

## MINUTES OF THE REGULAR COUNCIL MEETING - FEBRUARY 11, 1997

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

In attendance:

Sara White, Berwick Register  
Robert Stewart, Town Solicitor  
Dwight Johnson, School Board Representative

1.

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

2.

### SCHOOL BOARD REPORT

Mr. Johnson updated Council on recent events of the School Board. The site Selection Process is now in its final phase and is of primary concern.

A second list of more specific proposals had been called for, and a weighting value assigned to each component of the proposals, as follows: Annual Rent/Operating Costs 65%, Design Layout 20%, Terms of Agreement with Purchase Option 5%, Date of Occupancy 4%, Adequate Parking 4%, and Potential for Future Growth 2%. Six proposals have been short-listed:

three new buildings and three renovations. Final proposals will be accepted until February 28/97. Will then be reviewed and go to the Board for final approval on March 5th; at which time the new location will be made known. The School Board has over 50 fulltime employees and a budget of \$88 million, which would be a big plus for any community.

Mr. Johnson indicated that wherever the final siting of the School Board goes, it should be a good deal for the Board and a healthy and effective setting for staff to work in. The staff work very hard and need a good working location. The Teachers Union is usually situated in proximity to the School Board as well.

Without getting into too many details, Mr. Johnson felt that Berwick still stands a good chance of being considered. There's a beautiful setting, big building, lots of parking, easy access from Highway 101, etc...; however, it will come down to dollars and cents. The turning point any decision will rest on is who can house the School Board the cheapest.

3.

#### APPROVAL OF PREVIOUS MINUTES

(a)

Hearing of no errors or omissions, the Chairman approved the minutes of the Regular Council Meeting of January 14, 1997; as circulated.

(b)

The following minutes were noted for the information of Council:

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

Finance Committee

Social Services Committee Personnel Committee Recreation Committee Personnel Committee

January 23, 1997, circulated January 29, 1997, circulated February 04, 1997, circulated February 05, 1997, circulated February 06, 1997,  
not circulated yet

4.

#### BUSINESS ARISING FROM PREVIOUS MINUTES

Any items to be discussed will arise under Committee Reports.

5.

#### COMMITTEE REPORTS

(a)

Personnel Committee

Councillor Morse reported that there had been two Personnel Committee meetings in February. The first meeting dealt with Occupational Health and Safety issues; focusing on the following areas of concern: Employer's Duties, Employee's Duties, Owner's Duties, Construction Projects/SubContractors, OH&S Policy, OH&S Program, Codes of Practice, Communications, Right to Refuse Work, Chemical Safety, Record of Machinery & Equipment Maintenance, Reporting of Accidents, Training, and Third Party Arrangements. It was noted that the OH&S Act raises all kinds of implications in the day-to-day workplace and will end up consuming a lot of time and energy to meet all of the many new requirements. The second Personnel Meeting was a departmental meeting, with a follow-up meeting to be scheduled in the near future.

(b)

#### Social Services Committee

Councillor Morse informed Council that the number of eligible recipients had increased by three and that payment of bills for December and supplementation to low income had accounted for increases in this month's budget. There has been no movement in Homes this month and forecasting this month indicates the Town should be within budget for the year (for Homes only). The Employment Resource Centre had one referral from Municipal Social Assistance. Three clients entered the program this month. There are five active clients; two clients started working this month.

The Social Services Committee met on January 29, 1997, with Mr. Wayne Hyson, and the new eligibility review officer: Ms. Mamie Lambert. Ms. Lambert explained to the Committee the type of direct review work she does to investigate cases, both at random and by complaint. Ms. Lambert had prepared a Sample Review Case for the Town of Berwick which she reviewed with the Committee. Mr. Hyson then updated the Committee on recent facts and figures, and responded to questions of the Committee. It appears there will still be a fairly large deficit for the Town, even after adjustments to C . B .0. Funding; the delay in processing of Provincial Family Benefits makes it difficult to forecast the extent of the deficit.

The Social Services Committee intends to continue meeting on a monthly basis to better monitor the deficit situation.

Councillor Morse also reviewed an Employment Resource Centre Report for the nine months of April to December 1996. Per the report, 4 clients gained employment, 1 client accessed the COMPASS Program, and 1 client accessed Training Programs during this period; which led to an overall savings of \$18,380 in municipal social assistance payments. For the information of Council.

(c)

Planning Advisory Committee

(i)

Land Use Bylaw Amendment: Recycling Depot

Deputy Mayor Munday reported that the amendment to the Town's Land Use Bylaw to include Recycling Depot as a definition under Service Shop was now complete: The appeal period having expired with no objections being filed. The Bylaw will now be amended.

(ii)

Deeding of Pleasant Street, et al, over to Town

Deputy Mayor Munday advised Council that Murray Saunders Investments Limited had met all requirements of the Subdivision Bylaw and that Pleasant Street (street and sidewalk), the Emergency Exit, and Parkland area were now ready to be deeded over to the Town. All "as built" Engineering drawings have been supplied, as well as a letter from Hiltz & Seamone indicating that services have been tested and passed per industry standards.

A letter had also been received from Mr. Saunders enclosing a cheque for 10% of actual construction costs to be held for one year as the equivalent to a Maintenance Bond, and requesting that the remainder of the Letter of Credit be discharged. To that end, the following motions were made:

Moved by Deputy Mayor Munday and seconded by Councillor Reeves to accept a cheque from Murray Saunders Investment Limited in the amount of 10% of actual construction costs as equivalent to Maintenance Bond. To be held for one year.

Motion carried.

Moved by Deputy Mayor Munday and seconded by Councillor Trinacty that the Letter of Credit of \$33,000 now be discharged, upon approval of Maintenance Bond. Any expenses incurred to be the responsibility of Murray Saunders Investments Limited.

Motion carried.

Moved by Deputy Mayor Munday and seconded by Councillor Whittier that the Town of Berwick accept the deed for Pleasant Street (including sidewalk) , the Emergency Exit, and Parkland area; as approved by the Town Engineer and in compliance with the requirements of the subdivision Bylaw. Any costs to be borne by the developer.

Motion carried.

(d)

#### Solid Waste Management

Deputy Mayor Munday informed Council that he and Mr. Levi Sherman had attended a Joint Council meeting held in Kingston on February 6, 1997 in the afternoon. A presentation of the draft Valley Region Solid Waste- Resource Management Strategy was put on by Mr. Doug Hickman of Vaughan Engineering. Everything hinges on a landfill site, as many parts of the plan are contingent upon the site. Annapolis county had many concerns raised by a group of concerned citizens.

The agenda for the Strategic Plan is now finalized and timeline set.

February 25th is the target date for receipt of the Final Draft of the Strategic Plan; at that time it will be released to Clerks and Councils. This will leave the month of March to review and discuss the Strategy 1 with approvals being considered for April. Certain assumptions in the draft report were based on an Annapolis County

landfill site; so there are some changes to be made to the plan. Possibly some landfill sites in Kings County may need to be reconsidered.

(e)

#### Kings County Economic Development Agency

Deputy Mayor Munday was unable to attend this meeting due to another commitment.

(f)

#### Fire

councillor Prall reported that he had met briefly with the new Fire Chief; Mr. Alan Schurman. The new Chief is encouraged in his position by certain structures already in place. (The Mayor advised that a letter of congratulations had been sent to the new Chief on behalf of the Town. )

The new fire truck that is on order has been shipped to Dartmouth for outfitting; it should be ready in three weeks or so. Repairs to the Mack Tanker have been of concern: may be looking at ways to defer the cost. (It was suggested that the Chief check it with the Clerk. )

(g)

#### Recreation

Councillor Trinacty advised that Winter Programs were well underway. March Break Program is being planned: open for suggestions or new ideas. ( Let Recreation Director know.) Pursuing recognition of volunteers in the community through Volunteer Week. Last year did collage of posters in the Town Hall and held a small get-together. Plan to do something similar for April. (Please mention this to any group you may be involved in.)

Looking at pathways in Berwick: what is currently there and what needs to be put in place. Right now, talking to landowners about a gravel pathway to tie in a route from Bezanson Drive to Cottage Street. Need to better define the type and size of pathway needed, and any legal obligations or responsibilities of the Town for maintenance, upkeep, etc..., questions of liability, and so on.

The Tourism Subcommittee will soon have a report for the Recreation Committee to review. The Recreation Committee is also considering a more permanent arrangement for a Park/Maintenance Person and to that end, have made a recommendation to the Personnel Committee.

(h)

#### streets

Councillor Whittier reported that it was "business as usual" at the Public Works Department. Snow clearing when needed, and trying to keep the ice sanded and salted. Deputy Mayor Munday advised of a tree with limb damage on Union street that may need to be trimmed before any storms hit. Councillor Whittier will pass that on to the Superintendent.

6.

(i)

Finance

Councillor Reeves informed Council that the Finance Committee had last met around the end of January. Major impact to the Budget is still Social Services costs. The Department expenditures are in line for this time of year, thanks to the efforts of the Department Heads to control spending.

(j)

Berwick Electric

The Mayor reported that there had been no Police Commission or Berwick Electric Commission meeting in January. However, he was planning to meet later this week with new management staff of the Nova Scotia Utility Review Board to discuss the position of Municipal Electric Utilities in the province, and promote better understanding of their concerns in the overall scheme of things. The Municipal Electric Utilities of Nova Scotia have been meeting on a quarterly basis, and have several representatives planning to attend this meeting to clarify a few issues. The Berwick Electric Superintendent also plans to attend.

CORRESPONDENCE

(a)

Received from Mr. David Witherly of the Annapolis Valley Regional Library, a letter advising that July 1997 is the date set for full automation of the Library. At that time, all aspects of circulation will be handled electronically, and all patrons will be on a membership database. For the information of council.

(b)

Received a Memo from Steven Stoddart, president of the UNSM, entitled, a Proposal Concerning HST. A draft proposal has been submitted to the Province by the UNSM seeking an increase of tax-in-lieu payments from Nova Scotia Power to help offset the cost of the HST, phased in over a six-year period; as well as a request to exempt Municipal Units from paying the Provincial Tax Surcharge on automobiles and heavy equipment. For the information of Council.

(c)

Received a letter from Mr. Robert Stead, Chair of the Regionalized Policing Study Implementation Committee, thanking Council for hosting a formal presentation of the committee's policing Report at last month's Council. The letter goes on to urge Council to proceed on the recommendations of the Report as soon as practical. For the information of Council.

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(d)

Received a notice from the Kings Transit Authority Chairman, Mr. Gary Pearl, advising that a Joint Council Meeting has been set for Thursday, March 6/97, in Kings County Council chambers to listen to the presentation of a Consultant's report on a Full Operational Review of the local transit system. Representatives for Department of Municipal Affairs will also be in attendance. For the information of Council. (Please advise the Clerk later if you plan to attend this meeting. )

(e)

Received a copy of a letter from Mr. Wayne Hyson, Acting Director of Social Services, Municipality of County of Kings, advising Berwick that an Eligibility Review Officer has been hired to "assist the Department to better review difficult cases". If the Town is interested in purchasing part of the services being provided, the financial commitment required to March 31/97 would be \$176.00.

After discussion, it was moved by Councillor Morse and seconded by Deputy Mayor Munday that Berwick approve payment of \$176.00 for services of an Eligibility Review Officer until March 31, 1997. To be reviewed for budget purposes for next year .

Motion carried.

(e)

Received a package from Mr. Robbins Elliotts, Treasurer of the Charles MacDonald House in Centreville Society. Mr. Elliotts is requesting that Berwick Council give its endorsement to a plan to create a museum/gallery in Centreville as a cultural and historic attraction in the County of Kings. Apparently, the Society is seeking to obtain funding under the Community Opportunities Fund. In order to do so, the Society must demonstrate that their project meets the qualifications under the Regional Development Strategy, and that their project is endorsed by all four municipal units in the County of Kings. For a decision of Council.

Specifically, the Society requests that the Town of Berwick "endorse the plan to develop a facility, open to the public, at the Charles MacDonald House in Centreville and give written support to the Society's application under the Community Opportunities Fund, for monies to prepare the property for a formal opening next June 1st, 1997". Council agreed to send a letter of endorsement, as requested.

(f)

Received a letter from Mr. Rupert Jannasch, Chairman of the Annapolis County Environmental Protection Association, out of Annapolis Royal, inviting all Councillors in the Kings County/Annapolis County Waste Region to hear a presentation of new waste management ideas by Dr. Paul Connet. "Dr.

Connet is an internationally recognized proponent of low cost, environmentally sound waste management systems who will address the current problems Annapolis County and the Valley Region face in adopting a regional waste management plan." For the information of Council:

this presentation will take place Saturday, February 15/97, at 2: 00 p. m. at the College of Geographic Sciences in Lawrencetown, if any Councillors plan to attend.

(g)

Just received this morning, a follow-up Memo from Steven Stoddart, president of the UNSM, regarding the HST Proposal. Mr. Stoddart writes "I am personally disappointed that the Government did not maintain the commitment to respond to the UNSM Executive's Proposal by January 30/97. However, I do expect to learn soon of the Government's reaction to our proposal. Minister Smith has agreed, in the near future, to schedule a meeting with the Executive to discuss the Government's decision." Mr. Stoddard adds that, "I recognize that some municipal officials do not support our proposal 100% . However, I believe that it does honour the spirit of the UNSM position that there be no greater burden for municipalities after the HST is implemented." For the information of Council.

(h)

Received a letter from the Honourable John Murphy, MP, for Annapolis Valley /Hants area advising that the Infrastructure Program may be extended for 1997. Mr. Murphy writes that "the government is offering to add \$425 million to the \$175 million to be spent in 1997 from the first program. This will ensure that the level of spending for the next 12 months will be the same as last year. If approved by the provinces & territories, the offer made by the President of the Treasury Board could support 2500 new projects across the country. . . . ". For the information of council.

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

7.

## BILLS AND ACCOUNTS

It was moved and seconded by Councillor Reeves and Councillor Whittier that the attached list of bills and accounts in the amount of \$150 ,836.85 be approved for payment.

8.

## NEW BUSINESS

(a)

Board of Trade: Support for MT&T Request

Deputy Mayor Munday informed Council that the Board of Trade has been negotiating with Maritime Tel & Tel to see if the local calling area for Berwick could be expanded. To that end, Deputy Mayor Munday suggested that Council send a letter supporting the position taken by the Board of Trade; feels that the more support shown, the more likely to get a favourable response from

MT&T. (It was agreed to send a letter, which Deputy Mayor Munday will prepare: to be sent to the attention of Mr. snair, MT&T.).

9.

There was a short break at 8: 12 p. m. prior to going to Committee-of-thewhole at 8: 17 p. m. to discuss matters of a confidential nature. Regular Council resumed at 8: 45 p. m.


10.

Regarding a request for reimbursement of two invoices from Berwick Curling Club relating to a sewer line problem, it was moved by Councillor Whittier and seconded by Councillor Reeves to pay \$207.45 to the Berwick Curling Club, as requested; payment to be made "without prejudice" .

Motion carried.

11.

There being no further business, the Chairman adjourned the meeting at 8:46 p.m.



John W. Rainforth  
Chairman

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Town Clerk