

Town of Berwick Council Meeting

February 11, 2025

Town of Berwick Council Chambers

6:30 pm

AGENDA

1. Call to Order

2. Approval of the Agenda

3. Approval of the Minutes

- a. Council Minutes, January 14, 2025
- b. Special Council Meeting, January 28, 2025

4. Review of Action Items

5. New Business

- a. MPS/LUB Plan Update
- b. RFD005-2025 Audit Services
- c. RFD006-2025 Boxcar Deck Funding
- d. Update on 109 Marster Avenue Unsightly Property
- e. 2025/26 Capital Budget

6. Correspondence

- a. Cassie & Brooke Johnson – Financial Request
- b. Annapolis Valley Apple Blossom Festival

7. Mayor's Report

8. In-Camera

9. Adjournment

ATTENDING

Mayor Mike Trinacty, Chair
Councillor Derrick Jamieson
Councillor Ty Walsh
Councillor Adam Lutz
Councillor Johanna Kwakernaak
Councillor Justin Serino
Councillor Chris Goddard
Jen Boyd, Chief Administrative Officer
Katie Verrette, Manager of Community Development
Aaron Dondale, Director of Public Works
Lisa Buchan, Director of Finance
Krista Longmire, Executive Assistant
Chrystal Fuller, BCP & C (Via zoom)

ALSO ATTENDING

2 Members of the Public

1. CALL TO ORDER

The meeting was called to order at 6:30 pm

2. APPROVAL OF THE AGENDA

IT WAS REGULARLY MOVED AND SECONDED THAT THE AGENDA BE APPROVED AS AMENDED.

8. IN-CAMERA

Deputy Mayor Lutz would like to add an item to in-camera

MOTION CARRIED

3. APPROVAL OF THE MINUTES

IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE DECEMBER 10, 2024 COUNCIL MEETING BE APPROVED AS CIRCULATED.

MOTION CARRIED

4. REVIEW ACTION ITEMS

CAO Boyd gave an update on the Action Items from the previous meeting. She mentioned that currently there is no appeal at the end of the Code of Conduct process for a Councillor once a decision has been made by Council.

5. NEW BUSINESS

a. Approval of 2023/24 Audited Financial Statements

Councillor Jamieson reported that the Audit Committee met with Auditor Lawrence Lake to review the Town's 2023/24 audited financial statements.

IT WAS REGULARLY MOVED AND SECONDED THAT Council accept the audited 2023/24 audited financial statements as presented.

MOTION CARRIED

b. First Reading – Development Agreement Lot 1-AC Commercial St.

Deputy Mayor Lutz reported that the Planning Advisory Committee recommended that the development agreement on Lot 1-AC Commercial Street be forwarded to Council for first reading. Planner Chrystal Fuller reviewed the Development Agreement, highlighting the significant changes to the site plan from the previous agreement.

IT WAS REGULARLY MOVED AND SECONDED THAT Council give first reading to enter into a development agreement with 3264285 Nova Scotia to permit the development of 120 units in four multi-story buildings on Lot 1-AC, Commercial Street and forward the application to a public hearing.

MOTION CARRIED

Chrystal left meeting 7:00 pm

The public hearing date was tentatively scheduled for Thursday, February 13th at 6:30 p.m.

c. RFD001-2025 – Stormwater Management

Director Dondale reviewed the Stormwater Management Plan tender that closed on December 20th which received 7 submissions. After a review of the submissions and scoring system, it was determined that CBCL most closely aligned with the criteria the Town was seeking in the specifications. Director Dondale will inquire with CBCL to change one of the meetings with staff and council to include a public engagement component.

IT WAS REGULARLY MOVED AND SECONDED that Council award the work scope as outlined in BER2024-017 Town of Berwick Stormwater Management Plan to CBCL for the contract amount of \$94,995.00, excluding HST.

MOTION CARRIED

d. 109 Marsters Avenue Unsightly Property Update

CAO Boyd gave an update on this property which was first addressed in 2022-23. An order was placed on the property on November 14, 2023. The property owner appealed the order to Council on December 12, 2023. At that time Council overturned the order and staff was to work with the property owner to find accepted storage options. Further communication with the property owner on the progress has been unsuccessful. Council directed staff to prepare another order on the property to bring back to the next meeting for review.

e. Development Officer Appointment

IT WAS REGULARLY MOVED AND SECONDED THAT Council appoint Ning Liang as a Development Officer for the Town of Berwick, pursuant to Section 243 of the *Municipal Government Act*.

MOTION CARRIED

f. Information Report – 2025/26 Draft Operating Budget V1

Director Buchan began the presentation of the 2025/26 Draft Operating Budget, Version 1. Buchan noted that a representative from Property Valuation Services will attend the Committee of the Whole meeting on January 28th to give an overview of the 2025 property assessments in Berwick. CAO Boyd, Director Dondale, and Manager Verrette also presented the sections of the operating budget relevant to their departments.

Members of the public left the meeting at 8:27 pm.

Concerns were addressed about the projected timeline and the presentation to the public. Version one of the operating budget reflects a deficit of \$180,000 and maintains the current tax rate. Extensive discussions followed regarding items for which staff were seeking direction for changes to future operating budget versions. A one-cent reduction in the tax rate was mentioned by a councillor and more detailed costing of the Parks Coordinator and Bylaw Officer were requested but to keep it outside of the budget at this time. Council will review the current budget documents and provide direction to staff on areas of the budget that could be reduced or other options to achieve a balanced budget.

6. CORRESPONDENCE – no report

7. MAYOR'S REPORT

The report was circulated.

8. IN-CAMERA

IT WAS REGULARLY MOVED AND SECONDED THAT THE REGULAR MEETING BE ADJOURNED TO IN-CAMERA AT 11:04 PM.

MOTION CARRIED

IT WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA BE ADJOURNED TO THE REGULAR MEETING AT 11:11 PM.

MOTION CARRIED

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPOINT CRYSTAL MCCORMACK TO THE TOWN'S ACCESSIBILITY ADVISORY COMMITTEE UNTIL NOVEMBER 2026.

MOTION CARRIED

THAT COUNCIL APPOINT BOB FOWLER TO THE BERWICK ELECTRIC COMMISSION.

MOTION CARRIED

9. ADJOURNMENT

IT WAS REGULARLY MOVED AND SECONDED THAT THE REGULAR MEETING BE ADJOURNED AT 11:15 PM

MOTION CARRIED

Approved by Town Council **February 11, 2025**

As recorded by Krista Longmire, Executive Assistant

ATTENDING

Mayor Mike Trinacty, Chair
Deputy Mayor Adam Lutz
Councillor Ty Walsh
Councillor Justin Serino
Councillor Derrick Jamieson
Councillor Johanna Kwakernaak
Councillor Chris Goddard
Jen Boyd, Chief Administrative Officer
Aaron Dondale, Director of Public Works
Krista Longmire, Executive Assistant

1. CALL TO ORDER

The meeting was called to order at 9:00 pm

2. NEW BUSINESS

a. Wastewater Tertiary Filtration Equipment Pre-Selection

Director Dondale gave the background and overview of the tender that was issued for the Wastewater Tertiary Filtration Equipment. Council requested that an annual report on the equipment be presented.

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL AWARD THE WORK OF SCOPE AS OUTLINED IN BER2024-009 TOWN OF BERWICK WWTP UPGRADE – TERTIARY TREATMENT UPGRADE (NOVEMBER 2024) TO VEOLIA FOR THE SUPPLY OF DESIGN DRAWINGS FOR TERTIARY CLARIFICATION, FOR THE CONTRACT AMOUNT OF UP TO 20% OF EQUIPMNET COST OF TERTIARY CLARIFIER SYSTEMS (\$1,204,754.00, EXCLUDING HST).

MOTION CARRIED

b. Expense Policy Review

As a requirement under the MGA, Section 23(7) the expense policy is to be reviewed by January 31st immediately following a regular election.

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL RE-ADOPT THE TOWN OF BERWICK'S EXPENSE AND HOSPITALITY POLICY AS PRESENTED.

MOTION CARRIED

3. CORRESPONDENCE

As part of the correspondence from the Committee of the Whole meeting, an invitation was received from the Municipality of the County of Kings for Council to attend the African Heritage Month proclamation event on Thursday, February 6th, from 6-7:30 pm in Council Chambers at the Municipal Office in Coldbrook.

IT WAS REGULARLY MOVED AND SECONDED THAT THE SPECIAL COUNCIL MEETING BE ADJOURNED TO AN IN-CAMERA SESSION AT 9:25 PM.

It WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA SESSION BE ADJOURNED TO THE SPECIAL COUNCIL MEETING AT 9:30 PM.

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPOINT MARK CHILDS TO THE POLICE SERVICES ADVISORY COMMITTEE UNTIL NOVEMBER 2026.

4. ADJOURNMENT

IT WAS REGULARLY MOVED AND SECONDED THAT THE SPECIAL COUNCIL MEETING BE ADJOURNED AT 9:40 PM

MOTION CARRIED

Approved by Council *February 11, 2025*

As recorded by Krista Longmire, Executive Assistant

Meeting Date	Action Item	Status
2024-12-10	Reach out to other municipalities to understand how they are assessing the Code of Conduct criteria for <u>establishing the sanctions</u>	Not Started
2024-12-10	Electricity Regulations, educational materials to provide to Council on the Council SharePoint site.	Not Started
2024-12-10	Appoint an independent investigator into the Code of Conduct.	In-Progress
2024-12-10	Schedule CAP to present to Council	In-Progress
2024-12-10	Survey what/if other municipalities are doing to respond to the ban the use of NDAs, related to sexual violence cases, for every business, institution or organization that receives Municipal funding or recognition.	In-Progress
2025-01-14	Prepare an order with defined allowance for <u>vehciles/materials on property.</u>	Not Started
2025-01-14	Reserves for IMSA organizations? Is the Interim IMSA work going to provide direction/opinion on this?	Not Started
2025-01-14	Number of fines written by RCMP and how does it get <u>directed to Town of Berwick revenue</u>	In-Progress
2025-01-14	Planning Fee review and determine whether changes to the MPS will change our planning serivces fees, whether a staff person makes sense and look at similar size MU for comparison on changes to MPS vs. costs	In-Progress
2025-01-14	Is there revenue from VCFN that is returned to the owner <u>parties?</u>	Not Started
2025-01-14	flush out the costs for parks and bylaw to present to the <u>public for feedback.</u>	In-Progress
2025-02-03	Explore a community calendar to share community <u>events and what is going on in the gym?</u>	In-Progress
2025-02-03	Are the connector trails being cleared as part of snow <u>removal/winter maintenance?</u>	In-Progress
2025-02-03	Schedule a presentation from Valley Connect Outreach <u>Association</u>	Completed
2025-02-03	Direct them to Valley Waste - Food Cycle	Not Started
2025-02-03	Reach out to Open Arms and request that they reach out to the province for funding before coming back to the <u>municipalities.</u>	Completed
2025-02-03	Follow-up with Anna: use the space without the box cars, storage only, fix floor, door, 1/2 tents, RV power, and port-a-pottie and use of grounds with access to parking lot still available for trail users.	Completed

To:	Jen Boyd
From:	Chrystal Fuller
Date:	2025-02-11
Re:	Plan Review - Phase 2
cc:	Town Council - Town of Berwick

Background

Council initiated a Municipal Planning Strategy and Plan Review in 2023. It included two rounds of public engagement, meetings with staff, Council, and other community organizations, and the production of draft documents, which were presented to the Planning Advisory Committee (PAC). PAC provided a positive recommendation to Council, which then gave first reading and scheduled a public hearing.

The public hearing was well attended, and one main concern emerged: the proposed changes to the R-1 zone (see the previous report provided to Council summarizing the public hearing comments). Ultimately, Council decided not to approve the MPS and LUB until the concerns relating to the R-1 zone were resolved.

Next Steps

The draft MPS and LUB presented to Council received a high level of support aside from the R-1 issue. Staff, along with Council and PAC, invested a great deal of time into drafting the previous MPS and LUB. However, Council wishes to reconsider the R-1 changes.

Therefore, staff are proposing a process that would retain of the text from previous draft as written and create additional policies and supportive mapping to essentially leave some areas of town within a single unit dwelling zone, similar to the existing R-1. Other small adjustments may be made to the draft, but the primary focus will be on maintaining the policy intent of the R-1 zone in limited areas within the Town.

The suggested process:

- **Planning Advisory Committee Meeting - April 2025:** PAC will receive a briefing about the draft documents. The documents will be adjusted to maintain a single unit zone, similar to the existing R-1 zone in certain areas of Berwick. PAC will have input into these areas that should retain the single unit dwelling zoning.
- **Public Meeting - Late April/Early May 2025:** This public meeting will allow for comments on the draft documents, particularly where the single unit zoning is reinstated in limited areas of the town.

- **PAC Meeting - May 2024:** PAC will review the revised documents and make a recommendation to Council regarding first reading.
- **Council First Reading - June 2024**
- **Public Hearing and Second Reading - July 2024**

This schedule will allow Council to have the updated documents considered by July. It is important for Council to understand that to achieve the July date, the scope of the changes is limited to the R-1 related changes, except for minor corrections or adjustments.

Deliverables:

- Presentations for 2 PAC meetings
- 1 public meeting (Town Hall style) that will present revised a zoning map and policies to maintain a low density, R-1 type zone in some areas of town.
- Attendance and presentations at First Reading, Public Hearing and Second Reading
- Draft MPS and LUB for PAC comments
- Final draft of the MPS and LUB for Council for First Reading

Costing:

The cost for this phase is \$12,000 plus HST, mileage and other approved disbursements, such as printing. This price does not include mail outs, additional public meetings or PAC meetings, and the additional drafts of the documents. Cost of public meetings and advertisements are the responsibility of the Town.

REQUEST FOR DECISION

RFD005-2025: Audit Services Tender Award



To: Council
From: Director of Finance
Date: February 11, 2025
Subject: Audit Services Tender Award

References/Attachments

- BER2024-014 Audit Services

Recommendation

That Council approve the five-year contract for audited services to Doane Grant Thornton, for fiscal years 2025-2029.

Background

The Town of Berwick (TOB) issued Tender BER2024-014 on December 2nd, 2024, inviting qualified and experienced audit firms to submit proposals for providing audit services for TOB and the Berwick Electric Commission (BEC). Standard practice is to tender for audit services every five years. Due to resourcing constraints, audit services had last been tendered in 2015, for the year 2016. Morse, Brewster and Lake have been providing audit services since the award of this tender in 2016.

Two (2) tender responses were received, Doane Grant Thornton (DGT) and MNP. The scoring matrix may be found in Appendix A.

Both responses received are from credible, experienced and qualified auditing firms that have a clear understanding of the audit requirements and scope of work required for TOB and BEC. DGT offers slightly more flexibility with their proposed timeline, which is better suited for TOB and BEC operations. DGT pricing proposal for the 5-year term is approximately \$32,525 less than MNP.

Staff are recommending awarding the audit tender to Doane Grant Thornton.

Financial Implications

Audit services were included in the 2024/25 operating budget, therefore a monthly impact of \$422 (\$5,066 annual) will be incurred.

**REQUEST FOR DECISION
RFD005-2025: Audit Services
Tender Award**



Priority Alignment

Check Applicable	Strategic Priority Area	Comments
X	Economic	
	Environmental	
	Social	
	Cultural	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

I support staff's recommendation.

CAO Initials: JB

Target Decision Date: February 11, 2025

REQUEST FOR DECISION

RFD006-2025: Box Car Deck Funding Source



To: Council
From: Director of Finance
Date: February 11, 2025
Subject: Box Car Funding Source

References/Attachments

- N/A

Recommendation

That Council approve utilizing \$40,000 from operating reserves to fund the balance owing on the deck project at the box cars.

Background

The Town of Berwick approved the construction of a deck on the box car in 2023/24 capital budget with a cost of \$55,000. This was to be funded by a \$28,000 grant, \$11,250 grant and \$15,000 from capital reserves. The Town was successful in securing \$10,000 in grant funding.

The Town tendered for the construction of the box car deck in November/December of 2022. Zero bids were received. Staff then sought three quotes for the construction and awarded the contract to Hilltop Homes for \$55,000.

The deck has been complete and due the need to add a metal rail on the deck and ramp to meet the building code, the total project came in over budget. As a result of this overage, and unsuccessful grants, the Town must cover the balance of \$40,000. Staff are recommending this be funded by operating reserves.

Financial Implications

The operating reserve will be drawn down by \$40,000, leaving a projected balance at year end of \$698,500.

Priority Alignment

Check Applicable	Strategic Priority Area	Comments
X	Economic	

REQUEST FOR DECISION
RFD006-2025: Box Car Deck
Funding Source



	Environmental	
	Social	
	Cultural	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

I support the recommendation.

CAO Initials: JB

Target Decision Date: February 11, 2025

Subject:

FW: Johnson girls

On Feb 10, 2025, at 10:03 AM, Shannon May <[REDACTED]> wrote:

Cassie and Brooke Johnson are representing Nova Scotia and Berwick for a Synchronized Skating competition in Ontario at the end of February. It's a national competition, both Cassie and Brooke have Skating for many years. Cassie has 12 years experience of Skating and Brooke has 16. Brooke is also skated on a synchronized skating team for 15 years. Cassie is currently a grade 11 student at West Kings high school. Brooke is on a third year of environmental science at Acadia University. Only two teams from the Maritimes get to qualify to go to nationals The qualifying event was held in New Brunswick this year, Nova Scotia was the second team to qualify, Newfoundland was the first team. The girls do a lot of fundraising to try and raise money for this to help offset costs. They're selling tickets on a basket. The basket contains. Two whale watching tickets, 25 gift card to Tim's. 25 Dairy Queen gift card. And a variety of valentines treats. also They have a dress that you can purchase a different parts of the dress. You can buy the sleeves or the beads or the earrings or the hair ties or the make up. The girls wanted to thank the apple dome for inviting them to skate over the years. The synchronized skating team has had the privilege to skate at a hockey as well You can email valleylegacysyncro@gmail.com and put the girls name in the email.

Sent from my iPhone

Krista Longmire

From: Jen Boyd
Sent: Tuesday, February 11, 2025 12:33 PM
To: Krista Longmire
Subject: Fw: Annapolis Valley Apple Blossom Festival Donation Request

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From: ABF Office <info@appleblossom.com>
Sent: Friday, February 7, 2025 1:17:56 PM
To: Jen Boyd <jboyd@berwick.ca>
Subject: Annapolis Valley Apple Blossom Festival Donation Request

February 7th, 2025

Dear Town of Berwick,

We are reaching out to request your support for the upcoming **Annapolis Valley Apple Blossom Festival**, a celebration that has long been a cherished tradition in our region. This festival is more than just a series of events; it's a time for our community to come together, share in our collective pride, and celebrate the unique spirit of the Annapolis Valley.

As we continue to preserve and strengthen this beloved tradition, we invite your municipality to be a part of this year's festivities. We are seeking sponsorships ranging from **\$500.00 to \$5,000.00**, with opportunities to be recognized as a **Blossom Sponsor**.

Your support will offer the following benefits:

- **Blossom Sponsor Recognition:** Your town will be proudly acknowledged as a key supporter of the festival through various forms of advertising, including online, print, and event-related media.
- **Fostering Community Spirit:** We work hard to bring Apple Blossom events to all corners of our region, and we would love to partner with your municipality to bring a unique Apple Blossom experience to your area. This is a wonderful opportunity to share in the collective pride and joy that this festival brings.
- **Honoring Tradition:** The Apple Blossom Festival plays a vital role in keeping our region's history and traditions alive, and your sponsorship will help ensure that future generations can continue to enjoy and celebrate these special moments.

This event provides an incredible platform to showcase the strength and pride of our communities while creating lasting memories for residents and visitors alike. We are confident that your involvement will highlight the heart and spirit of your town and contribute to the success of this year's festival.

Thank you for considering this opportunity to support a festival that not only celebrates our traditions but also brings our communities closer together. We would be delighted to discuss any further details or answer any questions you may have.

We look forward to the possibility of partnering with you and fostering a deeper sense of pride and connection in our region through the Annapolis Valley Apple Blossom Festival.

Warm Regards,
Erica Gillis
President

MAYOR'S REPORT

FROM _____ TO _____

Date	Lead	Purpose
Jan 29	AREA -board meeting	A full day of meetings with the beginning of the strategic planning process
Jan 30	Waste management Regional Chairs -orientation	Great to meet reps from the other solid waste regions and review the various issues
Jan 31	Waste management regional chairs -board meeting	Good prep for any future meeting I may need to attend as the alternate
Feb 3	Valley REN Liaison Group	First meeting of the group, largest issue was adding Annapolis County to the partnership
Feb 4	Audit Committee	Selected a new auditor for the Town
Feb 4	Saint John Energy	Met with the GM who is providing support to BEC and the Maritime MEU Association

Feb 5	Audit Committee	Selection of new auditors
Feb 6	Meeting with CEO	Discuss dates and UARB decision
Feb 6	Mun of Kings Co	Black Heritage Month Proclamation
Feb 7	Katie and Anna Hornsnell	Discuss the box car project
Feb 10	Accessibility Committee	Regular meeting