

MINUTES OF THE REGULAR COUNCIL MEETING
14 SEPTEMBER 1999

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

In attendance: Mr. Bob Stewart, Town Solicitor
 Mr. Roger Ryan, Accountant
 Mr. Scotney, JR's Taxi
 Ms. Sara Keddy, Register

1. The Chairman called the meeting to order at 7:00 p.m. and welcomed those in attendance.
2. **Approval of Agenda**
Mayor Prall requested the addition of Committee Reports. Mr. Ramsay requested the addition of several items under New Business: (g) Temporary Borrowing Resolution for \$228,000; (h) Debenture Issuing Resolution for Long Term Borrowing; (i) Proposed Mutual Aid Firefighting Agreement; and (j) Air Conditioning for RCMP Facility. Hearing of no further changes the Chairman approved the agenda as amended.
3. **Approval of Minutes**
 - (a) Hearing of no errors or omissions the Chairman approved the minutes for the Regular Council meeting of July 13, 1999 as circulated.
 - (b) Hearing of no errors or omissions the Chairman approved the minutes for the Special Council meeting of August 16, 1999 as circulated.
4. **Committee Reports**
 - (a) **Future Development**
Councillor Morse reported that the next Future Development Committee meeting is scheduled for September 27th. At that time the committee will move to its new structure, ceasing to be a committee of Council.

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- (b) Licensing and Bylaws
Councillor Morse noted that the next Licensing and Bylaws Committee meeting is scheduled for September 28th, where a review of several key bylaws will begin.
- (c) Recreation
Councillor Banks reported that the Recreation Committee has formed an Apple Blossom Working Committee and will be meeting for the first time on October 13th. The purpose of this working committee is to determine what level the Town will participate in the Festival and to try to encourage more community groups and businesses to participate to reduce the costs of the Town.
- (d) Tree
Councillor Banks announced that the Town of Berwick's first Arbour Day is planned for October 16th. Emphasis will be placed on setting up the nursery for the winter. Funds from Public Works allocated for trees will be used to purchase as many large trees as possible for planting within Town. If there are enough a tree will be donated to each grade at the Berwick School.
- (e) Sports Hall of Fame
Councillor Trinacty reported that the next meeting of the Sports Hall of Fame Committee is scheduled to meet on September 20th, to begin work on the call for nominations for next year.
- (f) Fire
Councillor Clarke met with the Fire Committee last evening. Discussion was centred around new quarters for the EHS Ambulances and staff. The Fire Department is meeting with the Berwick and District Board of Trade to discuss possible groups who are interested in supporting the new facilities within Town. The Department is still interested in combining the facilities with their existing building (with renovations) but is not trying to undermine any other proposals on the table.
- (g) Valley Solid Waste Authority
Councillor Clarke reported that the collection process has settled out since the beginning and the staff of the Authority are continuing to work hard to keep improving the system.
- (h) Public Works
Councillor Whittier reported that the Public Works employees put in 262 man hours of work on Gala Days this year. Credit was given to the Scouts who worked extremely hard on cleaning the grounds. As well, there has been concern regarding the new sidewalk on Orchard Street collecting water in an

area. The Town's Engineer has given his assurance that the matter is in hand and will be taken care of before winter begins.

Mr. Gould has reported that the summer student hired this year, Ricky Vidito, was an exceptional worker, requiring very little supervision. He was a valuable contribution to the Department.

(i) Planning Advisory

Deputy Mayor Munday reported that the Planning Advisory Committee met earlier this evening to discuss a request for a building permit from Mr. Robert Woodworth, as well as an informal idea put forward regarding possible rezoning in Town. Mr. Ramsay was instructed to send a letter to these parties stating that a formal proposal is required for the PAC to consider the issue.

5. Bills and Accounts

- (a) **IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier that the Bills and Accounts for the month of July 1999 be approved in the amount of \$88,358.06.**

Motion Carried

- (b) **IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier that the Bills and Accounts for the month of August 1999 be approved in the amount of \$101,386.06.**

Motion Carried

6. New Business

(a) Proposed Personnel Policies

Councillor Trinacty reviewed the policies recommended to Council by the Personnel Committee. Mr. Ramsay noted that a sentence needs to be added to the bottom of the Casual Employee Policy, to read that the Clerk/Treasurer shall report the hiring of a casual employee to Council at the earliest convenience.

The Vacation Policy was discussed and all agreed that the number of days available as vacation shall be termed "working days" and that a point will be added to the policy section to note that the minimum vacation block to be taken is one day.

After further review,

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Banks that Council adopt the following policies, as amended (see policies attached to formal minutes):

- **Definition of an Employee**
- **Casual Employee**
- **Term Employee**
- **Hiring Policy**
- **Probationary Period**
- **Employee Attendance Record**
- **Hours of Work and Paid Rest Periods**
- **Group Benefits**
- **Compassionate Leave**
- **Holidays**
- **Overtime/Call Out Pay**
- **Sick Leave**
- **Vacation**

Motion Carried

Mr. Ramsay was instructed to bring forward six additional draft policies to the next Personnel Committee meeting, which are to include Job Sharing, Storm Days, and Staff Meetings.

(c) Recommendation from Licensing and Bylaws – JR’s Taxi

Councillor Morse updated Council on the request from JR’s Taxi to be allowed to pick up fares within Berwick town limits. Mr. Corkum of Star Taxi was in favour of allowing JR’s Taxi access to fares in business. After a brief discussion,

IT WAS MOVED by Councillor Morse and seconded by Councillor Whittier to grant a license to JR’s Taxi to allow vehicles to pick up fares within Berwick’s town limits.

Motion Carried

(d) Consideration of Draft Operational Policies

(i) Purchasing and Tender Policy

Mr. Ramsay reviewed the Policy for the benefit of Council. This policy has been reviewed with Department Heads regarding the figures in the policy and it seems to be reasonable when working within an approved budget. It is controllable without increasing workload.

Mr. Ramsay suggested that, under the Call for Proposals section, the Town may want to consider staggering any major Requests for Proposals due to the large amount of work involved in completing these. After further discussion of the policy,

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks to accept the Purchasing and Tender Policy as presented (see policy attached to formal minutes).

Motion Carried

(ii) Tax Sale Policy

Mr. Ramsay reviewed the policy for Council. After a brief discussion,

IT WAS MOVED by Councillor Banks and seconded by Deputy Mayor Munday to accept the Tax Sale Policy as presented (see policy attached to formal minutes).

Motion Carried

(iii) Travel Policy

Mr. Ramsay reviewed the policy for Council and after a short discussion,

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Whittier to accept the Travel Policy as presented (see policy attached to formal minutes).

Motion Carried

(c) Request for Proposals (RFP) for Auditing Services

Mr. Ramsay reviewed the policy, noting that there will be more information added to page 2 about the background of the Town. Appropriate deadline dates will be filled in before advertising in the main provincial papers. This process will be started in late October for completion with a recommendation at January Council meeting.

IT WAS MOVED by Councillor Whittier and seconded by Councillor Clarke that the Town of Berwick call for proposals for auditing services following the Request for Proposals as amended.

Motion Carried

(f) STP Modifications

Mayor Prall reported that the tenders received for the STP Modifications were opened yesterday at noon with representatives from each of the companies present. After reviewing the bids, Hiltz and Seamone recommend the tender

be awarded to Santec Construction Managers, with a quote of \$357,512. Mr. Ramsay noted that the Department of Housing and Municipal Affairs have contacted the Town Office regarding any upcoming projects. Funding may be available in an undetermined amount. After further discussion,

IT WAS MOVED by Councillor Clarke and seconded by Councillor Whittier to authorize the approval of the bid to the maximum of \$357,512 and to instruct the Town Engineer to act in accordance with the Purchasing and Tender Policy; and that the approval be conditional under seed funding from the Department of Housing & Municipal Affairs.

Motion Carried

(f) RCMP Air Conditioning

Mayor Prall reported that he has spoken with Corporal Payne of the RCMP. The RCMP feel that central air conditioning is required in the facility, both to combat the external temperatures, as well as to ensure the proper air temperature for the computer room. An offer has been made that the RCMP will have the system installed this year and are asking that the Town pay for it in the next fiscal year. The cost is approximately \$10,000.

IT WAS MOVED by Councillor Whittier and seconded by Deputy Mayor Munday to authorize Mayor Prall to negotiate the best deal possible with the RCMP regarding the installation of air conditioning.

Motion Carried

(g) Long Service Awards for UNSM

Mayor Prall noted that two Councillors are eligible for Long Service Awards, being Councillor Whittier (20 years) and Deputy Mayor Munday (17 years).

(h) Temporary Borrowing Resolution

Mr. Ramsay reported that this TBR is required to fund capital projects from Berwick Electric Commission regarding Orchard Hill Estates in the amount of \$25,000, Valley Solid Waste Authority in the amount of \$160,000; Recreation Department Lawn Tractor in the amount of \$18,000; and RCMP facility modification in the amount of \$25,000 for a total of \$228,000.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Clarke to approve the Temporary Borrowing Resolution #99/00-02 in the amount of \$228,000.

Motion Carried

(i) Resolution for Pre-Approval of Debenture Issuance

THE FOLLOWING WAS MOVED by Deputy Mayor Munday and seconded by Councillor Trinacty:

WHEREAS Section 91 of the *Municipal Government Act* provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Housing and Municipal Affairs;

AND WHEREAS the resolution of council to borrow to fund capital projects from Berwick Electric Commission regarding Orchard Hill Estates in the amount of \$25,000, Valley Solid Waste Authority in the amount of \$99,000, Recreation Department Lawn Tractor in the amount of \$18,000, and RCMP facility modification in the amount of \$25,000 was approved by the Minister of Housing and Municipal Affairs;

AND WHEREAS clause 91 (1) (b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91 (2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the *Municipal Government Act*, the Town of Berwick borrow by the issue and sale of debentures a sum or sums not exceeding \$167,000, for a period not to exceed 10 years, subject to the approval of the Minister of Housing and Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Town of Berwick in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 7.00%;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

Motion Carried

(j) Proposed Mutual Aid Firefighting Agreement

Councillor Clarke noted that this agreement is similar to what has been in place for years, but due to the MGA it needs to be signed by all parties. As our Department is not incorporated, the Town must sign for the Department. It was agreed to hold this issue until it was fully discussed with the Town's insurers.

Council took a short break at 8:55 p.m.

7. Committee-of-the-Whole

Council reconvened at 9:00 p.m. and went into Committee-of-the-Whole to discuss matters of a confidential nature. Regular Council reconvened at 10:24 p.m.

8. Assessment of Legislative and Administrative Structure

After a rounded discussion,

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Whittier to accept the Needs Assessment of the Administrative and Legislative Structure of the Town of Berwick with the exception of Section 1.2 (e) pay for performance, to be considered at a later date; and Section 1.2 (i) in regards to staff training budget be altered to include a training plan to be put in place for affected staff within three months; and further recommend Section 1.2 (o) be added that staff be encouraged to solicit public participation removed by the Committee of the Whole Council structure.

Motion Carried

8. Hearing of no further business the Chairman adjourned the meeting at 10:38 p.m.

John P. Prall
Chairman

Rachel L. Jones
Recording Secretary