

MINUTES OF THE MUNICIPAL COUNCIL MEETING
9 MARCH 2004

Present: Chairman Mayor John P. Prall
 Councillor Gary W. Whittier
 Councillor Michael E. Trinacty
 Councillor J. Richard Horsburgh
 Councillor Murray Bezanson
 Councillor Danny Lecky
 Mr. Craig Burgess, Acting Chief Administrative Officer
 Ms. Michelle Millett, Recording Secretary

In attendance: Mrs. Sara Keddy, Berwick Register
 Mr. John Mills, Department of Natural Resources (arrived
 at 7:00 p.m. and left at 7:23 p.m.)
 Mrs. Tracey Redden (left meeting at 7:00 p.m.)
 Mr. Brian MacCulloch
 Mrs. Gloria Cunningham
 Mrs. Nancy Kelly (arrived at 6:50 p.m.)
 Mr. Chris Millier, 4Site Group (arrived at 6:59 p.m. and left
 at 8:01)
 Ms. Jane Bustin (arrived at 7:18 p.m.)

Absent with Regrets: Ms. Linda Parker, Chief Administrative Officer
 Deputy Mayor Donald E. Clarke

1. The Chairman called the meeting to order at 6:38 p.m.

2. **Approval of the Agenda**

The Agenda was approved as circulated with the addition of a proposal for a Workshop regarding Cooperation between the municipalities of the County of Kings, and Towns of Berwick, Wolfville and Kentville as item 5(e) under New Business and a request for a donation from the Berwick and District Ringette Association as item 4(c) under Presentations.

3. **Approval of the Previous Minutes**

Hearing of no errors or omissions the Chairman approved the previous minutes of 10 February 2004 and 24 February 2004.

4. **Presentations**

(a) **Annapolis Valley Regional Housing Authority (AVRHA) ~Tracey Redden**
Mrs. Redden reviewed her report (attached) and gave a brief overview of the AVRHA. She described the eligibility requirements for housing through the Authority and described her surprise at the number of people in our region living without adequate housing.

Mrs. Redden described changes in legislation to AVRHA that required a turnover every six years or two terms for Board members. For this reason she would be unable to re-offer for another term as the Berwick Representative on the Authority once her term expires in June 2005.

Councillor Trinacty requested statistics regarding numbers of individuals or families housed by the Authority. Mrs. Redden was did not have that information at the meeting but did report that there were large waiting lists for people requiring housing. Many of those on waiting lists are abused women with children and elderly individuals. She said that waiting lists are long, but those in emergency need are prioritized above those not in dire situations.

Mayor Prall thanked Mrs. Redden for her report.

(b) Dog Complaint ~ Nancy Kelly

Mrs. Kelly reported that an aggressive dog had been at large on Cottage Street recently and said her children were frightened when walking home from school as they passed the area of the untied dog. She noted that the dog had been tied recently and questioned if there was a back-up Animal Control Officer. Mr. Spencer, Berwick's Animal Control Officer had been out on short term disability due to an accident, but Mayor Prall commented that Mr. Harding or other members of Public Works could be utilized in matters such as these.

(c) Berwick and District Ringette Association ~ Mr. Brian MacCulloch

Mr. MacCulloch reviewed his fax distributed to Council (attached) and reported that Berwick and District has a very active association of Ringette players. He commented to Council that the players work very hard during the year to fundraise and reported that the adults that worked with the group wanted to reward the players with treats, gifts and food for players. They requested a donation of \$200 from the Town to be put towards this extra to reward the dedication of the players to the association. Mayor Prall said that the request would be referred to the 2004/05 budget process.

(d) Department of Natural Resources ~ Mr. John Mills

Mr. Mills reported that the Phoenix Wailer in use by the Town is the most effective solution to rid the Town of the nesting crows. He reported that crows will start to pair off, mate and later disperse into family groups within the next month or so and thus will be roosting less in Town. Mr. Mills said that crows often spend the winter in the Valley region due to surplus agricultural products such as grain crops, and other fruit and vegetables in the wintertime. Mr. Mills suggested that once the birds return to roost in the fall, the wailer should be utilized immediately to break the nesting cycle. Mr. Mills could offer no explanation as to why the birds come into Town's to roost during the

winters, but did note that farmed agriculture acres has expanded over the years and contributed to the increase in the crow population in the Valley.

Mrs. Cunningham reported that the Wailer was working well that had been stationed at her house. Councillor Trinacty asked about the health ramifications from the crows roosting here to which Mr. Mills replied that the only health hazard to people would be direct contact with fecal coliform in the crow feces.

Mayor Prall thanked Mr. Mills for his time and presentation.

5. New Business

(a) Storm Water Management Request for Proposal ~ Recommendation

Mr. Chris Millier gave an overview of the reasons for issuing a Request for Proposals (RFP) for Storm Water Management within the Town. He reported the need to identify deficiencies and strategies to address future problems and development within the Town.

Five proponents had put forward proposals to the Town of Berwick. Mr. Millier had recommended the company, AMEC in a letter to Ms. Parker (attached) that used an extensive scoring system to do a comparative analysis and assign rankings to each proposal proponent.

Councillor Trinacty asked if the Town would receive \$5,000 more value for the taxpayers of Berwick if AMEC was chosen over the MacDonnell Group. Mr. Millier pointed out that the personnel at AMEC had the most specific experience in Storm Water Management and he thought that AMEC would give the Town a completed project whereas the MacDonnell Group's proposal was more of a strategy to reach completion.

IT WAS MOVED and seconded to award the contract to develop a Storm Water Management Strategy for the Town of Berwick to the company, AMEC.

Councillor Trinacty asked how long proposal prices would be effective and Mr. Millier replied anywhere from thirty to sixty days. Mayor Prall commented that the process of storm water management was an important issue and he saw little reason to stall the process of company selection. Mr. Millier reported that over time the Province would legislate standards for storm water management and thus by completing the process the Town would be acting in a proactive manner.

Discussion ensued as to the inclusion of the cost of the project in the capital budget. Mayor Prall reported that Ms. Parker had told him that the proposal cost was within the amount budgeted for the project. Councillor Whittier

proposed and others agreed to think about the issuance of notification to a company for a few weeks and table the motion until the next Committee of the Whole meeting.

6. Recommendations from Committee of the Whole

Mr. Burgess read the following motions recommended by Committee of the Whole.

(a) Strait Area Gas Inc.

IT WAS MOVED and seconded to write a letter of support for the Strait Area Gas Incorporated franchise to the Nova Scotia Utility and Review Board.

Motion Carried

(b) Berwick Princess Tea Committee Budget

IT WAS MOVED and seconded to approve the budget for the 2004 Berwick Princess Tea Committee Tea in the amount of \$2,130.

Motion Carried

(c) Personal Tax Exemption for 2004/05

IT WAS MOVED and seconded to approve the Personal Tax Exemption for 2004/05 be set at a household level of \$19,700 and exemption amount of \$200 or the amount of taxes payable, whichever is less.

Motion Carried

(d) AMA Spring Workshop

IT WAS MOVED and seconded to donate \$200.00 to the AMA Spring Workshop.

Motion Carried

7. Recommendations from Other Committees

(a) Recreation Advisory Committee (RAC)

Mr. Burgess read the motion from the RAC. Councillor Trinacty asked where the Rookie Ball Park would be relocated if the Skateboard Park was located in its space. Mr. Burgess replied that it would move to Brown Street and that this was amendable to the users of the field.

IT WAS MOVED and seconded to have the proposed new skateboard park be located in the Rookie Ball Park Area by the Town Hall.

Motion Carried

8. Business Arising

(a) Encroachment By-law ~ Second Reading

Mr. Burgess reviewed the report for Ms. Parker.

IT WAS MOVED and seconded to approve the second and final reading of the Encroachment By-law.

Motion Carried

(b) Development Control & Planning Applications Fees By-law ~ Second Reading

Mr. Burgess reviewed the report for Ms. Parker.

IT WAS MOVED and seconded to approve the second and final reading to amend the Development Control & Planning Application Fees By-law to include a fee of \$175 to process an application for an Encroachment License.

Motion Carried

5. New Business (con't)

(b) Municipal Elections 2004 ~ Appointment of Returning Officer

Mr. Burgess reviewed the report for Ms. Parker. Councillor Lecky inquired as to whether it was a conflict of interest for the Chief Administrative Officer to be the Returning Officer, to which Mayor Prall replied in the negative and drew Councillor Lecky's attention to the number of In-House Returning Officers noted in Ms. Parker's report. A period of discussion took place regarding the amount of regular work time that would be used to deal with election issues by Ms. Parker. Councillor's were all in agreement with the scope of experience Ms. Parker could provide the Town and Mayor Prall noted the responsibility and pressure involved in the position of Returning Officer. He considered the \$2,000 requested for remuneration acceptable and reasonable.

IT WAS MOVED and seconded to approve Ms. Linda Parker as the municipal Returning Officer for the 2004 municipal elections to be held on October 16, 2004.

Motion Carried

IT WAS MOVED and seconded to approve the remuneration for the municipal Returning Officer to be \$2,000 for the municipal elections to be held on October 16, 2004.

Motion Carried

(c) Interest Rate on Overdue Taxes

Mayor Prall reviewed the report for Mr. MacLean noting that this was an annual housekeeping item.

IT WAS MOVED and seconded to set the interest rate charged on overdue taxes at 12.7% per annum (1.0% per month-compounded) for fiscal 2004/05.

Motion Carried

(d) Fire Department By-law ~ Approval of Roll of Firefighters for 2004

Mayor Prall noted that the Roll of Firefighters and Officers of the Berwick and District Fire Department had not been approved by Council at the February meeting and was required under the Town's by-law.

IT WAS MOVED and seconded to approve the Roll of Firefighters as submitted by Chief Palmer at the January Meeting of the Committee of the Whole.

Motion Carried

(e) Regional Inter-Municipal Cooperation Study Proposal

Mayor Prall distributed a document (attached) that he received at the Mayors and Wardens meeting held 8 March 2004. He explained that the document was a proposal for a process that would include a Regional Co-operation Workshop, formation of a Steering Committee to manage the process, and study to help the four municipalities in Kings County achieve co-operation in service delivery. The proposal had been put forward by the Chief Administrative Officers of the four municipalities in Kings County. The process would facilitate positive co-operation between municipalities and allow the provision of cost effective services to the residents of all of the municipalities involved.

IT WAS MOVED and seconded to participate in the Inter-Municipal Co-operation Proposal as recommended by Mayors and Warden.

Motion Carried

9. Correspondence

(a) FCM ~ Terms of Reference ~ Guyana Municipal Governance

Mayor Prall requested that anyone who wanted to submit a name or names for participation in the Guyana mission to do so.

(b) Maritime Fire Chiefs Association (MFCM)

Councillor Whittier requested that this request for funding be deferred to the Grants to Organizations budget process for 2004/05.

(c) Berwick School Band Committee

Councillor Whittier requested that the Berwick & District School Band be given the amount requested. Mayor Prall noted that this donation item had been previously budgeted.

IT WAS MOVED and seconded to fund shirts for the Berwick School Band trip in the amount of \$500.00.

Motion Carried

(d) Mrs. Dan Watters Card

A Thank You card from Mrs. Dan Watters.

10. Next Meeting Date

The next meeting of Council would be held the 13 April 2004.

11. Hearing of no further business the Chairman adjourned the Council meeting at 8:52 p.m.

John P. Prall
Chairman

Michelle Millett
Recording Secretary