

Town of Berwick Special Council Meeting

January 28, 2025

Town of Berwick Council Chambers

Immediately following the Committee of the Whole Meeting

AGENDA

1. Call to Order

2. New Business

- a. RFD003-2025 Wastewater Tertiary Filtration
- b. RDF004-2025 Expense Policy

3. In-Camera per s. 22(2) of the *Municipal Government Act*

- a. 22(2)(c) personnel

4. Adjournment

REQUEST FOR DECISION

RFD003-2025: Wastewater Tertiary Filtration Equipment Pre-Selection



To: Council
From: Director of Public Works
Date: 28 January 2025
Subject: Wastewater Tertiary Filtration Equipment Pre-Selection

References/Attachments

- Tender # BER2024-009 Town of Berwick WWTP Upgrade – Tertiary Treatment Upgrade – Equipment Pre-Selection and Pilot Study (June 2024)
- Tender by Invite # BER2024-009 Town of Berwick WWTP Upgrade – Tertiary Treatment Upgrade (Nov 2024)
- Tender by Invite Responses (3)
- Dillon’s Technical Bid Evaluation (File No. 24-7552), dated 7 Jan 2025

Recommendation

That Council award the work scope as outlined in BER2024-009 Town of Berwick WWTP Upgrade – Tertiary Treatment Upgrade (Nov 2024) to Veolia, for the supply of design drawings for tertiary clarification, for the contract amount of up to 20% of Equipment Cost of Tertiary Clarifier System (\$1,204,754.00, excluding HST).

Background

The Town of Berwick, with technical support from Dillon Consulting, issued Tender “BER2024-009 Town of Berwick WWTP Upgrade – Tertiary Treatment Upgrade – Equipment Pre-Selection and Pilot Study” on 10 June 2024 seeking bids from qualified proponents for the piloting and pre-selection of a tertiary treatment filtration pilot system for the WWTP.

The tender closed on 12 July 2024, and although there were several proponents expressing interest and seeking clarifications on the tender documents, 0 tender responses were received. Prospective proponents felt that the performance guarantee as worded in the RFP was not achievable at the high end of the loading criteria, and that the incorporation of a pilot program in the work scope presented high expense for the successful proponent, with no assurance of revenue to the sale of equipment.

The RFP work scope was re-drafted by Dillon Consulting with Town input, and re-released to a select group of 4 proponents in November 2024. One declined to bid, citing current work load and other commitments. The other 3 submitted responses, which were evaluated in detail by Dillon Consulting, and reviewed with the Director of Public Works.

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Tender responses were evaluated according to the tender evaluation criteria:

Table 1: Financial Scoring Summary

	Aqua-Aerobic Systems	Veolia	AWC Solutions
Equipment Cost of Tertiary Clarifier System (Phase 1) <i>(Lowest Price/Bidders Price) X Weighting= Score</i>	\$ 0	\$ 1,204,754	\$ 2,034,000
Tertiary Clarifier System (Phase 1) Score (Maximum 25 Points)	0	25	14.8
Equipment Cost of Tertiary Filtration System (Phase 2) <i>(Lowest Price/Bidders Price) X Weighting= Score</i>	\$ 486,930	\$ 709,990	\$ 789,000
Tertiary Filtration System (Phase 2) Score (Maximum 25 Points)	25	17.1	15.4
Total Equipment Cost (Tertiary Clarification and Filtration)	\$ 486,930	\$ 1,914,744	\$ 2,823,000
Total Financial Score (Average of Clarification + Filtration Scores) Maximum 25 Points	12.5*	21	15

* Aqua Aerobics submission was non-conforming

Table 2: Technical Scoring Summary

	Aqua-Aerobic Systems	Veolia	AWC Solutions
Technical Score (Maximum 75 Points)	46	66	55

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Table 3: Overall Scoring Summary

	Aqua-Aerobic Systems	Veolia	AWC Solutions
Financial Score (Maximum 25 Points)	12.5	21	15
Technical Score (Maximum 75 Points)	46	66	55
Total Score (Maximum 100 Points)	58.5*	87	70

* Non-compliant, did not include a clarification system

Based on a review of the bid submissions, Dillon Consulting recommended that the Town of Berwick proceed with Veolia, who were the highest scoring bidder, for the supply of tertiary treatment equipment. The Town should enter into an agreement of the initial Phase 1 tertiary clarification (ACTIFLO) system and defer the commitment for the Phase 2 tertiary filtration (Hydrotech disc filtration) system to a future year pending performance evaluation of the Phase 1 filtration system.

This request seeks approval to award the equipment pre-selection work scope to the highest scored proponent according to the tender evaluation criteria. All other requirements within the tender were fulfilled in their submission, which was reviewed in detail by Dillon Consulting with the Director of Public Works.

Financial Implications

This work was approved in the current capital budget and is within the expected amount for this portion of the work. The up to 20% expenditure is covered by the current work scope of the Municipal Capital Growth Program funding. The additional expenditure has been included in the provincial GRID application submitted in December.

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Priority Alignment

Check Applicable	Strategic Priority Area	Comments
	Economic	
X	Environmental	
X	Social	
	Cultural	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

I support the staff recommendation.

CAO Initials: JB

Target Decision Date: 28 January 2025

REQUEST FOR DECISION

RFD004-2025: Expense Policy Review and Approval



To: Council
From: CAO
Date: January 24, 2025
Subject: Expense Police Review and Approval

References/Attachments

- Town of Berwick Expense & Hospitality Policy, 2018

Legislative Requirement

- S. 23(7) of the *Municipal Government Act*

Recommendation

That Council re-adopt the Town of Berwick’s Expense & Hospitality Policy as presented.

Background

Section 23(7) of the *Municipal Government Act* requires municipal councils to review the expense and hospitality policies by January 31st immediately following a regular election. Council may re-adopt the policies or amend one or both policies and adopt the policies as amended.

The Town of Berwick approved a joint Expense and Hospitality Policy in 2018. Staff would like to amend the policy; however, there has not been adequate time to propose amendments for review by the audit committee and recommend to Council prior to January 31. Therefore, Staff recommend that council re-adopt the current policy and staff will include amendments to the policy as part of the 2025/26 work plan.

Financial Implications

N/A

Priority Alignment

Check Applicable	Strategic Priority Area	Comments
x	Economic	
	Environmental	
	Social	

REQUEST FOR DECISION
RFD004-2025: Expense Policy
Review and Approval



	Cultural	
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Alternatives

- Council may recommend immediate changes to the policy.

Community Engagement/Communication

N/A

CAO Comments

I support the recommendation to re-adopt the policy.

CAO Initials: JB

Target Decision Date: 28 January 2025

Policy Statement

This policy safeguards the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses and hospitality incurred by Council members, the Chief Administrative Officer ('CAO'), employees and appointees to **TOWN** committees in relation to **TOWN** business.

The **TOWN** recognizes that hospitality-related activities are, at times, necessary and legitimate expenses supporting the effective conduct of government business and for reasons of diplomacy, protocol, business development or promotional advocacy.

Signing Authorities

1. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Member of Town Council / Appointees	CAO or designate
CAO	Mayor or designate
Town Employees	Immediate Supervisor or Department Head

2. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
3. A Signing Authority is prohibited from authorizing expenses incurred on their own behalf.

Travel

Individual Responsibilities

4. Everyone who incurs an expense in relation to **TOWN** business is responsible for:
 - (a) familiarizing themselves and complying with the provisions of this policy;
 - (b) completing and submitting expense claims with necessary supporting documentation;

- (c) exercising reasonable diligence and care in incurring expenses prudently and responsibly; and
- (d) with respect to travel, cancelling reservations as required, safeguarding travel advances and funds provided, and considering alternatives to travel such as teleconferencing and videoconferencing.

Permitted Expenses

5. Subject to and in accordance with this policy, the following expenses incurred by a member of Council, the CAO, an employee or an appointee to a **TOWN** committee are eligible for reimbursement:
- (a) Authorized travel within Nova Scotia, including transportation, accommodation and meal costs;
 - (b) Pre-approved out-of-province travel, including transportation, accommodation and meal costs;
 - (c) Pre-approved training or continuing education costs.

Authorized Travel

6. Council members shall be reimbursed for the reasonable expenses incurred in attending:
- (a) the annual meeting of the Nova Scotia Federation of Municipalities;
 - (b) meetings or conferences at which the Council member's attendance is authorized or requested by Council;
 - (c) Council and Committee of Council meetings;
 - (d) a meeting of any Board, Commission, Committee or other organization to which the Council member has been appointed by Council, except that no reimbursement shall be provided by the **TOWN** if the Council member is entitled to reimbursement of expenses directly from the applicable organization;
 - (e) a training or continuing education event in accordance with the provisions of this policy concerning training and education.
7. The CAO, including an employee of the municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*, shall be reimbursed for the reasonable expenses incurred in attending:

- (a) the annual meeting of the Association of Municipal Administrators, Nova Scotia;
 - (b) meetings or conferences at which the CAO's attendance is authorized or is requested by Council;
 - (c) attendance at any Council or Committee of Council meeting;
 - (d) attendance at a meeting of any Board, Commission, Committee or other organization to which the CAO has been appointed by Council, except that no reimbursement shall be provided by the **TOWN** if the CAO is entitled to reimbursement of expenses directly from the applicable organization;
 - (e) a training or continuing education event in accordance with the provisions of this policy concerning training and education.
8. An employee of the **TOWN** shall be reimbursed for the reasonable expenses incurred in attending:
- (a) the annual meeting of the Association of Municipal Administrators, Nova Scotia;
 - (b) meetings or conferences at which the employee's attendance is authorized or is requested by the CAO;
 - (c) attendance at any Council or Committee of Council meeting;
 - (d) attendance at a meeting of any Board, Commission, Committee or other organization to which the employee has been appointed, except that no reimbursement shall be provided by the **TOWN** if the employee is entitled to reimbursement of expenses directly from the applicable organization;
 - (e) at a training or continuing education event in accordance with the provisions of this policy concerning training and education.
9. An appointee to a **TOWN** committee shall be reimbursed for the reasonable expenses incurred in attending:
- (a) meetings or conferences at which the appointee's attendance is authorized or is requested by the CAO;
 - (b) attendance at a meeting of any Board, Commission, Committee or other organization to which the individual has been appointed, except that no

reimbursement shall be provided by the TOWN if the appointee is entitled to reimbursement of expenses directly from the applicable organization;

Out-of-Province Travel Authorization

10. All requests for out-of-province travel shall be made in writing and shall contain the following information:
 - (a) the purpose and duration of the trip;
 - (b) the location(s) to be visited;
 - (c) the dates and times of arrival and departure;
 - (d) any pre-paid transportation, meals, or accommodation; and
 - (e) any other anticipated expenses.
11. All requests for out-of-province travel by Council members shall be reviewed by the CAO and Mayor, who shall consider the necessity for travel based on the information provided.
12. When two or more out-of-province travel requests are made by Council members for the same purpose, the CAO in discussion with the Mayor shall determine the appropriate number of persons necessary to represent the **TOWN**.
13. All requests for out-of-province travel by the CAO shall be reviewed by the Mayor, who shall follow the same guidelines established for Council members.
14. All requests for out-of-province travel by **TOWN** employees shall be reviewed by the CAO, who shall follow the same guidelines established for Council members.
15. If a request for out-of-province travel is approved, and the Claimant (not TOWN) pays all or some of the expenses for the travel, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this policy.

Training and Continuing Education

16. If the **TOWN** has established a training and education budget expense item, a member of Council, the CAO, or TOWN employee may apply to the applicable Signing Authorities in advance for approval to incur expenses out of this budget for training or education, provided that:
 - (a) the request is made in writing, and includes an estimate of all costs that will be incurred, including the course or enrollment fee and all required transportation,

accommodation and meal costs;

- (b) the training or education course, meeting or conference, is related to municipal government;
- (c) in the case of a Council member, the course, meeting or conference is completed prior to the next municipal election date;
- (d) the budget for training and education for the year has not been exhausted and would not be exceeded by authorizing the request;
- (e) the Claimant shall reimburse the TOWN for the cost of all or, alternatively the pro-rated cost of a portion, of any enrollment fees in the event of failure to attend all, or alternatively some, of the event without reasonable justification; and
- (f) a brief written summary is provided by the Claimant describing the nature and benefits of the training and education at the time of submitting an expense claim for reimbursement.

17. If the applicable Signing Authority approves an application to incur expenses in relation to training or education, and the Claimant (not the TOWN) pays all or some of the pre-approved expenses, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this policy.

Limits on Reimbursement of Expenses

18. Notwithstanding any other provision of this Policy, the following limits shall apply to the reimbursement of expenses:

- (a) A Claimant shall only be reimbursed for costs that they have incurred;
- (b) The expenses of a Council member for political activity associated with election or re-election is not reimbursable by the **TOWN**;
- (c) Airplane travel shall be booked by **TOWN** staff or shall only be reimbursed at the lowest rate which would have been available if **TOWN** staff had booked the airfare;
- (d) Hotel accommodations shall not exceed the cost of a standard room, double occupancy, except when hotel accommodation has been booked by **TOWN** staff for out of province hotels. Hotel upgrades shall be at the personal expense of the Claimant unless there are ergonomic necessities attributable to physical requirements including, but not limited to, wheel chair accessibility;

- (e) Reimbursement of only one personal long-distance phone call shall be permitted for each night of overnight travel;
- (f) Reimbursement for meals shall be at actual reasonable costs supported by receipts or as listed on the Hotel statement;
- (g) The cost of any alcoholic beverages shall not be reimbursed;
- (h) Fees, deposits, interest and surcharges incurred on a personal credit card shall not be reimbursed;
- (i) When personal and **TOWN** travel is combined; only documented expenses directly related to the TOWN portion are reimbursable. Extended travel time and related expenses are at the traveler's own expense;
- (j) Reimbursement shall not be provided for loss of personal effects; for medical and hospital treatment; for purchase of luggage, clothing and other personal equipment; or for personal services such as shoe shines, valet services, dry-cleaning, laundry, haircuts and other personal services;
- (k) There shall be no reimbursement of travel and related expenses for individuals other than a Council member, the CAO, an employee or an appointee to a **Town** Committee;
- (l) there shall be no reimbursement for travel by a Council member within the TOWN because such travel is deemed to be included in the part of the Council member's salary or remuneration that is an allowance for expenses incidental to the discharge of the duties of such persons as elected officers.

Travel Advances

19. Advances are intended to cover out of pocket expenses incurred during travel. The following limits shall apply to the use of advances:

- (a) all advances must be approved by the CAO;
- (b) advances will only be issued where an overnight stay is required;
- (c) advances will not be made for less than \$200;
- (d) the CAO must not approve an advance unless the CAO is satisfied that there is a reasonable need for the advance;
- (e) upon completion of the travel for which an advance has been made, the

recipient must complete an expense claim in relation to the travel costs that reconciles the amount of the advance with the actual reimbursable expenses incurred. The recipient must repay any part of the advance owing to TOWN within 10 days of completing the travel.

Use of TOWN Credit Cards

20. The following limits shall apply to the use of **TOWN** credit cards:

- (a) the use of travel advances is prohibited if the Claimant has a **TOWN** credit card;
- (b) **TOWN** credit cards shall only be used for expenses that are permitted under this policy, and without limited the generality of the foregoing, shall not be used for cash advances or personal expenses;
- (c) reimbursement for interest incurred on a TOWN credit card is prohibited.

Special Meal Requirement

21. Claimants whose religious beliefs or medical requirements prohibit them from consuming certain foods should be aware that appropriate meals can normally be obtained from caterers, provided that adequate notice of a special requirement is given. Should special dietary requirements negate the ability to participate in a meal that is provided free of cost, and as a result the Claimant must pay for a meal, he/she shall be reimbursed for that meal.

Kilometrage

22. The kilometrage allowance reimbursed for Claimants using personal vehicles for authorized travel shall be at the rate stipulated from time to time by the Province of Nova Scotia for its employees.

23. Where several Council members, the CAO, and/or employees of the **TOWN**, or any combination thereof, attend the same meeting, conference or function, each shall make reasonable efforts to share a vehicle.

Vehicle Rentals

24. The cost of rental of a vehicle shall be a reimbursable expense in instances where:

- (a) reasonable ground transportation services such as public transit, taxis or hotel shuttles are unavailable; or
- (b) two or more Council members, the CAO, and/or employees of the TOWN, or

any combination thereof, are traveling together, and it is more economical than the combined cost of other reasonable ground transportation.

25. Compact, economical vehicles must be used unless three or more persons are travelling together, the bulk or weight of goods being transported necessitates a larger vehicle, or a compact, economical vehicle is unavailable.
26. For the protection of the Claimant and the TOWN, Claimants must ensure that adequate insurance (collision, comprehensive and third-party liability insurance) is in place for all drivers by either renting the vehicle using a personal credit card with an insurance option, or by purchasing a policy from the rental agency. The applicable deductible must be the lowest available given the coverage described above.

Expense Claims

27. Expense claims must be submitted on the form provided from time to time by the TOWN and shall be signed by the Claimant.
28. The business reason for each expense must be submitted with all expense claims and a detailed itemized receipt is required for all expense claims except:
 - (a) claims for per diem meal allowances;
 - (b) incidental expenses of less than \$ 10.00 for reasonable tips, bridge tokens, parking meters or coffee;
 - (c) claims for personal vehicle kilometrage for authorized travel.
29. If no receipt is available, a written attestation signed by the Claimant must be submitted to explain why the receipt is unavailable, and a description itemizing and confirming the expenses must be provided. Debit or credit card transaction records are not acceptable as receipts.
30. Expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
31. No expense claim shall be paid unless the claim is first approved for payment by one of the Signing Authorities who have authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
 - (a) the claim is consistent with this policy;
 - (b) the expenses claimed were necessarily incurred in the performance of

municipal business;

- (c) appropriate receipts are provided to support the claim, and the claim documentation is appropriately filed;
- (d) the expenses claimed have appropriate justification; and
- (e) all requirements, as determined by the TOWN Auditor, have been fulfilled.

32. In considering an expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the Claimant, and may refuse to approve any claim or expense that the Signing Authority decides is unreasonable or not in compliance with this policy.

33. The use of petty cash to pay an expense claim is prohibited.

Timeframe

34. A claim for reimbursement of an expense shall be submitted for approval within thirty (30) days of the expense being incurred.

35. Expenses must be submitted in the charged to the year in which they occurred. Expenses cannot be carried forward to future years.

36. Claimants who charge for goods or services in a fiscal year must have received the goods or services from the vendor in that fiscal year.

Fraud, Misuse or Misappropriation of Municipal Funds

37. Fraudulent irregularity, misuse or misappropriation of TOWN funds may result in disciplinary action up to and including termination of employment.

38. Suspicious activity and potential misuse of funds must be reported to the CAO and/or Director of Finance.

Hospitality and Events

39. A hospitality event is a reception, ceremony, conference, or other event that involves hosting individuals from outside the **TOWN**. Hospitality may be offered under the following circumstances in accordance with this policy:

- (a) Hosting foreign dignitaries;
 - (b) Engaging in official public matters with representatives from other governments, business, industry or labour leaders, or other community leaders;
 - (c) Sponsoring or hosting conferences;
 - (d) Hosting ceremonies / recognition events; and
 - (e) Other official functions, as approved by the CAO, their designate or Council.
40. Subject to this policy, all hospitality events require prior authorization.
41. A request for prior authorization for hospitality events requires the following information:
- a) rationale/purpose of the event;
 - b) estimated numbers of attendees and their respective affiliations;
 - c) if alcohol is to be provided at the event, the reasons that the provision of alcohol is appropriate and warranted in the circumstances;
 - d) estimated itemized costs including gratuities and supplementary expenses.
42. Requests for hospitality events shall be reviewed by either the CAO or their designate, or Council, who shall consider the value and benefit of the proposed event in relation to its cost in deciding whether to approve the hospitality event.
43. In instances where a hospitality event has been held without prior approval, claims for reimbursement must provide the details outlined above and also include a document outlining the reasons prior approval was not possible.

Serving of Alcohol

44. While the standard for hospitality is the provision of non-alcoholic beverages, the provision of alcohol in the context of hospitality for reasons of diplomacy, protocol, business development or promotional advocacy is deemed an acceptable expense in limited circumstances. Any request for approval to serve alcohol at a hospitality event must have prior approval by either the CAO or their designate, or Council.
45. The TOWN, its employees and members of Council are expected to act responsibly in the use of public funds and in the care and well-being of themselves, other employees and their respective guests with respect to the serving of alcohol.
46. The TOWN will demonstrate good judgment in the reasonableness of the quantity and expense of alcoholic beverages offered to guests.

47. If alcohol is provided at a hospitality event, food must be served.

Gifts

48. For reasons of diplomacy, protocol, business development or promotional advocacy, the giving of token gifts to individuals outside of government (value not to exceed \$100.00) is sometimes appropriate. Any giving of gifts requires prior approval by either the CAO or their designate, or Council.

Reporting Requirements

49. Pursuant to section 65A of the *Municipal Government Act*, the CAO shall ensure that the TOWN does the following:

- (a) Within 90 days of the end of each fiscal quarter, prepares and posts an expense report on the TOWN'S website for the Mayor, CAO (including an employee of the TOWN delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*) and each member of Council on their expenses regarding the following:
 - (a) Travel and travel related expenses, including transportation, accommodation and incidentals;
 - (b) Meals;
 - (c) Training and education.
- (b) By September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the expense reports for the preceding fiscal year that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Manual.

Review Requirements

- 50. The **TOWN** Audit Committee shall review the expense annual summary report by October 31st of each year.
- 51. By the January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this policy and, following a motion by Council, either re-adopt the policy or amend the policy and adopt the policy as amended.