

MINUTES OF THE MUNICIPAL COUNCIL MEETING
13 JULY 2004

Present: Chairman Mayor John P. Prall
 Deputy Mayor Donald E. Clarke
 Councillor Gary W. Whittier
 Councillor J. Richard Horsburgh
 Councillor Michael E. Trinacty
 Councillor Danny Lecky
 Councillor Murray Bezanson
 Mr. Craig Burgess, Recreation Director (left at 7:34 p.m.)
 Ms. Linda Parker, Chief Administrative Officer
 Ms. Michelle Millett, Recording Secretary

In attendance: Mr. Jason Smith, Berwick Register
 Mr. Arthur Lutwick, Windswift Taxi (left at 7:45 p.m.)
 Mr. Bruce Morse

1. The Chairman called the meeting to order at 6:37 p.m.

2. **Approval of the Agenda**

Mayor Prall welcomed members in the audience, Mr. Smith, Mr. Lutwick and Mr. Morse. The Agenda was approved as circulated with the additions of the List of Electors as Business Arising as item 6(d) and additional Correspondence of 7(h),(i), and (j), as a UNSM Memo and N.S. Gaming Corporation. Deputy Mayor Clarke requested he be able to report on meetings he had attended on behalf of the Mayor during his surgery as item #8.

3. **Approval of the Previous Minutes**

Deputy Mayor Clarke requested that his comments regarding fees for signage and the general wording within the third paragraph of Item #6(b) be changed to reflect that he did not support a fee for the Business Directional Sign. The Chairman approved the previous minutes of 8 June 2004 as amended by Deputy Mayor Clarke.

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

(a) **Funding to Organizations**

Ms. Parker read the motion.

IT WAS MOVED and seconded to approve funding to organizations as follows: \$4,000 to the Berwick & District Community Association, \$500 to the Fire Chiefs Conference, \$500 to the Valley Regional Hospital and \$300 to the Citizens on Patrol.

Motion Carried

IT WAS MOVED and seconded to approve the gathering of information and its inclusion in the process of decisions affecting awarding funding to

organizations that have requested funding and the process be reviewed and possibly changed.

Motion Carried

5. Recommendations from Other Committees

(a) Recommendation from Audit Committee re 2003/04 Financial Statements

Ms. Parker read the motion and noted the recommended practice had been that the Audit Committee has the financial statements presented by our auditor, Brad Morse.

IT WAS MOVED and seconded that Council approve the March 31, 2004 Financial Statements as presented.

Motion Carried

(b) Council Remuneration Committee Recommendation

Ms. Parker read the motion and noted that the committee struck to review Council's remuneration included the Councillors who sit on the Finance and Administration Committee and three citizens. Citizen members included Betty Keith, Doug Rawl and Doug Stockman. The ensuing motion was recommended to Council following that meeting.

IT WAS MOVED and seconded that Council effective November 1, 2004 adjust the level of remuneration for the Mayor, Deputy Mayor and Councillors to be set at \$13,185, \$5,938 and \$5,278 respectively;

FURTHER, that the annual remuneration for Mayor, Deputy Mayor and Councillors be increased by the rate reflected in the CPI for Nova Scotia for the preceding calendar year; and

FURTHER, that section 9 of the Remuneration and Expenses of Council, Committees, Boards and Agencies be amended to require a review of the policy every four years, to be completed by May 2008.

Motion Carried

Deputy Mayor Clarke noted that the honorariums were well supported by the citizen members during the meetings of the committee. Councillor Trinacty noted that compared to school board honorarium raises the Councillor rate of increase was minimal and that the process of reviewing other municipalities honorariums was an important one.

(c) Recommendations from the Planning Advisory Committee

Ms. Parker explained the background on the "organic vegetables" signage request and noted that there was no motion from PAC, but that signage on the Town's property and right-of-way were becoming common issues. The business request was to place a sign advertising directions to "Organic

Vegetables” on Town owned property at the corner of Main and Willow. Ms. Parker noted that by amending the policy to occur include agricultural signage and sub-division entry signage as part of the policy process these requests could be dealt with through her office.

IT WAS MOVED and seconded that agricultural and subdivision signs be included in the Business Directional Signage Policy.

Motion Carried

Ms. Parker noted the application from Rosemere Farm had specific information that included site plans, information on signage material and erection of the sign. This information would be forwarded to the Town’s Traffic Authority and Superintendent of Public Works for their approval. Once these approvals are received, Ms. Parker recommended permission is given for the erection of the requested sign.

IT WAS MOVED and seconded that Council allow Ms. Parker the authority to approve the sign provided it met all necessary specifications.

Motion Carried

6. Business Arising

(a) Viking Ventures Signage

Ms. Parker noted that she had investigated the signage requested by Viking Ventures for the Condon Park Sub-Division sign with Mr. Holland and it met the specifications that Council wished. Ms. Parker noted that if at a future date a sidewalk was constructed the location of the sign would be required to be moved and that clause would be put in the agreement with Viking Ventures.

IT WAS MOVED and seconded that Ms. Parker has the authority to approve the signage for Viking Ventures.

Motion Carried

(b) Directional Signage on Town Property & Public Right-of-Way Policy

Ms. Parker reviewed her report.

IT WAS MOVED and seconded that Council amend Policy 5.012 to read as “If all spaces are not filled, the Town reserves the right to approve signage from any of the seasonal, tourist related and arts and crafts vacant spaces. No businesses outside the Town of Berwick will be permitted to be erected on the signposts in South Berwick on Highway #1. Businesses approved to place signage on the Town’s sign posts will be permitted to leave their signs on the Town’s sign post until they are asked to be removed to due disrepair.

Motion Carried

Councillors advised staff to re-advertise the signage policy and send letter to businesses we are aware of that may be interested.

(c) Berwick Trail Strategy

Mr. Burgess advised that public and Recreation Advisory Committee meetings had occurred and feedback from those meetings has been included in the strategy. He reminded Council that this document was a framework only and that the Demo Trail was not included in the strategy as presented. Councillor Trinacty asked if an organization such as a snow mobile club wanted to develop trails that future plans for requests for motorized trails could be investigated and agreed to at the discretion of Councillors. Councillor Trinacty noted that from the beginning the non-motorized trail system was preferred. Mr. Burgess replied that there was a possibility of developing some motorized and more non-motorized trail systems.

IT WAS MOVED and seconded that Council approve the Berwick Trail Strategy as amended so that both motorized and non motorized trails could be instituted in the Town of Berwick.

Motion Carried

(d) Municipal Elections ~ Final List of Electors

Ms. Parker noted that this year, for the first time, the Preliminary List of Electors would not be posted in public, but instead advertisements would run notifying the public that the Preliminary List of Electors was available at the Town Hall. She noted that Nomination Day was September 14, 2004 from 9:00 a.m. to at 5:00 p.m. and nomination papers could be filed by appointment with the Returning Officer beginning September 7, 2004 to September 13, 2004.

IT WAS MOVED and seconded that Council set September 3, 2004 as the date by which the Final List of Electors for the Municipal and School Board Elections and the Provincial Sunday Shopping Plebiscite will be completed.

Motion Carried

(e) Date for Meeting of Berwick Electric Strategic Plan

The date selected for the meeting was Monday July 19th at 7:00 p.m. to review the BEC draft strategic plan.

7. **Correspondence**

(a) Windswift Taxi Request

Mr. Lutwick had requested verbally and through correspondence that two parking spaces be allotted to Windswift Taxi in the downtown core. It was suggested that the former 4Site office may be a good space for seniors to wait and two designated parking spaces could be provided in the parking lot next to the Annex. Councillor Trinacty said that this was a good idea for the public and Mr. Lutwick

noted he had a number of clients that shop and currently wait outside prior to being picked up. Mayor Prall asked if he could pay or lease the space that was Town owned where the previous 4Site office was. Mr. Lutwick noted that he would have to review requested payments. A six month lease or rental agreement on a probationary period was suggested by Mr. Lutwick to see if it would enhance his business. Ms. Parker agreed to review previous lease agreements for that space with Mr. Lutwick. Mr. Lutwick noted that it would be a daytime venue, but that would be for other customers other than seniors. Deputy Mayor Clarke requested draft agreements return to Council prior to passing. Ms. Parker was directed to bring back a recommendation to Council.

(b) Orchards Away Day Care and My Little Family Day Care

Ms. Parker read the legislation and noted that Council's may exempt any privately owned licensed daycares who request a full exemption of the Business Occupancy tax and a partial tax exemption of the real property tax. Currently there are two privately owned day care centers in Town. Currently, there are two privately owned day care centers in Town, Orchards Away located on Commercial Street and My Little Family Day Care on Main Street. Both exemptions would total a loss of revenue of \$2,600 to the Town. Councillor Trinacty asked if there were other units that were in this situation and Ms. Parker explained that partial exemption had been granted to an existing non-profit organization through a previous by-law amendment. Ms. Parker noted that the intent of the legislation was to have the daycare costs reduced for users due to the reduction of taxes. Councillors requested that the purpose of the exemption was to make childcare more affordable and that this should be noted in the letter regarding exemptions to the nursery schools.

Ms. Parker noted that this would require a change to the by-law and that it would be October at the earliest before the by-law could be changed. She reported that the exemption could be retroactive or it could be effective as of a certain date.

IT WAS MOVED and seconded that Council grant a full exemption of the Business Occupancy Taxes and partial exemption of the real property taxes to Orchards Away Day Care and My Little Family Day Care. A letter should be written to each suggesting that business tax exemption is given in the spirit of legislation be passed on to clients that would come into effect April 1, 2005.

Motion Carried

(c) Maria Antony ~ Skateboard Park Location

Ms. Antony had written an e-mail (attached) regarding her displeasure at the proposed location of the Skate Park. She did not want it located in the rookie field. Ms. Parker noted that the Brown Street Ball Park would be utilized for the rookies according to Mr. Burgess and the current rookie field was only utilized

three hours per week. Councillor Lecky noted that this was only the third time he had heard a complaint on the location of the skateboard park. Councillor Trinacty suggested that perhaps the Rainforth Park be used for a location of the skateboard park.

Ms. Parker requested that if the location was to be revisited it occur right away as the ramps etc. would begin construction this week. Councillor Trinacty noted that different sports have peaks and valleys at various times and that there is a slump in ball now that may not continue. Other Councillors noted that there was a space for the rookie field in a number of locations. It was agreed that the original plan to build the skateboard park at the Town Hall location proceed as planned. Ms Parker was advised to respond to the e-mail received which she would have Mr. Burgess write regarding the location in the Rookie Ball Park.

(d) Coastal Communities Network

Ms. Parker noted that the book was available if Councillors wished to read it.

(e) Office of the Minister of Justice ~ Pilot Expansion

For the information of Council.

(f) Federation of Canadian Municipalities (FCM) ~ Advisory

For the information of Council.

(g) Thank You Cards from Apple Blossom Princesses

For the information of Council.

(h) Update on Avon Foods Facility

Ms. Parker noted that a consultant had been hired to investigate future opportunities for the Avon Foods facility. A public consultation will occur Tuesday, August 3, 2004 to hear input for future potential uses. She reported that the Steering Committee would meet August 5 at 10:00 p.m. to review the interim report. The study must be completed by August 16, 2004 in order to receive funding requested.

Councillor Trinacty asked how the plan would be developed to market the facility and if the study would be geared for what type of industries would be best suited to the facility. Ms. Parker commented that the group was also targeting businesses interested in partnering or complementing each other. Carriere Foods is waiting for proposals on what may go on in the facility.

(i) UNSM Call for Nominations

A Memo had been received that gave some information on the UNSM it was common practice for the past president to call for nominations be received by him by July 23, 2004. Mr. Prall requested that if anyone wanted their name put forward to let him know.

- (j) Nova Scotia Gaming Corporation
For the information of Council.

8. Update on Deputy Mayors Duties for Mayor

Deputy Mayor Clarke noted that he and Ms. Parker had been presented an award from the Provincial Tobacco Conference. He had attended the Berwick Board of Trade meeting and that a good core group of business people are trying to move the organization forward. Deputy Mayor Clarke had attended the dedication of the Memorial Fountain by the Havill family and suggested that Mayor and Council send a letter thanking the Havill family for the donation to the cemetery. Mayor Prall reported he had talked to the Havill family and complimented them on the monument. Deputy Mayor Clarke also attended a portion of the Maritime Fire Chiefs Convention that included a religious ceremony, parade and reception.

Deputy Mayor Clarke thought two Town entrance signs together side by side coming into Town were not aesthetically pleasing and asked if one of them could go in another location. Mr. Burgess had talked to Mayor Prall regarding the sign and requested direction from Council. Mayor Prall noted that one was a welcome to the town and one was a map of the Town. Lighting the sign, painting the signs to match, parking area in the signage area, and adding the town crest and website were discussed to enhance the look of the area.

Councillor Whittier requested that a letter be written or gift given to Padre Shawn Kehoe, the clergy for the fire department from the Mayor. He had moved from the area and Councillor Whittier wanted him to be recognized as a firefighter and member of clergy that helped other fire fighters in the Town of Berwick.

Councillor Horsburgh requested painting be done to Town Hall especially the trim. Mayor Prall suggested that the cost should be looked at first. Councillor Whittier would like to see painting occur as soon as possible contingent on the Budget.

Ms. Parker agreed to calculate the impact of the elimination of the Business Occupancy Tax on the businesses in Berwick. Deputy Mayor Clarke noted that the public may be assuming that the business occupancy taxes will be null and void. It was noted that they will be paid, but in a different format than through the business occupancy tax.

Councillor Horsburgh requested the reinstatement of the distribution of a listing of cheques written from the Town, to whom and for what amount. Other Councillors were in agreement and a listing will be included in the August Committee of the Whole Package.

Councillor Trinacty requested that there be time on the next meeting of the Committee of the Whole to discuss any issues that came up during the Councillor's Canvas done in late spring.

9. Next Meeting Date

The next meeting of Council would be held the 14 September, 2004.

10. Hearing of no further business the Chairman adjourned the Council meeting at 8:39 p.m.

John P. Prall
Chairman

Michelle Millett
Recording Secretary