

**MINUTES OF THE REGULAR COUNCIL MEETING**  
**13 MARCH 2001**

Present:           Chairman       Mayor John P. Prall  
  Councillor Gary W. Whittier  
  Councillor Michael E. Trinacty  
  Councillor J. Richard Horsburgh  
  Councillor Bruce H. Morse  
  Ms. Linda Parker, Chief Administrative Officer  
  Mrs. Rachel Turner, Recording Secretary

In attendance:               Ms. Sara Keddy, Register  
  Mr. Steve MacMahon  
  Mr. Ron Reeves, Kings Transit Authority Representative

Absent:                       Deputy Mayor Donald E. Clark  
  Councillor Thomas S. Banks

1.    The Chairman called the meeting to order at 6:57 p.m.

2.    **Approval of Agenda**

**IT WAS MOVED and seconded to approve the Agenda as presented.**  
**Motion Carried**

3.    **Approval of Previous Council Minutes**

Hearing of no errors or omissions the Chairman approved the previous Council minutes of 13 February 2001 and Special Council Minutes of 1 March 2001 as circulated.

4.    **Presentation**

(a)   **Kings Transit Authority Budget – Mr. Ron Reeves**

Mr. Reeves distributed a report to Council and reviewed it for their information (copy attached to formal minutes). At this point the Authority is anticipating a \$12-14,000 surplus, from which Berwick is entitled to 5%. Mayor Prall thanked Mr. Reeves for the presentation who left the meeting at 7:20 p.m.

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

(a)   **Town Caucus Steering Committee**

**IT WAS MOVED and seconded to authorize payment of \$600 from the Town to the Town Caucus Steering Committee to facilitate the completion of the Position Paper.**

**Motion Carried**

It was noted that a full copy of the Position Paper is available in the CAO's office and the Executive Summary will be circulated to Councillors.

(b)   **Drug Abuse Resistance Program**

**IT WAS MOVED and seconded to donate \$500 to the Drug Abuse Resistance Program operated by the RCMP.**

**Motion Carried**

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- (c) Operating Fund Line of Credit  
**IT WAS MOVED and seconded to renew the \$400,000 Operating Fund Line of Credit with the Royal Bank.**  
**Motion Carried**
- (d) Business Occupancy Taxes  
**IT WAS MOVED and seconded to write off the outstanding business occupancy taxes totaling \$2,528.79.**  
**Motion Carried**
- (e) Interest Rate on Taxes  
**IT WAS MOVED and seconded that the interest rate charged on overdue taxes remain at 15.0% per annum (1.25% per month) and continue to calculate the rate using the simple method.**  
**Motion Carried**
- (f) Berwick Princess Tea Committee  
**IT WAS MOVED and seconded to approve the budget as presented for the 2001 Berwick Princess Tea Committee.**  
**Motion Carried**

6. Recommendations from Other Committees

- (a) Planning Advisory Committee  
Councillor Trinacty reviewed the report.

**IT WAS MOVED and seconded that staff be instructed to proceed with design work and to cost the work involved in the intersection upgrades at Commercial and Union and Commercial and Main Streets.**

It was agreed to set up a meeting with the businesses originally involved with the Rice's Parking Lot issue prior to a decision being made.

**Motion Carried**

- (b) Finance and Administration

**IT WAS MOVED and seconded to approve the development of a "pool" of legal resources by the Chief Administrative Officer for the provision of legal services to the Council and staff of the Town.**

**Motion Carried**

7. New Business

- (a) Elimination of Business Occupancy Assessment and Tax  
Ms. Parker reviewed a report circulated separately from the Agenda and asked for direction from Council in preparing a response to Service Nova Scotia and Municipal Relations on this issue. Council noted the following opinions:
1. Support the elimination of the business occupancy assessment and taxation;
    - (a) If it is to be eliminated, it should not be phased out.

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2. (a) There should be no restriction on the manner in which municipal units recover the revenues lost from this tax.
  - (b) Landlords should be allowed to increase rents to recover any increase in their real property tax, but attach some type of regulation and review method to this to ensure increases only cover the increased cost to the landlord.
  - (c) Berwick does not have any businesses located in non-taxable premises which do not pay grants-in-lieu of taxes. It is not applicable to Berwick and Council has no specific opinion on this matter.
- (b) Proposed Municipal-Provincial Fiscal Exchange

Mayor Prall reviewed the background behind this issue. Mayor Prall and Ms. Parker met with provincial officials on March 7<sup>th</sup> to discuss Berwick's position on the proposal. The Province recognizes that the Town of Berwick is an anomaly but when discussions on fiscal/service exchange occur with the Province, the Town seems to come out on the short end of the stick.

Ms. Parker reviewed the attached table and graph, noting that losing the capital grant has had a negative impact and that the Town is facing a deficit due to increased operating and capital costs at the STP which are not funded, and closure costs associated with the Meadowview Landfill Site. There are seven towns that are negatively impacted by this proposal, but their ability to adapt to the change is significantly more than Berwick's. The UNSM has gone on record in saying that the numbers put forward by the Province are skewed.

It was noted that, in discussions between the Town and the Province, the latter agreed that the numbers for Berwick are incorrect. Halifax Regional Municipality is calling a meeting on this issue for Friday and the Town Caucus group is expected to meet again on this issue as well. Council agreed that, if the proposal is to go forward, that the correct numbers and calculations must be made, and noted that all taxes collected from ratepayers are best kept within the Town. If the proposal goes forward as it is, it has the potential to create even greater divisions among the classes of municipal units.

- (c) Year End Forecast

Ms. Parker noted that the Town went live on SAP on March 5<sup>th</sup> as scheduled. While there are still some bugs being worked out, everything is working quite smoothly.

The deficit has grown since the forecast presented in December, with the majority due to the expenditures at the STP. The forecast does not include any cost recovery for those expenses. After a brief discussion,

**IT WAS MOVED and seconded to approve the transfer of \$9,200 from the Special Equipment Reserve to fund the cost of the new pump required by the Berwick & District Volunteer Fire Department; and further to approve the funding on the new one-ton truck purchased by the Public Works Department out of the provincial Capital Grant for 2000/01.**

**Motion Carried**

(d) EMO Bylaw and Coordinator Position

Ms. Parker reviewed the report and noted that the proposed changes in the Bylaw are mostly housekeeping issues to address any inconsistencies. A brief outline of the various committees and individuals who are involved with the Bylaw was provided and it was noted that it is important for everyone to work together.

**IT WAS MOVED and seconded to amend the Emergency Measures and approve first reading by:**

- deleting section 2(m) “municipality” or “municipal” means an incorporated town and in this by-law specifically means the Town of Berwick;
- renumbering sections 2(n) and 2(o) to 2(m) and 2(n) respectively;
- adding as section 2(o) “Town” means the Town of Berwick;
- deleting the word “municipality” throughout the by-law and replacing it with “Town”;
- under the section of the by-law dealing with the Municipal Emergency Measures Planning Committee “income assistance” be deleted; “engineering services” be replaced with “public works” and “community services” be replaced with “emergency social services”.

**Motion Carried**

**IT WAS MOVED and seconded that an advertisement be placed in the local paper inviting persons interested in the position of Emergency Measure Coordinator for the Town to submit an expression of Interest to the Chief Administrative Officer for consideration by the Municipal Emergency Measures Advisory Committee and recommendation to Council.**

**Motion Carried**

It was noted that on May 2<sup>nd</sup> at 7:00 p.m. in Wolfville, an elected official orientation for EMO is being held. Ms. Parker noted that at least the Mayor and members of the Emergency Measures Advisory Committee attend. Deadline for applications is April 27<sup>th</sup>.

(e) Recreation Strategy Action Plan

Mr. Burgess joined the meeting at 8:58 p.m. and reviewed the report. In response to queries regarding financial impact on the Town, Mr. Burgess noted that the feasibility study has some funding allocated for it, but it may be an issue for Council’s consideration at a later date.

**IT WAS MOVED and seconded that the plan of action from the Recreation Strategy be adopted.**

**Motion Carried**

**8. Correspondence**

- (a) A letter was received from the Senior Citizens Centre, thanking the Public Works Department for the work involved in the renovations to the Centre. For the information of Council.

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9. Council moved into an In Camera meeting at 9:07 p.m. to discuss matters of a confidential nature, specifically the issue with Larsen Packers. A closed meeting will be held tomorrow afternoon involving all of the parties and the Town is hoping it will be very productive.
10. Regular Council reconvened at 9:43 p.m. and hearing of no further business the Chairman adjourned the meeting.

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John P. Prall  
Chairman

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Rachel L. Turner  
Recording Secretary