

MINUTES OF THE REGULAR COUNCIL MEETING
13 NOVEMBER 2001

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

In attendance: Ms. Sara Keddy, Register
 Members representing Smoke Free Kings, Lung Association of
 Nova Scotia, and Provincial Health Council

1. The Chairman called the meeting to order at 7:00 p.m.
2. **Approval of the Agenda**
Mayor Prall noted that the RCMP Presentation would not take place this evening, and added 7(e) Town Caucus meeting update. Several items of correspondence have been circulated and will be discussed as required. Hearing of no further additions,

IT WAS MOVED and seconded to approve the Agenda as amended.

Motion Carried

3. **Approval of Previous Council Minutes**
Hearing of no errors or omissions the Chairman approved the minutes of 9 October 2001 as circulated.
4. **Presentations**
 - (a) **Smoke Free Kings**
The junior ambassador of the Lung Association of Nova Scotia presented a certificate of recognition to Council, thanking them for their work in passing the Smoke Free Indoor Public Places Bylaw. The certificate was accepted by Mayor Prall who then read aloud a letter of thanks from the Lung Association. A representative from the Smoke Free Kings group also read aloud a letter giving their thanks for the support of Council in passing the Bylaw, and noting increased interest in this issue from Windsor, Annapolis and along the South Shore.

A representative from the Provincial Health Council made short speech in support of the Smoke Free Bylaw, noting the vision and strength shown by Council in passing the Bylaw. If the Health Council can be of any help, their representatives are available for consultation.

5. Recommendations from Committee of the Whole

(a) Temporary Borrowing Resolution

IT WAS MOVED and seconded to approve the Temporary Borrowing Resolution in the amount of \$490,000 issued by Service Nova Scotia and Municipal Relations for Sewer, Street & Sidewalk Upgrades.

Motion Carried

(b) Spindler Education Fund

IT WAS MOVED and seconded to donate \$100 to the Spindler Education Fund created in memory of Mr. Jack Spindler.

Motion Carried

6. Business Arising

(a) Sewer Use Bylaw

Mayor Prall noted that it has been an educational process developing this Bylaw in consultation with the industries, and it is likely the first bylaw of its kind in the Province.

Ms. Parker reviewed her report, noting the various changes from the first draft presented in September and the reasoning behind the changes. General discussion followed, specifically regarding facilities for testing, testing requirements over time, and a joint call for proposals for wastewater testing between the Town and industries. It was noted that the Town must continue to show due diligence with respect to environmental issues, and if necessary, the Bylaw can be fine tuned at a later date. Further to the discussion,

IT WAS MOVED and seconded to approve second and final reading of the proposed Sewer Use Bylaw.

Motion Carried

IT WAS MOVED and seconded to approve submitting a joint Call for Proposals for Wastewater Testing on behalf of the Town, Larsen Packers and Avon Foods.

Motion Carried

(b) Amendment to the Land Use Bylaw – Penner Rezoning

IT WAS MOVED and seconded to approve the amendment to the Town of Berwick Land Use Bylaw by rezoning the lands of Stirling Apples Limited located on Brown Street, a total of 13,300 square feet, from Industrial Light (M-1) to Two Family Residential (R-2).

Motion Carried

7. New Business

(a) Election of Deputy Mayor

Mayor Prall opened the floor for nominations for the position of Deputy Mayor. Councillor Banks nominated Councillor Trinacty, who accepted the nomination with thanks. Hearing no other nominations, Councillor Trinacty was elected by acclamation to the position of Deputy Mayor for the term of one year, ending November 2002. Congratulations were extended to the new Deputy Mayor.

(b) Union and Commercial Street Intersection

Ms. Parker reviewed the report, noting the two issues involved, specifically the closure of the south entrance to Save Easy on Commercial Street, and the removal of two telephone poles on Union Street to accommodate the new intersection. These changes will enhance the whole Union and Commercial Street intersection.

IT WAS MOVED and seconded to close the south driveway on Commercial Street for Save Easy pending further exploration on legal and cost issues.

Motion Carried

IT WAS MOVED and seconded to remove the MTT utility pole at the northwest corner of Union and Commercial Street and bury telephone and cable lines at an estimated cost of \$6,000.

Motion Carried

(c) Signing Authorities

Mayor Prall reviewed the report and noted the time involved for him to continue the current practice of signing all cheques issued from the Town and Berwick Electric Commission. Due to the budget being previously approved, and the Purchasing and Tender Policy requirement to have large or capital expenditures come to Council for approval, there is no value added in having the Mayor sign these cheques. General discussion followed regarding past practices and the process of issuing cheques.

IT WAS MOVED and seconded that the signing authorities for the Town and Berwick Electric Commission cheques be the CAO and Accountant with the Mayor and Deputy Mayor acting as a backup for either person.

Motion Carried

(d) Board of Trade Christmas Decorations

Ms. Parker reviewed the report, clarifying that the \$500 amount would be the maximum for each party, bringing the total amount to \$1,000. After a brief discussion,

IT WAS MOVED and seconded to approve the Board of Trade's request to cost share on a 50/50 basis to a maximum of \$500 the cost for Christmas decorations in the downtown commercial core.

Motion Carried

(e) Town Caucus Update

Mayor Prall reported that he and Ms. Parker attended a Town Caucus meeting earlier today in Truro, where the main topic of discussion was the Equalization Program. The Province and the UNSM will continue discussions on this issue very shortly, with Mayor Crosby from Yarmouth representing the Towns at the table. Ms. Parker noted that it was fair to say the UNSM Proposal should stay on the table but remove the clause stating the package must be accepted as a whole. There continues to be confusion as to whether the Province's Proposal remains as an option.

Further discussions at the meeting dealt with the future of the Town Caucus and the need to get all towns more involved to present a united voice. A meeting will be held on December 4th to determine the officials for the group for the next year. In addition Ms. Parker has agreed to develop an education program on the differences between budgeting at the village and town levels.

8. Correspondence

- (a) Correspondence was received from the Municipality of the District of Shelburne asking for support regarding wrongly accused youth institution workers. After a brief discussion, it was agreed to provide a generic letter of support regarding the impact of such actions on a community, and urge the Government to give the resolution of this issue a high priority.
- (b) Correspondence was received from the Federation of Canadian Municipalities encouraging all levels of government to support further enhancement of the infrastructure within Canadian communities by the Federal Government. It was agreed to send a letter to both the provincial and federal Members of Parliament indicating Council's support of the FCM's resolution.
- (c) Correspondence was received from Henson College outlining the background and purpose of the Municipal Endowment Fund, which helps to provide a high level of education and training to municipal officials, both elected and appointed. The College is looking for financial support of the Fund from all municipal units to continue its work as well as any suggestions on how the Fund can best be used to serve municipal government. It was agreed to defer this issue to the budget process for 2002/03.
- (d) Correspondence was received from the Department of Transportation and Public Works regarding a new policy adopted for the creation of highway signage allowing for more input and creativity from communities. The Town would be allowed to

**MINUTES OF THE REGULAR COUNCIL MEETING
13 NOVEMBER 2001
PAGE 5**

design a sign appropriate for the community, for the approval of the Department. There is a cost to changing the current blue highway signs at the Highway 101 exit, but could be a project on which the Town could partner with other groups. It was agreed to consider this at a later date.

All other correspondence received was for the information of Council.

Council took a short break at 8:56 p.m. to go into an In Camera meeting to discuss confidential matters pertaining to the work being completed under the Federal Infrastructure Program. Regular Council reconvened at 9:43 p.m.

9. Hearing of no further business the Chairman adjourned the meeting at 9:43 p.m.

John P. Prall
Chairman

Rachel L. Turner
Recording Secretary