

MINUTES OF THE MUNICIPAL COUNCIL MEETING
MARCH 8, 2005

Present: Chairman Mayor John P. Prall
 Deputy Mayor Michael E. Trinacty
 Councillor Gary W. Whittier
 Councillor J. Richard Horsburgh
 Councillor Beth Easson
 Councillor Anna Ashford-Morton
 Ms. Linda Parker, Chief Administrative Officer
 Ms. Michelle Millett, Recording Secretary

In attendance: Mr. Jason Smith, Berwick Register
 Mr. Mike MacLean, Accountant, Town of Berwick
 Mr. Gary Gould, Superintendent of Public Works, Town of
 Berwick
 Mr. Hartt MacKinlay, Western Kings Memorial Health
 Society (WKMHS)
 Mr. Barry Corbin, WKMHS
 Mr. Charles Fraser, WKMHS
 Mr. Curt Palmer, WKMHS
 Mr. Preston Ilsley WKMHS, WKCHB
 Mrs. Dianne Callaghan, WKMHS

Absent with Regrets: Councillor Donald E. Clarke

1. The Chairman called the meeting to order at 7:03 p.m. and welcomed everyone in attendance.

2. **Approval of the Agenda**

Additions to the Agenda included the additions of a letter of support for the Western Kings Memorial Health Society (WKMHS) from the Western Kings Memorial Health Board under item 4.(a). Under item 6(b), New Business, Discussion Papers from the Kings Partnership Steering Committee (KPSC) were added. Letters from Rodney MacDonald, Tourism Culture and Heritage Minister, Department of Transportation and Public Works, Community Services Minister and Gerald and Ena Pineo were added under Correspondence items 7(b), (c), (d) and (e) respectively.

The Agenda was approved as amended.

3. **Approval of the Previous Minutes**

Councillor Easson requested that the minutes of February 8, 2005 be amended to reflect that prior to the Business Arising item 5(a), MPS/LUB Amendment ~ Apple Dome/Century Centre Rezoning she declared a conflict of interest and left the room. The Chairman approved the minutes of February 8th, 2005 as corrected.

4. **Business Arising**

(a) **Tax Exemption & Reduction By-law ~ Western Kings Memorial Health Society (WKMHS)**

Mayor Prall brought Council's attention to a letter that had been distributed from the Western Kings Community Health Board (WKCHB) in support of a full tax exemption status for the WKMHS.

Ms. Parker reported that two recommendations had been incorporated into the draft amended by-law. One recommendation from February Committee of the Whole amalgamated the Full and Partial Tax Exemption By-laws and thus necessitated a repeal of the Partial Tax Exemption By-law. The other recommendation from February Council recommended the addition of the Western Kings Memorial Health Society under Schedule "A". She reviewed her report and relayed that Council could facilitate these amendments either through one motion or two.

IT WAS MOVED and seconded that Council approve amendments to the Tax Exemption and Reduction By-law, repeal the Partial Tax Exemption By-law and accept first reading of the Tax Exemption and Reduction By-law.

Motion Carried

Discussion ensued as to a recent donation by the WKMHS to the Apple Dome/Century Centre and thus raised a question as to the Society's need for the requested full tax exemption. Mayor Prall brought Council's attention to the presentation in February by Mr. Curt Palmer who explained the Society's charitable donation status. Mayor Prall reminded Council that this donation fit under the Society's declared mandate.

Deputy Mayor Trinacty commended the WKMHS for their provision of charitable funding to various health oriented groups and spoke highly of their donation pledged to the Berwick & District Community Association. Councillor Easson commented that it may be in the best interests for the WKMHS to educate the public regarding its mandate and financial support to health initiatives in the area.

5. **Recommendations from Other Committees**

(a) **Committee of the Whole**

Ms. Parker read the following motions from the February meeting of the Committee of the Whole.

(i) Apple Blossom Princess Committee Budget

IT WAS MOVED and seconded that Council approve a budget in the amount of \$2,080 for the 2005 Apple Blossom Princess Tea Committee.

Motion Carried

(ii) Low Income Tax Exemption

IT WAS MOVED and seconded that Council approve that the total household income level be increased to \$20,087 and tax exemption amount of \$200 or the amount of property tax payable (whichever is less) remain unchanged for the taxation year 2005/06.

Motion Carried

Mr. MacLean noted there had been no increase in applicants when the income level had been raised during the 2004/05 year.

(iii) Interest Rate on Overdue Taxes

IT WAS MOVED and seconded that Council set the interest rate charged on overdue taxes at 12.7% per annum (1.0% per month compounded) for fiscal 2005/06.

Motion Carried

(b) Recommendations from Planning Advisory Committee

Deputy Mayor Trinacty reviewed the report. He relayed that the Resource Water Management Strategy had been implemented by the Town to protect our groundwater supply. He informed Council that the next step in the process was to request the Municipality of Kings County approve the same amendments to their Municipal Planning Strategy (MPS) and Land Use By-law (LUB) passed by the Town of Berwick.

IT WAS MOVED and seconded that Council approve a formal request going forward to the Municipality of the County of Kings to amend its Municipal Planning Strategy and Land Use By-law as proposed in the April 2003 Town of Berwick Water Supply Management Plan.

Motion Carried

Ms. Parker relayed that she had forwarded the draft proposed amendments to the staff level at the Municipality of the County of Kings.

6. New Business

(a) Taxi By-law

The current by-law requires that taxis cabs be licensed on an annual basis. Part of the licensing process involves provision of proof of insurance. This by-law was enacted in July 1963 and required \$50,000 as the minimum amount of liability insurance. Our insurance broker has indicated that the majority of

insurance policies now require minimum liability coverage of \$1,000,000 and thus the requirement for an amendment to the by-law.

Ms. Parker commented that this by-law required change in a timely manner as Taxi License renewal was scheduled for April 1, 2005. Deputy Mayor Trinacty questioned the \$2,000,000 level as a sufficient minimum liability amount to require of taxi operators. Discussion ensued regarding the amount of liability insurance to be carried by taxi operators.

IT WAS MOVED and seconded that Council amend the wording of the Taxi Cab By-law, paragraph 99 (1) (c); to read the following: “That the applicant provide proof of public liability insurance of not less than \$1,000,000 and an endorsement on the policy to indicate that the motor vehicle is insured to operate as a taxi.” and accept first reading of the Taxi Cab By-law.

Motion Carried

(b) Kings Partnership Steering Committee (KPSC) ~ Discussion Papers

Ms. Parker reported that five subcommittees of the KPSC had been struck to review opportunities and enhancements for regional cooperation. The committees had been mandated to develop discussion papers on services. The services to be examined included Recreation, Fire Services, REMO, Solid Waste and Economic Development.

Ms. Parker distributed reports from three of the sub-committees that included Recreation, Economic Development and Solid Waste. She relayed that the Solid Waste group had found no rationale to recommend anything other than the status quo due to inherent difficulties in a break-down between rural vs. urban waste. She reported that the Fire Service sub-committee would meet with representatives from the Fire Service prior to publicizing their Discussion Paper.

Ms. Parker relayed that the KPSC would meet next on April 11, 2005.

7. Correspondence

(a) Annapolis Valley Regional Library ~ January 2005 Report
For the information of Council.

(b) Tourism, Culture and Heritage ~ Office of the Minister

Mayor Prall relayed that one-time additional funds of \$85,000 had been granted to ETTA from the province to address the emergency crisis.

(c) Transportation and Public Works

Mayor Prall reviewed the letter regarding 100 series highways directional signage with Council. He noted that the signs had a recommended life span of twelve to fifteen years and reported that the province would undertake an audit

of the signs to determine which signs may require repair or replacement at the expense of municipal units. Mayor Prall would request that this item be added to the UNSM Board of Director's Agenda as it would be an added expense to all municipalities.

Ms. Parker commented that the audit would test the reflectivity of the signage and noted that municipalities would have two years from the audit to repair or replace the signage. Ms. Parker noted that some municipalities had adopted a new style of signage along the 100 series highways. She showed Council some examples. She indicated that this may be an opportunity for the Town to update the standard of signage as some other municipalities had done.

(d) Mr. & Mrs Gerald & Ena Pineo

Mayor Prall commented that the Pineo's request for an extension of the sidewalk from Ron Smith Drive along East Commercial Street to Orchard would be referred to the budget process. Ms. Parker reported that the extension had been priced at \$15,000 and brought Council's attention to the Streets and Sidewalks report within the Capital Budget that prioritized future work plans for streets and sidewalks in the Town.

Ms. Parker agreed to write to Mr. and Mrs. Pineo to inform them that the sidewalk extension would be considered during the capital budget process.

(e) Community Services ~ Office of the Minister

Ms. Parker relayed that she had talked to Gordon MacPherson, of the Housing Authority and informed him of our policy regarding public citizen appointments. She noted that these appointments take place in November of each year following a municipal election. During a past meeting Ms. Parker had requested that a member of Council sit on the Committee, but had discovered during her conversation with Mr. MacPherson that the guidelines do not allow elected officials to sit on the Housing Authority Board. She relayed that the Board was responsible for operations of the Housing Authority and that they deal with issues including eligibility, and tenant disputes and appeals.

Ms. Parker reported that the Board meets once per year, but that each Counties Standing Committee meets on a monthly basis. She relayed that Council should direct staff to begin the recruitment process through advertising in the local paper. She discussed the process of Council recommending a representative for ministerial approval. Following the advertisement, Ms. Parker agreed to bring a recommendation to April Council.

Councillor Horsburgh relayed his surprise that membership on the Board was not accountable to citizens, as an elected official would be.

8. Next Meeting Date

The next meeting of Council would be held April 12, 2005 at 7:00 p.m.

- 9.** Hearing of no further business the Chairman adjourned the Council meeting at 7:54 p.m.

John P. Prall
Chairman

Michelle Millett
Recording Secretary