

MINUTES OF THE REGULAR COUNCIL MEETING
14 JULY 1998

Present: Chairman Mayor John P. Prall
 Deputy Mayor Michael Munday
 Councillor Gary W. Whittier
 Councillor Bruce H. Morse
 Councillor Michael E. Trinacty
 Councillor Donald E. Clarke
 Councillor Thomas S. Banks
 Judith Mitchell, Town Clerk

In attendance: Mr. Bob Stewart, Town Solicitor

1. The Chairman called the meeting to order at 6:05 p.m.

2. **Committee-of –the Whole**

Council went into Committee-of-the- Whole at 6:06 p.m. to discuss matters of a confidential nature. Regular Council reconvened at 7:14 p.m., with Ms. Sara Keddy of the Berwick Register, and Mr. Joe Maund attending.

3 **.Approval of Previous Minutes**

Hearing of no errors or omissions, the Chairman approved the minutes of the previous Council meeting of June 16, 1998.

For the information of Council:

| | |
|----------------------------------|---------------------------------|
| (i) Fire Committee | June 18, 1998; to be circulated |
| (ii) Public Works Committee | June 22, 1998; to be circulated |
| (iii) Police Commission | June 30, 1998; circulated |
| (iv) Licensing & Bylaw Committee | July 3, 1998; circulated |
| (v) Finance Committee | July 7, 1998; circulated |
| (vi) Finance Committee | July 9, 1998; circulated |

4. **Business Arising**

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

5 **.Committee Reports**

6

(a) **75th Birthday Committee**

Councillor Morse reported that the summer seems to be passing quickly, with a number of events taking place. Very pleased with the way things are progressing

through the year. Many more events to go, and noted that the Town is looking very attractive.

Councillor Banks reported that the July 3rd, 4th, and 5th weekend went well for those who participated. Turnout for most of the events was disappointing, considering the amount of work and planning put into the weekend. The Red Liquorice event would probably have been better on Saturday night (rather than Friday night), as originally planned. Received good support from local businesses.

Councillor Clarke noted that a Historical Exhibit is being planned for later in the summer. Has spoken to several individuals to ensure that there will be items available for viewing. The idea is to invite people in with their memorabilia of Berwick, and to stay with their items to explain and discuss them with people who come in to view the exhibits.

The next meeting of the 75th Birthday Committee is scheduled for July 22, at 7:00 p.m.

(b) **Licensing & Bylaw Committee**

Councillor Morse noted that the Committee last met on July 3, 1998, where the first reading of the Hawkers & Peddlars Bylaw took place. The Chair of Licenses & Bylaws then announced the first reading of (1) an amendment to the Hawkers and Peddlars Bylaw; (2) an adoption of a Skateboard Bylaw; and (3) an adoption of a Deed Transfer Tax Bylaw. Then noted that copies of the amended or adopted bylaws have been circulated with the most recent Minutes of the Licensing & Bylaw Committee. Therefore, the following motions were put forth:

IT WAS MOVED by Councillor Morse and seconded by Councillor Banks that Council approve the first reading of An Amendment to the Hawkers & Peddlars Bylaw. Pa2e 26 and agree to move the second reading at the next session of Council.

Motion Carried

IT WAS MOVED by Councillor Morse and seconded by Deputy Mayor Munday that Council approve the first reading of a Skateboard Bylaw and agree to move to second reading at the next session of Council.

Motion Carried

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IT WAS MOVED by Councillor Morse and seconded by Councillor Whittier that Council approve the first reading of a Deed Transfer Tax Bylaw and agree to move to second reading at the next session of Council.

Motion Carried

It was requested by Councillor Morse that all Councillors retain their copies of these various Bylaws and/or Amendments until the adoption/amendment procedure has been completed.

Because August is usually the month when Council breaks from the meeting routine,

IT WAS MOVED by Councillor Morse and seconded by Councillor Clarke that a duly called meeting of Council be held at 6:00 p.m. on Monday, July 27, 1998 in Council Chambers to move to the next reading of the above Bylaws.

Motion Carried

The Apple Capital Society is progressing, with the possibility of a museum becoming more of a reality in the near future. The Mayor noted that before going any further, perhaps Mr. Maund would like to make some comments concerning the museum process. Mr. Maund stated that the process of creating the museum is going smoothly, the Town has needed this for some time and it seems that there is a very interested group working on this. Will be visiting the South Shore Museum this Thursday as a model to go by (i.e. what succeeded and what didn't). The Apple Capital Museum Society is a name put forth, modelled after the old Apple Capital Society. Optimistic that the group will soon receive a tax number, (MP is pursuing this in Ottawa and will do the necessary leg work).

Mayor Prall noted that there is one obstacle, that being a legal identity for the group, to be looked at on July 27th. Mr. Stewart raised a concern that, in order for the Town of Berwick to turn over a property for a nominal value, the Department of Housing and Municipal Affairs has several conditions that must be met, those being (1) the premises should be made available to other community groups; and (2) the property should be offered back to the Town if it comes up for disposal. The Society should be incorporated by July 27th, and have a resolution to accept these conditions. Mr. Maund agreed to bring up these issues at the Society's next meeting on July 20th.

Mr. Maund thanked Council for the support the Town has given to this project. The Kings CED Agency has also been very open to the project, and upon approval of their Board, may give a minimum of \$2,000 to the group. Mayor Prall noted that several people, along with himself, will be meeting at the Western Kings Sectoral Committee to put forth a funding request and invited Mr. Maund to attend with them. Mr. Maund accepted.

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Mayor Prall thanked Mr. Maund for his interest and attending the meeting. Mr. Maund left the meeting at 7:35 p.m.

(c) Kings CED Agency

Councillor Banks reported that his representation with the Kings CED Agency has been switched to the Western Kings Sectoral Committee instead of the Land Use and Environmental Committee, formerly attended by PAC Chairman, Deputy Mayor Munday.

(d) Fire Committee

Councillor Clarke reported that the Fire Committee is scheduled to meet on July 16th, with meetings at 6 p.m., 7 p.m. and 8 p.m. with Randy Edwards and Colin Kennedy on behalf of Frank Cowan Insurance Company.

(e) Valley Solid Waste Authority

Councillor Clarke reported that the Authority is getting very active. There is a meeting this week and next. Have hired Mr. Ross Maybee from Truro to be General Manager. Also hired an education coordinator and have contracted SNC Lavalin for engineering evaluations. Will be meeting with the Municipality of the County of Kings over the acquisition of land in the Coldbrook area, as well as trying to meet the bans the Department of Environment are imposing in September and November.

Coldbrook seems to be the ideal site for the Eastern Zone; if that doesn't work out, the Authority may look more closely at this area. It requires Heavy Industrial zoning, but for a transfer station for the Western Zone, not a Landfill site. They are also looking at areas surrounding/adjacent to the Town of Middleton.

(f) Personnel Committee

Councillor Trinacty advised Council that the Personnel Committee meeting has been postponed until September, he has nothing new to report.

(g) Recreation Committee

Councillor Trinacty advised Council that the next meeting for the Recreation Committee is scheduled for tomorrow evening.

(h) Public Works Committee

Councillor Whittier updated Council on the workload of the Public Works Department, which includes tree work, fencing, painting crosswalks, picking up brush

and installing safety switches at the lagoon. A concern has been raised regarding the use of the Department's pickup truck. In the past, it has been offered as a service to residents to pick up large items to be disposed of. Now it seems that contractors are asking to use it.

The July 1995 policy on the use of the vehicle was read aloud. Councillor Whittier noted that during the three week Spring and Fall Cleanups, other than banned items and items too large for employees to handle, the Town is very accommodating in disposing of residents' unwanted items. Any items that need to be disposed of in between these times should have fees charged for the service. Another option is to have items dropped off at the Public Works building if arrangements are made prior to delivery. The increasing cost of operating the vehicle to make several trips to the landfill, as well as added workload on an already busy schedule, is something that needs to be examined.

After a brief discussion, it was agreed that a policy along with a schedule of fees would be developed by the Public Works Committee at its next meeting in September. Until then, carry on as usual.

(i) Finance Committee

Deputy Mayor Munday reported that the Finance Committee has met several times, all Committees have now submitted their budgets. Noted that the Clerk and office staff did an enormous amount of work to have the documents ready for Council. Felt that another look at the budget would be prudent, as there were some concerns expressed at earlier meetings, especially regarding the reserves. Councillor Morse stated that he felt everyone had done a fine job in preparing the budget, but that there weren't enough funds available for unforeseen events.

Deputy Mayor Munday briefly listed the areas where funding has been decreased, as well as the increased requirements for salaries, especially with the Unions. Most Departments have held their costs, other than mandated items. There is an option of borrowing additional funds, up to 10% debt ratio without the Department of Municipal Affairs' explicit approval, however, there are also oncoming commitments to the Valley Solid Waste Authority over the next three years.

Councillor Trinacty stated that the figures are very tight, and that an incredible amount of work went into getting them where they are now. There are still a number of items which have been deferred until next year.

A lengthy discussion followed around the possibilities of raising or maintaining the current tax rate, comparing Berwick's situation to other towns in the Valley, and other means of raising revenues for the Town (i.e. Deed Transfer Tax).

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After discussing the proposed Budgets at length, the following motions were ma

(i) 1998/99 Budgets

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Clarke that on recommendation of the Finance Committee, Council approve the 1998/99 Budgets as follows:

1998/99 Operating \$2,111,000

1998/99 Capital \$ 926,246

Motion Carried

(ii) 1998/99 Tax and Sewer Rates

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier that on recommendation of the Finance Committee, Council approve the following Tax Rates and Sewer Rates for the 1998/99 fiscal year:

Residential (general) \$1.28

Commercial (general) \$2.28

Sewer (residential) \$0.12 (unchanged)

Sewer (commercial) \$0.12 (unchanged)

Motion Carried

(One dissenting vote: Councillor Trinacty)

Interest Rate on outstanding taxes to remain at 15% per annum or 1.25% per month.

(iii) Tax Exemption Resolution

The following resolution was put forward by Deputy Mayor Munday, seconded by Councillor Trinacty, and was approved in the following motion:

THAT an exemption from taxes for 1998/99 be granted pursuant to Section 112 A of the Town Act in the amount of \$200.00 (TWO HUNDRED DOLLARS);

THAT the exemption be granted to every person assessed with respect to taxable property in the Town of Berwick whose total income from all sources (and including the income of all other persons of the same family residing in the same household as the applicant ratepayer) for the year preceding the year for which the exemption is sought (i.e. 1997) is \$18,000.00 or less (EIGHTEEN THOUSAND DOLLARS) excluding War

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Veteran's Allowance or War Pension, and who is a resident of the Town of Berwick;

THAT the exemption be granted only in respect of property occupied by the application ratepayer as his/her home; **WHERE** property is jointly owned, only one Tax Exemption shall be allowed;

THAT no application for an exemption will be considered unless made on or before the 1 st day of September AD. 1998. **THAT** proof of income **MUST** be submitted along with application, (i.e. photocopy of Income Tax Return for the 1997 tax year).

Motion Carried

(iv) Tax Billing

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks that the Tax Billing for September be rendered on October 1 st, with a due date of October 31 st; rather than on September 1 st with a due date of September 30th, at the request of the Clerk.

Motion Carried

Deputy Mayor Munday thanked Council for their work, noting that this was one of the hardest Budgets ever done by the Town.

G) Berwick Electric Commission

Mayor Prall reported that the Superintendent is submitting information to the Nova Scotia Utility and Review Board by the deadline of July 22nd; then a date for the hearing will be set by the Board; likely late August or early September.

(k) Police Commission

Mayor Prall reviewed the possible plans to join together the Fire Department and Police Department with an expansion to the current Fire Hall. Both Departments need improved quarters. Several factors are being taken into consideration, as well as other groups that may be affected by a move or renovation

In addition, two term positions have been filled in the Police Department, Mr. Dave Brown and Mr. Terry Randall have joined the Town's Police force. They bring added expertise and skills to the Department and should be real assets to the existing Department.

6 .Correspondence

(i) Received from Deputy Minister Patricia Ripley of Department of Housing & Municipal Affairs, a 30-page booklet entitled **Housing for Tomorrow: New Directions for Provincial Housing Action**, along with a cover letter requesting that Council forward any concerns or suggestions to her attention regarding provincial housing initiatives. For the information of Council.

(ii) Received from Premier Russell MacLellan, a letter outlining his position concerning Municipal Units and the Sable Gas Offshore Energy Project. The Premier writes that

"... I am aware of the concern which many municipalities have expressed regarding the sizing of gas distribution laterals. The Provincial Government shares this concern. . . this issue will receive considerable attention in the upcoming National Energy Board Hearings. It is imperative that communities throughout Nova Scotia be given access to this cost-effective energy source. Municipalities will be consulted and they will be heard on this issue. . . I look forward to working with all Municipal Units on this initiative in the months and years to come. . ."

The Premier concludes his letter by stating that, "I value your comments and questions and encourage you to communicate them to me as you see fit". For the information of Council.

(iii) Received from Mr. Frances Sylliboy, Public Relations Coordinator for The Confederacy of Mainland Micmacs, a letter seeking to identify various organizations throughout Nova Scotia, all schools, public libraries, museums, Mi'kmaq bands, and Federal/Provincial/Municipal governments that may be planning events to promote . Mi'kmaq History Month. All activities will be posted in a pamphlet, brochure, or poster which will be circulated in mid-September. For the information of Council.

(iv) Received from Mayor Maxine Whynot, of the Town of Windsor, a copy of a letter to Minister of Transport, the Honourable Clifford Huskison, advising that Windsor has passed a motion concerning the need to twin Highway 101 from Mount Uniacke westward through the Annapolis Valley to reduce the number of highway accidents as well as enhance economic development opportunities. For the information of Council. Mayor Whynot notes that "it would be appreciated if you and your Council could add additional voices to our plea by writing to the Ministers concerned".

(v) Received from Berwick & District Board of Trade President, Ms. Tracy Ritchie, a copy of a letter to Minister Huskison, supporting the twinning of Highway 101. Ms. Ritchie writes. . .

". .. Our residential growth and economic development makes the Annapolis Valley an increasingly attractive place for investors, visitors, and new families. All of these tax-paying entities deserve a new highway that is professionally designed and maintained to be safe and comfortable. . .

". . . We are writing in support of Valley doctors, firefighters, municipal councils, business organizations, residents, and others who have already contacted your office for Highway 101 enhancement. Please consider all of these people when outlining future highway work in this province. . ."

For the information of Council.

- (vi) Received from Judy Webber of the UNSM, a Memo advising that bookings for the Annual UNSM Conference may be made after August 28th. The UNSM Conference will be held in Yarmouth this year. Please advise the Clerk if you plan to attend, and require a booking. For the information of Council.

- (vii) Received from Anne Cameron and Joan Tracy, a notice of a Press Conference scheduled for Friday, JULY 16th, 1998 at 10:00 a.m. at the Kentville Fire Hall, re: Campaign/Petition to twin Highway 101, "TWIN TO WIN". This notice is directed to the Ministers of Transportation and Education, as well as local MLA's; local Councillors, Mayors, and Wardens; CFB Greenwood; and CFB Aldershot. For the information of Council.

The balance of correspondence was of a routine nature or directed to Committees for action. All agreed that the issue of twinning Highway 101 was an important one. A letter will be written by the Mayor in support of this project.

7. **Bills and Accounts**

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier that the attached list of Bills and Accounts in the amount of \$114,885.11 be approved for payment.

Motion Carried

8. **New Business**

- (a) Summer Break

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Trinacty that Regular Council and Regular Committees not meet during the month of August unless special circumstances arise, which warrant a meeting.

Motion Carried

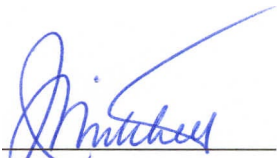
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(b) Regional Housing Authority Representative

IT WAS MOVED by Councillor Whittier and seconded by Deputy Mayor Munday that Mr. Paul Ward be approved for extension of his term as the Town's representative for Regional Housing Authority on the Annapolis Valley Board, to November 1998 and be reviewed at that time.

Motion Carried

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



Judith Mitchell
Town Clerk/Treasurer

John P. Prall
Mayor