

Council Meeting

August 18, 2021

Time: 6:30pm

AGENDA
(VIA Webex Virtual Meeting)

1. **Call to Order**
2. **Approval of Previous Minutes**
3. **Approval of the Agenda**
4. **In Camera - Contractual**
5. **Correspondence:**
 - a. Peter Giffin – Heritage Mural Project
6. **New Business:**
 - a. F2021 Audit Report (to follow)
 - b. Appointment of new BEC Commissioner
 - c. Year of the Veteran Carving @ corner of Commercial and Main Streets
 - d. Gala Days 2021 – Request for Concert Sponsorship
 - e. Valley Waste Regional Management – TBR Approval
7. **Adjournment**

August 5, 2021

Mayor and Council
Town of Berwick
236 Commercial Street
Berwick NS B0P 1E0

Dear Mayor and Council

I recently learned of the town's Trail Committee and their plans to have a mural painted on the Berwick Fruit Company building. My immediate reaction was of shock. I am appalled and sickened by the thought of altering this building's facade. It so clearly represents the face of an historic and industrious Berwick that most of us never knew. I cannot imagine an example that better represents our past. The name itself, "**Berwick** Fruit Company" even lends its name to all our citizens. Why would "The Apple Capital", a town that has branded itself based upon our heritage, take on a project that would diminish our heritage?

The building, with the sign, couldn't get any more basic in representing what we were and because of its simplicity and authenticity it could not be more beautiful. I know I am not alone in this opinion as I have witnessed, almost annually, high school graduates in their ceremonial dress coming in groups to have photographs taken with the building. I have seen wedding photographs taken there as well. The sign on the terracotta masonry, also of historical value, needs no finish to remain sound and attractive for many years to come. For anyone interested in keeping our history alive there is no better reminder left in town.

I appreciate the efforts and the imagination of the committee, and I am grateful there are people volunteering for the betterment of our town. I suggest limiting the mural to the addition section at the east end of the building as a compromise the committee could be satisfied with. The original section, with "Berwick Fruit Co. Ltd." should be left alone.

To alter the face of that building would be a defacing of that building, and if you'd like, a defacing of our heritage. Without question, it should be protected like so many other heritage buildings within our province.

I thank you for your time in considering my opinion.



Peter Giffin
128 Mill Street
Berwick NS B0P 1E0

Issue Report

Michael Payne, Chief Administrative Officer

2021 Aug 18

Issue

Berwick Electric Commission - Appointment of new Commissioner

Information

In March 2021 the Town published an opportunity for residents to volunteer on a number of Committees of Council with regular openings, including the Berwick Electric Commission. The opportunity was advertised broadly on the Town's social media channels, its website and through the Kings County Advertiser/Register.

An application was received from only Mr. John Nichols to join the Berwick Electric Commission as a Commissioner. Mr. Nichols is a local resident, a retired businessman, and a life long volunteer. He has served on a number of informal and formal committees over the years with both the Town and the Municipality of the County of Kings. Mr. Nichols has a wealth of related experience particularly in the areas of business acumen, decision making, logistics and communications relevant to the nature and level of the role.

The Berwick Electric Commission consists of four Commissioners that are appointed by Town Council pursuant to relevant statutory authorities within the Electricity, Public Utilities and Municipal Government Acts. There is currently one vacancy on the Commission.

Recommendation

That Council appoint Mr. John Nichols to the Berwick Electric Commission as a Commissioner.

Issue Report

Michael Payne, Chief Administrative Officer

2021 Aug 18

Issue

Year of the Veteran carving – deteriorating condition (southeast corner of Commercial and Main Streets)

Information

On July 21 2021 this issue was raised at the regular meeting of the Town’s Community Development Committee (CDC).

The CDC was advised that the carving depicts a war veteran and was commissioned in 2005 – the Year of the Veteran’. It is located atop a tall tree stump on property located at the southeast corner of Commercial and Main Streets. The carving is showing its age and is now in disrepair. The property it sits on is listed for sale by a local realtor.

The CDC discussed the issue at length. A number of concerns were raised about the longevity of the carving, the potential costs of repairing it, removal of the carving and what to do with it, if it was removed. The CDC acknowledged that a new memorial to Veterans was established on the Berwick & District School grounds off Veterans Drive a couple of years ago. The original purpose of the carving would appear to have been served.

The general consensus of the CDC was to gain the support of Town Council with a recommendation that a representative of the Town reach out to Mr. David Whitman, the original artist who carved the piece to discuss this issue with him. The inclination of the CDC was that the carving be removed from the property it currently sits on.

Recommendation

That Council adopt the recommendation of the Community Development Committee to consult Mr. Davis Whitman with a view to removing the carving from the property.



Issue Report

Michael Payne, Chief Administrative Officer

2021 Aug 18

Issue

Gala Days 2021 – Request for concert sponsorship

Information

On or about July 17, 2021 the Town received correspondence from the Gala Days Committee confirming that they were planning a close to traditional Gala Days weekend over the Labour Day weekend. They also made a time sensitive request for the Town to be one of four major sponsors for the headline concert featuring Matt Minglewood, to be held Saturday night of that weekend. The Gala Days correspondence is attached.

The Town's F2022 Budget does have a \$2000.00 line item for Gala Days incidental expenditures and staff anticipate that at least a portion of those funds will be required as per past experience. The Department of Finance has deemed this specific ask to fall under 'Legislative – Sponsorship'. The Town does not have any funds allocated to that line item for this year's budget but staff anticipate the ability to absorb the request within the overall operational budget of the Town.

The Town's traditional support to Gala Days will be somewhat less this year because all of our summer students' contracts end on August 27; the Gala Days weekend is over September 4-6 so our summer student cohort will not be a support to the events. Gala Days concert organizers were awaiting a response on the sponsorship request to firm up decisions around printing tickets, the retail charge for tickets and general advertising, all in the context of the current pandemic restriction maximum of 250-person attendees. Having regard to all the circumstances involved, staff recommends that the Town support the request and has advised the Gala Day Committee accordingly.

Recommendation

That Council support the request to be a major sponsor of the Gala Days 2021 headline concert with a contribution of \$2000.00.

COPY



P. O. Box 445,
Berwick, N.S.
B0P 1E0

July 17, 2021

Mayor and Town Council,
Town of Berwick,
Nova Scotia

As Covid restrictions are easing in the province and we start to emerge from the pandemic, it's time to have some fun!

Berwick and District Gala Days Association has made the decision to stage our festival over Labour Day weekend.

We have been extremely fortunate to secure Minglewood Band for a concert in Rainforth Park on the night of September 4, 2021.

We hope to partner with four major sponsors to join us in presenting this popular Maritime band. For your partnership, the town's logo will appear on the printed tickets, you will be recognized as one of the sponsors in advertising and your banner will be displayed at the event. As well, you will be recognized as a Platinum sponsor for the overall festival. We are asking for a \$2000 sponsorship to be part of this grand opportunity happening in our Town.

Thank you for considering our request. We look forward to working with you.

Sincerely,

Shoneth Salsman
Secretary
Berwick & District Gala Days Association

2021 Jul 26
Karen
'discussed' with
Mayor Clarke. We
will commit the
\$2K and will
find it
somewhere!
Mike

VALLEY REGION SOLD WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$ 950,750

Capital Projects: Detailed in Schedule "B"

**SCHEDULE "B"
CAPITAL PROJECTS**

		Estimates \$
Heading: Vehicles		
Item	4x4 Pick-Up Truck & Plow	55,000.00
Item		
Item		
Item		
Heading Sub Total:		55,000.00
Heading: Machinery and Equipment		
Item	Wheel Loader	285,000.00
Item	Roll Off Containers	23,000.00
Item	Utility Trailer	15,000.00
Item		
Heading Sub Total:		323,000.00
Heading: Site / Facilities		
Item	WMC Tipping Floor -concrete floor repair & resurfacing	189,750.00
Item	EMC Tipping Floor- concrete floor repair & resurfacing	204,000.00
Item	WMC-Automated Scale House Window	19,000.00
Item	EMC Sorting Building and transfer building-design phase	75,000.00
Heading Sub Total:		487,750.00
Heading: Various		
Item	Scale Program Software	85,000.00
Item		
Item		
Item		
Heading Sub Total:		85,000.00
TOTAL REQUEST CONTAINED WITHIN THIS RESOLUTION		950,750.00

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$ 950,750

Capital Projects: Detailed in Schedule "B"

WHEREAS the Valley Region Solid Waste-Resource Management Authority (hereinafter referred to as the Authority) was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

WHEREAS the Town of Berwick, the Town of Kentville, the Town of Middleton, the Town of Wolfville, the Town of Annapolis Royal, and the Municipality of the County of Kings entered into an inter-municipal services agreement pursuant to Section 60 of the Municipal Government Act;

WHEREAS the Authority pursuant to the inter-municipal agreement states that the body corporate shall be vested with the power to borrow money for the purpose of capital projects, the estimated amounts and descriptions of which are contained in Schedule "B";

WHEREAS any borrowing and/or entering into debt obligations of the municipal body corporate must be approved by the municipal units and the Municipal Guarantee percentages and amounts for each of the six municipal parties are attached at Schedule "A"; and,

WHEREAS pursuant to Section 88 of the Municipal Government Act no money shall be borrowed by a municipality, village, committee by an inter-municipal agreement or service commission pursuant to this Act or another Act of the Legislature until the proposed borrowing and municipal guarantees have been approved by the Minister of Municipal Affairs;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 92 of the Municipal Government Act, and subject to the approval of the Minister of Municipal Affairs, the Authority borrow a sum or sums not to exceed Nine Hundred Fifty Thousand, Seven Hundred and Fifty Dollars (\$ 950,750) for the purpose set out above;

THAT the sum be borrowed by the issue and sale of debentures of the Authority of an amount as the Authority deems necessary;

THAT pursuant to Section 92 of the Municipal Government Act, the issue of debentures be postponed and that a sum or sums not to exceed Nine Hundred Fifty Thousand, Seven Hundred and Fifty Dollars (\$ 950,750) in total be borrowed from time to time from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and,

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Valley Region Solid Waste-Resource Management Authority held on the 21 day of July, 2021.

GIVEN under the hands of the Chair and the Secretary and under the seal of the Authority this 28 day of July, 2021.



Chair



Secretary

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$ 950,750

Capital Projects: Detailed in Schedule "B"

SCHEDULE "A"

MUNICIPAL GUARANTEES

MUNICIPAL PARTNER	GUARANTEE PERCENTAGE	GUARANTEE AMOUNT
Municipality of the County of Kings	74.56%	708,879
Town of Kentville	10.05%	95,550
Town of Wolfville	8.31%	79,007
Town of Berwick	3.53%	33,562
Town of Middleton	2.5%	23,769
Town of Annapolis Royal	1.05%	9,983
Total Capital Requirements for Borrowing Resolution	100%	950,750

VALLEY REGION SOLD WASTE-RESOURCE MANAGEMENT AUTHORITY

TEMPORARY BORROWING RESOLUTION

Amount: \$ 950,750

Capital Projects: Detailed in Schedule "B"

**SCHEDULE "B"
CAPITAL PROJECTS**

		Estimates \$
Heading: Vehicles		
Item	4x4 Pick-Up Truck & Plow	55,000.00
Item		
Item		
Item		
Heading Sub Total:		55,000.00
Heading: Machinery and Equipment		
Item	Wheel Loader	285,000.00
Item	Roll Off Containers	23,000.00
Item	Utility Trailer	15,000.00
Item		
Heading Sub Total:		323,000.00
Heading: Site / Facilities		
Item	WMC Tipping Floor -concrete floor repair & resurfacing	189,750.00
Item	EMC Tipping Floor- concrete floor repair & resurfacing	204,000.00
Item	WMC-Automated Scale House Window	19,000.00
Item	EMC Sorting Building and transfer building-design phase	75,000.00
Heading Sub Total:		487,750.00
Heading: Various		
Item	Scale Program Software	85,000.00
Item		
Item		
Item		
Heading Sub Total:		85,000.00
TOTAL REQUEST CONTAINED WITHIN THIS RESOLUTION		950,750.00

**VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY
MUNICIPAL PARTNER GUARANTEE RESOLUTION
COUNCIL OF**

Guarantee Share Amount: \$ _____ Purpose: _____

WHEREAS the Valley Region Solid Waste-Resource Management Authority (hereinafter referred to as the Authority) was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

WHEREAS the Authority has determined to borrow the aggregate principal amount of _____ Dollars (\$ _____) for purpose of _____;

WHEREAS the Authority has requested the Council of the _____, a municipality that executed the instrument of incorporation of the Authority, to guarantee said borrowing; and,

WHEREAS pursuant to Section 88 of the Municipal Government Act, no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs has approved of the proposed borrowing or debenture and of the proposed guarantee;

BE IT THEREFORE RESOLVED

THAT the Council of the _____ does hereby approve the borrowing of the aggregate principal amount of _____ Dollars (\$ _____) for the purpose set out above;

THAT subject to the approval of the Minister of Municipal Affairs of the borrowing by the Authority and the approval of the Minister of Municipal Affairs of the guarantee, the Council unconditionally guarantee repayment of _____ Dollars (\$ _____) for the purpose set out above; and

THAT upon the issue of the debentures, the Mayor and Chief Administrative Officer of the Municipality do sign the guarantee attached to each of the debentures and affix thereto the corporate seal of the Municipality.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the _____ held on the _____ day of _____, 2021.

GIVEN under the hands of the Clerk and under the seal of the Municipality this _____ day of _____, 2021.

Clerk