

MINUTES OF THE MUNICIPAL COUNCIL MEETING
NOVEMBER 8, 2005

Present: Chairman Mayor John P. Prall
 Deputy Mayor Michael E. Trinacty
 Councillor Gary W. Whittier (left the meeting at 6:53 p.m.)
 Councillor J. Richard Horsburgh
 Councillor Beth Easson
 Councillor Anna Ashford-Morton
 Councillor Donald E. Clarke
 Mr. Bob Ashley, Chief Administrative Officer
 Ms. Michelle Millett, Recording Secretary

In Attendance: Mrs. Sara Keddy, Berwick Register
 Mr. Dwight Bishop, Provincial Ombudsman (left the
 meeting at 7:25 p.m.)
 Chief Stephen Palmer, Berwick and

1. The Chairman called the meeting to order at 5:42 p.m. and moved into an In Camera Session.

The In Camera Session ended at 6:47 and Council reconvened at 6:58 p.m. and welcomed Mr. Dwight Bishop and Mrs. Sara Keddy.

2. **Approval of the Agenda**

The Agenda was amended to add Kings CED Update and Assessment Board Update under New Business and under Correspondence the Town's Caucus Letter regarding Antigonish. The Agenda was approved as amended.

3. **Approval of the Previous Minutes**

The Chairman approved the Council minutes of October 11, 13, 24, and 25, 2005 as circulated.

4. **Presentations**

- (a) **Provincial Ombudsman ~ Mr. Dwight Bishop**

Mayor Prall welcomed Mr. Bishop, a retired member of the RCMP. Mr. Bishop noted that he spent a period of his youth in Berwick. He noted that he was the Ombudsman for the Municipalities, Towns and Counties in the Province. He distributed brochures for use in the Town Hall. He noted his mandate was under the Ombudsman Act of Nova Scotia. The concept was brought from Sweden and has evolved since 1970 in Nova Scotia. The function provides an arching function between the administrative public service side of government. He responds to complaints regarding the public servants..

Mr. Bishop wants to educate the public regarding the existence of the service and his office receives 1800 enquiries per year and about 20% of which involve municipal enquiries. The focus of the office is now to move away from the formal side to facilitate resolution more informally. The core mandate is mal-administration and looks at the public service to see if they are treating the public properly. Mr. Bishop sees his role as administrative, but some others in the country, see their role as legislative.

Mr. Bishop noted that the youth portion of the program has expanded and youth facilities are visited regularly by the Office of the Ombudsman especially in reaction to the Shelburne issue. He relayed that the area of focus that was now expanding was in relation to the elderly. Whistle blowing (public service disclosure at the provincial level) is another area that the office deals with. He notes that patterns and systems are now being looked at and moving away from being a reactionary body.

He notes that a permanent staff of 14 are in the office and are fairly active in the three correctional facilities in Nova Scotia. He added that the Ombudsman Act had been amended to include schools and correctional facilities. The Ombudsman reports to the Provincial Legislature. In response to Councillor Horsburgh's question, Mr. Bishop replied that he makes recommendations to changes in legislation.

Councillor Ashford-Morton asked about the breakdown and Mr. Bishop noted that 300 are youth , 400 are changes in the process of the 1800. Those under the mandate have increased from 43% to 62%. He noted that there is pattern servicing and that staff have stabilized within the department. He notes that he meets yearly with all the Deputies of Cabinet for the Province. Deputy Mayor asked what concerns could not be investigated and these include elected officials and the Ombudsman noted that they more deal with the public service or administrative side. The processes of decisions are investigated and not the decisions themselves. They do not have a legislative authority, only a recommendation ability and he sees this as a strength of the Office of the Ombudsman.

Mayor PRall thanked Mr. Bishop for coming to Council and let him know how fair a person the province had chosen for the position of Ombudsman.

5. Accolades

(a) Mr. Craig Burgess and Chief Stephen Palmer

Mayor Prall noted that this was a new item for Council.

Mayor Prall noted that Mr. Burgess had done an excellent job on the Haunted House with the assistance of Carol Boylan, Shannon and Ms. Martin. He relayed

that his regret that this year he couldnot attend the Haunted House. He recognized Mr. Burgess for a job well done.

Mayor Prall noted that Chief Palmer had been with the Town for twenty years and that he would be presented with a prestigious medal from the Govener General on November 19th, 2005. Mayor Prall noted the huge contribution made by Chief Palmer. He also noted Gary Galley with 25 years service and Alan Huntley with a 20 years in the Berwick department. Mayor Prall noted the exemplary type of service we have and how Berwick was fortunate to have these members in our department.

Mayor Prall congratulated Chief Palmer. Councillor Clarke commended the fire department for their efforts to keep Halloween safe this year.

(b) Mr. Ron Reeves

Mayor Prall congratulated Mr. Ron Reeves and recognized him as a Town leader and thanked him for his efforts.

Mr. Ashley asked Councillors to bring Accolades of staff and other local citizens to his attention.

6. Committee Updates and Recommendations

(a) Committee of the Whole

Mr. Bob Ashley read the motions.

(i) Public Works Equipment Purchase

IT WAS MOVED and seconded that Council approve the purchase of one sidewalk machine at a price of \$67,450 + HST from LaHave Equipment.

Motion Carried

(ii) Committee of Council Citizen Appointees

IT WAS MOVED and seconded that Council appoint Jim Keith, Jamie Allen, Randy Holmesdale and Karen Haggarty to the Police Services Advisory Committee; Donna Conrad, Nya Parker, Theresa Steadman, Bill Walsh and Katrina Gould to the Recreation Advisory Committee; John Rainforth and Howard Hall to the Berwick Electric Commission; and Ashley Logie, Joan Levak, and Elizabeth MacBride to the Planning Advisory Committee.

Motion Carried

The addition of Theresa Steadman and Bill Walsh was questioned by Councillor Easson and Councillor Clarke noted that they were late submissions that were willing to serve again and fill the full contingent on the committee.

(b) Recreation Advisory Committee

Councillor Horsburgh noted that Mr. Burgess would be at the next Committee of the Whole meeting to address questions that arose at the last Committee of the Whole meeting. Councillor Easson noted that the Open Space Committee meeting would be meeting again tomorrow evening. Mayor PRall commended the Open Space committee on a good turnout during the public meetings held on ???.

Councillor Clarke noted that at 9:00 p.m. the Council would meet with the St. Mary's group to discuss Council's organizational input into the Century Centre.

(c) Kings CED Update

Mayor Prall noted the tremendous job done by Erin Beaudin at the Kings CED. He relayed that he attended the water resource group at the cottage of Joe and Susan Ueffing for a strategic planning session. Mayor Prall noted that the KPSC workshops had been a success and that all the organizations were aware of the others role and how best to work together. He relayed that there would be a follow up work shop in the spring to see any new directions.

Councillor Easson noted that the sessions had been useful to her and the first session was more informational and the second session instrumental. She relayed that from the sessions there was a need for a one stop shopping area for businesses that may better coordinate all the groups interested in economic development. Councillor Easson would like to see Berwick coin something like the Kentville "Pumpkin People".

(d) Assessment Board Update

Mayor Prall noted that the Assessment Board aimed to ease the transition between the provincial body and municipal input and accessibility. He noted that the Assessment Board itself had come up with a preliminary number for the Board and who they should be made up of. He noted that the transition from the provincial board to the municipal Assessment Board would take place to work out boundaries or regulations that bind that Board.

2 UNSM members to represent each of the caucus's, three from the AMA, executive director of the UNSM, Director of SNSMR, Richie Cotton. He relayed that it was fairly urgent to get the budget in place and the budget had been pared down to 12 from 14 million. The computerized program would be put in place and they were able to view the software proposed to be used. He relayed that the computer program proposed could take aerial pictures and capture front, side, rear and top views of houses in order to detect any changes to houses from an assessment point. A new pool would be detected with this digital technology

Provincial Inspection Assessment Program (PIAP) would be put in place to update assessments. Property values would be brought to par in 1998 and 2004. The program has generated a huge amount of funding through the re-assessments years. Mayor Prall noted that windmills, storage tanks were taken out of the assessment than they won't be taxable and will have a tremendous affect on these companies and on equalization from the provincial government. He relayed that the lease on the building in Halifax was nearly 1 million dollars per year and that the Board may be moving from metro.

Mayor Prall noted that some municipalities have taken on the re-assessment in their areas if they thought that they were outdated and they contracted re-assessment of properties in order to increase the assessment role.

7. **New Business**

(a) **Election of Deputy Mayor**

Mayor Prall called for nominations and noted. Councillor Clarke was nominated by Deputy Mayor Trin

IT WAS MOVED and seconded that Council elect Councillor Clarke as Deputy Mayor in accordance with the Town's Meeting and Procedure By-law for a term of one year ending October 2006.

Motion Carried

(b) **Federal Gas Tax Agreement**

Mr. Ashley reviewed Mr. MacLean's report. He relayed that there would be administrative costs because the Town is obligated to provide accountability to qualify for the funds available to the Town. He noted that Sustainability Plans and Outcomes Report would be required over the years along with . Cleaner water, cleaner air and lower emissions would be required as goals for municipalities and he relayed that during Priority Setting Exercise that Council would see fit to include these types of considerations.

Councillor Trinacty asked if the Sustainability Plan was required after the money was received and if it would be more appropriate to look at a Sustainability Plan prior to receiving the funding and before the required date of 2010. Mr. Ashley noted that in the Economic Development Committee he had asked Mr. Hockin to include long term sustainability in any Economic Strategic Plan for the Town and in the social and cultural terms. Councillor Trinacty relayed that the template for the Sustainability Plan should be requested as soon as possible. Mr. Ashley agreed to investigate this and to find out what tools are required by the Federal Government. Mayor Prall also agreed to find out from Halifax Regional Municipality what guidelines were used by HRM to complete theirs .

Deputy Mayor Clarke asked if the funding needed to be spent on green initiatives and if they could be utilized in a new Fire Department. Mr. Ashley was asked for

a list of projects that the money may be utilized for and he would investigate the allowance for those qualifying projects.

IT WAS MOVED and seconded that Council approve the Gas Tax Agreement and authorize the Mayor and CAO to sign the document.

Motion Carried

(c) Kings Transit ~ Councillor Representative

Mayor Prall relayed that Kings Transit Board members had requested Council representation at their table. Once a month, the third Tuesday of the month in the day and last a hour to an hour and a half at 4:30 p.m.

Councillor Whittier had volunteered, Mayor Prall noted.

IT WAS MOVED and seconded that Council appoint Councillor Gary Whittier as the Town of Berwick representative on the Kings Transit Authority Board.

Motion Carried

(d) Year of the Veteran ~ Wooden Carving

Mr. Ashley reviewed his report. He noted that this type of initiative may spur some economic realization as has happened in regard to a tourist draw in the Town of Truro. He relayed that cost between \$1,500 to \$3,500 depending on the complexity and portability of the statues commissioned. Mr. Ashley noted that Mr. MacMahon was another statue carver that was stationed in Gold River. He relayed that maintenance of those statues in the ground was an issue and can decay from the inside up.

Mr. Ashley relayed that between \$1,000 and \$2,000 would be an acceptable level within our budget according to Mr. MacLean.

Councillor Horsburgh asked the timeframe to complete a statue and Mr. Ashley noted that one in Truro had been completed in three weeks. Councillor Trinacty asked how the legion reacted to the commissioning of a statue and if the legion was as enthusiastic and had a direction as to what the statue should look like. Mr. Ashley noted the elderly population at the legion and the deliberateness of the organization. Councillor Trinacty asked how the membership would describe the statue and how far they would have to go up to determine what the statue looked like.

Mayor Prall suggested that World War I and II statues could be done one at a time over a period of years. He suggested that the first one could be commissioned and funded by the Town of Berwick. He relayed that it would be inappropriate to saddle the Legion with a cost and the design of the statue.

Mayor Prall noted that this would be an ongoing memorial that the Town should do.

Councillor Trinacty asked what the process was to have the design of the statue approved. Mr. Ashley suggested that the face of Mr. Rafuse's father might be used for the face of the statue. Councillor Trinacty noted that there were local people in Paradise, Bridgetown and someone from the Town of Windsor. Deputy Mayor Clarke suggested that a Committee be formed to direct this initiative.

IT WAS MOVED and seconded TO APPROVE THE PROJECT IN PRINCIPLE AND STRIKE A COMMITTEE TO BRING BACK RECOMMENDATIONS TO COUNCIL CONSISTING OF STAFF, COUNCIL AND MEMBER OF THE LEGION.

Mayor Prall appointed Councillor Whittier and Councillor Ashford-Morton and Deputy Mayor Clarke volunteered to be on the Committee.

8. Correspondence

(a) RCMP ~ D.A.R.E

Discussion ensued regarding the request for funding.

IT WAS MOVED and seconded that Council approve funding of \$250 to the D.A.R.E. program under Grants to Organization Funding if they had not already received funding in this fiscal year.

Motion Carried

(b) Town Caucus Update

Deputy Mayor Bob Wrye had written a letter to the Deputy Minister to the Minister of Environment responsible for the NS Utility and Review Board. regarding annexation and amalgamation that Mayor Prall had added to the Agenda for the information of Council. The letter was in support of no forced amalgamation and noted that the NSURB was ignoring the governing body and noted this not to be in the best interest of municipalities.

9. Other Business

10. Next Meeting Date

The next meeting of Council would be held December 13, 2005.

11. Hearing of no further business the Chairman adjourned the Council meeting at 8:55

p.m.

John P. Prall
Chairman

Michelle Millett
Recording Secretary