

Minutes of the Regular Council Meeting - February 14, 1995

Present:

chairman

Mayor John W. Rainforth

Deputy Mayor Michael J. Munday Councillor Bruce H. Morse Councillor Gary Whittier Councillor John

P. Prall Councillor Ronald G. Reeves Councillor Michael E. Trinacty Judith Mitchell, Town Clerk

Robert Stewart, solicitor

Connie Coles, Recording Secretary

,In attendance:

Mr. David Wigmore, Dept of Environment

Mr. Dwight Johnson, school Board Representative Mr. Ken Pineo, President Board of Trade

Mr. Gary Gould, Public Works Supervisor

Ms. Brigitte Edwards, Recreation Director

Ms. Sara White, Berwick Register

1.

The chairman called the meeting to order at 7:00 p. m. and welcomed Mr. Dwight Johnson as the new member of the School Board, and Mr. David Wigmore from the Department of Environment.

Approval of Previous Minutes

2.

(a) Hearing of no errors or omissions, the Chairman approved the minutes of the regular Council meeting of January 10, 1995 as circulated.

(b) The following minutes were distributed for the information of Council:

(i) (ii) (iii) (iv)

Police Commission

Electric Commission Personnel Committee Recreation Committee

- January 18, 1995 - January 31, 1995 - February 7, 1995 - February 8, 1995

3.

school Board Report

Mr. Dwight Johnson reported on the following five items in detail to bring Council up-to-date on the current activity of the School Board:

a)

White Paper on amalgamation of School Boards, to be released February 16, 1995;

b)

Transportation Committee recommends privatization of buses;

c)

Deficiency list on Berwick & District School: approved for correction;

6/50 issues responded to, 2/6

d)

Possible boundary changes to Kingston/Greenwood area;

e)

Two DND Greenwood schools are up for purchase/lease at fair market value from the Federal Government.

Department of Environment

4.

Mr. David Wigmore, Department of Environment, spoke for an hour on the new Environmental Act recently passed in the Legislature (and retroactive to January 1, 1995). He covered the history behind the legislation, the consolidation and upgrading of various Acts/Regulations into one cohesive Act, the 20 sections that make up the Act, and how the new Act is substantially different from the old Act. In particular, Mr. Wigmore commented on the following issues:

Very broad powers given in the Act (to the Department of Environment) to fill the mandate of the legislation;

Approvals (formerly called Approvals/Permits/Licenses/or Authorizations) will now be done within 60 days of filing;

Non-approval is to be the policy if a request is not in the public interest, even if technically correct;

Security Bonding can be imposed on an industry to reclaim a site later on; certification to be issued for Waste Water Treatment Plants and all operators to be versed and certified;

Strategy to reduce waste by 50% (based on weight) by the year 2000 by promoting waste as a resource; Solid Waste Management Strategies and Landfill Management Practices will also be added soon to this Act;

Water Resource issues and Water Resource Management are all to be handled by the Department of Environment;

Air Quality standards have to fall within measurable standards (Aylesford has an Air Standards Station);

Responsibility for environmental infractions will be traced back to the source: employee, employer, board member, etc., as the case may be;

Town Clerk, Solicitor, Council to have practices and procedures in place to establish "due diligence" (for example, Employees Operating Manual, with signatures of each employee, indicating level of training/information); Province will take cost recovery action against any municipality where they have to clean up a situation;

All previously issued certificates/approvals will still be required, only under the new Act, instead of various older Acts;

Department of Environment will not do Environmental Audits, as it would put them in a conflict of interest situation;

Department of Environment will be assuming certain responsibilities from Board of Health, Le. On-site Sewage Systems, Licensing Eating Establishments, etc.

After his presentation, Mr. Wigmore fielded questions from Council on the implications of the new Act. (For information purposes, two short summaries of Bill 115, "The Environmental Act", RSNS 1994-1995, prepared by Cox Downie for UNSM, have been attached and form a part of the formal minutes.)

5.

Committee

Reports

Written reports were received from each Councillor, to be filed with the formal copy of the minutes.

(a) Personnel Committee

Councillor Morse reported that the new Personnel Committee held their first meeting on February 7, 1995. Their first item of business was to deal with non-Council vacancies on various committees.

It was moved by councillor Morse and seconded by councillor Trinacty that Jackie Ward be appointed to fill the vacant non-Council position on the Recreation Committee.

Motion Carried

It was moved by councillor Morse and seconded by Councillor Reeves that Paul Ward be appointed to fill the vacant non-Council position on the Regional Housing Authority.

Motion Carried

It was moved by Councillor Morse and seconded by councillor Reeves that Suzanne Atkinson be appointed to fill the vacant non-Council position on the Planning Advisory Committee.

councillor Morse reported that a memo to Department Heads was being prepared to introduce them to the role of the Personnel Committee and to request pertinent information. This information will enable the Personnel Committee to begin work on a Policy and Procedure Manual for the Town of Berwick.

(b) Social Services Committee

Information for Council as outlined in written report.

(c) Planning Advisory Committee

Deputy Mayor Munday noted that no written submissions were received prior to the Public Hearing nor did any members of the public attend the Public Hearing. There was one minor change noted in regard to the description of Institutional Lands.

It was moved by Deputy Mayor Munday and seconded by Councillor Trinacty that the Municipal Planning Strategy and Land Use By-Law be adopted by a majority vote of the whole Council, and note for the record that only those Councillors who were present at the Public Hearing have voted.

Motion Carried

(d) community Economic Development Committee

Deputy Mayor Munday stated that he has attended six meetings within the last month for the CEDC, information of which is presented in his written report. He noted there will be a Western Valley Meeting on February 21,

1995, and encouraged anyone wishing to attend to do so, as Committees will be set up at that time.

Deputy Mayor Munday reported that at a meeting held on February 10, 1995, a list of names of interested persons was drawn up for appointment to the Board of the CED service Agency.

It was moved by Deputy Mayor Munday and seconded by Councillor Reeves that the enclosed 12 names, as listed, be approved as the Founding Board of the Kings Community Economic Development Service Agency.

Deputy Mayor Dave Corkum, Kentville Mr. Paul Gervason, Centreville
Mr. Gordon Lummis, Wolfville
Mr. Terry Hennigar, Wolfville
Ms. Jocelyne Marchand, Grand-Pre Deputy Mayor Michael Munday, Berwick Warden Charles Fraser, Waterville
Mr. Bob Hainstock, Kentville
Mr. Jack Jones, Hantsport
Ms. Isabel Madeira-Voss, Wolfville
Mr. Paul McMahon, Aylesford
Mayor Gwen Phillips, Wolfville

Motion carried

Further discussion was held in relation to the funding formula that was tabled at a meeting held on January 31, 1995. Deputy Mayor Munday holds the position that Berwick not be prepared to consider funding more than \$8,000 in total.

It was moved by Deputy Mayor Munday and seconded by Councillor Reeves that the Town contribute \$2,565.00, which is 25% of the \$10,250 of municipal funding required to set up the CED Service Agency as agreed by the municipal representative at a meeting held December 21, 1994.

Motion Carried

It was moved by Deputy Mayor Munday and seconded by Councillor Reeves that the Town contribute \$1,070.00, which is 10% of the \$10,700 of municipal funds required by the CED Service Agency to operate to March 31, 1995.

Motion carried

It was moved by Deputy Mayor Munday and seconded by Councillor Trinacty that the Town agree in principle to contribute \$155, which is 10% of the municipal funds of \$1,550.00, required to allow the CED Service Agency to operate from April 1 until April 30, 1995. Subject to budget approval.

Motion Carried

(e) Fire Committee

Councillor Prall extended an invitation to members of the Council to attend a tour of the Fire Department. A date was set and agreed upon for March 28, 1995 at 7: 00 p. m. Further information available to Council as submitted in written report.

(f)

solid Waste Management Joint Steering Committee

Councillor Prall commented on the lengthy study undertaken by Vaughan Engineering covering the South Shore & Valley Region, and noted there is another study that covers Annapolis To Yarmouth & Area. Vaughan Engineering has offered to present their study to Council, if council so wishes. Councillor Prall indicated that costs to dispose of waste will escalate from current levels with a new Landfill, Recycling Units and expectations of 50% reduction of waste by the year 2000; however, it is his opinion that Whynott Settlement, while very expensive, would still be far cheaper than constructing a new Landfill site in Kings County. Therefore, Councillor Prall recommends that the Town gauge its participation on the involvement of Kings County as the biggest participant.

In response to a letter from the Waste Management Committee in Bridgewater regarding the use of the Whynott Settlement Composting & Recycling Facility, Council instructed the Clerk to reply that Council is interested in their facility, but must await a decision on the matter from Kings County.

(f)

Recreation

Councillor Trinacty noted the written report from the Recreation Director, and advised that the Recreation Department had received a certificate of Thanks and Appreciation Award for the top percentage increase in the number of RLSSC awards issued over the previous year. A workshop will be held in Kentville on March 4, 1995 regarding the benefits of recreation.

(g) Streets

Councillor Whittier noted that it's "business as usual" at the Streets Department. His report is on file. He commented that even with less snowfall than last winter, Streets Department is still using as much sand and salt. However, the Department is currently saving on 0 IT costs.

(h) Finance

Councillor Reeves filed his written report, and noted that as a whole, both operating and capital expenditures were on budget to December 31, 1994. Councillor Reeves would like to enter the following motion for Council's consideration:

Moved that Council apply for an Infrastructure Grant for the 1995/96 fiscal year in the amount of \$133,000, for aerators and consolidation of the electrical panels at the Sewer Treatment Plant. Note for the record that the final decision on proceeding with this project is contingent upon the

6.

availability of capital monies in the 1995/96 budget. seconded by Councillor Prall.

Motion carried

,(i) Mayors Report

Police Commission

Mayor reported that the 12-Hour shift schedule will commence April 1, 1995, for a one-year trial, pending approval from the Public Sector Compensation Restraint Board. He commented that there was excellent cooperation between the Commission and the Local and that the bargaining unit made concessions which made the cost-neutral schedule change possible.

Electric Commission

The chairman is pleased to report that Berwick Electric has the generator back in operation. Some financial costs have resulted from the generator being out of use. The generator is now running very well and bearing temperatures have lowered with increased use. He also noted that the new lighting fixtures on Commercial Street were not satisfactory and ballasts are being replaced at no additional cost by the supplier. Councillor whittier questioned the light on Cottage Street and Paisley Avenue, and the dark area as a result of the direction the light is turned. The Clerk noted that the light is turned to cover the cross walk on Paisley Avenue. The matter will be addressed at the next Electric Commission meeting.

Correspondence

a)

A memorandum from the UNSM President outlining points brought to the attention of Minister sandy Jolly by the UNSM. Copies distributed for the information of Council.

b)

A letter from the Canadian wildlife Federation requesting that Council proclaim the week of April 9 - 15 to be National Wildlife Week. In keeping with existing policy, Council declined to issue a proclamation.

c)

A Discussion Paper from the Department of Municipal Affairs entitled "Rethinking the Planning Act". Passed on to members of the PAC for their consideration.

d)

Minutes of the Kings County District School Board, January 1995 meeting. Copies distributed for the information of Council.

e)

A letter from Annapolis Valley Regional Library advising that they have received funding and will be proceeding with their automation program. Berwick's library will have one or two personal computers and possibly a printer, if funding allows. For the information of Council.

f)

A letter from the Department of Municipal Affairs notifying municipalities of a four year plan to restructure its regional service delivery network for

Assessment and Registry of Deeds and Land Information Centre. (Kentville will still deliver these services in our area). For the information of council. ,

g)

A letter from the Waste Management Committee to see if Council is interested in the possibility of using the Whynott's Settlement Composting and Recycling Facility. For a response from Council. Copies circulated.

h)

A request from the N. S. Family Violence Prevention Initiative to declare February 12 - 18 as Family Violence Prevention Week. Posters and brochures passed on to Library for reference. For the information of Council.

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

7.

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 \$125,836.84 be approved for payment.

Motion Carried

8.

New Business

(a) Licensing Committee

It was moved by Deputy Mayor Munday and seconded by Councillor Whittier that the Licensing Committee will continue to be dealt with by social Services Committee.

Motion Carried

(b) Regional Policing

At the request of the Chairman of the Police Commission, Council agreed to grant permission to allow the Berwick Police to attend meetings with the N. S. Police Commission to discuss the possibilities of Regional Policing.

(c) Regional Public Library Funding

A request was tabled for feedback from the Regional Public Library Funding Review Committee proposing that "population only" be the basis for funding, and that mandatory involvement replace the

current "opt out mechanism" for municipal libraries. Council decided to defer a decision until more information is available, and instructed the Clerk to find out the financial impact of this proposal.

(d) Kings Transit Authority

The question of whether or not Kings Transit should continue to service

Berwick and at what cost, was debated heatedly and at length. Mr. Ken Pineo, President of the Board of Trade, was also present to participate in the discussion. The following are some of the points brought up, during discussions:

Berwick's initial involvement was an experimental trial and Berwick was never signed up with the other Municipal Units in the Articles of Incorporation. Neither did Berwick have any expectation of having a representative on the Kings Transit Authority Board; having never signed a formal agreement.

council should be made aware that the province has eliminated the Transit Subsidy. Inferences that municipal units have received this funding is simply untrue; in fact, Berwick loses \$88,000 in provincial funding over the next four years.

Wolfville presented a written brief at January 17, 1995 Joint Council Meeting, held in Kings County Council Chambers, publicly opposing Berwick's continued participation in Kings Transit and formally requesting that Kings Transit revert back to its original run, from Wolfville to Kentville Industrial Park.

Kings Transit Authority issued a Press Release that stated effective April 1, 1995, service area of Kings Transit would be reduced to the wolfville to Kentville run; and that the Board was exploring the possibility of continuation of service to Berwick & Greenwood.

Both the written brief from Wolfville and the media release from the Kings Transit Authority were made before Berwick Town Council had made its decision; leaving several Councillors with the impression that a decision had been made for Berwick by the other municipal units.

No visible increase in ridership to Berwick has been noted, even though Acadian Lines has since dropped its Middleton run.

The budgeted amount for 94/95 for operating Kings Transit in Berwick was originally approved at \$500; it now appears that \$2000 is closer to Berwick's share. This is with the provincial subsidy in place.

If Council agreed to pay \$8000 (or \$5000) for 95/96 as the budgeted amount, how much would it really end up paying? Any funding deficit would have to be picked up by the four municipal units.

This is the first year of Service Exchange in Berwick starting April 1, 1995, and the effect to Berwick is a shortage of \$20,000. There are other vital services provided elsewhere in Town. Should Council have to cut existing services to pay for Kings Transit? Or should taxes be raised?

If the bus cost \$10,000 next year, this would represent about 2c on the tax rate.

The Board of Trade has asked for three months to study Kings Transit and come up with ideas. The question was raised as to what the Board of Trade plans to study that would be so different from what the Kings, Transit Authority or municipal units have already studied?

The Board of Trade was asked why they chose to act only one day before council makes it's decision, when bus service to Berwick has been an issue for almost two years? It was also agreed that it was not a fair question to pose to Mr. Pineo.

The Board of Trade received ridership figures from the Kings Transit Authority, while municipal units were not supplied with figures which were requested at the January 17, 1995 Joint Council Meeting.

It was asked why the Kings Transit Authority did not try and raise more money themselves, either through higher fares, or increased costs for advertising on the buses?

Residents of Berwick have had over one year to support the bus by ridership. Should taxes go up to subsidize bus service for a few?

Should bus service be left to the private sector to provide? should Council even be wasting any more time talking about taxpayers' money going into a losing business?

Does Council feel the same about a Wolfville-Greenwood bus run, as they would a Wolfville-Berwick bus run?

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

Councillor Trinacty moved that Berwick not support Route Option B, (added Routing - Kentville Industrial Park to Berwick). Seconded by Councillor Prall. Passed unanimously.


Motion Carried

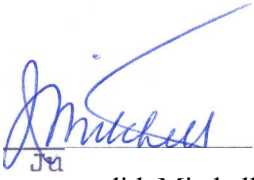
Council instructed the Clerk to write a letter to Kings Transit Authority advising that the above motion has been passed; however, Berwick Council is interested in any discussions that would involve a route to Greenwood. Copies of letter to go to other municipal units, and Board of Trade.

This leaves room for the Board of Trade to pursue avenues to help garner support/funds for Kings Transit to continue service to Berwick.

9.

There being no further business, Council adjourned at 10: 40 p. m.


John W. Rainforth
Chairman



Judith Mitchell Town Clerk & Treasurer