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Present:

In attendance:

- 1.
- 2.
- 3.

MINUTES OF THE REGULAR COUNCIL MEETING 9 DECEMBER 1997

Chairman

Mayor John P. Prall

Deputy Mayor Michael J. Munday Councillor Bruce H. Morse Councillor Donald E. Clarke Councillor Michael E. Trinacty

Councillor Gary W. Whittier Councillor Thomas S. Banks Judith Mitchell, Town Clerk

Ms. Sara Keddy, Berwick Register Mr. Bob Stewart, Town Solicitor

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

Approval of Previous Minutes

(a)

Hearing of no errors or omissions, the Chairman approved the minutes of the Regular Council Meeting of November 3, 1997 and the Special Council Meeting of November 26, 1997; as circulated.

(b)

For the information of Council, the following minutes were distributed as noted:

(i) Recreation Committee

(ii) 75th Birthday Committee (iii) Social Services Committee (iv) Planning Advisory Committee (v)

Police Commission

(vi) Berwick Electric Commission (vii) Finance Committee

(viii) Personnel Committee

(ix) Recreation Committee

(x) Social Services Committee

Nov. 5/97; circulated

Nov. 17/97; circulated Nov. 18/97; circulated Nov. 19/97; circulated Nov. 25/97; circulated Nov. 26/97; circulated Nov. 26/97; circulated Dec. 2/97; circulated Dec. 3/97; circulated Dec. 8/97; to be circulated

Business Arising from Previous Minutes

(a)

Approval of Committees

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier, that the Committee and Commission Chairs and Appointees as recommended at

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November 3, 1997 Council, be formally approved, per attached listing. (Copy to be filed with formal copy of Minutes).

Motion Carried

(b)

Any other items to be discussed will likely arise under Committee Reports.

4.

Committee Reports

(a)

Licensing & Bylaws

Councillor Morse reported that the first meeting of this Committee is scheduled for December 10, 1997 at 7 p.m.

(b)

75th Birthday Committee

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Councillor Morse advised Council that a public meeting was being planned for Monday, January 19th, 1998, at 7:00 p.m. in the Gymnasium of the Berwick and District School to seek input from the public on ways to celebrate Berwick's 75th Birthday.

As well, letters have been sent to all Community Groups asking them to send a representative to the meeting, or to consider incorporating the 75th Birthday theme into their regularly scheduled events. A Banner has been generously offered to the Town with a few minor conditions. Councillor Morse also advised that he has met with various individuals to see what kind of artifacts and historical items are to be found locally. Businesses are also urged to do sales and promotions with a 75 cent or \$1.75 theme.

The Mayor noted that the Arena would be painting the ice to commemorate the Town's Birthday, but could use some volunteers to help out. Councillor Banks suggested a logo be done for the Town by a graphic designer that could be used throughout the year. All are urged to make a special effort to attend the Public Meeting on January 19th.

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(c)

Social Services

Councillor Banks reported that there had been two Committee meetings in the past month: the first meeting to review YTD status at the local level, the second meeting with Provincial and Regional representatives of Department of Community Services. Discussed the need to amend the Social Services Agreement, and to move clients off Municipal Benefits and onto Provincial Family Benefits, when and where eligible. Councillor Banks felt that Council should look at signing the Agreement and getting this business done with, as the Province had agreed to amend the contract figure from \$98,645 to \$91,599, a savings of \$7,046/year or \$28,184 over the four-year life of the Agreement, (unless 1997/98 actual comes in lower than this 1996/97 actual figure of \$91,599).

_Therefore, IT WAS MOVED by Councillor Banks that the Town of Berwick enter into a four-year contract with the Minister of Community Services for the Province of Nova Scotia for provision of One-Tier Social Services to be provided by the Province effective April 1, 1998; the figure agreed to in this document for

1996/97 Actual to be \$91,599, as amended. Authority to be granted to the Mayor and Clerk to sign. Seconded by Councillor Morse.

Motion Carried

It was noted that the Town will still need to stay on top of remaining expenditures in the 1997/98 fiscal year. A comment was also made on the excellent service provided to the Town by Mr. Kie MacIsaac, Director of Social Services, Municipality of the County of Kings.

(d)

Fire

Councillor Clarke informed Council that he had attended a brief meeting of the Fire Department Executive Committee. Issues of insurance coverage and procedures for expenditures were noted: capital expenditures were reduced in some areas to make up for overexpenditure on hose; however, expect that the overall Capital Budget will be spent in this fiscal year.

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(e)

Recreation

Councillor Trinacty indicated a very successful weekend had taken place for the Santa Celebrations: there was a good parade, and the sleigh ride was very well attended. Looking at developing an outdoor skating rink in the Riding Ring area, with help from the Fire Department and the Public Works Department. Advertised for two Recreation Committee Appointed members: no response to the advertisement. Now trying to recruit any interested persons; if anyone knows of a person who would like to serve for one year, please let me know.

(f)

Personnel

Recently held the first meeting of the new Personnel Committee. Chairman Trinacty advised that planning process was started to look at new items and outstanding items, and a schedule created for these issues to be dealt with; such as Terms of Reference for Committees, any outstanding items on Occupational Health & Safety, Job Descriptions to be finalized, need to review Employee Benefits, issue of Wages/Union Contracts, Hiring Policy, Personnel Evaluations, Orientation for Elected and Non-elected Committee representatives, Professional Development/Training, and so on. Looking at Casual Day on Friday, for employees who wish to participate, with proceeds to go to charity.

Based on a recommendation from the Town's Insurance Broker regarding the newly adopted move by the Town to allow employees to self-direct their pension funds, IT WAS MOVED by Councillor Trinacty and seconded by Councillor Whittier that if approached by employees for advice on how to invest their pension funds, the Department Heads and Finance/Administration Staff be explicitly instructed not to offer any advice; and further, to direct the employee to use the Standard Life 1-800 number.

Motion Carried

(f)

Streets

Councillor Whittier reported that winter came a little early this year: most of the past month has been spent on ice control, snow plowing, salting and sanding. In fact, some streets still had leaves out for pickup when the snow fell. Mr. Cudmore completed five weeks of work for the Public Works Department last Friday; he was a real help to the Department. The new 1998 Holder Sidewalk Machine has just been received; this is the one that has a snowblower attachment, so sidewalks will soon be in tiptop shape.

Have also had several sewer blockages in Main Lines; one on Mill Street had a mop head in it. Deputy Mayor Munday noted that a Special Council meeting had been held on November 26th to discuss sewer problems at the Berwick Curling Club, and it had been agreed for the Town to proceed with an 8" Sewer Line, subject to engineering approval. Have since received letter from Hiltz and Seamone, and work was done during the past weekend; with the Berwick Curling Club installing a new 4" sewer lateral to tie in to the Town's line. The Berwick Curling Club has also agreed to put an easement in place, at their expense, should the Town ever wish to connect the said 8" sewer line to the Orchard Street line.

Therefore, as a formality, IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Morse that approval be granted for installation of 450 feet of 8" Sewer Line at a cost of \$10.35 per linear foot, per quotation of Howard Little Excavating.

Motion Carried

(h)

Planning Advisory Committee

Deputy Mayor Munday advised that the PAC had met on November 19, 1997, with Mr. Michael Morse in attendance, to discuss the future of the lands zoned 02 on Willow Avenue, (i.e. whether to leave them as 02Parks and Recreation for possible future development of a golf course, or to rezone 54 acres to A1 to permit Agricultural uses to be expanded). It was decided to hold a Public Meeting on Wednesday, January 21,

1998 at 7:00 p.m. in the Cafeteria of the Berwick and District School to solicit public opinion on the matter before the Town makes a decision one way or the other.

Ironically, there is now talk of a golf course being proposed for the Welsford area. The Mayor and PAC Chairman plan to meet with Ms. Sara Keddy of the Berwick Register to put an article together to spark public interest.

(i)

Finance

Deputy Mayor Munday informed Council that the Finance Committee had met on November 26, 1997 and reviewed Operating and Capital Expenditures to October 31, 1997. Seems par for the course; winter has come early which may put additional pressure on a tight budget. There were a few Finance items that need to be dealt with from that meeting, as follows:

(i)

Capital Expenditures

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier that the following Capital Expenditures be approved at cost:

- . Fire Arms Unloading Station, Police Department, estimated cost: \$799.
 - . Dog House Kennel and Run, Public Works Department, estimated cost: \$1900 materials plus labour.
- . Office Chair, Recreation Department, estimated cost: \$159.

Motion Carried

It was noted that the Dog House and Kennel were built to SPCA standards, and can accommodate up to three dogs, separate from each other.

(ii) Alarm Monitoring System: Town Hall Panel

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Morse to proceed with an alarm system from Valley Alarms at a cost of \$20/month or \$220/annum, to tie in any alarms sounding at the Town Hall to an answering service, should it go off on evenings or weekends; per recommendation from Fire Marshall.

Motion Carried

(iii) Library Cart

Based upon a request from the local librarian, IT WAS MOVED by Deputy Mayor Munday and Councillor Trinacty that approval be granted to purchase a Library Cart at a cost of \$246.95 plus tax.

Motion Carried

Deputy Mayor Munday also advised Council that the Sewer Treatment Plant may have to be upgraded to disinfection capabilities, in order to permit development of more residential lots. Looking at what needs to be done and ways to fund it; may require a Study. As well, Town needs to look at a Comprehensive Debt Policy and Five-Year Plan for Capital Expenditures, in accordance with new recommendations recently released by Department of Housing and Municipal Affairs.

(j)

Berwick Electric Commission

Mayor Prall advised Council that the Electric Commission had started generating power to help preserve the peak, however, water supplies are extremely low compared to prior years. Have recently added capacitors to the system to improve efficiencies. Mr. George Baker has consented to do a Rate Study, at which time, rates between Customer Classes will need to be closely analyzed.

As well, attended a meeting of the Nova Scotia Municipal Electric Utilities Association (NSMEUA) at the World Trade and Convention Centre in Halifax to discuss benefits of gas generation once Sable Gas is available; of course, such generation would require access to Nova Scotia Power's transmission system to transmit, plus a variety of legal and regulatory hurdles to be overcome. A lot of bridges to cross yet, but at least a groundwork has been laid. Also attended a meeting of the NSMEUA with the Nova Scotia Utility and Review Board (NSURB) later in the month. Was a good meeting: positive atmosphere, very encouraging to position of Municipal Electric Utilities. Discussed involvement with gas for both Municipal Electrics and NSPI, and certain parts of existing legislation.

(k)

Police

Mayor Prall informed Council that he had attended the Nova Scotia Association of Police Boards' Conference in Halifax with Chief De Wolfe, on November 21st. Mr. Mike Badham, president of the Canadian Association of Police Boards, spoke at length on the Role of Police Boards. Spoke about the difference between a Police Commission for municipal policing and a Community Advisory Board for RCMP.

There was also discussion of centralized services provided by the RCMP and whether or not these services were already paid for by the public in the annual \$14 million paid by the Province for RCMP services. Apparently some of the larger police forces in Halifax and Cape Breton are able to provide these specialized services "in house" and are questioning why they have to pay for their own services while other Municipal police forces are still accessing specialized services from the RCMP.

Mr. Charles Parlee, of the Provincial Department of Justice's Policing Services, will be attending some of the Berwick Police Commission meetings as an advisor and resource person. There are four such advisors now for the Province, each with a different region to look after.

There is also a workshop being planned for local Police Commissioners to attend; probably February or so.

5.

Correspondence

(i)

Received an eight-page news release from the Canadian Firearms Centre that provides information on the Firearm Regulations that were tabled on October 30, 1997. Also included are suggested Registration Fees and License Fees. If anyone wishes to obtain a copy, this document is on file at the Clerk's Office. For the information of Council.

(ii)

Received a copy of a letter from Warden Peter Teraud of the Municipality of Annapolis County to the Minister of the Environment requesting that an EMO Regional Zone Controller for the Valley Region be appointed by January 1, 1998 for mandatory inspection of institutions. Mr. Teraud writes that, "I would note that homes for special care and community support facilities require their licenses to be updated every three years, which includes an approved EMO evacuation plan that undergoes an exercise." For the information of Council.

(iii) Received from Mr. Bill Wilson, Chairman of the Western Kings Memorial Health Society, a personal invitation to the Town to send a representative to attend a Special Meeting to be held at the W.K.M. Health Centre, second floor Conference Room, on Thursday, January 22, 1998 at 7:00 p.m. to receive community input to help determine the future role of the W.K.M. Health Society. After brief discussion, it was agreed that the Mayor and Councillor Trinacty would attend on behalf of the Town. Clerk to notify Mr. Wilson accordingly.

(iv) Received from Mr. Edward Peill, of the Life Channel, a notice advising that an episode of the show FOODESSENCE, featuring apples, which was shot partly on location in Berwick, will be aired on February 18, 1998 on the Life Network. Check the local television guide for times. For the information of Council.

The balance of correspondence was of a routine nature or passed to Committees for Action. (Note - probably fewer items than usual due to Postal Strike).

6.

Bills and Accounts

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Morse that the attached list of Bills and Accounts be approved for payment in the amount of \$101,345.84.

Motion Carried

7.

New Business

(a)

Community Health Board

Councillor Trinacty advised Council that he had recently attended a public meeting at the Western Kings Memorial Health Society, to review preliminary findings from Surveys. Trying to create a Community Health Plan, to make recommendations to the Regional Community Health Board. Some concerns identified to date: Heart Disease, Teen Pregnancy, Drug & Alcohol Abuse, UIC, Seniors' Health, etc. There were probably 30 people in attendance, which was quite a good turn out. All kinds of suggestions and input were put forth.

(b)

Orientation Session for Councillors

Councillor Morse reported on an Orientation Session which he had attended along with Councillor Clarke and Councillor Banks. Over 250 Councillors were in attendance from 55 Municipal Units. Opening remarks were given by

Mr. Walter Fitzgerald of the Halifax Regional Municipality, and President of the UNSM; as well as by Mr. Guy Brown, Minister of Housing and Municipal Affairs. There were four sessions in all: some very good information on how Council operates, and the role and responsibilities of Councillors.

(c)

Meeting Change

Deputy Mayor Munday advised Council that a Finance Committee Meeting which had been scheduled for December 16, 1997 would be deferred until January 27, 1998; due to a conflict with a Kings CED meeting.

8.

There was a short break at 8:55 p.m. prior to going to Committee-of-the- Whole at 9:01 p.m. to discuss matters of a confidential nature. Regular Council resumed at 9:30 p.m.

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9.

Any **Other** Business

(a)

Discharge of Right-of-Way, Ivan Little, et al. . .

Based upon a written request from Mr. E. L. Peters on behalf of the Roman Catholic Church on Mill Street, it was agreed to discharge the 1964 Right-of-Way. It had originally been set up for the Electric Commission to run transmission lines, however, these lines and equipment were moved in the mid-1980's; and the Town has no further requirement to keep it as a right-of-way.

Therefore, IT WAS MOVED by Councillor Trinacty and seconded by Councillor Banks that the Town agree to discharge the Right-of-Way of Ivan Little, et al. . . , in its entirety, at Town expense; work to be done by Town Solicitor.

Motion Carried with exception of Councillor Whittier, who abstained

It should be noted for the record, that Councillor Whittier declared a conflict of interest and did not participate in the discussion or resulting motion. (Councillor Whittier being an active member of said Church). Councillor Whittier re-joined Council after this matter was concluded.

(b)

AQQeal Court Decision: Avon Foods

A decision on whether or not to appeal a decision made by the Nova Scotia Regional Assessment Appeal Court concerning Avon Foods' assessment has to be filed within 30 days of the date the written decision was received by the Town, (which would be January 9, 1998). It was agreed to hold Special Council at 6:45 p.m. on January 6, 1998, just prior to the scheduled Personnel Committee meeting. In the meantime, Town Solicitor to review the matter.

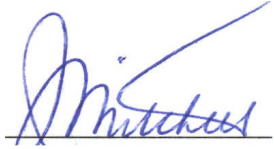
(c)

Reg Havill Property: Willow Avenue

Based on a recent request for a building permit, it had come to the Clerk's attention that the property which Reg Havill owns and that has his house and bam on it, (approximately four acres in size), was not intended to be rezoned to 02, as it appears on the 1995 zoning map. Deputy Mayor Munday, PAC Chairman, remembered that Mr. Havill held two properties; only the large

property (approximate size 60+ acres) was supposed to be rezoned 02 for __ possible golf course. The Clerk was instructed to check the rezoning files for that year to see if it confirmed the specific parcel of land affected by the rezoning: if not specified, then the four-acre piece would retain its original zoning designation.

10. There being no further business, the Chairman adjourned the meeting at 9:39 p.m.



John P. Prall Chairman

Judi h-Mitchell Town Clerk/Treasurer

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property (approximate size 60+ acres) was supposed to be rezoned 02 *for* a possible golf course. The Clerk was instructed to check the rezoning files for that year to see if it confirmed the specific parcel of land affected by the rezoning: if not specified, then the four-acre piece would retain its original zoning designation.

10. There being no further business, the Chairman adjourned the meeting at 9:39 p.m.

John P. Prall Chairman

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Judith Mitchell

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Town Clerk/Treasurer