

MINUTES OF REGULAR COUNCIL MEETING
14 NOVEMBER 2000

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

In attendance: Mrs. Judith Mitchell
 Mr. Chris Millier
 Mr. Bob Stewart
 Ms. Sara Keddy, Register
 Justice Donald Hall
 Members of the public representing Daniel Drive residents
 Councillors' family members

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

2. **Approval of Agenda**

It was agreed to add agenda item 3(a) STP Report and 9(a) Financial System Update to the agenda and to defer the election of the Deputy Mayor until all Councillors were present.

**IT WAS MOVED by Councillor Whittier and seconded by
Councillor Banks to approve the Agenda as amended.**

Motion Carried

3. **Approval of Previous Minutes**

Hearing of no errors or omissions the Chairman approved the regular Council minutes of 10 October 2000, and the special Council minutes of 31 October 2000 as circulated.

3a. **Sewer Treatment Plant Update**

Mayor Prall thanked the members of the public for attending this evening's meeting and for expressing their concern regarding the operation of the Sewer Treatment Plant. The letter submitted by the residents was read aloud (see copy attached to formal minutes).

**IT WAS MOVED by Councillor Whittier and seconded by
Councillor Trinacty to accept the petition as presented by the
residents of Daniel Drive.**

Motion Carried

Mayor Prall provided a review of the events up to this date, noting that the problems began in late July due to a large influx of a banned substance into the Town's sewer system that caused the terrible odour. Test results and the odour problem began to improve after

approximately one month until Larsen Packers Limited began accepting hogs for slaughter from Moncton due to the labour strike happening in that city. The Town has drafted a Sewer Discharge Bylaw which has been deferred until January for its final reading so that Larsen Packers has an opportunity to determine what actions must be taken to comply with the new bylaw.

With the introduction of the Municipal Government Act in 1999, municipalities now have the authority to regulate the substances that are released into the sewer system through the court system, even without a bylaw. A meeting has been requested by the Town with representatives from Larsen Packers to inform them that legal action is pending if further cooperation is not given. The resolution of this issue is the Town's first priority and the Town realizes the seriousness of the problem, from both the Town's and public's perspective.

A lengthy discussion followed with Mayor Prall responding to a number of questions and concerns coming from the public, relating to both the noise and odour coming from the Sewer Treatment Plant. To the best of the Town's knowledge, the odour problem is not due to staffing or engineering problems. If warranted, a public meeting may be called at a later date to further update and educate the public on this issue.

It was agreed that Mayor Prall would keep the group informed with the results of meetings between the Town and Larsen Packers. Mayor Prall thanked everyone for their concern and the time taken to come to the meeting and identify the concerns of the community. The residents of Daniel Drive left the meeting at this time.

4. **Recommendations from Committee of the Whole**

a. **Purchasing and Tender Policy**

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Banks to amend the Purchasing and Tender Policy to include the requirement for third party liability insurance as recommended by Mr. Edwards of MacDonald Chisholm.

Motion Carried

b. **Tree Removal Budget**

IT WAS MOVED by Councillor Banks and seconded by Councillor Trinacty to add \$5,000 to the tree removal budget for this fiscal year, for a total of \$22,000.

Motion Carried

c. **Town Pathways**

IT WAS MOVED by Councillor Whittier and seconded by Councillor Banks to address each Town pathway individually for upgrading as required.

Motion Carried

d. Deputy Town Clerk Job Description

IT WAS MOVED by Councillor Clarke and seconded by Councillor Whittier to approve the job description for the position of the Deputy Town Clerk with the Town of Berwick.

Motion Carried

e. Election of Deputy Mayor

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks that the Deputy Mayor be elected by Council at its regular meeting in November 2000 for a term of one year, and that subsequent elections for Deputy Mayor be held at the regular meeting of Council in November of each year.

IT WAS MOVED by Councillor Clark and seconded by Councillor Banks that due to the absence of Councillor-elect Horsburgh that the Deputy Mayor election be postponed until December Council meeting for this year only.

A vote was taken on the amendment.

Motion Carried

A vote was taken on the amended motion.

Motion Carried

f. Rice's Parking Lot

IT WAS MOVED by Councillor Whittier and seconded by Councillor Banks that the Town maintain Rice's parking area for a period of six months beginning November 1, 2000 and reinstate a monthly payment of \$100.

Motion Carried

g. Valley Solid Waste-Resource Management Authority

IT WAS MOVED by Councillor Banks and seconded by Councillor Whittier that Councillor-elect Horsburgh be appointed as the Town's representative with the Valley Solid Waste-Resource Management Authority, and Councillor Morse serve as the alternate representative.

Motion Carried

5. Subdivision Bylaw – 2nd Reading

Mr. Millier noted that there have been a few minor changes to the proposed Bylaw, mainly the deletion of any references that pertain to rural municipalities and ensuring references within the Bylaw are accurate. It was noted that in Section 6.4 there is a duplicate phrase from 6.1 which needs to be deleted.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Banks to accept the second reading of the Town of Berwick Subdivision Bylaw.

Motion Carried

6. Sewer Tax Exemption

Ms. Parker reviewed the report for the benefit of the Committee.

IT WAS MOVED by Deputy Mayor Munday and seconded by Councillor Clarke to send a letter to Mr. Penner indicating he would have the option of connecting to the Town's sewer line if it were to be extended to his property and that he would be exempt from the Town's sewer tax levy as long as he owned the property.

Councillor Banks raised a question regarding the regulations in the MGA that states that residents must connect to the sewer line when it is provided. Council directed staff to further investigate this issue.

Motion Withdrawn

7. Declaration of Election and Administering Oath of Office

Ms. Parker declared the election results as presented in the beginning of the report. Justice Hall proceeded to administer the Oaths of Allegiance and of Office to the Mayor and Councillors who were present. It was agreed to defer Councillor-elect Horsburgh's oath until December Council. Justice Hall congratulated the successful candidates and wished them well in their upcoming term of office.

8. Presentation

Mayor Prall stated that it was an honour to present outgoing Deputy Mayor Munday with a plaque of appreciation for his 18 years of service on Town Council. He noted that Deputy Mayor Munday often kept him on the straight and narrow with good advice and that he is leaving big shoes to fill, especially with his experience and input on the Planning Advisory Committee. Mayor Prall stated that Deputy Mayor Munday always had the best intentions and loyalty for the Town and thanked him very much for his service and support.

Mayor Prall also noted that the families of elected officials are a tremendous support and deserve recognition as well. To that purpose, the Town also presented Deputy Mayor Munday with gift certificates for overnight accommodations at the Prince George Hotel and dinner at The Keg Restaurant.

Deputy Mayor Munday responded by thanking the Mayor and Council for the support given to him over the years, noting several of the past accomplishments and future challenges facing municipal government. Thanks were also expressed to Judith Mitchell and Linda Parker for their support and efforts on behalf of the Town. Deputy Mayor Munday wished the new Council well in its future endeavours and noted that he is looking forward to spending more time with his family and participating in his hobbies.

9. **Overview of Financial System**

Ms. Parker reviewed the report for the benefit of the Committee, noting the various points that will impact the Town significantly, specifically costs to the Town and the addition of an Electric Utility Module. Ms. Parker noted that Diamond Software is a solid system but the cost is prohibitive for the Town. The proposal for the SAP option indicates that either SNSMR or AGRI will be providing the funding for the startup software and hardware. Only part of the training and ongoing maintenance costs will be paid by the Town until the system is up and running to the Town's satisfaction.

Further discussion on the yearly costs and availability for office support followed. Staff is prepared to travel to Cape Breton Regional Municipality to observe the system and further determine the needs of the Town to have this system implemented pending Council's approval. Ms. Parker noted that, if the Town of Berwick implements the SAP option, the Town's staff will be expected to facilitate the development of documentation regarding the implementation and, secondly, that the Town's staff is to be available as a resource for other small municipalities who are interested in the system. After further discussion,

IT WAS MOVED by Councillor Trinacty and seconded by Councillor Banks to approve the implementation of the SAP Solution for Municipalities in the Town of Berwick.

Ms. Parker noted that, due to the support contract with ProCom expiring on December 31st, the main priority of staff is to implement this system quickly and with as little disruption as possible. Ms. Parker was commended by Council on the research and work done to find such a cost-effective system for the Town.

Motion Carried

10. **Correspondence**

- a) A copy of a letter from the Warden of the County of Colchester to the local MP was received requesting an explanation from the Federal Government on the fact that 98% of the federal gas tax money paid by Nova Scotians is not returned to the Province for the upkeep of our roads. The letter states that all municipalities within the Province are being urged to support this request and that the Federal Government must reconsider the formula that returns such a small portion of the taxes paid at the pump by Nova Scotians. Council instructed staff to send letters to the Prime Minister and the political party leaders in support of this letter.
- b) A letter was received from the Annapolis Valley Regional Library noting that the Town has received a cheque in the amount of \$1,116.56 to assist the Town in maintaining our branch of the library. This is the first time such a payment has been made and the Regional Library Board intends to examine this contribution on an annual basis.

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11. Hearing of no further business the Chairman adjourned the meeting at 9:00 p.m.

John P. Prall
Chairman

Rachel L. Turner
Recording Secretary