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r_Minutes of the Regular Council Meeting - May 9, 1995

Present:

Chairman

Mayor John W. Rainforth Councillor Bruce H. Morse Councillor John P. Prall councillor Gary W. Whittier Councillor Ronald G. Reeves Councillor Michael E. Trinacty Judith Mitchell, Town Clerk Connie Coles, Recording secretary

,Absent:

Deputy Mayor Michael J. Munday

In attendance:

Mr. Robert Stewart, solicitor

Mr. Bruce Drummond, Berwick Inn Ms. Sara White, Berwick Register

1.

The Chairman called the meeting to order at 7: 04 p. m .

2.

Approval of Previous Minutes

(a) Hearing of no errors or omissions, the Chairman approved the minutes of the regular Council meeting of April 11, 1995 as circulated.

(b) Copies of the following minutes were circulated for the information of council:

- (i) Recreation Committee - April 18, 1995
- (ii) Electric Commission - April 26, 1995
- (iii) Police Commission - April 26, 1995
- (iv) Finance Committee - May 2, 1995
- (v) Recreation Committee - May 3, 1995

3. Committee Reports

(a) Social Services Committee

Councillor Morse reviewed the Social Services report for the month of April and noted that the cost for General Assistance has dropped from last month and from this time last year. The costs for Coordinated Home Care have now been assumed by the Department of Health. Councillor Morse will advise Council of updates accordingly.

(b) Planning Advisory Committee

In regard to amending the Building By-Law to reflect new Building Permit Fees being set by the Municipality of the County of Kings, it was moved by Councillor Morse and seconded by Councillor Trinacty that Council approve the first reading of An Amendment to By-Law No. 135 - Town of Berwick Building By-Law.

Motion Carried

Mayor Rainforth relayed regrets from Deputy Mayor Munday for his absence and reported that two rezoning requests have been received but are on hold until further information is received. The Municipal Planning strategy and Land Use By-Law are now approved; any Council members wishing to have copies to notify the Clerk.

(c) Community Economic Development

Mayor Rainforth reported on CED activities and noted that a citizens' Congress will be held for all interested members of the public, which will take place on May 13, 1995 at West Kings High school, commencing at 8:30 a.m.

(d) Fire Department

Councillor Prall advised that the Fire Department did a mock exercise involving a truck and a school bus. A Directors' Meeting was held on May 8, at which time the budget was reviewed. A second meeting will be held on May 15 to further discuss the budget.

(e) Solid Waste Management

Councillor Prall, Councillor Morse, Ms. Mitchell and Mr. Gould attended an official opening of the \$9 million Lunenburg Regional Recycling and Composting Facility, located in Whyntott's Settlement, near

Bridgewater. A guided tour of the facility was very impressive - the facility employs 20 people and is presently diverting 70% of garbage from the waste stream, and is able to recycle glass, metal, aluminum, plastic and cardboard, as well as compost organic materials, using Japanese technology. Councillor Prall

indicated that no decision has been made yet on Kings County's plans to deal with solid waste, pending the release of a Provincial strategy.

(f) Recreation

Councillor Trinacty commented on the following items:

(i)

A thank you to the Editor of the Berwick Register for running the first of many Recreation Profiles.

The Intern position for 1995 has been filled by Janice Stockman.

(it) (ill)

The Recreation budget has been submitted and approved by the Recreation committee at \$9 below targeted figures.

iv)

To date, new ball field construction still not underway; expect to make a decision soon on whether to hire a contractor or wait for the next Heavy Equipment Training School. still in a dilemma over

increasing number of young ball players and are considering 'options as to ,whether or not a small ballfield can be set up to accommodate this age group.

(v)

Next priority for Apple Blossom is to work on the float.

(g) streets

Councillor Whittier reported that 50 trees have been purchased by the Town to commemorate the 50th Anniversary of World War II, and includes Maple trees, Honey Locusts and Lindens, all of which have now been planted.

Spring Cleanup has been busy with over 17 truckloads of debris going to the Landfill; excluding leaves and brush. Maple Avenue is being worked on by Howard Little Excavations to try and improve it somewhat. Paving will commence when the asphalt plant opens. The Superintendent is currently working on the 1995/96 Budgets for Streets and Sewer.

(h) Finance

It was moved by Councillor Reeves and seconded by Councillor Whittier that the Tax Exemption for 1995 be \$170.00 for those qualified on 1994 income of \$16,500 or less. Of note, these amounts are unchanged from 1994/95.

Motion Carried

A copy of the Resolution in detail is attached to the official copy of the minutes and forms a part of the motion.

After a brief update regarding the current fees for dog control, it was moved by councillor Reeves and seconded by councillor Prall that Council approve the revised Dog control fees, as recommended by the Finance Committee, as follows:

\$10.00 per Dog Tag, issued annually

\$10.00 per seizure and Impounding, and \$10.00 per day Board, including partial days

Motion Carried

It was also noted that registration of dogs will be manqatory, and will enable the Town to arrive at census figures to establish the number of dogs in Berwick.

(i) Mayors Report

The Chairman updated Council on the recent Mayors/Wardens' Meeting, which centred on the issue of Kings Transit. The chairman expressed his concern that Kings Transit's experimental trial run to Greenwood is by no

means a "sure thing", due to a fundamental lack of agreement (on the cost of extending the bus service) between two of the transit owners:' Kings County and Wolfville. At the moment, Berwick is not involved in the discussion, nor have they been approached by the Kings Transit Authority. chairman feels there is no point in Berwick discussing transit service until the issue at hand has been resolved.

CED Agency funding arrangements are to be discussed and ironed out at a meeting of the Municipal clerks and the CED. To date, there seems to be more community involvement with CED in Eastern Kings than in Western

Kings. However, the citizen's congress is being held in Western Kings on May 13 and the CED Agency is wrapping up planning stages and moving into the activity phase, which may attract more involvement from the Western Kings Area.

Regional Policing was discussed at Mayors/Wardens' meeting and it was decided to wait until the Nova Scotia Department of Policing services' audits of individual police departments have been completed and the results known. Then, in early fall, meetings should start up with the Police commission Chairmen, Police Chiefs, and a Kings county representative to initiate discussion on the concept of Regional Policing.

4.

correspondence

(a) Letter from the Honourable Sandy Jolly, Department of Municipal Affairs, advising that the Municipal planning Strategy and Land Use By-Law have been approved, effective April 19, 1995. For the information of council.

(b) Thank you card received from the family of the late Mr. Bob Redden for flowers sent. For the information of Council.

(c) A letter from Mr. Mike Horwich, Manager of Environmental Health for the Nova Scotia Department of Environment, requesting that Council forward names of individuals to sit on an Appeal Panel respecting On-Site Sewage Disposal Public Hearings. Council declined to respond.

(d) Nova scotia Economic Renewal Agency Quarterly Report has been received and circulated. For the information of Council.

(f) The Peace Run 1995 arrives in Berwick on May 31, at 4:00 p.m., in front of Town Hall. The coordinators invite the Town to join in with a Peace Run Ceremony and offer a list of suggestions.

(g) A letter from the Nova Scotia Department of Justice, Policing Services, advising that the Berwick Police Department will be undergoing an audit on May 26, 1995, which covers a checklist of 27 items to be reviewed. - For the information of Council.

(h) Kings county District School Board Minutes, for the April 12, 1995 Board Meeting.
Distributed for the information of Council.

(i)

Letter from the Honourable Robbie Harrison on behalf of the Nova scotia Economic Renewal Agency. "Nova Scotia Ambassador" kits are available to anyone on Council who wishes to distribute Nova scotia pamphlets and lapel pins outside of the Province. Please notify the Clerk if anyone is interested.

The balance of the correspondence was of a routine nature or passed to committees for action.

5.

Bills and Accounts

It was moved by Councillor Reeves and seconded by Councillor Morse that the attached list of bills and accounts in the amount of \$106,708.91 be approved for payment.

Motion Carried

6.

New Business

(a) Request from Gerald Parker - Video Arcade

Chairman read a letter from Mr. Parker requesting an extension of hours at the Arcade. He also read from two letters of complaint from concerned citizens, regarding the Arcade, that were critical of closing times, unruly behaviour in the parking lots, foul language, loitering, etc.

A lively discussion followed, with comments from Mr. Drummond of the Berwick Inn indicating his serious concerns that the Arcade may negatively affect his business, especially American patrons who value the peacefulness and "safe", small-town atmosphere that makes Berwick so attractive.

councillor Whittier wished to go on record to state that the Arcade should not be permitted to stay open any later than it already does. Councillor Prall suggested the Town revoke the Automatic Machine License granted to Mr. Parker if he has not been complying with the conditions of the License. Councillor Morse agreed. Councillor Trinacty felt that responsible management was an issue: no support for extending hours can be given if the Arcade is not complying with the terms of the License as it presently stands.

Councillor Reeves urged council not to make a hasty decision: he appreciated the concerns brought to the attention of Council, but felt teenagers should also have a place to go, and that this was a consideration when the Automatic Machine License was originally granted. The Chairman suggested that Councillor Morse, Chairman of the Licensing Committee, should meet with the Police Chief and

Town solicitor to discuss the

operation of the Arcade and stricter enforcement of the License conditions and Automatic Machine By-Law; and to advise Mr. Parker by registered letter that a review and adherence to existing Licensing requirements are in order.

Therefore, it was moved by Councillor Trinacty and seconded by Councillor Whittier that the hours of operation at the Arcade remain unchanged.

Motion Carried

Clerk to write to Mr. Parker, and Berwick Police to monitor closing times and advise Clerk of any complaints. As well, the property owner will be contacted to see if the loitering problem can be alleviated. It was also agreed that the Licensing committee has the authority to withdraw the Automatic Machine License, if need be, without further consultation with Council.

(b) Berwick Lions Club

A request from Mr. Gil Moir of the Lions Club has been received asking for a letter of approval from the Town indicating permission to use the patio part of the Lions Club to serve alcoholic beverages to Lions and their guests only. The patio is accessible through the Lions Den. This will facilitate licensing from the Nova Scotia Liquor License Board.

It was moved by Councillor Whittier and seconded by Councillor Morse to write a letter granting Council's approval to said request.

Motion Carried

(c) Right-of-Way - 13 Horsburgh Drive

The chairman brought forward a legal request for the Town of Berwick to release its interest in an electrical Right-of-Way that runs through the property of 13 Horsburgh Drive. The Right-of-Way is no longer in use, and all interests have been signed off by the Berwick Electric Commission.

It was moved by Councillor Reeves that the Town of Berwick agrees to release its interest in an easement granted for power, circa 1966, on 13 Horsburgh Drive. Seconded by councillor Prall.

Motion Carried

The Town will sign and witness the formal Release of Interest accordingly. It was also agreed that if any further requests arise from Horsburgh Drive for Release of Interest, the remaining easement in its entirety should be released.

(d) Animal control

,The chairman reported that the Town's regular Animal control officer resigned several months ago and that the Town had been operating on an ad hoc basis ever since. While the Town can manage Animal control shortterm with the support of the Public works Department, a long-term plan needs to be put in place. There was considerable discussion on possible options, and some determination of how serious the dog control situation actually is.

It was decided that a more aggressive dog licensing program may help to alleviate the problem and put more onus on dog owners to show responsibility for their pets. It was also agreed to permit Public Works to look after any animal control calls for the coming month under the direction of the Public Works Superintendent, and to update council in June.

However, Council also agreed that if the Superintendent runs into difficulties with animal control before June Council, then the Clerk is instructed to advertise for proposals of interest for an Animal Control Officer.

(e) Tree cutting/Trimming Policy

Mr. Stewart noted a complaint he had received as a result of Town employees being on private property while cutting down a Dutch Elm tree. Councillor Whittier will address this matter with the Public Works Department; the Clerk will send a memorandum to both the Public Works Department and the Berwick Electric Commission, requesting that any employees going on private property are to notify the residents of the property of the nature of their business.

8.

council moved to a Committee-of-the-Whole meeting at 8: 40 p. m. and returned to regular Council at 9: 04 p. m.

9.

There being no further business, Council adjourned at 9: 05 p. m .

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Town Clerk & Treasurer