

**MINUTES OF COUNCIL MEETING**  
**9 MARCH 1999**

Present:           Chairman     Mayor John P. Prall  
  Deputy Mayor Michael J. Munday  
  Councillor Gary W. Whittier  
  Councillor Donald E. Clarke  
  Councillor Bruce H. Morse  
  Councillor Thomas S. Banks  
  Councillor Michael E. Trinacty  
  Mr. Rick Ramsay, Acting Town Clerk  
  Ms. Rachel Jones, Recording Secretary

In attendance:                     Mr. Bob Stewart, Town Solicitor (arrived 7:30 p.m.)  
  Ms. Sarah Keddy, Register

1.    The Chairman called the meeting to order at 7:03 p.m.

2.    **Approval of Previous Minutes**

- (a)   Councillor Banks noted that on page four of the minutes of January 12, 1999, when discussing funding available from the Kings CED Agency, it should be noted that the funding is not available from the Western Kings Sectoral Committee. Hearing of no further errors or omissions, the Chairman approved the minutes of the January 12, 1999 meeting as amended.
  
- (b)   It was noted that on page three of the minutes of February 16, 1999, the town discussed is Bridgetown, not Bridgewater. Hearing of no further errors or omissions, the Chairman approved the minutes of the February 16, 1999 meeting as amended.

3.    **Business Arising**

It was noted that the guests expected this evening had not arrived. Any other Business Arising will likely fall under Committee Reports.

4.    **Committee Reports**

(a)   75<sup>th</sup> Birthday

Councillor Morse noted that there would be an advertisement in the Register tomorrow thanking the people of Berwick and District for the support shown over the past year of birthday celebrations. Councillor Morse will wrap up the Celebrations by providing the final information to Ms. Keddy for an article in the Register.

(b)   Licensing & Bylaws

Councillor Morse reported that the next meeting of this Committee is scheduled for March 22, 1999. Several items on the agenda are the local fish truck, Skateboarding Bylaw, and the beginning of a complete review of the Town's Bylaws.

(c) Berwick Future Development

Councillor Morse advised that the next meeting of the Future Development Committee is scheduled for March 23, 1999. The Recreation Director will be invited to attend any future meetings of the Committee. Councillor Morse will be attending the Board of Trade Director's meeting on behalf of the Berwick Future Development Committee to ask for support in any endeavours it takes on. The Committee will be working with the Board of Trade to try to promote the sale of the Berwick Bakery building.

A discussion followed regarding the \$10,000 allocated to the Kings CED Agency, and the possibility of directing the funds to the Berwick Future Development Committee on a trial basis for one year. After lengthy discussion, it was decided to defer the issue for the next Council meeting, to allow Councillors to contemplate the options available.

(d) Recreation

Councillor Banks reported that the Committee is re-evaluating the extent of the Town's participation in the Apple Blossom Festival. The Minor Ball Association met with the Recreation Director and Councillor Banks to discuss the prior agreement regarding the completion and upkeep of the ball field on Brown Street. The Minor Ball Association is aware of the obligations of the agreement and will begin working on the field when the weather allows. Once the work is done, it will be up to the Town to maintain it.

The Town of Berwick's Volunteer of the Year has been selected as Mr. Blair Rhodenizer, who will represent the Town at the Provincial Banquet on April 14<sup>th</sup>. The Town will be hosting a reception to honour all local volunteers on April 21<sup>st</sup> and all Councillors are encouraged to attend the event.

Discussion followed regarding the temporary need for additional administrative assistance in the Department.

**IT WAS MOVED by Councillor Banks and seconded by Councillor Whittier to hire Mrs. Theresa Steadman to assist the programming assistant's position as necessary, until the health of the current assistant is clarified.**

**IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks to amend the previous motion to hire Mrs. Theresa Steadman subject to her temporary withdrawal from the Recreation Committee.**

**A vote was taken on the amendment.**

**Motion Carried**

**A vote was taken on the amended motion.**

**Motion Carried**

(e) Tree Committee

Councillor Banks reported that a list of trees that require removal or pruning will be available to the Committee for its next meeting scheduled for April 26<sup>th</sup>. Discussion followed regarding the possibility of the Fitzgerald property being developed into a tree nursery for the Town's use. After a brief discussion,

**IT WAS MOVED by Councillor Banks and seconded by Councillor Whittier that the property on Main Street, formerly known as the Fitzgerald property, be allocated for the development of a tree nursery.**

After further discussion regarding proper zoning for the proposed use Council deferred the issue to the Planning Advisory Committee to ensure the zoning and land use requirements are met.

(f) Fire

Councillor Clarke reported that he had attended the most recent meeting of the Fire Department on March 1<sup>st</sup>. There are concerns about deficiencies in the facilities in the building. Two of the doors at the front of the building are to be replaced. Representatives have met with staff at the Berwick Arena to provide a proper tour of the facility to ensure the appropriate personnel know where the correct cut off valves, etc. are located in case of another incident such as the ammonia spill. The Department is also continuing its research into the First Responders issue.

(g) Valley Solid Waste Authority

Councillor Clarke noted that proposals are still being received for collection services, as well as for compost carts. The issues need to be resolved by April 1<sup>st</sup> when the Authority officially takes over garbage collection in the County.

(h) Hall of Fame

Councillor Trinacty reported that the Hall of Fame will be holding an induction ceremony on June 6<sup>th</sup> at the Berwick Legion. Nominations must be received at the Recreation Department by March 31<sup>st</sup>, detailing why the individual nominated should be inducted into the Hall.

(i) Personnel

Councillor Trinacty noted that the last Personnel Committee meeting was held on March 2<sup>nd</sup>, with the major topic of discussion being how the Town will cover municipal bylaw enforcement if the RCMP take over policing services in the Town. A suggestion has been made to combine a position responsible for bylaw enforcement with Occupational Health & Safety and an Emergency Measures Coordinator.

(j) Public Works

Councillor Whittier invited Councillors to visit the newly renovated Public Works shop, along with the new Fuzzy Filter system. With the arrival of the first big snowstorm of the season, Councillor Whittier advised that the police should be called in an emergency, and they can contact the snowplow if it is necessary for snow removal in a specific area to enable access.

(k) Tourism SubCommittee

Councillor Whittier noted that there had been discussion about combining the Tourism SubCommittee with the Berwick Future Development Committee, however it was decided to keep the two committees separate although there may be some projects that can be worked on jointly.

Mr. Preston Ilsley has offered to display tourist information in his store during the off season. The Recreation Director has agreed to do a 'Super Host' course with the staff at the store. A sign is proposed to be placed under the current store sign, with additional direction signage to be put in place for the tourist season. After further discussion,

**IT WAS MOVED by Councillor Whittier and seconded by Councillor Trinacty that \$325 (plus taxes) be allocated for the purchase of a sign denoting the off season Tourist Bureau at Mr. Ilsley's store.**

**Motion Carried**

(l) Planning Advisory

Deputy Mayor Munday reported that the next Planning Advisory Committee meeting is scheduled for March 17<sup>th</sup>. A public appointee on the Committee, Ms. Suzanne Atkinson, has forwarded her resignation to the Committee due to changing job location and commitments. Therefore,

**IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Clarke to accept the resignation of Ms. Suzanne Atkinson from the Planning Advisory Committee, with regret.**

**Motion Carried**

(m) Finance

Deputy Mayor Munday reported that the next Finance Committee meeting is scheduled for tomorrow evening.

(n) Berwick Electric Commission

Mayor Prall reported that the Commission had met on March 1st to discuss the option of continuing to pursue the natural gas franchise. A meeting has been set up with Maritimes NRG along with the other Co-ops in the Valley area to hear Maritimes NRG's proposal of partnership.

(o) Police Commission

Mayor Prall advised Council that Chief DeWolfe and he had met today with Inspector McCloskey and a Communications Officer of the RCMP to put together a press release regarding the process to date. A question and answer sheet was also prepared and distributed to Council so that there is uniform information being disseminated. A letter was sent to the Provincial Minister of Justice requesting permission to continue with the negotiations. In addition to this, a letter must also be sent from the Minister to the Solicitor General for Federal approval. This must be completed prior to the absorption process beginning.

5. Bills and Accounts

**IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks that the Bills and Accounts for the month of February 1999 be approved in the amount of \$345,026.45.**

**Motion Carried**

6. New Business

a) Temporary Borrowing Resolution/Authority for Long Term Financing

Mr. Ramsay reviewed the memo distributed regarding the Temporary Borrowing Resolution and authority for long term financing for capital projects.

**IT WAS MOVED BY Deputy Mayor Munday and seconded by Councillor Trinacty to approve the Temporary Borrowing Resolutions, namely TBR99-02 in the amount of \$34,000 and TBR 99-03 in the amount of \$576,000, and that the Town arrange long term financing as required for those Capital Projects.**

**Motion Carried**

Mr. Ramsay noted that the Town is in good shape regarding its debt ratio, according to the Department of Housing and Municipal Affairs.

(b) Tax Exemption - Apple Capital Museum

Mr. Ramsay reviewed his report on the tax exemption for the Apple Capital Society Museum. There is authority in the Assessment Act for a Town to adopt a bylaw which would allow the Town to tax the property at the residential tax rate, rather than the commercial rate. This would reduce the taxes to approximately \$624. In addition, the Town may pay a grant to the Society equal to the residential taxes (excluding sewer) which, in effect, would eliminate the requirement of the Society to pay property taxes. Sewer rates would be paid by the Society (approximately \$55).

**Therefore, IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Trinacty that Council instruct staff to proceed to draft a bylaw to allow the Town to tax a property at the residential tax rate, rather than the commercial rate.**

**Motion Carried**

7. Any Other Business

(a) Crow Population

Councillor Morse noted that a resident brought to his attention a concern regarding other Town residents feeding the crows, and the possibility that this practice would encourage more crows to inhabit the local area. Other towns have experienced problems with this, along with the noise and mess associated with the birds. It was agreed that a notice would be included with the next electric billing asking residents to refrain from feeding the crows.

(b) Dog Bylaw

Councillor Morse reported that there seems to be an increase of residents not cleaning up after their dogs in public areas. All agreed the issue needs to be addressed. This issue will be forwarded to the Licensing and Bylaw Committee

(c) Planning Officer

Mr. Ramsay noted that for the Town to effectively deal with the planning issues arising, there are not the necessary resources available to move things along as quickly as developers would like. Mr. John Warden of the Municipality of the County of Kings has been contacted to determine if assistance can be contracted for the interim, on a cost-recovery basis, which they have agreed to do. Council instructed Mr. Ramsay to put this agreement into place effective immediately.

(d) Orchard Hills Estates

An application has been received from the developers of the Orchard Hills Estates Subdivision requesting the land be rezoned from R2 Zone to R1 Zone. This requires an amendment to the Town of Berwick Land Use Bylaw. A full report will be available from the Development Officer at the next Planning Advisory Committee. After a brief discussion of the issue,

**IT WAS MOVED by Councillor Whittier and seconded by Councillor Trinacty to authorize the Clerk to begin the advertising process on the rezoning issue, subject to approval of the Planning Advisory Committee.**

**Motion Carried**

(e) Review of the Municipal Government Act

Mr. Ramsay recommended scheduling a meeting with Council and Department Heads to review the Town's budget process, and combine this meeting with reviewing the Municipal Government Act with Council. It was agreed to meet on March 15<sup>th</sup> at 5:30 p.m. to review the Budget first, then move on to the MGA for the remainder of the meeting.

(f) Agenda Approval

Mr. Ramsay suggested that in order to assist the flow of Council meetings that the agenda be approved at the beginning of the meeting, so that any other items can be added if necessary. All agreed that this would be implemented at the next meeting.

**8. Committee-of-the-Whole**

Council went into Committee-of-the-Whole to discuss matters of a confidential nature. Regular Council resumed at 9:19 p.m.

**9. Hearing of no further business the Chairman adjourned the meeting at 9:20 p.m.**

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John P. Prall  
Chairman

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Rachel L. Jones  
Recording Secretary