

MINUTES OF THE MUNICIPAL COUNCIL
9 September 2003

Present: Chairman Mayor John P. Prall
Deputy Mayor Michael E. Trinacty
Councillor Gary W. Whittier
Councillor Donald E. Clarke
Councillor J. Richard Horsburgh
Councillor Murray Bezanson
Ms. Linda Parker, Chief Administrative Officer
Ms. Michelle Millett, Recording Secretary

Absent: Councillor Thomas S. Banks (on leave)

In attendance: Ms. Sara Keddy, Register
Ms. Lynn Silver, Librarian
Mr. Danny Leckie (arrived at 7:00 pm)

1. The Chairman called the meeting to order at 6:35 p.m.

2. **Approval of Agenda**

The following items were added to the Agenda:

- 1) Resolutions Required for Special Election under New Business item 7 (a).
- 2) Regional Policing – RCMP Model under New Business item 7 (e).
- 3) Sidewalk Dips under New Business item 7 (c).
- 4) Report from Berwick Annapolis Valley Librarian, Lynn Silver as item 4.
- 5) UNSM – under New Business item 7 (d).

Hearing no further changes the Agenda was approved as amended.

3. **Approval of Previous Minutes**

Hearing of no errors or omissions the Chairman approved the Minutes of 8 July, 2003, as circulated.

4. **Report from Annapolis Valley Regional Library – Berwick Branch**

Ms. Silver gave a short overview on the library system noting that on-line technology had increased library availability to more people from home and circulation in the Berwick branch had increased about 20% since Ms. Silver came to the library. An increase in circulation and the addition of the CAP site had increased the wear and tear on library equipment.

Ms. Silver listed items that would be of use to the library to Council. These included:

- a book drop that is accessible from outside the building
- chairs (8 could be utilized)
- a magazine rack
- a computer wiring conduit for the circulation desk
- a functional library desk for the librarian

Ms. Parker relayed to Ms. Silver the contribution by the Town of Berwick other than annual municipal payments to the Berwick library branch. These included hosting the library rent free, free

of charge lights, phone, photocopier usage and other sundry items. Ms. Silver asked when funding proposal requests should be submitted to the Town and Ms. Parker replied that requests should be a part of the formal budget process that takes place in the spring. Ms. Parker did note that if the request was not a significant expense it would be looked at during the year. Ms. Parker relayed to Ms. Silver the positive responses gathered by the Citizens' Roundtable Report and relayed that there were many people in Berwick who were unaware of the library or the services it offered.

5. Recommendations from Committee of the Whole

The following recommendations from the Committee of the Whole were passed.

IT WAS MOVED AND SECONDED that Council approve the Temporary Borrowing Resolution Renewal issued by Service Nova Scotia & Municipal Relations for the Powerhouse Automation for \$90,200.

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Motion Carried

IT WAS MOVED AND SECONDED that Council approve the Resolution for the Pre-Approval of Debenture issuance Subject to Interest Rate for long term funding of the sewer, street & sidewalk upgrade and the Factorydale Powerhouse Automation Project that does not exceed \$407,600 over a period of 10 years.

Motion Carried

IT WAS MOVED AND SECONDED that Council donate \$4,000 to the Berwick & District Community Association, \$250 to the West Kings Citizens Patrol, \$500 to the Kings County Senior's Safety Program, \$150 to Restorative Justice, \$250 to the SPCA and leave \$2,500 remaining for any future requests for donations.

Motion Carried

IT WAS MOVED AND SECONDED that Council reappoint Tracy Redden as the Berwick representative on the AVHA Board for another three year term.

Motion Carried

IT WAS MOVED AND SECONDED that Council send a letter in support of the issue raised about Road Weight Restrictions for VWMRM.

Motion Carried

IT WAS MOVED AND SECONDED that Council request the Canadian Medical Association be invited to present the Award for Excellence in Health Promotion to the Council.

Motion Carried

6. Recommendations from Other Committees

(a) Planning Advisory Committee

Deputy Mayor Trinacty gave the background on the issue of the use of development agreements for multi-unit and grouped dwellings in the residential designation and noted that a number of changes to the MPS are required in order to complete the process required.

IT WAS MOVED AND SECONDED to proceed with a Public Participation Program to occur on 14 October, 2003 at 6:30 p.m. in order to gather input and feedback on the proposed changes for limiting multi-unit residential development in the Residential Multi-Unit R-3 and R-4 Zones.

Motion Carried

IT WAS MOVED AND SECONDED to approve proceeding to a Public Hearing on 14th October, 2003 at 6:45 p.m. that would limit multi-unit residential development in the Residential Multi-Unit R-3 Zone to a maximum of three dwelling units; require development of multi-unit residential development of four units or more by Development Agreement; and require development of group dwellings within the R-3 and R-4 Zones by Development Agreement.

Motion Carried

The advertisement had been placed in the Register prior to the Council meeting due to timing required by the MGA and it was agreed that a correction notice would be issued in the 17th September 2003 Register, noting the change in time. Ms. Parker reiterated the importance of attendance of PAC members at the public consultation and hearing.

7. New Business

(a) Councillor Thom Banks Resignation

Discussion took place regarding an exemption from holding a Special Election as the Town had held a Special Election within the past six months and would be having Municipal Election's in the fall of 2004. Councillors agreed that the Minister of SNSMR's office should be contacted to request an exemption from Special Election be made. Ms. Parker noted that the process is clear and mandatory in this instance and a special election should be held. If Council waited to hear from the Minister to allow an exemption from the special election the Town may not be in compliance with the time factors set out in the MGA. Mayor Prall directed staff to plan the schedule of events for the election and then if an exemption was granted the plan would be discarded. Ms. Parker and Mayor Prall agreed to call to request exemption from Special Election.

IT WAS MOVED AND SECONDED to accept Councillor Bank's resignation.

Motion Carried

IT WAS MOVED AND SECONDED to request exemption from a Special Election due to special circumstances from the Minister of SNSMR.

Motion Carried

IT WAS MOVED AND SECONDED to set November 22, 2003 as the date for Special election.

Motion Carried

IT WAS MOVED AND SECONDED to approve the List of Electors from the March 15, 2003 Special Election to be used for the November 22, 2003 Special Election.

Motion Carried

IT WAS MOVED AND SECONDED to appoint Linda Parker to act as Returning Officer for the Special Election.

Motion Carried

IT WAS MOVED AND SECONDED to appoint Michelle Millett as the Registrar of Voters.

Motion Carried

IT WAS MOVED AND SECONDED to approve Saturday, November 15, 2003 and Tuesday November 18, 2003 as the dates for Advance Polls.

Motion Carried

IT WAS MOVED AND SECONDED to approve the following remuneration for the Election Officers: Returning Officer - \$500; Deputy Returning Officer - \$130 per day; and Poll Clerks - \$105 per day.

Motion Carried

(b) Meeting with SNSMR Minister Barry Barnet

Ms. Parker related to Councillor's that a Cabinet meeting had been scheduled and Minister Barnet would not be coming to Berwick as previously scheduled on September 18, 2003.

(c) Sidewalk Dips

Councillor Whittier relayed to Council that an elderly resident had contacted him and requested that lines be painted on the dips in the sidewalk where driveways and other breaks in the sidewalk occur to alert the elderly to the "dips". Staff were directed to investigate and research what contractors and other municipalities do with their sidewalk "dips", paint a few of the dips, and hold off painting all "dips" in the sidewalk to monitor feedback that ensues from line-painting.

IT WAS MOVED AND SECONDED that some of the "dips" in the sidewalk have lines painted to alert pedestrians of the dips.

Motion Carried

(d) UNSM

Councillor Clarke related to Council that Minister Barnet would be meeting with the Executive of the UNSM. He told Council that the UNSM Guiding Principals had been completed and would be presented at the Fall Conference. The Caucus system would be a transition from the current model and one that Councillor Clarke would be interested in participating in. Mayor Prall noted that Town Caucus elected officials was to be discussed at a coming meeting in Truro and Ms. Parker relayed that there may be some grey areas as to what the expectations are of Town Caucus membership.

(e) Regional Policing – RCMP Proposal

Ms. Parker relayed to Council that the County of Kings had passed a motion to go to Public Consultation regarding the Regional Policing Model and Wolfville would be deciding during the next month if they would take the issue to public consultation.

IT WAS MOVED AND SECONDED to proceed to Public Consultation in the Town of Berwick regarding the RCMP Regional Policing Proposal pending similar approvals being granted by the Towns of Kentville and Wolfville.

Motion Carried

8. Correspondence

(a) UNSM – Town of Berwick Resolution “Service Exchange”

Mayor Prall noted that the resolution by the Town of Berwick regarding “Service Exchange” had been changed to a more generalized version (attached). Ms. Parker noted that the change had been made so that the motion itself did not prejudge the results of such a motion and relayed to Council the importance of a Councillor speaking to the resolution during the reading of the motion at the UNSM Fall Conference.

Mayor Prall relayed to Council that one of the key items in the Resolution addresses inequalities to municipalities in funding for roads. Ms. Parker noted that the resolution as written now, will address the methodology to deal with all service inequities.

(b) Municipality of Annapolis County – Insurance Coverage for Older Homes and Heritage Registered Properties

Mayor Prall relayed that high insurance coverage had been an ongoing problem for these types of properties.

9. Hearing of no further business, the Chairman adjourned the meeting at 8:20 p.m. At this time Council went into a closed session to discuss matters of a confidential nature.

John P. Prall
Chairman

Michelle Millett
Recording Secretary