

MINUTES OF THE REGULAR COUNCIL MEETING 9 SEPTEMBER 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:

Ms. Sara White Keddy, Berwick Register

Mr. Robert Stewart, Solicitor

Mr. Bob Cormier, Fire Marshall

Mr. Stephen Palmer, Deputy Captain, Berwick and District Volunteer Fire Department

1.

The Chairman called the meeting to order at 7:00 p.m. and welcomed Fire Marshall, Mr. Bob Cormier, to Council, as well as the Deputy Chief of the Berwick and District Volunteer Fire Department, Mr. Stephen Palmer.

2.

Guest S.Qeaker: Mr. Bob Cormier

Mr. Cormier advised Council that the Final Report on the Fire Prevention Act Review was being packaged and sent out to the various Municipal Units today; and that he would be speaking on some of the issues raised in the Report. As background, Mr. Cormier indicated that the fire Marshall's office has been doing the role legislated to Municipal Units since 1949, but never carried out: both Fire Inspection and Plans Examination. It has become impossible to continue to carry out these functions with only a staff of seven. Have to ensure, however, that (1) people are safe, and (2) that building is constructed in a way with safety features that can be used by local fire departments. Trying to verify whole safety system: fire inspection, building inspection, water supply, etc. Also need to focus on Public Fire Safety Education to relieve pressure on local fire departments and the whole department, as well as schools, municipal units, nursing homes, manufacturing plants, etc. Some buildings are high-life risk: institutions, licensed facilities, small option, and so on. There are also high hazard industrial risks as well where lives of workers can be at risk: many of these fall under the provision of the Department of Labour's Occupational Health and Safety Act.

Trying to decrease workload: hope that municipal units will share inspections (i.e. a common fire inspector). In order to do that, schools (up to schoolboard level), liquor licensed facilities, daycare facilities, hotels, motels, etc. should be inspected

once a year; not quarterly. Some regulations on the books go back 40 to 50 years; also, procedures for investigation of fires, in some cases, violates Charter of Rights and Freedoms. (Also mentioned Fireworks Act - requires signature of Fire Chief. This should be changed to stiffer "point-of-sale" requirements.)

Need to continue advisory capacity for local Building Inspectors. Fire Prevention Act as it stands makes no allowance for any means to assist local Fire Departments. A number of Fire Departments have come forward expressing concern about training and accreditation requirements, (mentioned role of Nova Scotia Firefighting School). would like to see an accreditation body formed to certify trainees to ensure proper training.

Review of Municipal Act: Desire for municipal units to be more closely linked to local Fire Departments (especially when there's one Council and multiple Fire Departments). When UNSM was asked, they replied that they would set up a closer liaison with Fire Departments provided that Fire Departments meet criteria set down by municipal units. However, to avoid 56 different standards: need to establish a Fire Advisory Council to set up standards that Fire Departments and Municipal Units can deal with.

No Municipal Unit has to have a Fire Department by law; most Fire Departments have been set up on a rather sporadic basis. Fire Departments can do just 'basic fire-fighting' (i.e. exposures to fire - no rescue or interior firefighting) etc. Once you move beyond that, it's much more difficult to deal with. Dealing with the death of a firefighter: has the Department met all of the standards, is equipment up-to-date. All of these criteria can be met and yet still fatalities may occur. (Fire Marshall noted that generally, the level of standards and equipment in the Valley is second to none). Only shortfall may be compliance to Occupational Health and Safety Guidelines. Town Council decides what activities the Fire Department carries out; then Council will determine if the local Fire Department can meet those standards.

Same thing goes with First Responders: Provincial Standard is being developed; this will become the standard to be measured against. Again, it is voluntary: Fire Departments don't have to respond. Each level of expertise requires an even higher standard; especially vehicle extraction of injured parties. Two points should be emphasized here: (1) Fire Departments need to work on the "standards" themselves (increases their 'workability'); and (2) Timeline: have to allow adequate time for firefighters to catch up to things.

Most of these items should've been done 25 years ago; for example: fire ground control should be based on risk analysis. The more education the Chief and firefighters have, the better decisions they make. Regarding Critical Incident Stress Training (i.e. replay of critical events that stress out firefighters; emotional trauma, etc.), it is the responsibility of the Fire Marshal's office for Investigators and Fire Inspectors. There are two training programs available at low cost for Fire Inspectors: home-learning and seminar course.

Mr. Cormier thus concluded his presentation and asked for questions, if any. Comments are as follows:

Q.

What is the status of volunteers and "First Responders" regarding liability issues?

A.

Fire Departments need training, equipment, and liability protection. Mr. Cormier recommended that Ambulance personnel are now highly trained, and need to take advantage of time available to upgrade and train others.

Q.

Do you see volunteerism gradually disappearing?

A.

In this province, there are over 6500+ volunteers. We need to train them and keep them safe so they can return to their families safely. Criticized pressure from media to do "television" fire fighting like that being done in Los Angeles or New York. Even local firefighters feel this pressure. Another pressure is from retirees moving to small towns and communities and expecting urban levels of service.

Q.

"Standards" you spoke of earlier: does each Fire Department have their own contract between the local Fire Department and the Municipal Council?

A.

A contract between Berwick's Council and the B.D.V.F.D. could not be signed unless standards are met. Fire Marshal's office will audit; as well, Fire Marshal's role is advisory.

- Isn't there a piece missing unless someone determines that standards are met?

Department of Municipal Affairs will come up with a standardized contract (with full knowledge and assistance of Fire Departments).

- So the B.D.V.F.D. will determine the level of functions/services they can carry out and the Town holds them to a standard?

Basically, yes.

- So, how would we know? (that standards have been met).

Have to allow a lead-in time that's appropriate, and an implementations phase. Example, standard for certain types of firefighting will have to meet Level I certification; generally, the more specialized the fire fighting the higher the training requirements.

- So what it really boils down to is a frank discussion between the B.D.V.F.D. and Town Council to determine what it takes, the role to play, and the level of service required? One fire Department may end up providing certain extra-specialized types of service, like HazMat, and another may provide a different specialized service?

Yes. For example, First Responders. B.D.V.F.D. may not wish to respond, so Town of Berwick may sign a contract with the Waterville, Fire Department to supply First Responder Service. There just aren't enough dollars for every area to have all services available.

- Scary part is that "standards" are just now being determined, but functions are already there. The current onus is on the local Fire Department to rescue people at the same of motor vehicle accidents, etc.

Well, the liability is much higher, largely due to 'Americanization' of local communities. All we can do is make it possible to measure the standard that the firefighters should have. Under the Municipal Act, firefighters only covered for 'firefighting' duties, per se. Members are covered with the Volunteer Services Act (formerly Good Samaritan Act), but Fire Department as a whole is not covered.

Q.

Regarding a contract between the B.D.V.F.D. and the Town: How can the B.D.V.F.D. enter into a contract? It's not incorporated, not a society, etc.

A.

Fire Departments will have to incorporate. As far as Rural Fire Districts are concerned, there may need to be legislative changes to remove an impediment in the Act that would be less prohibitive to Town's (involved with Rural Fire Districts).

As well, Town may end up having to scrutinize the books of local Fire Departments. The role of the Fire Chief becomes pivotal, especially in areas

of how to be trained to look after the local fire Department, the control of the fire scene, etc.

Q.

Will recruitment standards be set for volunteers?

A.

Basically, anyone who can conform to the team would be eligible, barring obvious limitations.

This concluded the question and answer portion of this evening's presentation. Mayor Rainforth thanked Mr. Cormier for attending, as well Mr. Palmer. The Mayor also noted to Mr. Cormier that while we appreciate the presentation, it has to be mentioned that we are not happy to have to pick up the additional cost of Fire Inspections.

(Mr. Cormier and Mr. Palmer left at 7:55 p.m.)

3.

Approval of Previous Minutes

(a)

Hearing of no errors or omissions, the Chairman approved the minutes of the Regular Council of July 8, 1997 and of the Special Council of July 16, 1997.

(b)

For the information of Council, the Chairman advised that twelve meetings had been held as follows:

- (i) Social Services Committee
- (ii) Finance Committee
- (iii) Finance Committee
- (iv) Personnel Committee
- (v) Personnel Committee
- (vi) Planning Advisory Committee
- (vii) Recreation Committee
- (viii) Personnel Committee
- (ix) Licensing Committee
- (x) Special Council
- (xi) Personnel Committee
- (xii) Public Works Committee

10 July 1997; circulated 11 July 1997; circulated 16 July 1997; circulated 16 July 1997; to be circulated 30 July 1997; to be circulated 13 Aug. 1997; to be circulated 28 Aug. 1997; to be circulated 28 Aug. 1997; to be circulated 28 Aug. 1997; to be circulated 28 Aug. 1997; to be circulated 02 Sept. 1997; to be circulated 09 Sept. 1997; to be circulated

4.

Business Arising from Previous Minutes

Any items to be discussed will arise under Committee Reports.

5.

Committee Reports

(a)

Licensing Committee

Councillor Morse reported that a meeting was held August 28th to issue a Vendor's License to a commercial hot dog vendor, and to renew the Taxi Licenses for Both C&S Taxi and Star Taxi.

(b)

Personnel

Councillor Morse advised that the Personnel Committee had last met on September 2, 1997. As you are all aware, a new Recreation Director has now been hired: Ms. Joanne Lebans. We welcome her to the Town of Berwick and wish her the best of luck in her new position.

(c)

Social Services

Councillor Morse reported that the Town had 13 General Assistance clients in August 1997, compared to 18 in August 1996: an encouraging decrease. summer job opportunities have been fully utilized and the trend is expected to continue into the Fall.

Councillor Morse also read statistics concerning unemployment rates in the various areas of the Province: the Valley unemployment rate is 11.8% (lowest next to Halifax province-wide) and Labour Participation Rate is at 60.7%.

It was noted that good facts and figures have been provided in a very readable format by the new director, Mr. Kie MacIsaac.

(d)

Planning Advisory Committee

Deputy Mayor Munday advised that a Planning Advisory Committee was scheduled for September 15,

1997 that would deal with several issues raised at the August 13th meeting. Will wait until these items are finalized before discussing further.

(e) Kings C.E.D. Agency

Deputy Mayor Munday reported that he had been unable to attend C.E.D. meetings over the summer; however, he is receiving minutes and notes to remain informed.

(f)

Fire DeQartment

(Already discussed current issues with Fire Marshal: Mr. Bob Cormier, earlier this evening)

(g)

Valley Solid Waste Regional Meeting

A seminar/workshop was held in Kingston recently to look at where we are in relation to the agreed upon Strategy Plan for Region 5, and where we go from here. The Seminar was conducted by Mr. Armand Bannister of Moncton/Westmoreland area in New Brunswick. Although several suggestions were not acted on because of the upcoming change in elected representatives, there were some positive outcomes, such as certain goals being identified and the Regional solid Waste Coordinators being identified and the Regional Solid Waste Coordinators being instructed to do some preliminary research. Councillor Prall continued that the InterMunicipal Draft Agreement is expected to be approved by all of the eight Municipal Units soon. Once all are agreed, an official signing ceremony will take place with the Minister in attendance.

(h)

Recreation

Councillor Trinacty advised Council that the Recreation Director's position had been offered to Ms. Joanne Lebens (as mentioned earlier) and that she would be starting on September 15, 1997. She worked previously at the Municipality of Clare and is bilingual. She will be holding a meeting of the Tourism Action Subcommittee before the month is out.

The soccer field has been leveled off and seeded. There were some delays due to hot, dry weather. Next project will be to do some needed work on the baseball field adjacent to the Curling Club.

The Fall Program is ready and has been distributed to every household in the Town. Good response to date.

(i)

Streets

Councillor Whittier reported that it has been an exceptionally good summer for the Lagoon; very little odour and with all of the hot dry weather, a good sign: one of the best summers for a long time. Gala Days kept the Public Works Department very busy again this year: 283 man hours were expended. Paving will soon commence: there are several cuts in the streets that need to settle first. The Holder Sidewalk machine has been having a lot of mechanical difficulties. Streets Committee met earlier this evening to discuss the problem. The Finance Chairman will update you.

G)

Finance

The Chairman of Finance, Councillor Reeves, advised Council that due to the lapse of existing Temporary Borrowing resolutions (dates expired), new ones would need to be issued to fund 1996/97 Capitol Expenditures.

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Therefore, IT WAS MOVED by Councillor Reeves and seconded by Deputy Mayor Munday that Temporary Borrowing Resolutions be approved in the amount of \$75,000 for Sewage Treatment Plant Upgrade and of \$80,000 for Fire Truck, total not to exceed \$155,000 in total.

Motion Carried

It was further moved by Councillor Reeves and seconded by Councillor Whittier that the Mayor and Clerk be granted authority to sign said Temporary borrowing Resolutions on behalf of the Town.

Motion Carried

Regarding the matter of the Holder Sidewalk machine, as mentioned earlier, Councillor Reeves advised Council that due to major repairs required to fix the existing machine, it would be more advantageous to the Town to trade in the Holder on an "as is" basis, and enter into a Lease for a 1997 Holder.

Therefore, IT WAS MOVED by Councillor Reeves and seconded by Councillor Whittier that council grant approval to enter into a 60-month lease to purchase a 1997 Holder on a Capital Lease Program, at the rate of

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\$1012/month for 60 months. Lease to commence November 1, 1997. Trade in of Town's 1988 Holder to be part of the transaction.

Motion Carried

It was noted a buyout will be due upon expiry of the 60-month lease; tentative figure is \$5380.00. The residual value of the 1997 machine is estimated to be at \$20,000 +/- when the five-year lease expires. Warranty to be put in place November 1, 1997 at commencement of lease.

The Mayor also noted that the Lease will keep future costs at a fixed rate and make budget considerations easier.

(k)

Berwick Electric Commission

The Mayor advised he had nothing new to report. Work is progressing as usual. Rain levels (or lack of) may have a bearing on our ability to generate power this fall.

(l)

Berwick Police Commission

The Mayor reported that the Gala Days weekend went smoothly, largely due to assistance of Gala Days Committee members to do extra traffic control. No Police Commission meeting to be held in August; Public Police Meeting is tentatively planned for September 24, 1997.

6.

Bills and Accounts

IT WAS MOVED and seconded by Councillor Reeves and Deputy Mayor Munday that the attached list of Bills and Accounts be approved in the amount of \$138,035.30

Motion Carried

7.

Correspondence

(a) Received a memo from Mr. Ken Simpson of the UNSM, regarding a Public Libraries Funding Review. A new committee is to be struck to develop a funding plan for the period of April 1, 1998 to March 31, 1999. Municipalities are asked to make known any concerns they may have about Library funding by contacting Councillor Larry Honey. For the information of Council. The Mayor noted that he always felt the Town's role was

equitable; no problems or issues. Will not respond unless someone brings it to the Clerk's attention in the next week or so.

(b) Received from The Apple Blossom Festival committee and the Town of Kentville, an invitation to attend a Wine and Cheese party in honour of Miss Canada International 1997: Emily Suzanne Ryan of Kentville. To be held Thursday, September 11, 1997 at 5:00 p.m. to 7:00 p.m. in the Cornwallis Inn Ballroom. Please let the Clerk know if you plan to attend: RSVP's are requested. For the information of Council.

(c) Received from Ms. Martha Crosbie, president of the Charles MacDonald House in Centreville Society, a request for the Town to give its endorsement to the Society's plan to restore and preserve one of the MacDonald Cottages at Huntington Point, for posterity. To be done, as before, within the terms of the Regional Development Strategy. After brief discussion,

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Whittier that the Town of Berwick endorse the project.

Motion Carried

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

8.

New Business

(a)

Social Services Agreement with Province

Mayor Rainforth spoke at length on an agreement being put forth to each Municipal Unit by Province that will have Municipal Units pay for Social Services for the next four years based on either the 1996/97 or 1997/98 actual costs, whichever is lowest. The Province will then assume all responsibility for the delivery and provision of Social Services based on a one-tier model.

Mayor Rainforth indicated that a lifting of the financial burden and unpredictability of Social Services spending would be welcomed. However, the 1996/97 figures would be hard to live with because it was felt they were inflated by recipients who weren't put on the Provincial Roll in a timely manner. Felt the Province should be asked to adjust the 1996/97 figure by a decrease of those documented cases that were left on the Municipal Roll long after they should have been

assumed by the Province. Although the 1997/98 figure may come in at fewer dollars, at this time it's an unknown, and it seems unreasonable to sign a contract without knowing the final amount.

After a full discussion of the document by Council and a good look at the pros and cons of signing, it was agreed to send a letter to the Minister expressing Berwick's grave concerns. Basically, that there are no problems with the principle of contract on intent, but that the figure contained in the contract is unfair due to General Assistance clients not being moved to the Provincial roll on a timely basis. All agreed to have the Mayor send a letter, await the response, and if need be, ratify by end of the month.

Mr. Stewart noted that it was unusual to see a contract delegating authority from the municipal level to the Provincial level. No reason the Provincial government cannot just put in place the required legislation, unless they're looking at reversibility at a later date. It is an unusual delegation.

(b)

InterMunicipal Draft Agreement: Region 5

Councillor Prall led Council in a review and discussion of recent changes made to the InterMunicipal Draft Agreement, since it was initially approved by Council.

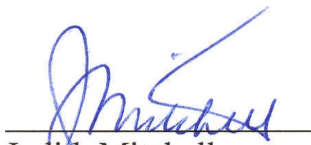
Therefore, IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Prall that the revised InterMunicipal Draft Agreement (@ August 14, 1997) for Region 5 be approved as presented.

Motion Carried

9.

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

John W. Rainforth Chairman



Judith Mitchell
Town Clerk/Treasurer