associates for a price not to exceed \$2,260.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Campbell that Council forward the application of Scott Wiggins rezoning request for 109 Main Street having PID # 00268128 to be rezoned from Residential - Low Density to Highway Commercial to the Town's planner to develop the appropriate by-laws. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley that Council approve a Christmas Gift Certificate in the amount of \$40.00 be given to members of the Planning Advisory Committee, Volunteer Fire Fighters, Animal Control Officer, Crossing Guard, EMO Officer and Full-Time Employees. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Fulton that Council approve that the Town Clerk/Treasurer issue a cheque for the first payment of the Town's share of the 1<sup>st</sup> mortgage at the beginning of the first quarter of 2012 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 Bradley that Council direct an appropriate by-law be prepared to adopt a revised Municipal Plan and Zoning By-Law for Lot 11-02 of the Freeze Estate

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subdivision to permit single family development on these lands and that the by-laws be referred to the Planning Advisory Committee for their reviews and that the public notice requirements of the Community Planning Act be fulfilled with respect to the proposed by-laws by setting the Special Council meeting of December 19, 2011 at 6:30pm in the Municipal Office at 524 Main Street, Sussex NB as the date, time and place for the public presentation of Council's intent to adopt a revised Municipal Plan by-law and sets a Special Council Meeting of February 20, 2012 at 6:30pm in the Municipal Office at 524 Main Street, Sussex NB as the date, time and place for the public hearing of consideration of objections to the proposed by-law. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Bradley that Council approve for payment accounts for the month of October, 2011, totaling \$212,568.04. Motion carried.

Councillor Black declared a conflict of interest on the next item and vacated the Council Chambers for any and all discussion and decision on the item.

The Chairman of the Administration Committee, Councillor Wilson updated the Council on the presentation that was made to the Administration Committee by the Sussex Farmer's Market and the Downtown Business Association regarding the location of the Sussex Farmer's Market in the downtown area. Councillor Wilson noted that the presentation included two options, one option that the partners and the Town purchase the lot and that the lot be owned by the partners and the



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second option being that the Town purchase the lot outright and the lot then be leased back to the Sussex Farmer's Market for their use.

Councillor Wilson noted that at this time the Administration Committee is not making a recommendation to Council to purchase the lot but is suggesting to the Sussex Farmer's Market that they enter into discussions with the owner of the property to carry on the operation of the Farmer's Market on the lot on a lease basis to see whether this would be viable location for the Farmer's Market. Also that if the Sussex Farmer's Market were to come back to Council at a future date looking to purchase land for a Farmer's Market they should have a substantial investment in the project as well as plot plans, renderings of any proposed buildings and possible sources of funding so that the Council can make a more informed decision on a proposal.

Councillor Black returned to the Council chambers from his conflict of interest.

It was moved by Councillor Wright, seconded by Councillor Bradley, 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 #154-11. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Campbell, seconded by Councillor Bradley, that Council have second 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

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Improvement Area Levy In The Town Of Sussex, By-Law #154-11. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Wilson, seconded by Councillor Bradley, that Council appoint the following members to the Works Committee, Councillor Wright, Chairperson, Councillor Wilson, Vice Chairperson and members Councillor Fulton, Councillor Black and Mayor Carr. Motion carried.

Deputy Mayor Thorne addressed Council on the discussions of the Administration Committee regarding the location of the Virtual Agent Services in town-owned buildings. Deputy Mayor Thorne noted that Virtual Agent Services is combining their operations into one location and that the Administration Committee would like to see the location be the former Sussex Library Building and that the Administration is developing a cost that would be required to improve the town-owned building on Main Street as well as a proposed updating of the Agreement with Virtual Agent Services for their operation on Main Street.

Councillor Wright reported to the Council on the recent Zone 3 UMNb meetings that were held in Quispamsis.

Councillor Campbell noted that he was pleased to see that Sussex Corner had passed a motion to proceed with a study on amalgamation with the Town of Sussex.

Councillor Bradley informed Council that a local youth has developed a non-profit organization to help abused horses and that the organization is looking to build facilities on their land, the organization sometimes matches the animals up with youth in the area allowing the

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youth to take responsibility in working with the neglected horses.

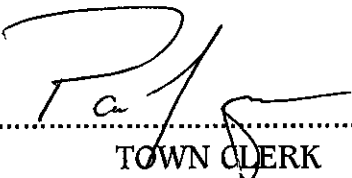
Councillor Bradley noted that the proposed facility is looking to have the AVIVA Community Funds who have contests to receive funding and Councillor Bradley is encouraging citizens of the community to vote for the organization in the online contest.

Councillor Fulton noted that any second potential potash mine developers should maximize the spinoff benefits to the Sussex Area.

His Worship Mayor Carr noted that the next scheduled meeting of Council will be held on December 19, 2011.

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

  
.....  
MAYOR CARR

  
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TOWN CLERK