

**COUNCIL MEETING OF
MONDAY, APRIL 11, 2016 AT 7:00 P.M.
COUNCIL CHAMBERS, TOWN HALL**

In attendance were Mayor Robert Berry, Deputy Mayor Joyce O'Neil, Councillors Bruce Phinney, Ron Aiken, Bill Evans, Margaret Tusz-King, Ron Corbett, and Michael Tower. Also in attendance were CAO Phil Handrahan, Clerk Donna Beal, Treasurer Michael Beal, Assistant Treasurer/Acting Assistant Clerk Mary Dixon, Senior Manager of Corporate Projects Jamie Burke, Manager of Recreation, Programs and Events Matt Pryde, Manager of Tourism & Business Development Ron Kelly-Spurles, Town Engineer Dwayne Acton, Fire Chief Craig Bowser, Fire Department Lieutenant Randy Clare, Planner Lori Bickford and Press Katie Tower.

1. CALL MEETING TO ORDER

Mayor Berry called the meeting to order.

2. OPENING

Question Period –There were no questions at this time.

3. DISCLOSURE OF INTEREST

Councillor Margaret Tusz-King declared the potential for a conflict of interest with regard to the Strategic Planning Motion that would be coming forward and noted that she would be leaving the room during that time.

4. APPROVAL OF AGENDA – Regular Council Meeting April 11, 2016

#16-069 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY COUNCILLOR MARGARET TUSZ-KING THAT COUNCIL APPROVE THE AGENDA OF THE REGULAR COUNCIL MEETING OF APRIL 11, 2016 AS CIRCULATED. MOTION CARRIED.

5. MINUTES

Regular Council Meeting, March 14, 2016
Councillor Evans provided clarification regarding a question that he had asked about the historical significance of the street name being proposed for the new subdivision. In the minutes from this meeting it was stated that, Lori Bickford noted that there is no historical significance to the name of the street. Councillor Evans advised that Lori Bickford noted that she did not know if there was any historical significance, as it was the developer who chose the name.

#16-070 MOVED BY DEUPTY MAYOR JOYCE O'NEIL AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL ADOPT THE MINUTES OF THE REGULAR COUNCIL MEETING OF MARCH 14, 2016 AS AMENDED. MOTION CARRIED.

Special Meeting of Council – April 4, 2016

#16-071 MOVED BY COUNCILLOR MARGARET TUSZ-KING AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF APRIL 4, 2016 AS CIRCULATED. MOTION CARRIED.

Special Meeting of Council Closed In/Camera – April 4, 2016

#16-072 MOVED BY COUNCILLOR MARGARET TUSZ-KING AND SECONDED BY DEPUTY MAYOR JOYCE O'NEIL THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL CLOSED IN/CAMERA OF APRIL 4, 2016 AS CIRCULATED. MOTION CARRIED.

6. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

7. BILLS AND PAYROLL – MARCH 2016

Councillor Michael Tower passed the report over to Treasurer Mike Beal who gave a brief overview of the larger expenditures during the month of March.

#16-073 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR RON CORBETT THAT COUNCIL ACCEPT THE BILLS AND PAYROLL FOR THE MONTH OF MARCH 2016 AS FOLLOWS: GENERAL GOVERNMENT \$312,542.74; GENERAL CAPITAL \$49,363.67; UTILITY GOVERNMENT \$43,019.94; UTILITY CAPITAL \$32,007.03; AND SALARIES \$176,794.04. MOTION CARRIED.

8. PROCLAMATION

Mayor Robert Berry proclaimed the month of April 2016 as “National Poetry Month” in the Town of Sackville by reading a proclamation. Shoshanna Wingate recited a Poem in honor of Poetry Month called “Red Current Jelly”. Mayor Berry thanked Ms. Wingate for her reading.

Mayor Robert Berry proclaimed that month of April 2016 as Daffodil Month in support of the Canadian Cancer Society by reading a proclamation.

9. SOUTHEAST REGIONAL SERVICES

- i) Regional Service Commission – Mayor Robert Berry

Mayor Berry noted that there was no report at this time.

ii) Planning – Lori Bickford

Planner Lori Bickford reported that there are 2 separate applications coming forward to council this evening and spoke to both of them.

It was noted that if Council were to pass a Resolution with regard to the Request to modify the Zoning By-Law to permit Drive thrus in the Highway Commercial Zone, the Resolution is just to start the process of Public Engagement through the setting of a Public Hearing of consideration of objections.

#16-074 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL APPROVE THE PROPOSED JOINT SIDEWALK CAFÉ APPLICATION BY DUCKY’S AND NAPUL’È, TO OPERATE A SIDEWALK CAFÉ ON A PORTION OF THE SIDEWALK IN FRONT OF THEIR BUSINESSES LOCATED AT 4 & 6 BRIDGE STREET AND AS SHOWN ON THE PRESENTED SITE PLAN, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THAT THE SIDEWALK CAFÉ OPERATORS COMPLY WITH ALL REQUIREMENTS OF THE TOWN OF SACKVILLE SIDEWALK CAFÉ OPERATING PROCEDURES;
2. THAT THE SIDEWALK CAFÉ OPERATE IN CONFORMANCE WITH BY-LAW NO 230, THE TOWN OF SACKVILLE NOISE BY-LAW;
3. THE WOODEN FENCES USED TO DELINEATE THE SIDEWALK CAFÉ SHALL BE PLACED AND ANCHORED TO THE SIDEWALK WHERE NECESSARY IN CONSULTATION AND AS APPROVED BY THE TOWN ENGINEER TO ENSURE THE STABILITY OF THE BARRIER. THESE ANCHORS SHALL NOT PROTRUDE INTO THE PUBLIC PEDESTRIAN AREAS. BARRIERS AND DELINEATION THAT ARE NOT ANCHORED TO THE SIDEWALK SHALL BE BUILT AS PART OF THE TEMPORARY SIDEWALK OR PERGOLA SO IT PROVIDES THE STRUCTURAL STABILITY TO THE BARRIERS. THE TOWN ENGINEER SHALL INSPECT AND APPROVE THE ANCHORING SYSTEM/CONSTRUCTION ALONG WITH ANY NECESSARY MODIFICATIONS TO THE ANCHORING SYSTEM;
4. A JERSEY BARRIER SHALL BE PROVIDED AT THE COST OF THE APPLICANTS AND PLACED ACCORDING TO THE SITE PLAN, UNLESS THE TEMPORARY SIDEWALK CONNECTS TO THE PREVIOUSLY APPROVED BRIDGE STREET CAFÉ OUTDOOR PATIO. THE JERSEY BARRIER SHALL CONTAIN PERMANENT REFLECTIVE MARKINGS TO ENSURE NIGHT VISIBILITY. REFLECTIVE MARKINGS ARE SUBJECT TO THE APPROVAL OF ENGINEERING AND PUBLIC WORKS. MOTION CARRIED.

Resolution

Re: Amend the Town of Sackville Zoning By-law to permit Drive thru's

#16-075 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY DEPUTY MAYOR JOYCE O'NEIL THAT WHEREAS COUNCIL HAS CONSIDERED AN APPLICATION FROM **WENDY ALDER** TO AMEND BY-LAW NO 244, THE "TOWN OF SACKVILLE ZONING BY-LAW" TO ALLOW DRIVE THRU'S IN THE HIGHWAY COMMERCIAL ZONE.

BE IT RESOLVED THAT THE COUNCIL OF THE TOWN OF SACKVILLE DIRECTS THAT AN APPROPRIATE BY-LAW BE PREPARED TO AMEND BY-LAW NO. 244, THE TOWN OF SACKVILLE ZONING BY-LAW AS IT PERTAINS TO THE ABOVE NOTED PROPERTY; THAT THE PROPOSED BY-LAW BE REFERRED TO THE SOUTHEAST PLANNING REVIEW AND ADJUSTMENT COMMITTEE FOR THEIR VIEWS; THAT THE NOTICE OF INTENTION REQUIREMENTS OF THE COMMUNITY PLANNING ACT BE FULFILLED WITH RESPECT TO THE PROPOSED AMENDMENT, AND SETS THE REGULAR COUNCIL MEETING ON **JUNE 13, 2016** AT 7:00 PM IN THE COUNCIL CHAMBERS AT THE TOWN HALL, 31 MAIN STREET, 2ND FLOOR, SACKVILLE, N.B. AS THE DATE, TIME AND PLACE FOR THE **PUBLIC HEARING** OF CONSIDERATION OF OBJECTIONS TO THE PROPOSED BY-LAW. MOTION CARRIED.

10. CAO REPORT – Phil Handrahan

CAO Phil Handrahan noted that his report could be found on page 32 of the Council Package and noted some of the highlights in his report.

11. REPORTS

- A) Finance & Administration
 - Liaison Councillor Michael Tower and Councillor Shawn Mesheau
 - i) Report from the Treasurer
 - ii) By-Law Enforcement Report
 - iii) Animal Control Report

Councillor Michael Tower noted that the Finance Report could be found on Page 33 through 41 of the Council Package which also includes the By-Law Enforcement and Animal Control Reports. Key points of the reports were spoken on.

Councillor Tusz-King left the meeting. A brief discussion was held on the Strategic Planning Services Contract where Senior Manager Jamie Burke gave an overview of what all would be included in the Strategic Planning Contract.

#16-076 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BILL EVANS THAT COUCIL AWARD THE STRATEGIC PLANNING SERVICES CONTRACT TO THE SHARP GROUP, IN THE AMOUNT OF \$23,299.00 PLUS H.S.T. AS PER THEIR SUMMITTED QUOTATION. AYE VOTES WERE RECORDED FROM DEPUTY MAYOR JOYCE O'NEIL, COUNCILLORS MICHAEL TOWER, BILL EVANS AND RON CORBETT. NAY VOTES WERE RECORDED FROM COUNCILLORS RON AIKEN AND BRUCE PHINNEY. MOTION CARRIED.

Councillor Margaret Tusz-King returned to the meeting.

#16-077 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR MARGARET TUSZ-KING THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL ALL RELEVANT DOCUMENTS PERTAINING TO THE SALE OF THE FORMER FIRE/POLICE STATION TO J.N. LAFFORD INC. AYE VOTES WERE RECORDED FROM DEPUTY MAYOR JOYCE O'NEIL, COUNCILLORS RON AIKEN, BILL EVANS, MARGARET TUSZ-KING, RON CORBETT AND MICHAEL TOWER. A NAY VOTE WAS RECORDED FROM COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

- B) Tourism & Business Development
 - Liaison Councillors Michael Tower and Ron Corbett
 - i) Report from Tourism & Business Development
 - ii) MainStreet Redevelopment

Councillor Ron Corbett noted that the Tourism & Business Development Report could be found on Page 42 of the Council Package and spoke on the highlights of the report.

CAO Phil Handrahan noted that just prior the meeting the Town had been served with a Notice of Application for a Judicial Review to be heard at the Court of Queen's Bench on May 30, 2016 with regard to Council's decision to terminate a member's appointment to the Heritage Board.

- C) Public Property & Facilities
 - Liaison Councillors Bruce Phinney and Ron Aiken
 - i) Report Public Property & Facilities

Councillor Ron Aiken noted that the Public Property & Facilities Report could be found on Page 60 of the Council Package and spoke to the highlights of the report. There were no questions of Council on this report.

#16-078 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL AWARD TENDER NO. 2016-04, STREET ASPHALT PATCHING TO THE LOWEST BIDDER, DEXTER CONSTRUCTION COMPANY LIMITED, BASED ON THEIR UNIT PRICES INCLUDED IN THE TENDER IN THE AMOUNT NOT TO EXCEED \$224,000.00 PLUS HST. MOTION CARRIED.

#16-079 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY DEPUTY MAYOR JOYCE O'NEIL THAT COUNCIL AWARD TENDER NO. 2016-06, SACKVILLE PUBLIC LIBRARY WASHROOM RENOVATIONS/UPGRADES TO THE LOWEST BIDDER, VALLEY ENTERPRISES LTD. IN THE AMOUNT OF \$24,775.00 PLUS H.S.T. MOTION CARRIED.

#16-080 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL ACCEPT THE QUOTE RECEIVED FROM FRS FLOORING SOLUTIONS INC., FOR THE FLOORING REMOVAL AND REPLACEMENT AT THE SACKVILLE PUBLIC LIBRARY TO IN THE AMOUNT OF \$8,999.00 PLUS H.S.T. MOTION CARRIED.

#16-081 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL AWARD TENDER NO. 2016-07 ASPHALT PAVING OF VARIOUS STREETS TO THE LOWEST BIDDER, MACDONALD PAVING AND CONSTRUCTION LIMITED, IN THE ADJUSTED TENDER (WITH THE REMOVAL OF ROUTE #940) IN THE AMOUNT OF \$298,753.00 PLUS HST PLUS A CONTINGENCY OF \$10,000.00 PLUS H.S.T. MOTION CARRIED.

#16-082 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY COUNCILLOR MARGARET TUSZ-KING THAT COUNCIL ACCEPT THE QUOTE RECEIVED FROM TANTRAMAR ELECTIC LTD., FOR THE CHESTER COLE MEMORIAL BALL FIELD LIGHTING IN THE AMOUNT OF \$14,297.50 PLUS HST. MOTION CARRIED

#16-083 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY DEPUTY MAYOR JOYCE O'NEIL THAT COUNCIL GRANT THE TEMPORARY CLOSURE OF YORK STREET FROM LANSDOWNE STREET TO SALEM STREET FROM 8:45AM TO 9:30 A.M. AND AGAIN FROM 1:45PM TO 2:30PM ON MONDAY MAY 16, 2016 TO ACCOMMODATE MOUNT ALLISON UNIVERSITY CONVOCATION. MOTION CARRIED.

#16-084 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL GRANT THE TEMPORARY STREET CLOSURE OF YORK STREET FROM SALEM STREET TO LANSDOWNE STREET ON THURSDAY SEPTEMBER 1, 2016 FROM 6:20 PM TO 7:00 PM FOR THE MOUNT ALLISON UNIVERSITY COMMENCEMENT CEREMONIES. MOTION CARRIED.

#16-085 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE DOCUMENTS PERTAINING TO THE CONSOLIDATION OF THE LANDS AT THE LILAS FAWCETT PARK. MOTION CARRIED.

#16-086 MOVED BY COUNCILLOR RON AIKEN AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL APPROVE THE PURCHASE OF THE PORTION OF PROPERTY LCOATED AT 10 DUFFERIN STREET FROM PERCY BEST AT A PRICE OF \$20,000; AND AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL A PURCHASE AND SALE AGREEMENT AND ALL RELEVANT DOCUMENTS PERTAINING TO THE PURCHASE OF THIS PROPERTY. MOTION CARRIED.

- D) Recreation Programs & Events
Liaison Councillors Shawn Mesheau and Bruce Phinney
 - i) Report Recreation Programs & Events

Councillor Bruce Phinney noted that the Recreation Programs and Events report could be found on page 63 of the Council Package and turned the report over to Matt Pryde to speak on. Mr. Pryde gave a brief overview of the highlights of the report.

- E) Public Safety
Liaison Councillors Margaret Tusz-King and Deputy Mayor Joyce O'Neil
 - i) Report Public Safety
 - ii) RCMP Report

Councillor Margaret Tusz-King noted that the RCMP Report could be found on Page 65 of the Council Package, and spoke on the highlights of the report as well as noted the recent Public Meeting which was an opportunity for citizens to hear the top policing priorities of the RCMP for 2015-2016 and also noted that for 2016-2017 the RCMP would also be concentrating on these same priorities.

- ii) Fire Chief Report

Deputy Mayor Joyce O'Neil noted that the Fire Chief Report could be found on Page 66 of the Council Package and spoke to the highlights of said report.

#16-087 MOVED BY DEPUTY MAYOR JOYCE O'NEIL AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL AUTHORIZE THE PURCHASE OF FOUR (4) SETS OF STARFIELD LION BUNKER GEAR FROM MICMAC FIRE AND SAFETY SOURCE LTD., IN THE AMOUNT OF \$11,500.00 PLUS H.S.T. MOTION CARRIED.

#16-088 MOVED BY DEPUTY MAYOR JOYCE O'NEIL AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL AUTHORIZE THE PURCHASE OF FOURTY-FIVE (45) CAIRNS TRADITIONAL FIREFIGHTER HELMETS FROM ACKLANDS GRAINGER IN THE AMOUNT OF \$17,267.10 PLUS H.S.T. MOTION CARRIED.

- F) Policy/By-Law
Liaison Councillors Bill Evans and Ron Corbett
 - i) Report Policy/By-Law

Councillor Bill Evans noted that the Policy/By-Law Report could be found on page 68 of the Council Package and spoke to the contents therein.

#16-089 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR RON CORBETT THAT COUNCIL GIVE SECOND READING SECTION BY SECTION TO BY-LAW NO. 249, TOWN OF SACKVILLE MUNICIPAL HERITAGE CONSERVATION AREA BY-LAW. AYE VOTES WERE RECORDED FROM COUNCILLORS RON AIKEN, BILL EVANS, MARGARET TUSZ-KING AND RON CORBETT. NAY VOTES WERE RECRODED FROM DEPUTY MAYOR JOYCE O'NEIL, COUNCILLORS BRUCE PHINNEY AND MICHAEL TOWER. MOTION CARRIED.

#16-090 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR MARGARET TUSZ-KING THAT COUNCIL GIVE THIRD AND FINAL READING TO BY-LAW NO. 249, TOWN OF SACKVILLE MUNICIPAL HERITAGE CONSERVATION AREA BY-LAW. AYE VOTES WERE RECORDED FROM COUNCILLORS RON AIKEN, BILL EVANS, MARGARET TUSZ-KING AND RON CORBETT. NAY VOTES WERE RECRODED FROM DEPUTY MAYOR JOYCE O'NEIL, COUNCILLORS BRUCE PHINNEY AND MICHAEL TOWER. MOTION CARRIED.

- G) Personnel
Liaison Councillors Bill Evans and Deputy Mayor Joyce O'Neil

Deputy Mayor Joyce O'Neil noted that the Personnel Report could be found on Page 69 of the Council Package and spoke to the contents therein.

- H) Sustainability
Liaison Councillors Ron Aiken and Margaret Tusz-King
 - (i) Report Sustainability

Councillor Tusz-King reported that the Sustainability Report could be found on page 70-73 of the Council Package and noted the key points or the report.

#16-091 MOVED BY COUNCILLOR MARGARET TUSZ-KING AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL ADOPT THE CORPORATE CLIMATE CHANGE ADAPTATION PLAN FOR THE TOWN OF SACKVILLE AS PRESENTED TO COUNCIL AT THE SPECIAL MEETING OF COUNCIL OF APRIL 4, 2016. MOTION CARRIED.

12. NEW BUSINESS

There was no new business at this time.

13. QUESTION PERIOD

There were no questions at this time.

14. ADJOURN

#16-092 MOVED BY COUNCILLOR MICHAEL TOWER THAT THE REGULAR COUNCIL MEETING OF APRIL 11, 2016 BE ADJOURN. MOTION CARRIED.

Mayor

Clerk

Acting Assistant Clerk