

MINUTES OF REGULAR COUNCIL MEETING
12 SEPTEMBER 2000

Present: Chairman Mayor John P. Prall
 Deputy Mayor Michael J. Munday
 Councillor Bruce H. Morse
 Councillor Thomas S. Banks
 Councillor Michael E. Trinacty
 Councillor Donald E. Clarke
 Ms. Linda Parker, Acting Town Clerk
 Mrs. Rachel Turner, Recording Secretary

In attendance: Mrs. Judith Mitchell
 Mr. Peter McInroy
 Mr. Doug Seamone, Hiltz and Seamone
 Mr. Bob Stewart, Town Solicitor
 Ms. Sara Keddy, Berwick Register
 Mr. Ken Crichton
 2 members of the public

Absent: Councillor Gary W. Whittier

1. The Chairman called the meeting to order at 7:00 p.m. and welcomed all guests to the meeting.
2. **Approval of Agenda**
 It was noted that the item of a date for the next strategy session and two items of correspondence would be added to the agenda.

IT WAS MOVED by Councillor Banks and seconded by Deputy Mayor Munday to approve the Agenda as amended.

Motion Carried

Staff was requested to include room on future agendas for New Business and Correspondence.

3. **Approval of Previous Minutes**
 Hearing of no errors or omissions the Chairman approved the previous minutes of 11 July 2000, and Special Council minutes of 22 August 2000.
4. **Presentation**
 - a) **Hants Kings Business Development Centre**
 Mr. Ken Crichton, Executive Director of the Centre, made a presentation on the Hants Kings Business Development Centre. He provided information on the background and operations of the organization, noting that this group originated in Hants County and has since expanded to work with other similar funding and small business advisory groups in Kings County. Mr. Crichton stated that the group is interested in increasing the public's awareness of the services provided by the centre and that Council can

refer people to them for possible assistance. A full package about the Centre is on file in the Town Clerk's office.

Mayor Prall thanked Mr. Crichton for attending the meeting and providing the information to Council. Mr. Crichton then left the meeting.

5. Sewer Discharge Bylaw

Ms. Parker reviewed the report for the benefit of Council and asked Mr. McInroy to provide his input. Mr. McInroy noted two minor changes on page three of the Bylaw, section 2.2, with the deletion of section (f) and (g) due to the issues in these sections being covered elsewhere in the Bylaw. It was suggested that the preferred wording in the Bylaw would outline measurable controls by the Town and leave it to the users of the system to determine how to best meet the guidelines themselves.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks to accept the first reading of the Sewer Discharge Bylaw as amended.

Discussion followed regarding the Town taking samples, an overview of how samples should be taken, how users of the system can be supervised and the enforcement of this bylaw. It was agreed to obtain more information regarding source control from the work done by the Halifax Regional Municipality. Mr. McInroy stated that it is important for the Town to take a stand on the issues that lead up to the need for this bylaw and that users must conform to the guidelines set out in the Bylaw.

Motion Carried

Mayor Prall thanked Mr. McInroy and Mr. Seamone for their efforts in drafting this bylaw so quickly. Mr. McInroy then left the meeting.

6. Recommendations from Other Committees

a) Planning Advisory Committee

i) Subdivision Bylaw and Specification Manual

Deputy Mayor Munday outlined the following changes to the Subdivision Bylaw as discussed at the PAC meeting on September 7. The changes are to be in place in the final document prior to second reading at October Council:

- Mr. Seamone to finalize "Schedule B"
- Delete Section 4.2.2
- Renumber Schedule #'s to coincide with text in by-law
- Section 10.13.3 – delete Department of Transportation and Department of Environment

- Section 10.13.4(c) – delete section referring to Public Roads
- Part 11 Fees for the Filing of a Final Plan of Subdivision – include reference to Town Development Control and Planning Applications Fees By-law

The changes to the Specification Manual are as follows:

- Section 2.2 Record Drawings – the entire section after Professional Engineer be deleted.
- Section 5.1 SCOPE – in the last sentence the Department of Transportation be added after the Department of Environment.
- Section 8.1 SCOPE – delete entire section
- Section 8.3 COMPUTER AIDED DRAWINGS STRUCTURE – renumber as 9.0
- Appendix “A” Standard Standby Letter of Credit – Change “Bank” to “Financial Institution”.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Morse to proceed to first reading of the Subdivision Bylaw and Municipal Services Specification Manual as amended.

Ms. Parker noted that the Specification Manual has been separated from the Bylaw so that changes can be made to the specifications without having to follow the formal process of a bylaw amendment. Prior to second reading the finalized draft will be sent to the planning and development firm whose services the Town will hire on contract. This will ensure that all references and details are correct.

Motion Carried

ii) Public Participation Program

Deputy Mayor Munday reviewed Mr. Millier’s report regarding the requirement by the Municipal Government Act that the Town adopt a public participation program when considering amendments or changes to its planning strategy.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Clarke to adopt a Public Participation Program Resolution for the purposes of considering amendments to and/or review of the Berwick Municipal Planning Strategy. The Public Participation Program shall be conducted by the Planning Advisory Committee in conjunction with their review and consideration of the amendments and shall consist of at least one public meeting or as many as deemed necessary. Notification of the meeting and request for public input shall be circulated in the local paper within a 30-day period of the meeting.

Motion Carried

iii) Morse MPS Amendment

Deputy Mayor Munday provided the background for this issue and reviewed the report as provided by Mr. Millier.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks that the Town of Berwick Municipal Planning Strategy's Generalized Future Land Use Map be amended by the redesignation of lands of Michael Morse/1921300 Nova Scotia Limited, being 55 acres on the east side of Willow Avenue from Parks and Recreation to Agriculture;

Further to amend the Town of Berwick Land Use Bylaw by rezoning the lands of Michael Morse/1021300 Nova Scotia Limited from Parks and Recreation O-2 to Agriculture A-1;

And further that a date for a public hearing be set for consideration of the proposed amendments prior to second and final reading.

Discussion followed regarding the current use of the land and the proposal from the Morse's. A large portion of the land will remain zoned for recreational use, which will keep other options open for the future.

Motion Carried

It was agreed to hold a second public meeting prior to October Council and ensure that sufficient public advertising is done to encourage public turnout and input on this issue.

iv) Development Control and Planning Applications Fees Bylaw

It was noted that two changes should be added to the Bylaw as discussed at PAC on September 7th: those being to add to the Application Fee for Final Subdivision approval, \$100 for registration of plans, deeds and any other instruments of subdivision; and in Schedule A, to change 'gross' floor area to 'usable' floor area.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Trinaacty to proceed to first reading of the Development Control and Planning Applications Fees Bylaw.

Motion Carried

- v) Development Control and Planning Services
Ms. Parker reviewed the report on the services in question, with particular attention to the costs involved with providing these services to residents of the Town. It was noted that the 4Site Group is being recommended to receive the contract, due in part to the comfort level that staff and PAC members already have in dealing with Mr. Millier and Mr. Hiltz from previous work this year.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks to approve The 4Site Group for the provision of Development Control and Planning Services for the Town of Berwick for a period ending March 31, 2002.

Motion Carried

- vi) Wade Pro Advertising
Deputy Mayor Munday reviewed the issue as discussed at the last PAC meeting regarding the advertising bench now located in front of the police station. After much debate,

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Morse to reject the proposal from Wade Pro Advertising to place public advertising benches on public property in the Town of Berwick.

A lengthy discussion followed about this proposal and the actions that other municipal units are taking on this issue. In order for this proposal to go forward, amendments are required to the Land Use Bylaw regarding signage. It was agreed that this would be referred back to the PAC to consider the amendments required and ask Mr. Ridge Hiltz, who will be the new Development Officer for the Town, to guide the Committee through this process.

Motion Carried

7. Recommendations from Committee of the Whole

- a) Madeline Rice: Parking Lot Agreement

IT WAS MOVED by Councillor Banks and seconded by Councillor Trinacty to discontinue maintaining the parking area belonging to Mrs. Madeline Rice, located behind C & M Restaurant and Motel.

Motion Carried

b) Municipal Election Advance Polls

IT WAS MOVED by Councillor Morse and seconded by Councillor Clarke to approve the dates for the Advance Polls for the 2000 Municipal Election to be held on Saturday, October 14, 2000 from 12:00 noon to 8:00 p.m. and Tuesday October 17, 2000 from 12:00 noon to 8:00 p.m.

Motion Carried

c) Debenture Issuance

IT WAS MOVED by Councillor Clarke and seconded by Councillor Banks to approve the Resolution for the Pre-Approval of Debenture Issuance Subject to Interest Rate for long term funding of the STP Upgrade in the amount of \$256,725 and the Electric Utility Truck in the amount of \$170,000.

Motion Carried

d) Temporary Borrowing Resolutions

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Trinacty to approve the Temporary Borrowing Resolutions issued by the Department of Housing and Municipal Affairs for the Town Hall Ventilation Project in the amount of \$46,000 and the Financial System in the amount of \$35,840.

Motion Carried

8. Vending Bylaw

Mr. Stewart noted that there are several places in the model bylaw that he is requesting input from Councillors to finalize a draft bylaw for the Town. After a brief discussion, it was agreed that due to the length of the topic and the lateness of the hour that this issue would be referred to September Committee of the Whole meeting. It was noted that vending machines might be in violation of the Town's sign bylaw due to the advertising signage on the machines. This will be discussed at the COTW meeting.

9. Life and LTD Insurance Renewal

Ms. Parker reviewed the report and a short discussion followed.

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Banks to renew the Life and Long Term Disability Plan as outlined by Morneau Sobeco.

Motion Carried

The Clerk was instructed to implement the Life and LTD Insurance Plan effective September 1, 2000.

10. Council Remuneration Policy

Ms. Parker reviewed the report. A lengthy discussion followed regarding the criteria and process used to determine remuneration levels, as well as obtaining public input into the process. Staff was instructed to develop a more complete process to be in place for next year's budget. Further review to be done by staff in 2002 to be in place prior to the municipal election in 2004. After further discussion of the report,

IT WAS MOVED by Councillor Morse and seconded by Councillor Banks that the level of remuneration for Mayor, Deputy Mayor and Councillor be set at \$12,240, \$5,510, and \$4895 respectively for 2001/02, and increase by 2% for the following three years ending 2004/05.

Motion Carried

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Trinacty to delete the words 'The Berwick Police Commission' from Section 7 of the Council Remuneration Policy.

Motion Carried

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Clarke that Section 9 of the Council Remuneration Policy be amended to reflect a further review of Council remuneration prior to December 31, 2002, and that the review include the development of criteria for setting the rate of remuneration.

Motion Carried

Staff was instructed to provide a report regarding changing the term of the Deputy Mayor, to be brought forward prior to the election in October.

11. Kings Transit Authority Expansion

Mayor Prall reported that the Kings Transit Authority required a motion by Council to permit the expansion of the service delivery area into Annapolis County. After a brief discussion,

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Morse to approve the agreement which permits an extension in the Kings Transit Authority service delivery area.

Motion Carried

12. Strategy Session

Mayor Prall asked for a date for the follow up Councillor strategy session to be held prior to the election. It was agreed to meet on October 11, 2000 at 7:00 p.m. in Council Chambers.

13. Correspondence

Two items of correspondence were read into the minutes. The first was a letter from the Department of Community Services outlining the change that, effective August 1, 2000, Housing Services will now fall under the new Department of Community Services. There are four major programs: Community Support for Adults, Family and Children's Services, Housing Services, and Income and Employment Support Services.

The second item was a lengthy letter from Housing and Municipal Affairs providing an update on the work done by the Municipal Indicators Study Technical Committee. It was agreed that the letter would be copied to all Councillors.

14. Library Representative

Mayor Prall reported that Mrs. Marge Anderson has informed him that she is stepping down from her position as Town representative for the Annapolis Regional Library. For information and consideration.

15. Hearing of no further business the Chairman adjourned the meeting at 10:20 p.m.

John P. Prall
Chairman

Rachel L. Turner
Recording Secretary