

Present:

In attendance:

- 1.
- 2.
- 3.

MINUTES OF THE REGULAR COUNCIL MEETING 3 NOVEMBER 1997

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 Robert Stewart, Town Solicitor

Councillor-elect Donald E. Clarke Councillor-elect Thomas S. Banks Judge Donald Hall

Mr. Ken Pineo

Mr. Edwin Jones

Ms. Sara Keddy White, Berwick Register Friends and Family

The Chairman called the meeting to order at 7:05 p.m. and welcomed all who were in attendance.

A. Approval of Previous Minutes

(a)

Hearing of no errors or omissions, the Chairman approved the minutes of the Regular Council meeting of October 14, 1997 as circulated.

(b)

For the information of Council, the following meetings have taken place since the last regular meeting of Council:

- | | | |
|-----------------------------|-----------------------------|---|
| (i) Personnel Committee | Oct. 14/97; circulated | |
| (ii) Electric Commission | Oct. 23/97; circulated | |
| (iii) Police Commission | Oct. 27/97; circulated | |
| (iv) Public Works Committee | Nov. 3/97; to be circulated | (v) Personnel Committee Nov. 3/97; to be circulated |

Business Arising from Previous Minutes

(a)

Social Services Contract with Province: UQdate

The Mayor advised Council that he had received a response to his letter 0: October 6, 1997 from the Minister of Community Services, Ms. Francem Cosman, who writes that. . .

"I do regret that you feel the concerns you have raised in the past were not dealt with appropriately. In reviewing the history of this issue, I believe it is fair to say that the Department acted promptly upon receipt of the concern raised with respect to processing of Family Benefits. . .

. . . The Family Benefits Program is very categorical in nature in that applicants must essentially meet the criteria of being disabled, or a single parent, even though they may be in immediate financial need. In practice, 40 to 50% of Family Benefits applicants are rejected because they do not meet this criteria. .

. . . In terms of the history of the municipal social services system, and particularly with respect to the issue of fairness, we would agree that considerable inequity exists in terms of variance of costs among municipalities. This is the cumulative effect of many factors including local economies, migration of people, and levels of assistance. . ."

The letter closes by stating that the specific request for an amendment of the financial contribution as named in the provincial/municipal agreement will remain unchanged. The Mayor expressed his opinion that the Town should not sign the agreement at this point, and felt further correspondence would be warranted. The Minister's letter advised that they acted promptly "upon receipt of the concern raised with respect to processing Family Benefits"; the Mayor felt that while prompt action was taken eventually, the Province should have been responding attentively without being forced into it by aggrieved Municipal Units. All agreed that the Mayor should write another letter to follow-up this point, and to copy all of the relevant correspondence to date on this matter to local MLA's as well as opposition leaders.

(b)

Infrastructure Re-Aimlication

Deputy Mayor Munday informed Council that he had had an opportunity to approach MLA Robbie Harrison recently about the Town's re-application for Infrastructure Funding for the Orchard Street Sidewalk Project. Mr. Harrison maintained that he was unaware of the Town's re-application, but would look into it. No response to date.

The Clerk indicated that a very brief written response had been received from the Deputy Minister of Municipal Affairs, Ms. Patricia Ripley, who acknowledged the Town's concern with the lack of funding, however, she writes that "Funding will be closely monitored and should any funds become surplus in the Kings County area, the Town of Berwick's application will be given top priority." For the information of Council.

4.

Committee Reports

(a)

Social Services; Licensing Committee

Councillor Morse informed Council that there had been no meetings of either Committee in the past month, and therefore, nothing new to report.

(b)

Personnel Committee

Councillor Morse reported that the Personnel Committee had met earlier in the evening, and that he would like to put forward the following motion:

IT WAS MOVED by Councillor Morse and seconded by Councillor Trinacty that the position of Full-time Administrative Secretary be offered to Ms. Rachel Baker, (if not available, then to second and third candidates). Salary and benefits as approved in the 1997/98 budget; benefits to be applicable upon the successful completion of a six-month probationary period. Two other candidates' applications to be held on file for a period of twelve months.

Motion Carried

(c)

Kings C.R.D. Agency

Deputy Mayor Munday informed Council of recent activities discussed at the last c.E.D. meeting: province-wide signage; acquisition of CP Rail beds/trails; policy and procedures on new association act; upcoming four-day conference on Canadian Water Resources; and commencement of Avonport Look-off Project. MLA Robbie Harrison was in attendance at the meeting.

(d)

Fire Committee

Councillor Prall indicated that he had spoken to Fire Chief Al Schurman earlier; no pressing issues: things are going smoothly.

(e)

Solid Waste Management: Region 4

Councillor Prall indicated that the Region was in a transitional period until newly elected or returning Councillors were appointed as Solid Waste Representatives from the six Councils participating in the InterMunicipal Agreement for Region 5. Other than that, no news to report.

(f)

Recreation Committee

Councillor Trinacty gave a brief overview of current recreational issues: grass growing in nicely on the new Soccer Field and on the Ballfield Infield; interesting RANS Conference - will report in due course on sessions concerning Ethics and Values, and on Job Descriptions/Performance Appraisals; new events being planned for Santa Claus celebrations: hay ride (or sleigh ride), and Kings Chorale will be on hand to lead the tree-trimming Sing Song; also plan to review facilities and rental agreements at the upcoming November Recreation Committee meeting.

(g)

Public Works Committee

Councillor Whittier was pleased to report 'business as usual' for the Streets Department. Busy with Fall Cleanup, leaf removal, and tree trimming before winter sets in. R & B Paving are scheduled to pave the Lawrence Avenue Extension next week, (also small paving repairs around Town). The boat has now been purchased for the lagoon (in response to employee OH&S safety issues). Councillor Whittier advised that the Public Works Committee had met earlier this evening to discuss engaging the services of the Parks Maintenance Person to help out in the Public Works Department for the next four to six weeks.

Therefore, IT WAS MOVED by Councillor Whittier and seconded by Councillor Reeves that, at the request of the Public Works Superintendent, they would recommend that Mr. Martin Cudmore be hired for a period not to exceed six weeks (subject to availability of funding within existing approved Budget).

Motion Carried

(h) Kings Transit Authority (KTA)

Councillor Reeves updated Council on recent KT A activity as set out in their Quarterly Report. To date, the Transit is operating at roughly \$12,000 ahead of Budget projections: a good report. Clerk to distribute report to all members of Council for their reference.

(i)

InterMunicipal Agreement: Region 5

Mayor Rainforth informed Council that the InterMunicipal Agreement for Region 5 was formally signed amidst fanfare and ceremony at the Wandlyn Inn on October 22, 1997 with Minister of Environment, the Honorable Wayne Adams in attendance. This is the first InterMunicipal Agreement to be signed in the Province. Six of the eight original members signed: both Bridgetown and Annapolis Royal declined for now. This establishes the groundwork for Region 5, as Councillor Prall mentioned earlier; once the new representatives are named from the respective Councils we'll be up and running.

G)

Police Commission

The Mayor advised that Budget figures were on target to date. The Commission has decided to hire a negotiator for upcoming re-negotiation of the PANS Contract which expired November 1, 1997. Mr. Matt McPherson has worked for the Town in the past; will try to engage him if he is available.

(k)

Berwick Electric Commission

The Mayor noted that the Electric Commission approved formal entry into a Cooperative Association, along with the other Municipal Electric Utilities in the Province. Finances for the Electric Commission are in good shape for this time of year: better than last year. Down side is a problem with low water stocks: may have difficulty generating through the cold winter months if the current dry spell persists. Need to conserve the existing water supply to maintain the Peak.

5.

Bills and Accounts

It was moved and seconded by Concillor Reeves and Councillor Morse that the attached list of Bills and Accounts in the amount of \$89,144.53 be approved for payment.

Motion Carried

6.

Declaration of Election Results

The Clerk filed a report on the results *of* the recent Municipal Election held October 18, 1997.

7.

Swearing-In Ceremony

Judge Donald Hall administered the Oath *of* Office *to* the Mayor and Councillors. (Brief pause for photographs by the press).

Councillor Clarke and Councillor Banks came forward *to* take their seats at the Council table.

8.

Election - Deputy Mayor

Councillors Morse and Munday expressed an interest in serving as Deputy Mayor. A vote by ballot confirmed Councillor Munday as Deputy Mayor.

9.

Presentation to Retiring Officers

Mayor John Prall indicated *to* all present that he was pleased for his first official duty *to* present a card, plaque, and gift certificate *to* Mayor John Rainforth and wife, Louise, for 12 years *of* service, and *to* Councillor Ron Reeves and wife, Marilyn, for 24 years *of* service. Mayor Prall spoke highly *of* the outgoing Mayor and Councillor, "Both have given freely *of* their time over these past years; both have shown leadership and devotion *to* the Town and the Council. The quiet, reassuring presence these two generated will surely be missed; and will create a real challenge for us *to* measure up *to* the high standards they have set."

Retiring Mayor John Rainforth expressed his appreciation and thanks *to* his wife, Louise, for her unflagging support over the years, "I didn't do this all by myself." Outgoing Councillor and Finance Chairman Ron Reeves thanked all *of* those present, "You have a huge *job* ahead *of* you. Try and keep the Town's finances in line. . ."

10. New Business

(a)

Signing Officers

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Morse that effective November 4th, 1997, the signing officers for the Town of Berwick are to be the Mayor, Deputy Mayor, Town Clerk/Treasurer, and Councillor Gary W. Whittier. Any two may sign.

Motion Carried

(b)

Selection of Committee Chairs

The Mayor read aloud from a listing of Committee Chairmen (copy attached), which the Clerk circulated to Councillors. Of note, a special Committee has been formed for one year to work on celebrations for the Town's 75th Birthday in 1998. Councillor Morse has been chosen to chair this Committee; all members of Council are asked to help out as deemed fitting over the upcoming year ahead.

(c)

MuniciQal Government Act

The Mayor distributed copies of the short version of the Municipal Government Act to all Council members, (i.e. the Highlights). The Mayor and Clerk have each received the full version (about 1 1/2" thick). Mayor Prall indicated that he'd read about half of the report so far. Some changes being put forth are: extending terms of Municipal office from three years to four years; title of Warden to be renamed to Mayor; Planning Act to be included as part of the Municipal Government Act. There are a wide series of changes being proposed, classed under various headings. Need to study it further for discussion and review in due course.

Solicitor Bob Stewart suggested that the Town look closely at the new Municipal Government Act: there are many implications for the Town within it. Probably won't go to the Legislature until Spring, so Town should have time to review it.

11.

(d)

Christmas Gathering: Town Staff and Officials

Several dates were put forward for the annual Christmas Gathering held in Council Chambers. After discussion, it was agreed to schedule the event for Thursday, December 18, 1997 at 4:00 p.m.

(e)

Jon Margeson Memorial Fund

Councillor Trinacty asked if the Finance Committee would consider making a donation to the Jon Margeson Memorial Fund, and if so, bring a recommendation back to Council. It was agreed to put the item on the agenda of the next Finance Committee meeting.

Correspondence

(a)

Received a letter from the Department of Housing and Municipal Affairs advising of a new program whereby owners of buildings protected under the Heritage Property Act may be able to claim a rebate of the provincial portion of the HST paid in connection with exterior building maintenance. For the information of Council.

(b)

Received a copy of a letter from the Town of Bridgetown to the Minister of Housing and Municipal Affairs asking that the Municipal Equalization Grant Fund be fully funded (instead of capped at 63% of funding). For the information of Council.

(c)

Received a request from Dr. James Allen on behalf of Berwick & District Ringette soliciting support from the Town to help promote the 1997/98 Atlantic Ringette Championships, financial and/or otherwise.
For a
decision of Council.

After discussion about Banners and the possibility of tying together 75th Birthday Celebrations with upcoming sporting events, it was agreed to have the Recreation Committee and 75th Birthday Committee work jointly together on coming up with a recommendation for Council, in response to Dr. Allen's letter.

(d)

Received a letter from Mr. Gary J. Long, Town Crier for both Town of Middleton and Town of Berwick, requesting that he be reinstated to the position of Town Crier by the new Council. For a decision of Council.

After general agreement that Mr. Long had done an excellent job of representing Berwick in the past, IT WAS MOVED by Deputy Mayor Munday and seconded by Concillor Trinacty that Mr. Gary J. Long be appointed to the position of Town Crier for the Town of Berwick; term of office to run concurrent with Council.

Motion Carried

(e)

Received a letter from Mr. Walter Fitzgerald, President of the Union of Nova Scotia Municipalities (UNSM), advising of a number of current UNSM initiatives, as follows: (1) Municipal contributions to Education (UNSM is seeking to freeze Municipal contributions for 1998); (2) Municipal contributions to Community Services (the UNSM is seeking a "phasing down" of all Municipal contributions); and (3) Transfer of local bridges to municipalities (the UNSM strongly opposes the transfer of responsibility for local bridges to municipal units). For the information of Council.

(t)

Received a standing invitation on behalf of the Black Indigenous Community Education program to attend an informal presentation on two new courses being offered at Acadia University: (1) The Black Experience in Nova Scotia: Past and Present; and (2) The Indigenous Experience in Nova Scotia: Past and Present. To be held Wednesday, November 19, 1997, at 7 p.m. in the Beveridge Arts Centre, 3rd Floor Lounge, Acadia University, with guest speakers Professor Isaac Saney and Professor Terry Sabbatis. For the information of Council.

(g)

Received a second request from Mrs. Mildred Seward for installation of a light near the Daniel Drive walkway. "The evenings are getting dark earlier now. . . I feel this is an important issue, to protect all walkers using the walkway to town; (it) should be dealt with immediately." For a decision by Council.

After rounded discussion on this specific request, and overall street lighting policy as a whole; a motion was made to install the light - motion was then withdrawn. Then it was agreed to refer the lighting request to the Berwick Electric Commission for a recommendation on how best to proceed to adequately light the walkway. Mayor John Prall to discuss the matter with the Electric Commission Superintendent, and proceed from there.

(h)

Received a gracious Thank You letter from Mayor Maxine Whynot, of the Town of Windsor, thanking the Town of Berwick for their support during the devastation of the Great Fire of 1897, over 100 years ago. She writes that, "On October 17, 1897 the Town of Windsor was devastated by 'The Great Fire of 1897'. Our business district was virtually destroyed, every church but one was razed, and scores of our citizens were left homeless and penniless. By some miracle, no lives were lost!

. . . Our rise from the ashes was due to the groundswell of assistance which sprang from hundreds of communities and thousands of private citizens from Newfoundland to British Columbia. ... While our citizens bravely rose to the occasion and rebuilt their lives and their town it is no exaggeration to say that Windsor's rebirth was bolstered tremendously by the material assistance and moral support from your community.

And so, on the 100th Anniversary of our great tragedy, I wish to extend heartfelt thanks of our citizens to the people of Berwick and surrounding communities who so generously sent \$250 to us in our time of need. Their kindness and consideration of this bygone era will not be forgotten, even one hundred years later. . ."

For the information of Council.

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

12. Council took a short recess at 8:20 p.m., and then proceeded to Committee-of-the-Whole at 8:25 p.m. to discuss matters of a confidential nature. Regular Council resumed at 8:59 p.m.

13.

Other Business

(a)

Non-Elected AQQointee Vacancies

IT WAS MOVED by Councillor Whittier and seconded by Councillor Trinacty that the Town advertise to fill two vacant public appointee seats on the Recreation Committee, for a one-year appointment. All applications to be referred to Personnel Committee for review and recommendation.

Motion Carried

(b)

One- Year Term; Non-Elected Appointee Policy

,IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Morse that all existing non-elected public appointees be re-appointed for a one-year term. In the interim, Personnel Committee to come up with an appropriate policy to specifically determine criteria for filling of vacancies, length of term, etc. for future reference. Motion Carried

(c)

Scheduling of Committee/Commission Meetings

After discussion of various dates, it was agreed to schedule the following meetings:

Recreation Committee
75th Birthday Committee Social Services
Planning Advisory Committee Police Commission
Berwick Electric Commission Finance Committee
Personnel Committee Recreation Committee Regular Council
Licensing & Bylaws Committee

Wed., November 3, 1997

Mon., November 17, 1997 Tues., November 18, 1997 Wed., November 19, 1997 Tues., November 25, 1997 Wed., November 26, 1997 Wed., November 16, 1997 Tues., December 2, 1997 Wed., December 3, 1997 Tues., December 9, 1997 Wed., December 10, 1997

7 p.m. 7 p.m. 7 p.m. 7 p.m. 7 p.m. 3 :30 p.m.

7 p.m. 7 p.m. 7 p.m. 7 p.m. 7 p.m.

Above meetings to be held in Council Chambers at Town Hall. Clerk will draw up a calendar schedule with said meetings marked in, for distribution to all members of Council.

(d)

75th Birthday Committee

General discussion took place on the upcoming 75th Birthday for the Town of Berwick. Exact date to be celebrated is not clear as yet: April 1923 was when the citizens voted in favour of Incorporation; a second vote was taken in May 1923; first election was in July 1923, and the Act Incorporating the Town of Berwick was proclaimed later on in that same year, (date unknown at this point). There was discussion of placing an ad to invite the General Public to

attend, however, the first meeting is scheduled for Monday, November 17, 1997, at 7 p.m., and it was agreed to decide at that meeting how to proceed. The intention expressed was to have as many people involved as possible: members of the public, Councillors, service organizations, community groups, etc.

14. There being no further business, the new Chairman adjourned the meeting at 9:20 p.m.

John P. Prall Chairman


Town Clerk/Treasurer