

MINUTES OF THE REGULAR COUNCIL MEETING - JUNE 11, 1996

Present:

Chairman

Mayor John W. Rainforth

Deputy Mayor Michael J. Munday Councillor Bruce H. Morse Councillor John P. Prall

Councillor Michael E. Trinacty Councillor Gary W. Whittier Councillor Ronald G. Reeves

Judith Mitchell, Town Clerk

Melanie Nociar ,Recording Secretary

,In attendance:

Don Regan, Superintendent, Berwick Electric Commission Sara white, Berwick Register Bob Stewart ,Solicitor

The Chairman called the meeting to order at 7: 00 p. m.

APPROVAL OF PREVIOUS MINUTES

(a)

Hearing of one error and no omissions, the Chairman approved the minutes of the Regular Council Meeting of May 14, 1996, once amended.

(b)

Due to year-end preparation workloads ,minutes for the following meetings are not yet available. They will be ready in due course:

Fire Committee Police commission B . E . C. Steering Committee

28 May 1996

29 May 1996

10 June 1996

BUSINESS ARISING FROM PREVIOUS MINUTES

(a)

Solid Waste Regional Committee: REGION 5: Amendment of Constituting Resolution

Councillor Prall reported on a meeting held May 15, 1996 at the Municipality of the County of Kings which dealt with amendments

to the Constituting Resolution for Region 5, ( being Kings County

and Annapolis County combined). At this meeting Paul Thompson was elected Chairman, and Councillor Prall was elected Vice Chairman. A Solid Waste Coordinator has yet to be hired.

Councillor Prall reviewed the highlighted amendments made to the

Resolution and after further discussion it was moved by Councillor Prall and seconded by Councillor Reeves that Council accept the amended Resolution, as proposed.

Motion Carried

A copy of the amended Constituting Resolution is attached to the formal copy of the minutes, and forms part of the motion.

4.

COMMITTEE REPORTS

(a)

Fire Committee

Councillor Prall reported that the BDVFD is on a waiting list for a drilled well: should be dug soon. The Fire Dept. has some concern over Council's willingness to share in the purchase of a new fire truck; (they would like to be in a position to bargain if a good deal becomes available at the Fire Convention). Councillor Prall suggested that Finance Committee be mindful of that when looking at finances this year.

(b)

Planning Advisory Committee

(i)

Berwick Electric Commission: Rezoning from R1 to M1

Deputy Mayor Munday recommended that Council approve the rezoning request for the Berwick Electric Commission Substation, and briefed Council on the Public Hearing, as well as particulars of B. E. C. 's request for rezoning from R1 to M1. No objections, either verbal or written, were heard at the Public Hearing held earlier this evening.

After further discussion, it was moved by Deputy Mayor Munday and seconded by Councillor Trinacty to approve the rezoning of the B. E. C. parcel of land of approx. 30,000 sq. ft. situated on the western end of Berwick, from R1 (Single Family Residential) to M1 (Light Industrial), for the purpose of constructing a Power Utility Substation, as requested.

Motion Carried

(ii)

Finalisation of Development Agreements

1/.

Medical Clinic: Dr. John MacEachern The following resolution was moved by Deputy Mayor Munday and seconded by Councillor Whittier, and was passed:

BE IT RESOLVED by the Council of the Town of Berwick that the following amendment to the Land Use Bylaw of the Town of Berwick approved on the 14th day of February 1995, is hereby enacted.

ALL THAT certain lot of land having the civic address of 236 Main Street and being the lands of Dr. John MacEachern.

COUNCIL APPROVES that a Development Agreement be entered into with Dr. John MacEachern. The reason for

the Development Agreement is to allow the operation of a Medical Clinic as the principal use of the property. The remainder of the residence is to be used as an apartment and as a workshop area.

2/.

Main Street Video/Convenience Store: Mr. Preston Ilsley The following resolution was moved by Deputy Mayor Munday and seconded by Councillor Prall, and was passed:

BE IT RESOLVED by the council of the Town of Berwick that the following amendment to the Land Use Bylaw of the Town of Berwick approved on the 14th day of February 1995, is hereby enacted.

ALL THAT certain lot of land having the civic address 287 Commercial Street and being the lands of Mr. Preston Ilsley .

COUNCIL APPROVES that a Development Agreement be entered into with Mr. Preston Ilsley. The reason for the Development Agreement is to allow the expansion of a Video/Convenience Store from 1200 square feet to a maximum of 1800 square feet.

Deputy Mayor Munday noted that the two Development Agreements had been approved at the May 14, 1996 meeting of Council by a motion of Council; however, formal resolutions were needed to meet the requirements of the Planning Act, Section 73, subsection (1).

(iii)

Bylaw Amendment: Building Inspection Bylaw No. 135

The Town of Berwick is a participant in the Building Inspection Services delivered by the County, and has received a request to amend its Bylaw to enact an increase of Bldg. Inspection Fees, per a recent letter from Mr. Arnold Dempsey, Senior Building inspector, Municipality of the County of Kings, with proposed rate changes attached.

It was noted that the rates had increased just last year, and that the construction industry was in decline; this passes additional direct costs on to the end user. However, as a participant in a service delivered by the County, Council agreed that Berwick is not in a position to negotiate better rates. There is also a new fee proposed of \$50 per Development Permit issued, in addition to the Building Permit Fee.

After further discussion, it was moved by Deputy Mayor Munday and seconded by Councillor Morse to approve a Notice of Intent to review Bylaw No. 135: Town of Berwick Building Bylaw to amend the Building Permit Fees specified in Part 3, so as to reflect new rates being set by the Municipality of the County of Kings.

Motion Carried

(c)

King CED Agency

Deputy Mayor Munday and the Mayor and Clerk were present at the Annual General Meeting of the Kings C. E . D. Agency recently held in Kentville. The meeting was well attended and highly informative. Deputy Mayor Munday praised the efforts of Mr. Paul McMahan to muster interest in the Western Kings area. The next regular meeting is planned for June 18, 1996.

(e)

(f)

(g)

(h)

(d)

social Services Committee/Personnel Committee

Councillor Morse had nothing to report at this time.

,Finance Committee

Councillor Reeves indicated that there is a meeting scheduled for Tuesday, June 18, 1996 to review the 1995/96 Fiscal Year-End with the KPMG Auditors and that he will have information to report after that, either at a Special Council meeting or at the next Council meeting in July.

Kings Transit Authority (KT A)

Councillor Reeves reported that the KTA had a loss of \$8166 for the 1995/96 fiscal year, largely due to two items. Professional Fees for a special audit mid-year, and a last minute repair of \$5000 for one of the buses. This deficit will be covered by the existing municipal units named on the Charter (not Berwick) .

Western Kings Memorial Health Centre

Councillor Reeves reported on the Annual Meeting of the WKMHC, held recently. For the information of Council, the Western Kings Memorial Hospital Association is proceeding on the aspect of becoming a property management group ,and is actively seeking tenants and will be re-wording their constitution to include this new activity. The building itself will still be owned and administered through the W. K. M. H. Association. Trust funds currently held by the present Association will be turned over to the new association and not go to the new Regional Health Board.

This meeting gave the present Association formal approval to do building improvements, such as sprinklers and doorways, etc. . .

Also considering an Adult Day Care at the request of the V. 0 . N . Future plans are that the first floor is to be rented to the new Regional Health Board for health purposes only. The objective is to rent out the second and third floors to maintain enough revenue to keep the first floor open as a health facility.

Streets Committee

Councillor whittier provided some clarification to the installation/ location of the new aerators. To date four of the six new aerators have been installed. Cell One has a total of 12; Cell Two has a total of seven; and Cell Three will receive the remaining two new aerators.

The Public Works Superintendent has indicated a need for funds to hire a summer student after unsuccessfully

applying for three grants. After some discussion, it was agreed by Council that it should be worked into the Streets Budget, ( at least two to three days per week) .

\_(i)

#### Apple Blossom Float

The Mayor praised the collaborative joint effort demonstrated by the Recreation and Public Works Departments to produce such an outstanding float this year. Have also had many favourable comments from the public. It was suggested that a note of 'congratulations from Council on a job well done' be passed along to all who participated in the making of the float.

(j)

#### Recreation Committee

Councillor Trinacty reported on the Section 25 Employment Program.

To date two positions for Parks have been filled, two Day Camp Leaders have been hired and the Red Cross position has also been filled. The Youth Councillor in Training program is looking for volunteers.

As well as the usual summer programs i. e., Swimming, Red Cross, Day Camp, Dance Camp; a new Beach program is planned and the Recreation Department has requested the use of the Grand View Manor bus to provide transportation. Concerts in the Park will continue this year but the time will be changed from Monday evening to Sunday evening.

(k)

#### Mayor's Report

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(i)

#### B . E . C. Cooperative Agreement: Hydroelectric Generating Study

phase I is underway and at a meeting on June 10, 1996, 11 proposals were analysed and reviewed. Of the 11, four were

short listed and interviews are scheduled for June 18, 1996. The Electric Commission Superintendent was extremely pleased

with the effort of those individuals who participated in the decision-making process; and offered his thanks to all concerned. It was a real marathon reading eleven packages between Friday evening and Monday morning.

(ii)

#### Police Commission

The Regional Study is moving along slowly: getting more complicated, but is still proceeding. The new 1996 Chev Lumina police car was delivered this afternoon.

(iii)

#### Schoolboard

The offer of the Town to the Schoolboard to use the Town Hall facility has been very well received and taken up

on. There have been lots of good comments on the location and the convenience of holding meetings in Berwick.

\_BILLS AND ACCOUNTS: \$91,594.49

5.

It was moved by Councillor Reeves and seconded by Deputy Mayor Munday that the attached list of bills and accounts in the amount of \$91,549.49 be approved for payment.

Motion Carried

6.

**CORRESPONDENCE**

(a)

(c)

(e)

(g)

Received a letter from Mrs. Cynthia Palmer, president of Berwick & District Gala Days Association, requesting that Council "... pass a bylaw that would allow only street vendors licensed by the Berwick & District Gala Days Association to sell their goods on the Friday, Saturday, Sunday, and Monday of Labour Day Weekend." Passed on to the Chairman of the Licensing Committee for further study. For the information of Council.

(b)

Received minutes from the Annapolis Valley Regional School Board: for May 15, 1996. Available in the Clerk's office for anyone who wishes to read them. For the information of Council.

Received from N.S. Dept. of Housing & Municipal Affairs, an information package on Housing Programs currently being offered by this department. Circulated to all on Council for their reference.

(d)

Received from Kings Regional Housing Authority, a request to sign the 1996 Budget in the amount of \$12116 for the Town of Berwick. The letter enclosed indicated that the 1996 winter Works program has \$443. as Berwick's share; and the 1996 Student Employment program contained \$5115 as Berwick's share. For the information of Council.

Received a letter from the Annapolis Valley Work Activity Society indicating that the municipal representation from the participating municipal units is done on a rotational basis. The letter goes on to request that an appointee be named from Berwick's Council to sit on the Society's Board of Directors. After discussion of busy schedules, it was left that anyone interested in this position is to contact the Clerk by June 30th.

(f)

Received a letter from the Honourable Sandy Jolly regarding the Assessment Act changes which give municipalities authority to levy a farm acreage tax. It appears that the N. S. Federation of Agriculture has been meeting with the Minister and that a task force is now being set up to look into the possibility of exempting "productive farmland". For the information of Council.

Received from the Senior Citizens Secretariat, a request to declare the week of June 16 to 22 as Senior citizens Week. It was agreed not to participate.

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

7.

Council moved to Committee-of-the-Whole at 8: 01 p. m. to discuss a matter of a confidential nature.  
Regular Council resumed at 8: 34 p. m.

8.

There being no further business, the Chairman adjourned the meeting at 8:35p.m.

A large, stylized, black calligraphic signature of the letter 'J' followed by 'W. Rainforth'.

John W. Rainforth Chairman