

CALL TO ORDER:

Mayor Gillies called the meeting to order at 7:00 p.m.

ATTENDANCE:

Mayor Steven Gillies
Councillor Harley Hunt
Councillor Patsy Shay

Deputy Mayor Ben Whalen
Councillor Sharon Loder

Works Supervisor Rod Holland
Clerk Treasurer Don Smith

Administrative Clerk Robby Obermeier

CONFLICT OF INTEREST:

Deputy Mayor Whalen declared a Conflict of Interest on 7.1 WAWA – Trout Creek – Remove Trees and 10.3 KWRC – Request to Present to Council. Councillor Hunt declared a Conflict of Interest on 5.2 Delegation – Trout Creek – Sarah Toole.

APPROVAL OF AGENDA:

The agenda was amended to add under Delegations 5.2 Trout Creek – Sarah Toole, under Correspondence 10.3 KWRC – Request to Present to Council and under New Business 12.3 Flood Risk Modeling & Ecosystem-based Adaptation Workshop. Mayor Gillies then called for a motion to approve the amended agenda.

M/S/C (Hunt/Loder)

**Motion to approve the amended agenda for the
October 20, 2015 Council Meeting.**

DELEGATIONS:

RCMP – Quarterly Report

Acting Sgt. George Parisella presented the report for the quarter ending September 30, 2015. There were 44 incidents in the report bringing the year-to-date total to 108. He said the Village has basically been very quiet of late. The activity is much more in the Town given incidents related to bars, pubs, etc. He commented on the fact it is often said the RCMP are not visible in the community but he assured Council that when and if the need arises the RCMP will be on site.

Trout Creek – Sarah Toole

Mrs. Toole spoke to Council regarding the impact of flooding and potential flooding on her business (Doug's Recreation). She said she was lead to believe the Village may not approve a bank restabilization project in Trout Creek because of the lack of funding.

Mayor Gillies said when the Village first became involved it was with the understanding the project would be completed at no cost to the Village. Since then, it has become apparent funding may be available from the Department of Public Safety through the Disaster Financial Assistance program but not guaranteed. He said he was in support of correcting the problem in Trout Creek and encouraged Council to strongly consider approving the project. She said she was concerned as she had been visited by members of the Sussex Town Council to discuss her potential challenges but has had no contact from Village Council. Deputy Mayor Whalen cautioned her that the proposed project would not, in his opinion, prevent flooding in that area of Trout Creek. He said the work will simply restore the rip rap which was already there and flooding would still occur if the water levels exceed that level. She said that at least that much would be done. She expressed concern that the WAWA permit had expired and wondered if the work could even be carried out this year. Deputy Mayor Whalen said he is not against doing something but he was not convinced this particular repair would stop flooding. She said she just wants some action taken to help save her business. She went on to say her insurance company suggested she relocate her business because they will not cover another similar loss. Councillor Hunt said he doesn't understand the problem because other parts of the Province are constructing rip rap solutions and it works in those locations. She said she would like Council to make a decision so the work could be done. The Deputy Mayor said one of the problems is the lack of capacity to take the water away from the site across the highway. She agreed and said she has had conversations with the Department of Transportation and Infrastructure as well as Dexter Construction regarding the culvert(s) and the need to replace same with larger capacity unit(s). A letter will be sent to DOTI from the Village with the same expression of need. The cost of the project is \$126,673 for the contractor and engineering supervision of approximately 10% or \$12,667 for a total of \$139,340. The Village portion (50%) would amount to \$69,670.

Councillor Hunt excused himself from Council Chambers.

M/S/C (Whalen/Loder)

Motion the Village of Sussex Corner commit to 50% of the cost of the Trout Creek Bank Restabilization project in an amount not to exceed \$70,000 including contractor charges and associated engineering supervision fees.

M/S/C (Whalen/Loder)

Motion to authorize the Clerk Treasurer to proceed with the steps necessary to obtain interim financing for the Trout Creek Bank Restabilization project, if required.

A letter will be sent to Mrs. Toole confirming the Village commitment. The Clerk Treasurer was also asked to proceed with the steps to recover some or all of the costs of the Village portion of the project from the Province via the DFA Program.

Councillor Hunt returned to Council Chambers.

APPROVAL OF MINUTES:

Mayor Gillies called for a motion to approve the minutes of the September 15, 2015 Council Meeting.

M/S (Shay/Loder)

Motion to approve the minutes of the Regular Meeting of Council on Tuesday, September 15, 2015.

Deputy Mayor Whalen drew attention to the section of the minutes that focused on Council's comments on the amalgamation plebiscite process. He said he recalled each member of Council agreeing to meet and discuss the amalgamation issue including the plebiscite and to prepare and issue a brochure to the citizens of Sussex Corner to provide more information on the subject. He asked to have wording to that effect included in the minutes and an amendment to the above motion. A lengthy discussion ensued and included comments on:

- the selection of the Steering Committee members
- who has the authority to call a meeting
- who would pay for a brochure issued to the citizens
- acceptance versus endorsement of the Feasibility Study report
- Town comments that the Village has aging infrastructure
- clearly establishing conditions in a public record

At the conclusion of the discussion, the following motion was made:

M/S/C (Whalen/Loder)
Councillor Hunt voted nay.

Motion to amend the minutes of the Council Meeting held on Tuesday, September 15, 2015 under the section entitled Amalgamation / Plebiscite to include the following "Each member of Council agreed to meet and discuss the amalgamation issue including the plebiscite and to prepare and issue a brochure to the citizens of Sussex Corner to provide more information on the subject."

M/S/C (Shay/Loder)
Councillor Hunt voted nay.

Motion to approve the amended minutes of the Regular Meeting of Council held on Tuesday, September 15, 2015.

BUSINESS ARISING FROM THE MINUTES:

WAWA – Trout Creek – Remove Trees

Deputy Mayor Whalen excused himself from Council Chambers.

Councillor Loder provided an update. The WAWA Application has been filed but was returned for additional input. The Village has one estimate from a service provider to acquire the remaining details for the WAWA application and has a second one expected by week's end. Councillor Loder will obtain one more and then the Village will see the missing information is obtained from the provider with the lowest bid providing they can meet expectations.

M/S/C (Loder/Shay)
Councillor Hunt voted nay.

Motion to obtain quotes to provide additional WAWA application information and authorize staff to utilize the services of the low bidder to obtain such information, providing they can meet expectations.

Deputy Mayor Whalen returned to Council Chambers.

REPORTS – COMMITTEES OF COUNCIL:

Administration and Finance

Mayor Gillies presented the report from the October 6th meeting.

M/S/C (Shay/Whalen)

Motion to approve September 2015 payments:

General \$ 39,800.15 Water/Sewer \$ 6,350.73

M/S/C (Whalen/Loder)

Motion to approve the following resolution with respect to interim financing in an amount not to exceed \$245,000 for the Storm Sewer and Street Improvements Project on Leonard Drive.

WHEREAS:

The Village Council (the "Council") of the Municipality is authorized from time to time to borrow monies and issue mortgages or other securities of the Municipality and it is in the interest of the Municipality that the Council exercise such authority:

BE IT RESOLVED:

1. *THAT the Municipality borrow from Bayview Credit Union Limited (the "Credit Union") all of the amounts referred to in a Credit Agreement (the "Credit Agreement") between the Municipality and the Credit Union dated October 22, 2015, pursuant to the terms and conditions of the Credit Agreement, as amended, and as presented to the Council at this meeting which Credit Agreement is hereby ratified and approved.*
2. *THAT the Municipality execute and deliver the Credit Agreement and such other documents or instruments as may reasonably be necessary or desirable to fulfill the terms and conditions of the Credit Agreement.*

3. *THAT the Clerk / Treasurer and the Mayor of the Municipality are hereby authorized for and on behalf of the Municipality to execute under its corporate seal and deliver to the Credit Union the Credit Agreement with such alterations, additions, amendments and deletions as may be approved by the Clerk / Treasurer and Mayor, whose signatures shall be conclusive evidence of such approval.*
4. *THAT the Clerk / Treasurer and Mayor of the Municipality are hereby authorized for and on behalf of the Municipality at any time hereafter (until such time as the Council gives written notice to the Credit Union repealing this authorization) to negotiate, execute and deliver such amendments to the Credit Agreement as may be approved by the Clerk / Treasurer and Mayor whose signatures shall be conclusive evidence of such approval.*
5. *THAT the Credit Union be furnished with a copy of this Resolution.*

There was discussion on the outstanding invoice from the Feasibility Study facilitator. Mayor Gillies said he felt the facilitator did a great job and supported the payment.

M/D (Hunt)

There was no seconder.

Motion to authorize payment of an invoice from Paul Stapleton in the amount of \$7,785.05 for consulting services for the preparation of the amalgamation feasibility report.

It was generally accepted the invoice should be paid however the question that remained was whether the Province would cover the cost of the invoice over and above the original estimate of the cost. Deputy Mayor Whalen said he would like to see communication sent to the Province and subsequently the response. The matter was left with Mayor Gillies.

Flood

Councillor Loder presented the report from the October 1st meeting.

M/S/C (Loder/Shay)

Motion to accept the resignation of Jason McAllister from the Flood Committee.

M/S/C (Loder/Shay)

Motion to appoint Nancy McLeod as a member of the Flood Committee.

Works, Water and Sewer

Councillor Loder presented the report from the October 6th meeting. There were no items of business to come before Council.

Accept Committee Reports

M/S/C (Loder/Shay)

Motion to accept the Administration and Finance, Flood and Works, Water and Sewer Committee reports.

REPORTS – OTHER:

PotashCorp Civic Centre (PCC)

Councillor Shay said the Board held a meeting September 29th. They are proceeding with the recruiting / hiring process for a new General Manager. Things are progressing well. They are also seeking new members for the Board as it would appear there will be four vacancies on the Board.

Region Service Commission (RSC8)

Mayor Gillies said the Board met recently with a light agenda. A letter has been sent to Minister Horsman requesting information on the slated closure of the Sussex Courthouse. He said the Board did discuss at some length the trucking of solid waste to the landfill directly as opposed to the involvement of the transfer station.

CORRESPONDENCE:

Roadways in Restructured Communities

Correspondence was received from the Department of Environment and Local Government indicating the Province is looking into a policy for the responsibility for roadways in restructured communities. Nothing is available at this time although Eveleigh Street is in question. The Province had indicated earlier that with amalgamation the street would be turned over to the new municipality. There was some assurance that the Province would commit to capital investment to bring the street up to standard at no cost to the new municipality.

Cost Sharing for Designated Highways Projects

Correspondence was also received from UMN Executive Director Raymond Murphy regarding the drafting of a new cost sharing formula whereby the municipalities would have to contribute “their share” for any Designated Highways projects. The Department of Environment and Local Government is looking at a model that incorporates a number of factors including an equalization component. For example, the table reveals that the Village would have to contribute 35 % of the cost of any such project. It was suggested a meeting be called whereby spokespersons for the DELG or DOTI or both attend and explain the new proposal. A letter will be issued to the Province to make such arrangements.

KWRC – Request to Present to Council

Deputy Mayor Whalen excused himself from Council Chambers.

A request was received from the Kennebecasis Watershed Restoration Committee for an opportunity to present to Council a summary of their work in 2015 and a look at 2016. Council supported such a presentation and an invitation will be extended to the KWRC for the November Council Meeting.

The Deputy Mayor returned to Council Chambers.

BYLAWS:

There were no bylaws before Council.

NEW BUSINESS:

Appointment of Auditor

Municipalities are required to appoint an auditor each year to complete the annual audit of financial records.

M/S/C (Hunt/Whalen)

Motion to appoint Buckley Professional Corporation as Village Auditor to complete the audit of the financial records for the year ending December 31, 2015.

Amalgamation Brochure

Deputy Mayor Whalen spoke on the exercise undertaken to meet & discuss the proposed amalgamation to get Council on the same page, as it were, and to discuss the creation of a brochure. Invitations were extended to members of Council with the Deputy Mayor and Councillors Loder and Shay attending. The outcome was a draft brochure to be issued to the citizens of Sussex Corner. Deputy Mayor Whalen asked for Council's approval to print and issue the brochure. Some of the members of Council said they were unable to open the brochure document on their iPads for viewing. Deputy Mayor Whalen opened the document for viewing from his laptop. Councillor Hunt said he didn't get an invitation to the meeting but the Deputy Mayor said everyone was sent the same invitation and he only received feedback from the three mentioned above plus Councillor McMillan. Mayor Gillies said he didn't get the draft brochure and didn't want his picture on the brochure. Councillor Hunt had the same comments. Once again, the Deputy Mayor said the draft was available on his laptop for anyone to view and hard copies would be available in the office the following day.

M/S/C (Whalen/Loder)
Councillor Hunt voted nay.

Motion to print and deliver the amalgamation brochure to the citizens of Sussex Corner.

Flood Risk Modeling & Ecosystem-based Adaptation Workshop

Councillor Loder asked for Council's approval for her and Flood Committee member Malcolm McLeod to attend an upcoming Flood Risk Modeling & Ecosystem-based Adaptation Workshop in Moncton. There is no registration fee so the only cost is mileage for one vehicle.

M/S/C (Loder/Whalen)
Councillor Hunt voted nay.

Motion to authorize the attendance of Councillor Loder and Flood Committee member Malcolm McLeod to attend the Flood Risk Modeling & Ecosystem-based Adaptation Workshop in Moncton with the Village to cover the cost of transportation for one vehicle.

ADJOURNMENT:

The Mayor called for a motion to adjourn the meeting.

M/S/C (Whalen/Loder) **Motion to adjourn the Council meeting.**

The meeting adjourned at approximately 8:40 p.m.

Clerk / Treasurer

Mayor