

MINUTES OF THE REGULAR COUNCIL MEETING
8 JANUARY 2002

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

In attendance: Ms. Arleen Lively, Register
 Inspector Pat McCloskey, RCMP
 Corporal Mike Payne, RCMP

1. The Chairman called the meeting to order at 6:58 p.m.
2. **Approval of Agenda**
 Mayor Prall added two items to Correspondence, specifically 7(b) Maritimes Weather Centre, and (c) VWRM Budget. Hearing of no further changes the Chairman approved the Agenda as amended.
3. **Approval of Previous Minutes**
 Hearing of no errors or omissions the Chairman approved the minutes of 11 December 2001 as circulated.
4. **Recommendations from Other Committees**
 - (a) **Police Services Advisory Committee**
 Ms. Parker reviewed her report and the background of the proposal to the RCMP to expand the policing jurisdiction of the Berwick RCMP Office. Kings County Council met today and has approved the proposal in principal and will be proceeding to the public participation process to move forward. Inspector McCloskey noted that the County Council asked for clarification in the written outline of the proposed area, noting that what has been labelled as Sturk Road should read as the Canaan Road, also known as the Sturk Road. The County has indicated that they would prefer to hold the public meetings close together.

Further discussion of the date for a public information meeting resulted in scheduling the Town of Berwick's meeting on January 21st at 7:00 p.m. In response to inquiries, Inspector McCloskey noted that the implementation date of April 1, 2002 did not seem to pose any difficulties. After a brief discussion,

IT WAS MOVED and seconded to approve the RCMP Proposal in principle and request the PSAC to facilitate a public meeting at which time the RCMP proposal will be presented and the public invited to provide input.

Motion Carried

6. New Business

(e) Crow Population

Discussion began regarding the increased crow population in the Berwick area, noting the efforts that are currently being used by the Town of Kentville to control the birds in that area. The question was raised about destroying some of the birds to discourage others from settling in the Town. Corporal Payne noted that the RCMP will not provide this service, however, if it were allowed, the RCMP Office could screen any individuals who may be approached to provide this service. It was agreed that staff would contact the Town of Kentville regarding this option and that Corporal Payne would look into the legality of this practice in a residential area. A report will be made available at the January COTW meeting.

5. Business Arising

(a) Signing Authorities

Councillor Morse noted his preference of returning to the practice of the Mayor being one of the two primary signatories for cheques issued by the Town. It is Council who is ultimately responsible for the expenditures of the Town and he felt that the past practice is more appropriate.

IT WAS MOVED and seconded that the signing authorities for the Town of Berwick be the Mayor or designated elected official, along with the Chief Administrative Officer and Accountant.

Further discussion followed, noting that having the Mayor sign the cheques is not a foolproof guarantee of security to prevent the misplacement of funds. It was agreed that a list of cheques issued would be circulated to Councillors each month and any questions could be directed to either the Accountant or the Chief Administrative Officer. It was agreed to review this process in six months.

Motion Withdrawn

6. New Business

(a) Municipal Provincial Roles & Responsibilities

Ms. Parker reviewed the report and noted the additional documents circulated at the meeting regarding this issue. The Town Caucus executive met last Friday and letters were sent to the UNSM and the Minister expressing disappointment in how this issue has been dealt with. The Executive will be requesting a meeting with the Minister on

January 18th to further discuss the options and where the issue goes from here. A full Town Caucus meeting will be held after the discussion with the Minister. Ms. Parker recommended that the Town of Berwick write an independent letter to the Minister regarding the Department's past actions on the issue, to add force to the letter coming from the UNSM. In addition to a strongly worded letter to the Minister, it was agreed to meet with our MLA as well to fully explain our position and lobby for support.

Mayor Prall noted that the draft letters from the UNSM have been finalized and sent. In addition, a subcommittee of the Caucus was struck to explore restructuring the UNSM to recognize the Town Caucus as a sub group of the UNSM. The purpose of the restructuring of the UNSM is to take a closer look at the unequal balance between towns and rural municipal units. The two are funded differently and the Caucus feels that they are in a position to make some changes to benefit all. The UNSM does represent all municipal units, but in fairness, cannot represent each type to the fullest.

(b) Year End Forecasts

Ms. Parker noted that staff had met with the new Fire Chief and Deputy Chiefs to discuss the budget issues that the Town is facing. The Department came back with approximately \$3,000 that can be cut from their budget, which makes a marginal improvement to the bottom line. There is a freeze on discretionary spending for all departments as well as all capital projects out of revenue (with the exception of the Brown Street Ball Field). At this time, the Town is forecasting a financial deficit for its year-end. Staff will continue to monitor the issue very closely.

(c) Federal Infrastructure Program – Phase Two

Ms. Parker distributed her report and reviewed it for the benefit of Council. Discussion followed regarding the Town's long-term debt ratio. Funding available for phase two of the FIP stands at \$17,000 for all of Kings County. Ms. Parker noted that it would be wise to submit an application should other projects that have been approved be cancelled and funding amounts increase unexpectedly.

IT WAS MOVED and seconded to request the Town's consulting engineer to prepare a cost estimate for work to be completed on Main Street and complete the application for funding under the Canada Nova Scotia Infrastructure Program for the period beginning April 1, 2002.

Motion Carried

Ms. Parker noted that there were three items outstanding from the work done under the first phase of the Infrastructure.

- Further Union Street intersection work was held up by having to order materials. Hiltz and Seamone have reported that the materials are now in and Mid Valley Construction will begin work on Monday.

- the grade in front of the Rising Sun health food store was under question. The engineers went back to inspect the work done and noted that the grade meets the standards and no further work is required at that location.
- Mr. Regan previously noted that some damage had been done to underground wiring along Commercial Street with the installation of the sidewalks. A letter will be forwarded from BEC to Mid Valley Construction on this issue and it is not expected to cost the Town for these repairs.

Ms. Parker noted that the decision was made not to close the south entrance/exit on Commercial Street to the Save Easy store. The traffic authority recommended that it be used as a right turning exit only with appropriate signage put in place. Ms. Parker will follow up with Loblaw Properties on this issue.

(d) Nursery School Tax Exemption

Ms. Parker reviewed the report noting that this is a housekeeping matter to keep in line with past practice.

**IT WAS MOVED and seconded to accept first reading to amend
the Partial Tax Exemption Bylaw to include the Berwick and
District Nursery School.**

Motion Carried

Second reading of the amendment is scheduled for February Council.

(f) 2002 Property Assessments

Ms. Parker reviewed the report for the information of Council.

7. Correspondence

- (a) A letter was received from Mary Madison of the Berwick Inn, thanking Council for allowing her the time to present the issue of the Berwick Arts Council to them and updating them on the progress of the group. For the information of Council.
- (b) A letter was received from the Honourable Michael Baker, Minister of Justice, in response to the letter sent by Council regarding the accusations of wrongdoing by youth institution workers. For the information of Council.
- (c) A letter was received from the Maritimes Weather Centre of Environment Canada asking for input into the decision to change the weather forecast areas in Nova Scotia in order to forecast and report more accurate weather conditions. It was agreed that either format was acceptable and not to respond to the request.

- (d) A fax received from the Valley Waste-Resource Management noting the annual Joint Council Meeting to present the draft Operating and Capital Budget for 2002/03, to be held on January 23, 2002 at 7:00 p.m. at the Kingston Fire Hall. Final draft copies of the budget will be made available to Councillors prior to the 23rd.

8. Other Business

- Mayor Prall noted that the Municipal Electric Utilities Cooperative met yesterday in Halifax to discuss the impact on the proposed rate increase by NSPI. It was agreed at that meeting that there will be negative financial impacts on all customers, and Berwick is looking at about a 16.4% increase in costs if the rate goes forward. Each percentage point is estimated at costing \$18,000. Our large businesses will be hit very hard by this proposed increase. The issue will be further discussed at another meeting tomorrow in Truro. The group is applying as an intervenor into this process and going after the NSUARB to better handle the timing and process involved with this application. The UNSM has also applied for intervenor status. Ms. Parker suggested that Mayor Prall may wish to contact Ken Simpson at the UNSM to find out their position and status.
 - Councillor Horsburgh raised the issue of the Deed Transfer Tax and the increase made to the tax rate last year in response to the Province's proposal on equalization. Discussion followed, noting that an amendment can be made to the Bylaw however, it is questionable by the courts whether the amendment can be made retroactively. Council does have the ability to provide rebates if it wishes to. The issue will be more fully explored during the budget process, as the revenue generated by this tax is significant and will impact on the overall budget should the rate change.
 - Councillor Morse raised the issue of public parking behind the Post Office. There have been rumours on activities that may happen in that area, however, there has been no formal correspondence or request made to the Town on this issue. It was agreed that this is not an issue for Council at this time.
 - Councillor Whittier noted that over the past holiday season, there have been a number of visitors to the Town who have commented very positively on the street and Town Christmas decorations. The time and effort put into improving the decorations this year were certainly noticed by everyone.
9. Hearing of no further business the Chairman adjourned the meeting at 9:17 p.m.