

MINUTES OF THE REGULAR COUNCIL MEETING - MAY 14, 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:

Mr. Preston Insley, Main Street Video Mr. Robert Stewart, solicitor Ms. Sara White, Berwick Register

1.

The chairman called the meeting to order at 7: 00 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 9, 1996, as circulated.

(b)

The following minutes were circulated for the information of Council:

(i) (ii ) (iii) (iv) (v) (vi) (vii) (viii) (ix )

Regular Council Special Electric Commission Special Electric Commission Planning Advisory Committee

Regular Police Commission Special Electric Commission Recreation Committee Special Police Commission

Personnel Committee

9 April 1996, circulated 11 April 1996, circulated 16 April 1996, circulated 17 April 1996, circulated 24 April 1996, circulated

30 April 1996, circulated 1 May 1996, circulated 7 May 1996, circulated

7 May 1996, circulated

3.

REPORT TO COUNCIL

(a)

Mr. Dwight Johnson: School Board Update

Mayor Rainforth informed Council that Mr. Johnson was unable to attend due to another commitment.

4.

BUSINESS ARISING FROM PREVIOUS MINUTES

(a)

Grants-to-Organizations Policy

Councillor Reeves introduced a revised policy for Grants-toOrganizations based upon three general guidelines.  
Discussion

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,followed, with Councillor Reeves moving that the policy be approved as written. Seconded by Deputy Mayor Munday (Policy attached to the formal copy of the Minutes) .

Motion Carried

It was agreed that any Councillors interested in the allocations of grants for 1996/97 fiscal year should attend the pre-Budget meeting of the Finance Committee.

5.

**COMMITTEE REPORTS**

(a)

Social Services Committee

Councillor Morse reported on the monthly statistics for Social Services for the month of April 1996. Generally, costs for Homes for Special Care have remained consistent, General Assistance is up slightly, and the Employment Resource Centre has four new clients referred from Social Assistance this month.

\_(b)

Personnel Committee

The Personnel Committee is proceeding with guidelines to make individual Departmental Policies more uniform.

(c)

Planning Advisory Committee

(i)

Development Agreements

Deputy Mayor Munday recommended that Council approve the two Development Agreements for Preston Illsley (Main Street Video), and Dr. John MacEachern (Medical Clinic). These agreements have been reviewed by the Planning Advisory Committee and legal counsel; as well, a Public Hearing has taken place earlier this evening with neither opposition nor comments .

Therefore, it was moved by Deputy Mayor Munday and seconded by Councillor Prall that Council enter into a Development Agreement with Mr. Preston Illsley for Main Street Video/Convenience Store to be expanded to 1800 square feet (from existing 1200 square feet) .

Motion Carried

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,It was also moved by Deputy Mayor Munday and seconded by Councillor Trinacty that Council enter into a Development Agreement with Dr. John MacEachern for a Medical Clinic at 236 Main Street.

Motion Carried

(ii)

subdivision Agreement

At the request of the P. A. C. Chairman, the Clerk reviewed the various items that comprised the subdivision Agreement between the Town and Murray Saunders Investments Limited, enabling development of nine lots on a new street, to be known as pleasant street. Mr. Bob Stewart, Town Solicitor, indicated that he had previously reviewed the document and found it to be legally acceptable.

It was moved by Deputy Mayor Munday and seconded by Councillor Reeves that the Town enter into a subdivision Agreement with Murray Saunders Investments Limited, with Letter of Credit being acceptable to Council, as well as provisions for early release and/or reduction of Letter of Credit; as outlined in Item 5.

Motion Carried

The Town has agreed to plough snow from this new street next winter if there are any residents living on the street who require it. Mr. Bob Stewart also pointed out that the Town must meet any requirements of the Department of Health and/or Department of Environment. The Mayor advised that the Town had already moved on this matter.

It was also moved by Deputy Mayor Munday that Council accept the name of pleasant street as proposed by the developer. Seconded by Councillor Whittier.

Motion Carried

It was noted that the Town of Berwick had had a pleasant street at a much earlier time in its history, circa 1890's, and that the original pleasant street had spanned from the Commercial street area up from the D. A . R. Railway to the Post Road (handy to Orchard street area); along with a secondary street known as park street which branched off of Factory Street (now Brown Street).

.(d)

Berwick Electric Commission Substation Re- Zoning

Deputy Mayor Munday reviewed Berwick Electric Commission's request for re-zoning of a parcel of land, situated at the Western end of Berwick, and known as Parcel B. E. C ., for development and construction of a power utility substation. To be re-zoned from R1 (Single Family Residential) to M1 (Light Industrial) .

After discussion, Deputy Mayor Munday motioned that Council approve the intent to re-zone Parcel B. E. C. from R1 to M1 to allow for Berwick Electric Commission's new North Berwick Substation.  
Seconded by Councillor Reeves.

Motion Carried

A date for Public Hearing was set for June 11, 1996 at 6: 30 p. m. to hear the Re-zoning application.

(e)

King CED Agency

Deputy Mayor Munday, the Mayor, and the Clerk were in attendance at the 1st Annual General Meeting of the Kings CED Agency held in Kentville on May 21, 1996. Each CED Committee reported on their activities and progress for the past year, and then new representatives were reinstated or nominated and elected for various

Boards and Committees. Berwick has been searching for a Community Representative and has approved Mr. Colin MacDonald, president of the local Royal Bank, on recommendation of the Board of Trade.

Therefore, it was moved that Mr. Colin MacDonald be approved to sit on the Kings CED Board as the Town's Community Representative. Moved by Deputy Mayor Munday and seconded by Councillor Morse.

Motion Carried

It was also agreed that Deputy Mayor Munday continue to act as Council's Elected Representative on the Kings CED Board.

(f)

Fire Committee

councillor Prall reviewed the Annual Fire Department Report for 1995/96, which included details of over 83 alarms, new membership listing, etc. The Fire Department is presently preparing their 1996/97 Budget and expect to be meeting to discuss it with the Town and the Fire commission in a week or two.

,(g)

Solid Waste Management Committees (and/or Region)

(i)

Region 5

councillor Prall reported that a meeting was scheduled for tomorrow, May 15, 1996, at the Municipality of the County of

Kings to deal with a draft Constituting Resolution for Region

5. Originally, Kings County had been part of a large region which extended to Yarmouth; now Annapolis County and Kings county have decided to withdraw from the larger region and re-group as a smaller region. Kings County and Annapolis

County are meeting to discuss a first draft of a Solid Waste plan: study cannot exceed \$100,000. Part of the expediency to act quickly is driven by Annapolis County having no place to put their garbage now that incineration is banned, and Meadowview Landfill is facing closure.

After further discussion it was moved by Councillor Prall that council accept the draft Constituting Resolution to formalize Region 5 and establish clear authority to act; draft subject to minor changes. Seconded by Councillor Trinacty.

Motion Carried

(h)

Compost Conference

Councillor Prall spoke briefly of a Compost Conference which was attended by Levi sherman and the Clerk. Councillor Prall had in his possession a short video which dealt with composting and encouraged all to view.

The Clerk then provided Council with more information gathered at the Conference, concerning pamphlets, brochures, newspaper articles, all dealing with composting: what it is, how it works, and how to get people started composting in their own backyards.

Speakers at the Conference from Ontario, Prince Edward Island and

New Brunswick provided information on how their Composting Programs were developed and progressing. It was noted that this conference was very worth while.

Councillor Prall indicated that a backyard composter program will soon have to be underway, especially with leaf and yard waste banned effective June 1st, 1996. However, the Town is fortunate to already to have a Leaf Program in place for Spring and Fall Cleanup .

,Due to the Town Solicitor having another engagement, Council moved to Committee-of-the-Whole at 7: 46 p. m. and regular Council resumed at 7: 59 p.m.

(i)

Recreation Committee

Councillor Trinacty reported on the status of a sign for the corner of Commercial and Cottage Street. As yet, a sign designer has not been hired.

Volunteer Awards Night which was held April 24, 1996 at the Lions Hall was a success. The chairman felt that next year even more volunteers and local organizations will attend now that they can see what it's all about. volunteer Posters are currently on display in the Town Hall Corridor and have been well received by the public.

The summer Recreation Intern has been hired through the N. S . LINKS Grant Program: Mr. Jean Claude Essiembre; a recent graduate of the Recreation Management Program at Acadia University.

A student has been hired as Maintenance Person on a temporary basis until information is received on status of grants. For the time being costs of salary will be split between Recreation and Streets Departments on a 50/50 basis.

The new ball field has been seeded and trees are being planted. It is expected that the field will be ready for use in early July.

(j)

Streets Committee

Councillor whittier reported that Spring Clean-up was finally completed, having lasted four weeks this year compared to two weeks in previous years. It was suggested that the increase in garbage could be due to the uncertainty of which items will be picked up due to recent waste management/recycling changes.

The six new aerators have arrived and are being assembled; should be installed presently. Tree cutting was discussed and it was noted that the trees marked to be cut down were all diseased. Per the Town's policy of last year; no trees are being cut down for private residents, (only those on Town property) .

(k)

Finance Committee

Councillor Reeves stated that the fiscal year of 1995/96 has ended. Looking at Budgets being prepared for submission at the Committee

level. There are no guidelines developed yet but it was suggested to be as lean as possible, with all the funding cuts coming from the Province. It was also suggested that User Fees and other cost recoveries may be considered for implementation in this year's Budget.

(1)

#### Kings Transit Authority

The next Kings Transit Authority Board meeting is set for May 23, 1996. To date everything appears to be proceeding as planned now that agreements are in place.

(m)

#### Mayor's Report

(i)

#### Police Commission

The Post-Audit has been concluded; most reasonable recommendations have been carried out. Implementation of remaining recommendations will depend largely upon the outcome of the Police Study Group. The Mayor chaired a short Police Study Group meeting last week; to date the Regional Study is moving along smoothly, and on track; however, too early to predict what the final results will be.

Regarding our local Police Department, the 12-hour shift schedule has proven to be quite successful. Morale is high and only two sick days for Constables were reported for the past year. An excellent record.

A new 1996 Lumina Police Car, with 6-cylinder engine, has been approved for purchase; delivery is expected in the next six weeks. Once received, the oldest police car will be tendered, on an "as is, where is" basis.

#### B . E . C . m <:)operative Agreement: Study

#### Hydroelectric Generating

(ii)

phase I of the Cooperative Agreement Study is underway. An advertisement to hire a Consultant (or Consultants) was recently placed in the newspaper. Terms of Reference have been written and a Steering Committee formed. Interested parties have until June 7th to respond. If no one applies as a partner or all applicants seem unsuitable to the Berwick Electric Commission; the commission can decide whether or not to continue the process.

6.

,(ill)

Mayor/Wardens Dinner

Discussed a needed mechanism to enable agencies that rely on municipalities for funding to be more sure of their planning capability, where they operate without approved funding/commitment for a period of some months. (For example; Kings Transit Authority, Kings CED Agency, etc..... ) .

Councillor Reeves suggested this matter be discussed at Finance Committee and recognized the need to pre-plan or make some arrangements.

The Mayor also advised Council that a checklist of priorities had been compiled at the last meeting for those services or items that could be done co-operatively between the municipal units in Kings County, (i. e., for sharing of services). The Clerks/CAOs will look at the highest priority items at their next meeting.

CORRESPONDENCE

(i)

(ii)

(iii)

(iv)

(v)

Received Kings County's "Newsletter About Education" for March 1996. Circulated for the information of Council.

Annapolis District School Board Minutes for Regular Board meetings of April 1st, April 17th, and May 1st. On file in Clerk's office for anyone who wishes to get caught up on school Board News.

Received a letter from Mr. Jim Gunn, Annapolis Valley, School Board, thanking the Town for use of our facilities, as well as our hospitality; and presenting a framed Apple Blossom picture to the Town. For the information of Council

Received a letter from the Minister of Municipal Affairs advising all Municipal units of the province's undertaking to sign a Memorandum of Understanding to blend the PST and GST. Per the letter, "municipalities will pay a blended sales tax of 15% on the purchase of their goods and services, however, they will be entitled to a rebate amounting to 57.14% of this blended rate." For the information of Council.

Received a Memo from Ann MacLean, President of the UNSM, re: GST/PST Harmonization, indicating that the blended tax represents

a new tax burden on municipalities. Per Ms. MacLean, the UNSM executive believes that, "municipalities are being forced to help pay the provincial cost of harmonization. This is not acceptable. This

,new Provincial initiative is yet another provincial intrusion into the municipal area of taxation - the property tax base. 11 For the information of Council.

(vi)

Received a Memo from Ken Simpson, of the UNSM, re: the 1996/97 Provincial Budget, and its immediate financial impact on municipalities. of particular concern are loss of Farm Acreage Grants, loss of Department of Transport Cost-sharing for roads, and a 13% cut to Capital Grants. These three items will affect Berwick by approximately a \$12,000 - 18,000 shortfall. For the information of Council.

(vii) A memo from Ann MacLean, UNSM, reporting on a KPMG Consulting project to measure overall impact of service Exchange on municipal units and provincial downloading; focusing on Community Services, Education, Environment, Harmonization of Tax, Provincial Budget, and Transportation, with figures attached. Circulated for the information of council. This impact report was also articulated and discussed at the recent UNSM Regional Meeting. UNSM's position is to continue to protest the Provinces' downloading to Municipal Units: both as cuts to funding, and increasing of costs for services provided by the Province. The total load passed onto municipalities is now estimated at \$40 million. For the information of Council.

BILLS AND ACCOUNTS: \$135,518.26

7.

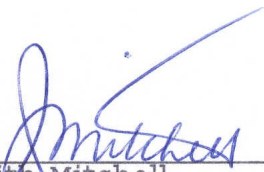
It was moved and seconded by Councillors Reeves and Morse that the attached list of bills and accounts in the amount of \$135,518.26 be approved for payment.

Motion Carried

8.

There being no further business, the chairman adjourned the meeting at 8:25 p.m.

John W. Rainforth Chairman



Judith Mitchell  
Town Clerk

