

# Town of Sussex

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Minutes of Meeting of Council held this

17th day of September, 2012

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 17<sup>th</sup> day of September, 2012, at 7:00 o'clock in the evening.

The following members of the Council were present: His Worship Mayor Thorne, Deputy Mayor Carr, Councillors Wright, Hutchings, Boyle, Ryan, Armitage and Wilson. 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 Wilson, seconded by Councillor Hutchings, 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) PotashCorp Civic Centre Pep Rally.

No members present declared a conflict of interest on any items on the agenda at this time with the exception of Councillor Armitage who declared a conflict of interest on Item # 11 - Unfinished Business: (A), (B), (C), (D), (E) and (F).

It was moved by Councillor Wilson, seconded by Councillor Boyle, that the minutes of the regular meeting of the Town Council of the Town of Sussex held on August 20, 2012, be approved. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Ryan, that the minutes of the special meeting of the Town Council of

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the Town of Sussex held on August 13, 2012, be approved. Motion carried.

Present at the Council meeting was Mr. Khalid Amin, President of Windsor Energy, who made a presentation to Council on Windsor Energy activities in the area to date. Mr. Amin informed Council that, to date, the company has spent over five million dollars and reviewed with the Council the geology of the area that his company would like to explore for gas and oil. His presentation was on the known reserves of the area and an explanation of how the gas, oil and potash deposits have developed over the last three hundred years. Mr. Amin feels that his company's mineral rights are in the area of the original river basin and has rights to approximately 150,000 acres. His Worship Mayor Thorne thanked Mr. Amin for his presentation and members of Council had an opportunity to ask questions on his presentation and his company's activities in the area.

Present at the Council meeting was the Provincial Minister of Natural Resources, Mr. Bruce Northrup. Mr. Northrup informed the Council that the Province wants to find out the potential of the oil and gas resource in the area and stated that the Province is open for business in the natural resources sector.

The Council received a letter from Tim and Cara Seeley requesting that the property at 368 Main Street be rezoned in order for them to operate a massage therapy business.

It was moved by Councillor Wilson, seconded by Councillor Hutchings, that the rezoning application from Tim and Cara Seeley for

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368 Main Street be accepted and referred to the Administration Committee. Motion carried.

A letter was received from the Commissioner of Correctional Service Canada informing the Council that Restorative Justice Week 2012 will be held from November 18<sup>th</sup> to 25<sup>th</sup>.

It was moved by Deputy Mayor Carr, seconded by Councillor Wilson, that the letter from the Commissioner of Correctional Service Canada be filed. Motion carried.

A letter was received from the PotashCorp Civic Centre informing the Council that they will be holding a pep rally on September 19, 2012, from 5:30 to 7:30pm in the PotashCorp Civic Centre parking lot.

It was moved by Deputy Mayor Carr, seconded by Councillor Wilson, that the letter from the PotashCorp Civic Centre be filed. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright, that the Fire Report for the month of August, 2012, be received as circulated. Motion carried. During the month the Fire Department responded to a total of 14 calls with five calls originating within the Town of Sussex and nine out of Town calls.

It was moved by Councillor Wilson, seconded by Councillor Boyle, that the Building Inspector's Report for the month of August, 2012, be received as circulated. Motion carried. The report indicated that during the month the Building Inspector issued 19 permits for

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renovations, repairs, alterations and additions for a value of \$449,450.00.

It was moved by Councillor Wright, seconded by Councillor Armitage, that the Development Officer's Report for the month of August, 2012, be received as circulated. Motion carried. The report indicated that during the month the Development Officer approved one Building Location Survey.

It was moved by Councillor Wright, seconded by Councillor Ryan, that the minutes of the Planning Advisory Committee meeting, dated September 12, 2012, be received as circulated. Motion carried.

Councillor Armitage declared a conflict of interest on the next six items on the agenda and vacated the Council Chambers for any discussion or decision on the items.

It was moved by Councillor Wilson, seconded by Councillor Boyle, that Council have first reading by title of the Municipal Plan By-Law Amendment, By-Law # 704-10-04. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Deputy Mayor Carr, seconded by Councillor Wright, that Council have second reading by title of the Municipal Plan By-Law Amendment, By-Law # 704-10-04. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council refer to the Planning Advisory Committee, for their comment and review, the Municipal Plan By-Law Amendment, By-Law # 704-10-04. Motion carried.

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It was moved by Councillor Wright, seconded by Councillor Wilson, that Council have first reading by title of the Zoning By-Law Amendment, By-Law # 1350-10-05. Motion carried. The Town Clerk then read the by-law for the first time by title.

It was moved by Councillor Wilson, seconded by Deputy Mayor Carr, that Council have second reading by title of the Zoning By-Law Amendment, By-Law # 1350-10-05. Motion carried. The Town Clerk then read the by-law for the second time by title.

It was moved by Councillor Boyle, seconded by Councillor Ryan, that Council refer to the Planning Advisory Committee, for their comment and review, the Zoning By-Law Amendment, By-Law # 1350-10-05. Motion carried.

Councillor Armitage returned to the Council Chambers from her conflict of interest.

His Worship Mayor Thorne noted that a Hearing of Objections will be held on October 18, 2012, at 6:00pm in the Council Chambers of the Town Hall on the Municipal Plan By-Law Amendment, By-Law # 704-10-07, and Zoning By-Law Amendment, By-Law # 1350-10-08.

It was moved by Councillor Wright, seconded by Councillor Wilson, that the report of the Community Services Committee Meeting dated September 10, 2012, be received as circulated. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council accept the cost recovery targets, user fees and resident rebates for the new program High Five, Principles of Healthy

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Child Development, as revised in Policy RD-17, A-1 Programs. Motion carried.

It was moved by Councillor Wright, seconded by Councillor Ryan, that Council authorize the Administration to accept the donation of food and food service from Sobey's in exchange for advertising at selected community events which are deemed mutually beneficial.

Motion carried.

It was moved by Councillor Wright, seconded by Councillor Armitage, that Council authorize the Mayor and Town Clerk to sign the Extension Agreement with the Princess Louise Park Show Centre.

Motion carried.

It was moved by Councillor Wright, seconded by Councillor Wilson, that Council give permission to block one lane of traffic on Broad Street in front of the Train Station on Saturday, September 15, 2012, from 1:00 to 4:00pm. Motion carried.

It was moved by Councillor Hutchings, seconded by Councillor Wilson, that the report of the Economic Development & Long Range Planning Committee Meeting dated September 11, 2012, be received as circulated. Motion carried.

It was moved by Councillor Hutchings, seconded by Deputy Mayor Carr, that Council approve the contribution of \$200.00 to the Kings East Development Partnership in support of the Bike Rodeo to be held on Saturday, October 13, 2012. Motion carried.

It was moved by Councillor Hutchings, seconded by Councillor Wilson, that Council approve the purchase of a ½ page ad in the official

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N.B. Touring Guide for 2013 for a cost of \$5,355.00 plus tax and a Deals Position Button on the N.B. Tourism website for the summer season at a cost of \$700.00 plus tax. Motion carried.

Councillor Wright declared a conflict of interest on the next item on the agenda and vacated the Council Chambers for any discussion or decision on the item.

It was moved by Councillor Hutchings, seconded by Councillor Wilson, that Council approve the purchase of Package # 1 of the CJCW Shop at Home Campaign for a cost of \$159.00 plus tax. Motion carried.

Councillor Wright returned to the Council Chambers from his conflict of interest.

It was moved by Councillor Wilson, seconded by Councillor Armitage, that the report of the Works Committee Meeting dated September 11, 2012, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Ryan, that Council authorize the Mayor and Town Clerk/Treasurer to sign a professional services and participation agreement on behalf of the Town between NB Power Holding Corporation, Enbala Power Networks Inc. and the Town of Sussex for an Automated Load Shifting Research Project. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Armitage, that Council approve the purchase of a Gen-Eye SD Pipe Inspection/Location System from McLennan Sales Limited in the amount of \$11,937.32 under the 2012 Utility Fund Capital Improvement Program. Motion carried.

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It was moved by Councillor Wilson, seconded by Councillor Wright, that Council authorize the Mayor and Town Clerk/Treasurer to sign the N.B. Department of Transportation Usage Permit # 2012060194100104 in relation to a pavement cut and restoration on Marble Street on behalf of the Town. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Armitage, that Council authorize submission of the Provincially Designated Highways Program to the Minister of Transportation and Infrastructure. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Ryan, that Council approve the term of employment, for temporary employee Kevin Mitton be extended to April 15, 2013, or until the return of the regular employee, who is currently on long term disability, whichever date is soonest. Motion carried.

It was moved by Deputy Mayor Carr, seconded by Councillor Boyle, that the report of the Protective Services Committee Meeting dated September 10, 2012, be received as circulated. Motion carried.

It was moved by Deputy Mayor Carr, seconded by Councillor Wilson, that Council approve the placement of a MADD 911 Campaign sign on Eveleigh Street. Motion carried.

It was moved by Deputy Mayor Carr, seconded by Councillor Armitage, that Council accept the following Standard Operating Guidelines for the Sussex Fire Department:

- # 1-002 - Exposure to infectious diseases and hazardous materials;
- # 2-010 - Boat operations; and



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- # 1-005 - In station running to apparatus.

Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Wilson, that the report of the Administration Committee Meeting dated September 13, 2012, be received as circulated. Motion carried.

It was moved by Councillor Ryan, seconded by Deputy Mayor Carr, that Council authorize the Mayor and the Town Clerk/Treasurer to execute the amended Developers Agreement for the Subdivision Agreement, Carriage Lane. Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Wilson, that Council accept the resignation of Harley Geldart from the Fundy Civic Centre Inc., Board of Directors, with regret and appreciation for his many years of service. Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Armitage, that Council appoint Joanne McDermott to the Planning Advisory Committee for a term ending on December 31, 2012. Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Boyle, that Council award Contract 122847.01, Sussex Municipal Street Improvements 2012, to Sussex Excavators (2010) Ltd. for a tender price of \$231,446.60, inclusive of HST, conditional on reducing the contingency contract amount from \$20,000.00 to \$5,000.00. Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Armitage, that Council authorize the Town Clerk/Treasurer to transfer

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\$75,000.00 from the General Operating Fund to the General Capital Reserve Fund. Motion carried.

It was moved by Councillor Ryan, seconded by Deputy Mayor Carr, that Council approve, for payment, accounts for the month of August, 2012, totaling \$455,399.90. Motion carried.

Councillor Wright informed Council that a resident in the Town, Mr. John Foran, has completed his six month training at the RCMP Training Depot in Saskatchewan.

His Worship Mayor Thorne noted that the white paper on property tax reform has recently been released and that the paper is very interesting and will have a direct effect on municipal financing and operations and property tax revenue in the province. Also, the Province has indicated that the cost of policing will be shared over the entire region which should have a beneficial effect on the Town's protective services costs in the future.

His Worship Mayor Thorne noted that the next regularly scheduled meeting of Council will be Monday, October 22, 2012, at 7:00pm.

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

  
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MAYOR THORNE

  
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TOWN CLERK