

MINUTES OF THE REGULAR COUNCIL MEETING
10 FEBRUARY 1998

Present 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

In attendance: Mr. Ron Reeves, Town's representative on Kings Transit Authority Board
 Ms. Sara Keddy, Berwick Register

1. The Chairman called the meeting to order at 7:00 p.m. and welcomed all in attendance.

2. Guest Speaker

(a) Mr. Ron Reeves: Kings Transit Authority

Mr. Reeves reviewed the Kings Transit Authority's proposed 1998/99 Budget with Council, and noted that the Total Budget amounts to \$449,880 with \$167,000 to be contributed by participating Municipal Units. Town of Berwick's share will be 5% or \$8,350 for 1998/99. Mr. Reeves also indicated that the 1997/98 fiscal year will likely end in a surplus position for the Authority if current trends continue. At this time, there is a 19% increase in ridership and increased revenues as well. Mr. Reeves advised that he thought the Town had made a good decision to stick with Kings Transit: it's been a good operation and is seeing real improvement.

After brief discussion, Council agreed to refer the 1998/99 KT A Budget to the Finance Committee for consideration and inclusion at Budget time. (Mr. Reeves left at 7:23 p.m.)

3. Approval of Previous Minutes

(a) Hearing of no errors or omissions, the Chairman approved the minutes of the Regular Council meeting of January 13, 1998, as circulated.

(b) For the information of Council:

(i) Planning Advisory Committee	January 13, 1998; circulated
(ii) 75th Birthday: Public Meeting	January 19, 1998; circulated
(iii) Licensing/Bylaws Committee	January 20, 1998; circulated
(iv) Planning Advisory: Public Meeting	January 21, 1998; circulated
(v) Social Services Committee	January 23, 1998; circulated
(vi) Public Works Committee	January 26, 1998; circulated
(vii) Finance Committee	January 27, 1998; circulated
(viii) Berwick Electric Commission	January 28, 1998; circulated
(ix) Police Commission	January 28, 1998; circulated
(x) Recreation Committee	February 2, 1998; circulated
(xi) Personnel Committee	February 3, 1998; to be circulated
(xii) Public Works Committee	February 10, 1998; to be circulated

4 Business Arising from Previous Minutes

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

5. Committee Reports

(a) Licensing & Bylaws

Councillor Morse advised that the Licensing & Bylaws Committee had met on January 20, 1998 to review the Municipal Government Act; however, the meeting was adjourned early due to a power outage.

(b) Flag Day

Councillor Morse reported that he had attended two meetings in Kentville recently to plan for Flag Day ceremonies to be held on Sunday, February 15, 1998, with all four Municipal Units in Kings County participating. Events planned so far are a parade, hot chocolate, and words of greeting from each Mayor. Starts at 2:00 p.m., however, any Councillors who plan to attend are asked to be on hand for 1 :30 p.m.

(c) Heritage Day

Councillor Morse reported that Heritage Day was being held on February 16, 1998 at the Old Kings Courthouse museum, and that he planned to attend to view the exhibit commemorating Berwick.

d) 75th Birthday Committee

Councillor Morse updated Council on recent activities of the 75th Birthday Committee. The Town has placed an advertisement in the Doers and Dreamers Guide through ETTA. Considering a re-enactment in May with a Town Crier, possibly on the long weekend in May (around the 23rd or so). Next meeting of the Committee will be tomorrow evening at 7:00 p.m.

(e) Social Services

Councillor Banks advised that the details to enable a smooth transition of Social Services' delivery by the Province were still being ironed out. Pleased to report that some municipal recipients have been moved onto the provincial roll, however, there may still be new clients coming on. Still carefully monitoring costs. Next meeting is set for February 19th at 1: 30 p.m.

(f) Kings CED Agency

Councillor Banks reported that there was a meeting upcoming. Per information provided, Councillor Banks indicated that the Kings CED Agency was generally in favour of golf courses as long as they were not located on agricultural land. He will make inquiries about funding.

(g) Fire Committee

Councillor Clarke met recently with the Fire Executive. Trying to get together as a full Committee to meet with the BDVFD executive and the Fire Commission: to improve communications, do some planning, possible revision of EMO plans, etc. The new van has been received: the BDVFD got a good deal on it and it is a nice looking piece of equipment: yet to have striping and light bar installed. It will be used for transporting fire fighters to fire scenes (safer than hanging off the back of a truck or driving a lot of personal vehicles to fires), and to get back and forth to training seminars.

(h) Valley Solid Waste Authority

Councillor Clarke reported that the proposed 1998/99 Budget and Operation Plan had been completed: the main priorities identified were communications and outreach. The organics ban goes into place on November 30, 1998 - trying to come up with a strategy for handling compostables and organics. Would like to review and standardize curbside pickup programs. Overall strategy: to reduce diversion rates by

at least 50%. However, there will still be residual waste left to dispose of. Too early yet to know how that will be dealt with.

(i) Personnel

Councillor Trinacty indicated that a number of discussions took place at the last Personnel meeting; following along with the timeline of events: trying to establish Occupational Health & Safety procedures to be put in place with each of the Departments. Should have something in place in a month or so. Also made a recommendation to the Finance Committee to explore an EAP program for employees in the next fiscal year. Had a couple of motions to be put forward: one for an Accounting Clerk, and one for a Police Commissioner; therefore:

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Whittier that Ms. Dianne Ashton be hired to fill the existing position of Full-time Accounting Clerk, with six months probationary period, moving to existing salary level and applicable benefits upon successful completion of probation. It was noted that the existing salary level is to be reviewed.

Motion Carried

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Banks that Ms. Michelle Huntley Brydon be appointed to fill the vacant Commissioner Appointee position on the Berwick Police Commission; effective immediately, for the remainder of the one-year term which expires November 1998.

Motion Carried

Councillor Trinacty also noted that there was a NSAPB Workshop coming up on February 21st on the Role of Police Commissioners, and that it was timely for Ms. Brydon to attend.

(j) Recreation

Councillor Trinacty advised that Volunteer Week was fast approaching. The Committee is pursuing nominations for attendance at the Annual Banquet in Halifax: deadline is March 2, 1998. Anyone involved in organizations should be passing this information along at their next meeting for serious consideration and support. The Committee has also been working on the list of events for the 75th Birthday

Celebrations. Working on the idea of a Welcome Wagon (please let Mike know if there's anyone who would like to participate in this venture). The Committee adopted a Family Rate for programs, (i.e. first two at regular price, third person from the same family at half price). Looking at a new policy for setting cleanliness standard for the Gymnasium. The Recreation Director was previously involved in the Provincial Summer Games; has applied as a volunteer for the Provincial Winter Games in Newfoundland (may involve one to two weeks' absence: the Director is planning to volunteer the time on her vacation).

(k) Public Works

Councillor Whittier reported that the Public Works Department has been out patching potholes with cold mix from Truro, (were using sand but it just works its way out again). There is a WasteWater Treatment Course coming up in March that the Superintendent plans to attend. The Job Descriptions for the Public Works Department have been finalized and approved: will now be filed with the Personnel Committee. Also started on tree removal, weather permitting.

Met recently with Mr. Sandy Dewar of Hiltz & Seamone Co. Ltd. and Mr. Bob Rowe, of the Department of Environment to discuss the next phase needed at the Sewer Treatment Plant: disinfecting capabilities, cost approximately \$500,000 to \$600,000. The Town needs to make a commitment before the Department of Environment will further approve development of new residential lots. (Some phases done to date: more aeration, drumshear building, cell curtain, electrical consolidation building). The disinfecting process would permit cleaner water to go into the Cornwallis River.

(l) Finance

Deputy Mayor Munday reported that the Finance Committee met on January 27th, with Mr. Joe McGrath of the Royal Bank, who indicated that the Town was seen to be well run with its finances in good shape - "very fortunate to have the leadership we do." Other business before the Committee: computer upgrade process is ongoing several other Municipal Units are also looking at replacement; still reviewing our options. Overall, the 1997/98 Budget is in line YTD; salt and sand is underbudget but that may soon change. A process has been started to draft up some guidelines for auditors. Need to renew our annual borrowing resolution and service agreement with the Bank.

Therefore, IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Trinacty that the Town renew the annual Municipal Borrowing Resolution in the usual amount of \$400,000 with the Berwick branch of the Royal Bank

Motion Carried

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Clarke that the Town renew the existing Service Agreement with the local Royal Bank, with the best negotiated Interest Rates available; service fees to remain at the fixed rate of \$50 per month.

Motion Carried

It was noted that the Mayor and Clerk would be authorized to sign the necessary documents.

Deputy Mayor Munday also introduced a motion to approve the 1998/99 Budget put forward by the Valley Solid Waste Authority, which Councillor Clarke spoke about earlier this evening.

Therefore, IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Clarke that Council approve the Valley Solid Waste Authority's proposed 1998/99 Budget in the amount of \$333,800, with Town of Berwick's share being 2.83% or approximately \$3,521 of the total Municipal Units' contribution of \$124,600.

Motion Carried

(m) Planning Advisory

Deputy Mayor Munday advised that the Planning Advisory Committee would meet next on the following Wednesday. Had a good public meeting at the Berwick School: lots of discussion and opinions expressed on the matter of whether Willow Avenue should remain as Recreational Zoning or be rezoned to Agricultural. A decision will be made at the next PAC meeting for recommendation to Council.

Ms. Suzanne Atkinson approached the Council for the Municipality of the County of Kings on February 3rd to discuss the sign proposal developed by the Ad Hoc Sign Committee. Will report more in due course.

(n) Police Commission

The Mayor indicated that the Police Commission has put a Mission Statement in place, which was signed on February 5th by the Mayor, Chief, and a local PANS representative. Now posted at the Police Station and will be hung at Town Office as well. (Mayor read the Mission Statement aloud for the benefit of Council). Mr. Charles Parlee of Police and Public Safety Services Division was in attendance at the last Commission meeting. As mentioned earlier, there was a vacancy on the Police Commission which was filled by Ms. Michelle Huntley Brydon.

(o) Study Group on Policing

The Mayor reported briefly on a recent meeting in Kentville to discuss shared services between police departments in the valley area from Hantsport to Annapolis Royal, (not amalgamation). Mr. Charles Parlee, and Mr. Bob Barss of the Department of Justice, were there as well. It was a good meeting, well attended, with lots of discussion. A Steering Committee will now be formed of the six Chiefs and six Chairs; using the six CADs/Clerks and six Mayors for resource.

(P) Berwick Electric

The Mayor reported on a special meeting of the Electric Commission, which took place on January 28, 1998 to discuss whether or not the employees should form a Bargaining Unit and join a Union. To find out more about what was involved, a representative of the International Brotherhood of Electrical Workers made a presentation to the Commission. No decision has been made on the matter as yet.

(q) Administration: Building Inspector Appointment

The Mayor indicated that under the provisions of an agreement made with the Municipality of the County of Kings in 1993 to contract out Building Inspection Services, the Town was required to formally approve the appointment of any new Building Inspectors.

Therefore, IT WAS MOVED by Mayor Prall and seconded by Councillor Whittier that Council approve the appointment of Mr. Ken Winter as Building Inspector, per, reference in the 1993 Building Inspection Service Agreement that, "The Town shall promptly at the request of the Municipality appoint all Building Inspectors duly appointed by the Municipality as building inspectors of the Town".

Motion Carried

6. Correspondence

- (a) Received from Marlene Connell, Secretary of the Berwick & District Community Association, a letter to thank the Town for including the Arena on the new directional sign situated on the corner by the Fire Department. As well, the letter notes that, "the Board would like to thank you for your generous grant of \$4,000 received this past year. As you know, the operation of any facility is costly and your generosity has helped and is greatly appreciated. The Board also appreciates the other ways in which the Town helps out, i.e. snow removal, etc." For the information of Council.
- (b) Received from Bruce and Anne Drummond of The Berwick Inn, a letter of appreciation for the Berwick Police Force. The letter states, in part, that: "We had guests from the United States who marvel . . . that they could walk down the street at 11:00 at night unmolested, and that they would be greeted and welcomed to Town by police. These are profound experiences for people in a society where they cannot go out at night, and if the police stop, you are in trouble." The letter continues that, "We've had people from Britain, Italy, and Australia go through the same experience. It is people like these who find this Town so appealing, and it is our police force with their sense of community that helps to solidify that sense of Canadian country living, so envied all over the world. . . the (Berwick) police force sets an example of community spirit and to see the reaction of our guests to their Berwick experience makes us extremely proud to be part of this community." For the information of Council.
- (c) Received from Nancy Cowan of Irving and Westcoast Energy a letter concerning Sable Gas and the awarding of natural gas distribution rights: her letter is to announce an alliance that Irving Oil Ltd. and Westcoast Energy Inc. have formed to pursue the natural gas distribution rights in both Nova Scotia and New Brunswick. The letter concludes that, "very shortly, someone from our team will be contacting you to arrange a meeting to introduce ourselves and the project." For the information of Council.
- (d) Received a letter from Mr. Ted Nicholson, President of the Annapolis Valley Apple Blossom Festival, advising that the theme for the 66th Festival will be **A Valley Salute to the Royal Canadian Mounted Police**, and is scheduled for May 27th to June 1st. The Town's contribution to the 1998 Booster Club campaign is set at \$1100, the same amount that it's been since 1993. For the information of Council.

- (e) Received a hand-written letter from Mrs. Betty Ritchie, (nee Beckwith), of Greenwood, outlining some historical references to the Beckwith family having been early settlers to Berwick with her ancestor Samuel Beckwith coming to Berwick from Connecticut around 1820. Mrs. Ritchie is requesting that a street or avenue or subdivision be named after the Beckwith founders, as they once owned a sizable amount of land in Berwick, near the Lawrence Avenue area. She writes that, "My father's land was the quarter of a block in the south east corner bounded by Maple Avenue and Cottage Street, and west across Maple Avenue; the land between Bart Daniels and the Patterson property. The thousand acre block from Somerset south to include all of West Main Street was the original grant to Samuel Beckwith, who was the third person to settle in this area." Mrs. Ritchie also includes some interesting information on her ancestors and family, and her letter is on file in the Clerk's office if anyone wishes to read further. After brief discussion, the matter was referred to PAC for future consideration.
- (f) Received a copy of a letter from Windsor Mayor Maxine Whynot to the Minister of the Environment requesting an EMO Regional Controller be appointed. The letter reads, in part, that, "In light of the recent events in Quebec and Ontario, I humbly suggest that budget considerations be set aside and that this position be filled at once." . . . "If, after reconsideration, the decision is made not to fill the position, could you at least assign the Western Zone Controller responsibilities, on a temporary basis, to some other person with the Provincial EMO organization, so that our people at the municipal level could at least have a contact person looking after our affairs." For the information of Council.
- (g) Received a copy of a letter from Warden Peter Teraud, of the Municipality of Annapolis County, to the Minister of Environment, asking for senior staff from the Minister's office to meet with representatives from Annapolis County to discuss the appointment of a Western EMO Zone Controller. Warden Teraud writes that, "recent ice storms in Quebec and Ontario (as well as electrical blackouts in various parts of Nova Scotia), coupled with flooding in Truro, only act as a reminder that in the event of a local emergency we must be as prepared as possible, and not be hindered due to a lack of available staff expertise and facilitation." For the information of Council.
- (h) Received from the Honourable GUY Brown, Minister of Department of Housing and Municipal Affairs, a letter dated February 3, 1998 formally advising the Town of Berwick that, "Due to tremendous demand, I wish to advise you that the following projects will **not** be approved for Infrastructure Works funding," (the letter then lists all five projects submitted by the Town early last year). The letter concludes that, "Should funding become available for the Kings County area, the applications will be given further consideration." For the information of Council.

- (i) Received from Mayor Walter Fitzgerald, President of the Union of Nova Scotia Municipalities, a letter regarding the Sable Gas pipeline, now that necessary approvals have been granted for a transmission line. Mayor Fitzgerald writes that, "A number of municipal leaders have expressed to me a strong interest in exploring municipal opportunities presented as a result of the arrival of natural gas. What will the municipal role be? Should municipalities be distributors? What kind of a franchise fee should municipalities charge to distribution companies? These are a few of the many questions being asked." The letter goes on to advise that, "I am writing to invite the Mayor and two other municipal officials from your unit to attend an information session which the UNSM is arranging on the natural gas issues. The session will be held on Thursday, February 19, 1998, at 1:30 p.m. in the Westin Hotel, Halifax. Please advise by February 16th if you plan to attend. After brief discussion, it was agreed that Councillor Clarke would plan to attend)
- (j) Received a hand-written letter from Mrs. Alice M. Smith, of Willow Avenue, thanking Town employees for a quick response. Mrs. Smith writes that, "I would like to commend the town crew who answered my call about the limbs blocking the street in front of my home last Friday night during the storm. They were very prompt and did an excellent job of getting the rest of the limbs down and cleaning up the debris. My thanks to them all for a job well done." For the information of Council.

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

7. **Bills and Accounts**

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier that the attached list of Bills and Accounts be approved for payment in the amount of \$106,448.

Motion Carried

8. **New Business**

(a) **Sewer Agreement: Larsen Packers Limited**

Mayor Prall advised that there have been two meetings recently to work towards attaining a signed Sewer Agreement with Larsen Packers Limited. Most of the Agreement has been worked out, but it's quite a detailed document; it's taken a lot of reading and digesting of articles to get up to speed on what's involved. Another meeting has been slated for March 3, 1998. It looks very promising that the Town may have an agreement in place by April 1, 1998.

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(b) **Crosswalk Signage**

Councillor Banks reported that he had reviewed the state of existing crosswalks with the Local Traffic Authority, Chief Alan DeWolfe. Considering installation of "CROSSWALK AHEAD" signs to help improve the visibility of the crosswalk signs, once weather conditions improve enough to permit installation, (i.e. for intersections of Main Street onto Foster Street and Commercial Street from the direction of Larsen Packers Limited). Not sure whether the big aluminum signs meet the later Provincial Standards or not. Have requested costing be done by the various Departments for a flash indicator and an overhead lighting system. Also identified some signs that may be obstructed by poles. Town Solicitor, Mr. Bob Stewart suggested that signage similar to Town of Middleton's could be considered for its ability to draw motorist's attention, (i.e. markers with signs attached warning the public that "Pedestrians in the crosswalk have the right of way", and placed at the end of each crosswalk where it abuts the sidewalk).

(c) Angled Parking

Councillor Banks raised his concern about the safety of angle parking on Union Street in the busy area by the Post Office: often down to one lane, especially in winter. Perhaps there should be parallel parking there instead of angle parking. After brief discussion, it was agreed to pass the concern along to the Police Commission.

(d) Correspondence: Big Brothers & Big Sisters: Bowl for Millions; VRCDA: Curling

Councillor Trinacty mentioned that he had received letters inviting Councillors to participate on a Bowling Team for Big Brothers & Sisters and on a Curling Team for the VRCDA, and asked if anyone would like to participate. (If so, please let him know after tonight's meeting).

9. There was a short break at 8:35 p.m., followed by Committee-of-the-Whole at 8:41 p.m. to discuss several matters of a confidential nature. Regular Council resumed at 10:05 p.m.

10. Any Other Business

(a) First Responders: BDVFD

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks that the BDVFD be advised not to administer any medical attention in the capacity of First Responders, effective immediately, because no members of the BDVFD, nor the Town, have any insurance coverage for this.

Motion Carried

(b) Receiving Water Study: Cornwallis River

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier that approval be given to proceed with a Receiving Water Study at a cost not to exceed \$3,450, including HST, per letter of Hiltz & Seamone Co. Ltd. dated February 10, 1998. (Such a study will facilitate the STP disinfecting upgrade).

Motion Carried

11. There being no further business, the Chairman adjourned the meeting at 10:09 p.m.

Judith Mitchell
Town Clerk/Treasurer

John P. Prall Chairman
Chairman