

ATTENDING

Mayor Don Clark
Deputy Mayor Mike Trinacty, Chair
Councilor Adam Lutz
Councilor Chris Goddard
Councilor Derrick Jamieson
Councilor Rod Reeves
Councilor Ty Walsh
Jen Boyd, CAO
Lisa Buchan, Director of Finance
Katie Verrette, Manager of Community Development
Tim Harding, Director of Public Works
Chantal Franey, Executive Coordinator – Recording Secretary

ALSO ATTENDING:

Chrystal Fuller, Town Planner

7 members of the public

1. CALL TO ORDER

The meeting was called to order at 6:33 p.m.

2. APPROVAL OF THE AGENDA

IT WAS REGULARLY MOVED AND SECONDED THAT THE AGENDA BE APPROVED AS CIRCULATED, WITH THE FOLLOWING ADDITION:

- **Announcement from MLA, John Lohr**

MOTION CARRIED

3. APPROVAL OF THE MINUTES

a. IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE TOWN COUNCIL MEETING OF March 21, 2023, BE APPROVED AS CIRCULATED.

MOTION CARRIED

Mayor Clarke highlighted correspondence from John Lohr, MLA, indicating that a one-time infrastructure transfer in the amount of \$326,419 will be given to the Town of Berwick to be used for projects such as the creation of services, accessibility, housing and improvement to transportation services.

4. FIRST READING:

a. Rainforth Development Agreement

An application to subdivide 215 Masters Avenue to create an infill was approved on February 17, 2023. The infill lot was created to allow a

proposed single-unit dwelling development. Per the Municipal Planning Strategy, the development of a new single unit dwelling on an infill lot requires a development agreement. The Planning Advisory Committee reviewed the application and made a positive recommendation to Council.

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL GIVE FIRST READING AND FORWARD TO THE PUBLIC HEARING THE DEVELOPMENT AGREEMENT TO PERMIT A SINGLE UNIT DWELLING ON PID 55550297.

MOTION CARRIED

5. SECOND READING Continued
a. Apple Valley Foods Development Agreement

As Mayor Clarke was not present at the Public Hearing on this matter he was not permitted to be involved or vote. Deputy Mayor Trinacty assumed the role of Chair, and asked Planner Fuller to speak to the Supplementary Report regarding the Development Agreement (DA) with Apple Valley Foods.

Planner Fuller explained that at second reading consideration, Council requested that staff discuss various changes to the DA and report back on April 11th.

Staff spoke with the applicant and the draft DA was amended in response to Council's direction.

Councillor Walsh said that he feels the matter should go to a second Public Hearing because of the amendments that have been made to the DA.

Councillor Walsh noted his discontent with the potential status of the property after Apple Valley Foods perhaps sells at some point in the future. Discussion ensued regarding the DA being attached to the property, not to the property owner.

Planner Fuller highlighted three options presented for the Council's consideration.

Councillor Jamieson put forth the following motion:

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL GIVES SECOND READING TO THE DRAFT DEVELOPMENT AGREEMENT ATTACHED TO ALLOW A 10 BEDROOM BOARDING HOUSE WITH A

MAXIMUM OF 10 PEOPLE, INCLUDING THE ONSITE PROPERTY SUPERVISOR AT 245 COMMERCIAL STREET, BERWICK.

**MOTION CARRIED
(2 Opposed – Councillor Lutz and Councillor Walsh)**

Councillor Jamieson asked what the next steps are. Deputy Mayor Trinacty and CAO Boyd explained that a notice will be published in the Kings County Register noting an appeal period of 14 days to any aggrieved party. If there is no appeal after 14 days from the publishing of the notice, the DA is in effect. If there is an appeal, the matter is forwarded to the UARB.

**6. Recommendations from Committee of the Whole
a. RFD001-2023 Valley Waste Operating and Capital Budget**

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE 2023/24 VALLEY REGIONAL SOLID WASTE-MANAGEMENT AUTHORITY OPERATING AND CAPITAL BUDGETS AS PRESENTED.

MOTION CARRIED

b. RFD002-2023 Kings Transit Budget

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE 2023/24 KINGS TRANSIT AUTHORITY OPERATING AND CAPITAL BUDGETS AS PRESENTED.

MOTION CARRIED

c. RFD006-2023 2023-24 Operating Plan

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE 2023/24 OPERATING PLAN.

MOTION CARRIED

d. RFD007-2023 Draft Employee Compensation & Review Policy and Plan

Council deferred the motion until after the in-camera session.

**7. NEW BUSINESS
a. RFD Paving Tender**

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL AWARD TENDER BER2023-001 THE 2023-24 ASPHALT PAVING STREETS AND SIDEWALKS, WITH A BUDGETD AMOUNT UP TO 200,000 TO HOWARD E. LITTLE EXCAVATING.

MOTION CARRIED

b. RFD009-2023 Reallocation of 2023/24 Capital Budget

The Town's existing backhoe experienced a catastrophic failure to the motor on April 6th, 2023. Public works has secured a rental backhoe for the interim. As this machine is critical for daily operations, public works has proposed swapping the replacement timing of the new plow truck and the new backhoe.

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE MOVING THE NEW BACKHOE TO YEAR 1 OF THE 2023/24 5 YEAR CAPITAL INVESTMENT PLAN AND REALLOCATING THE NEW PLOW TRUCK CAPITAL PROJECT TO YEAR 2.

MOTION CARRIED

8. MAYOR'S REPORT

Mayor Clarke's highlighted the upcoming dates:

Meeting with Mike Larsen regarding development at WKMHS – April 12
Regional Economic Task Force Meeting – April 13
Meeting with Mr. Jason Clarke, NSCC – April 19
IMSA Meeting – April 19
COTW – April 24

9. IN CAMERA SESSION – PROPERTY and PERSONNEL

IT WAS REGULARLY MOVED AND SECONDED THAT THE REGULAR MEETING BE ADJOURNED TO IN-CAMERA AT 7:45 PM.

MOTION CARRIED

CAO Boyd left the meeting at 8:45 PM.

IT WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA BE ADJOURNED TO THE REGULAR MEETING AT 9:19PM.

MOTION CARRIED

8. ADJOURNMENT

IT WAS REGULARLY MOVED AND SECONDED THAT THE REGULAR MEETING BE ADJOURNED AT 9:19 PM.

Approved by Town Council May 9, 2023.

As recorded by Chantal Franey, Executive Coordinator.