

21st November, 2016

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 21st day of November, 2016, at 7:00 o'clock in the evening.

The following members of the Council were present: His Worship Mayor Thorne, Deputy Mayor Carr; Councillors Ryan, Wilson, Armitage, Nelson, Milner and Boyle. Also present at this meeting were the Chief Administrative Officer, Scott Hatcher and the Town Clerk/Treasurer, Paul Maguire.

It was moved by Councillor Boyle, seconded by Councillor Milner, 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 Armitage, seconded by Councillor Wilson, that the minutes of the regular meeting of the Town Council, of the Town of Sussex, held on October 24, 2016, 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 the Town of Sussex, held on November 15, 2016, be approved. Motion carried.

Present at the Council meeting were Dr. Kendra Gilmore and Nurse Practitioner, Kelly Dunfield. Dr. Gilmore made a presentation to Council on behalf of the Sussex and Area Primary Care Recruitment

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Committee which consists of nurses Kelly Dunfield, Monica Tarp and Doctors Brian O'Neill, Stephanie Ward and Kendra Gilmore.

Dr. Gilmore explained the goal of the committee, why doctor recruitment is important, what the committee has accomplished to date, what is needed, and the request for \$25,000.00 for doctor recruitment from the Village of Norton, Village of Sussex Corner and the Town of Sussex. The Council thanked the committee for their efforts to recruit doctors to the Sussex area and had an opportunity to ask questions about the presentation.

The Council agreed to forward this item to the Administration for budget consideration of the request of Sussex's portion of the \$25,000.00, which would be \$3,000.00 per year for 5 years.

A letter was received from the Kiwanis Nursing Home requesting that the town consider the nursing home's Capital Improvement Project in the 2017 budget deliberations.

It was moved by Councillor Armitage, seconded by Councillor Wilson, that Council forward this item to the Administration for budget consideration for the request of the Kiwanis Nursing Home for \$10,000.00 to be included in the 2017 budget. Motion carried.

The Council held a Hearing of Objections for the Sussex BIA 2017 Budget. The proposed budget included revenue and expenditures of \$35,500.00, and would require a Special Business Improvement Levy at the rate of eighteen cents per one hundred dollars of assessment.

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The Town Clerk informed the Council that the Town had not received any written objections and after asking three times whether anyone present at the meeting objected, His Worship noted that there was no one present at the meeting who was objecting to the proposed 2017 BIA Budget.

A letter was received from the co-executive director of Bullying Canada Inc. noting that Anti-Bullying Day is December 16, 2016. The correspondence from Bullying Canada was read by the Mayor.

It was moved by Councillor Wilson, seconded by Councillor Armitage, that the letter from Bullying Canada be filed. Motion carried.

It was moved by Councillor Wilson, seconded by Deputy Mayor Carr, that the Fire Report for the month of October, 2016, be received as circulated. Motion carried.

During the month the Fire Department responded to 16 calls, with 9 calls originating within the Town of Sussex and 7 out of Town calls.

It was moved by Councillor Boyle, seconded by Deputy Mayor Carr, that the Building Inspectors Report for the month of October, 2016, be received as circulated. Motion carried.

The report indicated that during the month the Building Inspector issued 1 permit for new construction for a value of \$150,000.00, 17 permits for renovations, repairs, alterations and additions for a value of \$325,300.00, and one demolition permit for a value of \$12,000.00.

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It was moved by Deputy Mayor Carr, seconded by Councillor Milner, that the Development Officer's Report for the month of October, 2016, be received as circulated. Motion carried.

The report indicated that during the month there were numerous inquiries relating to zoning and subdivision regulations, however, no plans or instruments were submitted for approval.

It was moved by Councillor Ryan, seconded by Councillor Armitage, that the minutes of the Planning Advisory Committee meeting held on November 9, 2016, be received as circulated. Motion carried.

It was moved by Councillor Armitage, seconded by Councillor Wilson, that the report of the Community Services meeting, dated November 14, 2016, be received as circulated. Motion carried.

It was moved by Councillor Armitage, seconded by Councillor Milner, that Council approve to engage Maximum Solutions to upgrade the existing enterprise based recreation software to the cloud-based software at a one-time fee of \$5,400.00 USD, and a monthly service fee of \$400.00 USD. Motion carried.

It was moved by Councillor Nelson, seconded by Councillor Milner, that the report of the Economic Development & Long Range Planning Committee Meeting, dated November 15, 2016, be received as circulated. Motion carried.

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

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It was moved by Councillor Wilson, seconded by Councillor Milner, that Council approve the following resolution relating to the property at 72 Nelson Street:

***Whereas*** the property at 72 Nelson Street and identified with PID #00269795 is located on the south side of the street and is situated in an R2 Residential Zone; and

***Whereas*** this property has always been zoned as an R2 Residential Zone; and

***Whereas*** SNB parcel information indicates that this lot at 72 Nelson Street is legally owned by the following: Emery Macdonald (deceased), Emery Dale MacDonald, Glenna Jean MacDonald and Sharron MacDonald; and

***Whereas*** Donald MacDonald, brother to the deceased Emery MacDonald operated a used car lot on the property without proper zoning nor approval from the Town; and

***Whereas*** there are no Town records in existence to indicate how or if, a used car lot was permitted to locate on this property; and

***Whereas*** the current owners have not supplied any documentation to indicate that this property was permitted to have a used car lot located on it; and

***Whereas*** the previous tenant, who did not own the property has recently passed away and the business he was operating has ceased to exist; and

***Whereas*** weekly inspections have been made on the property, by the Town's Building Official, with pictures having been documented to indicate that the business is no longer operating; and

***Whereas*** the Town has, over a span of 30 years or more, had numerous complaints of infractions to the Town's Dangerous & Unsightly Premises By-law specific to the property and former used car lot; and

***Whereas*** the Town's Building Inspector has normally been able to get the now deceased former tenant to make sufficient improvement to quell dangerous & unsightly concerns; and

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*Whereas the property is still unsightly due to the presence of a small office trailer and various articles lying and strewn between the trailer and a barn and also various articles including but not limited to an old oil tank and various tires and miscellaneous junk as well as a red Saturn with many parts removed; and*

*Whereas the Town of Sussex does not know what the owner's future intentions are with this property*

***Be It Resolved that the property situate 72 Nelson Street with PID #00269795 have removed from this site, all unsightly conditions, including the red Saturn which is partially disassembled, the office trailer, and all articles lying under the trailer, around the trailer and barn and anywhere else on this property within 30 days of notification; and***

***Be It Further Resolved that all other vehicles are to be removed from this site within 30 days of notification; and***

***Be it also Further Resolved that this Property be no longer used as any type of automobile lot or other used not in compliance with the current Town of Sussex Zoning Bylaw, effective immediately, upon notification.***

Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Ryan, that Council approve that the Town Administration direct NB Power to install appropriate street lighting at the Marble Street intersections with Carriage Lane and Azalea Lane. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Armitage, that the report of the Protective Services Committee Meeting, dated November 14, 2016, be received as circulated. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Milner, that Council approve the request of Jesse-Lynn Jenkins on behalf of Uncle G's to hold an outdoor performance on November 25, 2016, between 10:00 pm and 11:00 pm which would involve open

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flames, music, clapping, cheering and loud voices during this performance subject to the condition of providing security for the event, and supplying the Town with three security guard names prior to the event taking place, and ensuring that the instructions of the Provincial Fire Prevention Officer are met being that the event be no closer to any structures or people than 10 feet. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Milner, that Council approve SOG #2-22, Crossing Private Bridges as submitted. Motion carried.

It was moved by Councillor Ryan, seconded by Deputy Mayor Carr, that the report of the Administration Committee meeting dated November 17, 2016, be received as circulated. Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Milner, that Council approve the return of the \$5,000.00 holdback to Mr. Al deWinter for completion of a sprinkler system to be installed on public lands located on both sides of the entrance to Carriage Lane and delete the installation of the equipment as a requirement under the Development Agreement. Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Milner, that Council approve the return of 50% of the \$3,000.00 holdback for landscaping of undeveloped lots on Carriage Lane and 50% of the \$1,200.00 holdback for landscaping of undeveloped lots on Azalea Lane for a total of \$2,100.00 to be returned to Mr. deWinter. Motion carried.

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Deputy Mayor Carr and Councillors Boyle, Armitage, Nelson and Milner declared a conflict of interest on the next item on the agenda and vacated the Council Chamber for any discussion or decision on the item.

It was moved by Councillor Ryan, seconded by Councillor Wilson, 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, Crossing Guard, EMO Officer and Full-Time Employees. Motion carried.

Deputy Mayor Carr and Councillors Boyle, Armitage, Nelson and Milner returned to the Council Chamber after the conflict of interest.

It was moved by Councillor Ryan, seconded by Councillor Wilson, that Council approve the changes to the Surrender of Lease between the Town and Mayflower Sharp's of Sussex New Start Foundation Inc. and that the Mayor and Town Clerk be authorized to sign the lease on behalf of the Town. Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Wilson, that Council approve that members of Council and staff may attend the "Improving the Regional Service Commissions" Quispamsis workshop. Motion carried.

It was moved by Councillor Ryan, seconded by Councillor Wilson, that Council approve Policy P-7, Employee Discipline. Motion carried.



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It was moved by Councillor Ryan, seconded by Councillor Nelson, that Council approve for payment accounts for the month of October, 2016, totaling \$560,508.04. Motion carried.

It was moved by Deputy Mayor Carr, seconded by Councillor Armitage, 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 #154-16. Motion carried.

The Town Clerk then read the By-Law for the first time by title.

It was moved by Councillor Armitage, seconded by Councillor Wilson, 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 Improvement Area Levy in the Town of Sussex, By-Law #154-16. Motion carried.

The Town Clerk then read the By-Law for the second time by title.

It was moved by Deputy Mayor Carr, seconded by Councillor Wilson, that Council have First Reading by Title of Council Members Remuneration and Expense By-Law, By-Law #204-16. Motion carried.

The Town Clerk then read the By-Law for the first time by title.

It was moved by Councillor Ryan, seconded by Deputy Mayor Carr, that Council have Second Reading by Title of Council Members Remuneration and Expense By-Law, By-Law #204-16. Motion carried.

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The Town Clerk then read the By-Law for the second time by title.

It was moved by Councillor Ryan, seconded by Councillor Boyle, that Council have First Reading by Title of a By-Law in amendment of the Taxicab Owners and Taxicab Operators By-Law, By-Law #1050-16-01. 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 Ryan, that council have Second Reading by Title of a By-Law in amendment of the Taxicab Owners and Taxicab Operators By-Law, By-Law #1050-16-01. Motion carried.

The Town Clerk then read the By-Law for the second time by title.

Councillor Ryan informed Council that the Annual General Meeting of the Potash Corp Civic Centre is Thursday, November 24, 2016.

Councillor Armitage updated Council on a recent meeting of UMNB which she attended in Fredericton as the alternate zone representative. She noted that the meeting was very informative.

Mayor Thorne noted that the next scheduled regular meeting of Council is scheduled for Monday, December 19, 2016.

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It was moved by Deputy Mayor Carr, seconded by Councillor Milner, 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