

MINUTES OF THE REGULAR COUNCIL MEETING 14 OCTOBER 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
Town Clerk Judith Mitchell

In attendance:

Ms. Sara White Keddy, Berwick Register
Mr. Robert Stewart, Town Solicitor
Mr. Dwight Johnson, Schoolboard Representative

1.

The Chairman called the meeting to order at 7:05 p.m.

2.

AJmroval of Previous Minutes

(a)

Hearing of no errors or omissions, the Chairman approved the minutes of the Regular Council Meeting of September 9, 1997 and the minutes of the Special Council Meeting of September 25, 1997; as circulated.

(b)

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

(i) Planning Advisory Committee (ii) Public Police Commission (iii) Electric Commission
(iv) Finance Committee
(v) Recreation Committee

15 September 1997 24 September 1997 25 September 1997 30 September 1997 1 October 1997

3.

Schoolboard Report

The Mayor welcomed Mr. Johnson to the meeting and asked if he would like to update Council on recent activities of the Schoolboard. Mr. Johnson reported the following:

- Pretty well situated in the new Schoolboard offices in Berwick. The Town, businesses, Board of Trade, and facility administrators have made us very welcome. Would invite anyone to drop by for a tour - it's a great facility, fits the Schoolboard's needs to a tee. Very proud of it!

- School's Soccer Field in Berwick is now finished. In conversation with the contractor, he feels the field should be okay, even in wet weather, and not have the drainage problems it did in the past.

Department of Education has been asked for three new schools: (1) Kingston/Greenwood area, (2) Granville and area, and (3) Canning/Centreville and area. A Francophone school is needed in Greenwood under the new Act; so they will likely get Dwight Ross School and a new school will be built to deal with overcrowding.

- We're still hoping that the Cambridge Elementary School doesn't have to be closed for poor air quality. If so, we will end up with a split shift at the Berwick and District School. Testing is still ongoing at West Kings; think problem may be particle board molding and rotting. West Kings is on the list for improvements, but not on list for new schools. If there's a new school in Greenwood, there may be boundary changes that will affect the future of West Kings.

- New Amalgamated Schoolboard structure has been tough on everyone, but process is now complete, and it appears to be starting to work out. With 13 members (down from 26) cannot continue with old Committee structures; not enough people left to run six different committees. Not sure what will happen to address this situation, but changes are needed.

Mr. Johnson thanked everyone at Town and Council level for their support over the years; certainly enjoyed being Berwick's representative as a schoolboard member. Mayor Rainforth indicated that he would like to express Council's thanks, particularly for all of the effort to help see that the Schoolboard moved to Berwick. Very much appreciated.

(There being no further Schoolboard business, Mr. Johnson left at 7:19 p.m.).

4.

Business Arising

(a)

Social Services Contract with Province: UQdate

Mayor Rainforth Advised that, under the direction of Council, he had written a letter to the Minister of Community Services and had since received a reply that was not satisfactory, and indicated it was his belief that the Town should not sign the Provincial contract at this point. In fact, the Mayor reported that after careful consideration of the matter, he had written a response to the Minister (per October 6, 1997 letter copy attached to official minutes).

Deputy Mayor Munday, along with the rest of Council, agreed with the content of the letter, "very well said." Councillor Reeves suggested that the Town hold off on signing for now. Perhaps the Province will re-consider their position.

The Mayor noted that recent figures seem to indicate that Social Services costs are going up steadily; if this continues the Town could end up with costs much higher than last year's figure. To date, the Municipality of the County of Kings has signed the Contract with an addendum letter attached; to his knowledge neither Town of Kentville nor Town of Wolfville have signed yet.

5.

Committee Reports

(a)

Social Services

Councillor Morse reported that for the month of September 1997, Social Services recipients had increased from 13 cases to 22 cases. This is cause for concern. However, the report indicates that some cases should be turned over to the Province in November 1997. The next few months will have to be monitored carefully to try and control costs.

(b)

Personnel Committee

Councillor Morse advised that the Personnel Committee had met earlier this evening with Standard Life Pension representative, Mr. David Harding; as well as the rest of Council and Department Heads. The outcome of that meeting was to recommend that the Town put in place a policy change to allow employees on the Standard Life pension plan to self-direct their pension funds.

Therefore, IT WAS MOVED by Councillor Morse and seconded by Deputy Mayor Munday to recommend to Council that the Town's Standard Life Pension Plan be structured in such a way to have the investment of pension funds be self-directed by Employees; both the Employee and Employer portions, upon eligibility.

Motion Carried

(c)

Kings C.E.D. Agency

Deputy Mayor Munday advised Council that he was not available to attend the most recent Kings C.E.D. Agency meeting due to work commitments.

(d)

Planning Advisory Committee (P.A.C.)

Deputy Mayor Munday reported that the P.A.c. had last met on September 15, 1997, with Mr. Michael Morse present to discuss the rezoning request applied for on Willow Avenue on the former Jack Morgan property, which is owned by the Morse brothers. P.A.C. is considering a couple of options on how to proceed, or not. Also looking at signage requests for seasonal tourism businesses, in conjunction with the Municipality of the County of Kings. Hope to come to some workable arrangement. Deputy Mayor Munday advised that the unloading area of Moody Bros. Groceteria has been paved and barriers added to make it safer for pedestrians and school children to pass by.

(e)

Fire

Councillor Prall reported on a recent meeting with the B.D.V.F.D. Executive Committee to go over the First Responders issue. They are of two minds on the issue; some want it, some don't. Will be raised as a voting issue at the Annual General Meeting. Most Valley Fire Departments have not made a decision one way or the other, except to respond to alarms if no one else is available. B.D.V.F.D. advises that they are aware of the liabilities involved.

The Fire Executive Committee is interested in reading the Fire Prevention Act Review FINAL REPORT and going over it with their Committees. Have had some input into First Responder's meetings. However, there is some confusion over whether or not contracts need to be signed between Fire Departments and Municipal Units. Until the new Fire Prevention Act is brought forward and legislation passed, hard to tell what will happen.

(Open House and Public Displays were held last week: well received by the public. There is a minor problem with the new pumper truck: hoping it will be covered by the warranty.)

The Mayor noted it was kind of ironic to have the Province push local Fire Departments to provide First Responders after just establishing an Ambulance/Emergency Service. Also a concern for local volunteer Fire Departments who don't always have enough volunteer manpower readily available. The Mayor continued that it may look innocuous but in the long run, this could have a big impact. Would like to see Deputy Chief Stephen Palmer address Council at some future date to give the viewpoint of the B.D.V.F.D. We've already heard the Fire Marshall's point of view.

(f)

Solid Waste Management: Region 5

Councillor Prall reported that the InterMunicipal Agreement for Region 5 had been approved and accepted by six of the eight municipal units in Region 5. Both Annapolis Royal and Bridgetown have declined to sign at this time. There will be a formal signing ceremony with the Minister of the Environment in attendance, as this is the first InterMunicipal Agreement in the Province. A signing ceremony has been tentatively scheduled for October 22, 1997 at the Wandlyn Inn in Coldbrook: Mayor and Clerk to sign.

(g)

Recreation

Councillor Trinacty indicated that the Recreation Committee had welcomed new Recreation Director Joanne Lebens to their midst. She is doing very well so far; would encourage all to drop by and see her at the Recreation Office.

The Tourism Action Subcommittee is still getting underway. The new Annapolis Valley Tourism/Recreation Map is now available for \$1.00: excellent map, printed both sides with things to see and do in Kings and Hants Counties, the art work has been done by local artists. (Look for it on sale at the Recreation Office and Town Office). Ms. Rhonda Best has been filling in at the Recreation Office while Mrs. Evelyn Palmer is off on sickleave; it now appears that Mrs. Palmer will not be returning to work until February or so. The RANS Conference will be held at White Point Lodge this year. Both the Recreation Chairman and Recreation Director plan to attend.

(h)

Public Works

Councillor Whittier reported that the Daniel Drive pathway (behind Town Hall, next to soccer field) had been put to rights to the satisfaction of all. Tree work is ongoing. Fall Cleanup has been scheduled for October 20th to 31 st, and includes leaf removal service. Working at new Ballfield (by Curling Club) to replace the existing infield with a grassed infield.

Councillor Whittier noted that he had recently walked the path by the foot of Bligh Street (Jones' Lane?) and felt it was more than adequate, with the exception of one small section that needs the culvert fixed,(the Superintendent will look after this).

(i)

Infrastructure

The Mayor informed Council that the town had originally submitted applications for five Infrastructure Projects, and has since learned that none of these projects were endorsed by the Province for Federal approval. A letter has been sent to local MLA George Moody, as well as to Robbie Harrison, expressing concern that Berwick's needs have been overlooked. Indications are that Kentville may be receiving a significantly reduced level of funding, with the bulk of funds targeted for Robbie Harrison's riding. The Town has re-submitted the Orchard Street project for re-consideration as it is a safety concern. No response to date. It appears that the Province is playing politics with children's safety. Municipal Units simply cannot afford to undertake these projects single-handedly when Infrastructure dollars are there.

G)

Finance Chairman

Councillor Reeves advised that, generally, all Departments appeared to be on track and within budget. Still early in the fiscal year, though. Not much else new to report. Will soon be retiring from Finance Chair, and look forward with interest to what that will bring. Have certainly enjoyed all my years as Councillor and Finance Chairman.

(k)

Mayors/Warden/CAO's Meeting

The Mayor reported that the Mayors, Warden, and Clerk/CAO's had met on September 30, 1997 for a lengthy meeting that covered a number of issues of great concern: Infrastructure problem with the way funds were allocated; lengthy discussion of latest Provincial downloading of Bridges to Municipal Units; Education Funding with increased Uniform Assessment figures; and Fire Departments ability to meet increased Provincial training requirements for critical incidents and still attract volunteers. "City attitude" from Halifax is being applied to rural and Valley areas and small-town Nova Scotia. The outcome of the meeting was to decide that all four Municipal Units will write a joint letter to the Premier asking that the Province stop doing things piece-meal and step back and take a broader look. Joint Planning issues were also discussed particularly those areas where one Municipal Unit borders on another. May want to look at a Joint Planning Advisory Committee to keep up to speed with what's going on for proposed development in neighbouring municipalities.

It was a really good meeting: very productive. Ended up with a list of priorities that will made a good starting point for the new incumbents.

(l)

Berwick Electric Commission

Had invited Mr. Fred Pierce, Director of Cooperatives in Nova Scotia, from the Economic Development and Tourism office, to attend the Berwick Electric Commission (BEC) meeting, and later on, the Municipal Electric Utility Association (MEUA) to speak on the advantages of forming a cooperative association. The six remaining Municipal Electric Utilities are in need of a formal legal association so that they can work collectively as one entity for issues of joint concern, particularly, to appear before the N.S. Utility and Review Board (NSURB) from one strengthened point of view, rather than six fragmented voices. It appears that a cooperative association may have the flexibility and practicality that is needed to be quite workable.

The Mayor indicated that, while at the MEUA meeting in Halifax, a preliminary Cooperative Agreement was signed by all present. Would fully expect that ratification will occur at an upcoming BEC meeting (to

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be held later this month). Was really pleased with how quickly things fell into place.

(m) Police

Not much news to report. Regionalized Policing Study underway with Provincial consultant, Mr. Byron Rafuse. The Mayor indicated that it would appear the Province's "vision" longterm is that we'll all be together in some new policing configuration

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 for payment in the amount of \$145,837.58.

Motion Carried

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7.

Correspondence

(i)

Received a letter from Minister of Community Services, Ms. Francene Cosman, who indicated (in response to Mayor Rainforth's letter of September 10, 1997), that she appreciated the concern Berwick raised with respect to persons applying for Family Benefits, however, "staff have advised that a recent forecast for the Town shows that expenditure levels to this point are less than the previous year." For the information of Council.

- (ii) Received from Minister of the Environment, Mr. Wayne Adams, a copy of the Draft Composting Facility Guidelines dated September 26, 1997, along with a cover letter indicating that these draft guidelines are designed to "ensure protection for the environment and a community's way of life: there are stringent separation distances and strict odour control criteria in these guidelines". Seeking a response from the public and from municipal units by October 31, 1997. The Clerk noted that these increasingly stricter guidelines may make it far more difficult to garner Department of Environment approval for the existing compost pile than it was to site the lagoons for the Sewer Treatment Plant. For the information and consideration of Council.

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- (iii) Received notification from the Resource Recovery Fund Board Inc. of further disbursements to the seven Solid Waste Resource Management Regions in the Province, based upon total tonnage diverted from the waste stream to March 31, 1997. Region 5 (or the Valley Region) has 5.41% of diversion and will receive funds totalling \$62,172 out of an overall figure of \$1,149,202. Halifax area has the highest diversion rate of 55.84%, Cape Breton and area has the lowest at 2.0%. For the information of Council.
- (iv) Received via the UNSM, a cheque in the amount of \$10,334.87 representing Town of Berwick's share of the HST Offset Payment to Municipalities, as promised in the Provincial Budget. Total allocations province-wide are \$6 million. The next payment will be made no later than June 1, 1998, and will be based on 1996/97 GST/HST costs. For the information of Council.

(v)

Received from Mr. George Baker, Engineer and Rate Study Consultant, Kentville, a thank you note to the Mayor for extending sympathies and a memorial donation on behalf of the Town upon the recent loss of his wife, who had passed away very suddenly. For the information of Council.

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

8.

New Business

(a)

Fire Prevention Ceremony

Deputy Mayor Munday advised that he had represented the Mayor at the recent Fire Prevention Ceremony to select a new Fire Prevention Queen.

(b)

Mayor's Farewell Address

The following address was delivered to Council by the Mayor, commemorating his years of office and the many and varied changes that have taken place in Berwick over those years:

_"Great pleasure to have been a member of Town Council for 12 years. I entered the political arena for the very best of reasons - a desire to know more about how the system works, and a desire to be part of the governing process in a close-to-home grass-roots democratic form of government. It has been Berwick's good fortune that, in my 12 years on council, my fellow councillors, I believe, were there for the same reasons. Those municipalities are in trouble

where people run for office because they are angry about something or at someone, or have a personal agenda to follow, or who see personal gain by being there.

It has been my good fortune to serve, first as Deputy Mayor and then as Mayor with a dedicated, interested, and focused Council. I think of the late Mayor Sam Hayden, with whom being on Council was an adventure, and I loved being there with him. We were strong friends and he was a worthy mentor; he taught me where one's priorities should be - that the Town came first when you were Mayor. It did with Sam, and I have tried to do likewise. I almost feel as though I have had one Council during my 7 years as Mayor, and it has been a great group. Our vision for the Town, and we have indeed had a vision, has been a shared one that we worked out together at this table and in our committees. We have had to take unpopular stands at times, but we did it for what we believed to be the right reasons. We have not always agreed with each other on issues, but once the vote was taken, and the decision made, we were still a group, not a bunch of individuals bemoaning what was done. I want to commend you people for the positive relationships you have built with Department Heads; these have been years of harmony between Council and Town Departments, and that was a personal goal of mine. You know where setting policy stops and departmental interfering begins - not always an easy call.

I have most appreciated the efficient way your Committees have operated; most have citizen appointees who have brought different insights to those groups. The citizens who volunteer for Committees and Commissions deserve a big thank you from all of us.

A great deal of whatever success I have had during my years as Mayor can be attributed to the Town Clerks who have laboured with dedication and diligence for our Town. Ed Jones and Judith Mitchell have provided so much guidance, so much insight into issues which have faced me that there is no way to properly thank either except to say that I couldn't have done it as well, not nearly as well, without them.

What will I remember from my years as Mayor and Deputy Mayor? I'll remember the exciting challenge of working with the Fire Department, and how much I learned from their Executive as we moved through a period of trust-building. I'll remember the frustration of the years we kept upgrading our lagoon system without the results we wanted, and the sense of satisfaction

now that we have had two odour-free Summers in a row. I'll certainly remember the embarrassment of having an upstairs Fire Hall that the Fire Marshall wouldn't let be used, and I learned then how far you can bluff and how far you can't! I will definitely remember the untold hours Ed Jones and I spent with the architect and others in the renovation of this building, and the excitement as Louise and I chose colors and carpets as we got ready to move in. This wonderful building is an example of the solid thinking of this Council, and is the envy of many municipalities. I will, of course, remember the countless conversations I've had with Department Heads; it makes this job easier when one has the high caliber of people that we have.

I will never forget some of the memorable meetings which the Clerk and I have attended in the past years, some being meetings where I expressed opinions and indeed, Council stands, not congruent with some of those present. Our conversations on the way home were often better than those at the meeting, and we have dealt in more than our share of frustration particularly with the Province, in the past couple of years.

I leave because it's time. I have a personal belief that Mayors ought not to stay too long, that fresh ideas and new energies are a requisite for the job. Obviously I also want more time for my real job, and more personal time. I would not have missed this for the world. It's been a joy to work for our Town; it's been a pleasure to see the respect with which almost all citizens view this Council.

However, it is with a discouraged heart that I say that I truly fear for the future of local Municipal Government - not big regional stuff - but local government where men and women elected to govern live in, are known in, and are easily accessible in their communities - like we are. The process of putting us out of

business began with the Cameron government, and got really rolling with the Savage government; as of today I see no change with the present government. The sins of the municipalities which were either inefficiently run or truly economically bankrupt have been visited upon all of us, regardless of local economies or notable local efficiencies. Over and over, Provincial budget balancing (and I'm not sure we've had a balanced provincial budget) happened largely at the expense of Municipalities: taxpayers just payout of a different pocket. Provincial mandarins set city standards for small-town police forces, and make us pay. We have service-exchange, which wasn't really an exchange because we got stuck with \$43million to pay along with bridges and who knows what. It looks great to streamline the Department of

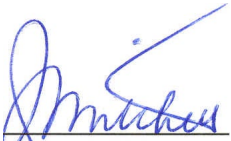
Labour, and force us to do fire inspections, as though the same costs won't be there - just borne by a different group: Towns like us and our property taxpayers. I sometimes truly believe that those advising Provincial Ministers have no concept of what makes Small Towns unique, nor how they work. I fear that we are being slowly strangled by a group of provincial government departments who either have no vision and no concept of what they are doing to us, or indeed they do know and see it as a less controversial but equally insidious way to push an agenda for regionalization. I find all this most discouraging, and I believe that you who return to this table will find it your biggest challenge in the next three years. I urge the Mayor, and those of you who return, to resist vigorously any attempts to down-size your Council. The people of Berwick deserve the kind of close-to-home representation that a group of seven people can provide; Towns need the range of backgrounds, opinions, and strengths found in this number of people.

I believe that the new Council will be as dedicated and thoughtful as this one has been and I assure you that in that context, I will be Council's biggest supporter."

At the close of the address, the individual Councillors thanked the Mayor and the Finance Chairman for their many years of service to the Town, and expressed appreciation for the stewardship and guidance given over the years.

9.

There being no further business, the Chairman adjourned the meeting at 8:40 p.m.



John R. Rainforth Chairman

Jud_ & Mitchell Town Clerk/Treasurer