

**MINUTES OF THE MUNICIPAL COUNCIL MEETING**  
**12 OCTOBER 2004**

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

In attendance:                   Mr. Jason Smith, Berwick Register  
  Mr. Bruce Morse  
  Mrs. Beth Easson

1. The Chairman called the meeting to order at 7:01 p.m.
2. **Approval of the Agenda**  
Mayor Prall welcomed member of the gallery and called the meeting to order.  
The Agenda was approved as circulated.
3. **Approval of the Previous Minutes**  
The minutes of 14 September 2004 were approved as circulated.
4. **Recommendations from Committee of the Whole**  
Ms. Parker read the motions.

(a) **Kings Regional Cooperation Steering Committee Protocol Agreement**

**IT WAS MOVED and seconded** that Council approve the Kings  
Regional Cooperation Steering Committee Protocol Agreement.

**Motion Carried**

Ms. Parker updated Council regarding the status of the Agreement with other municipalities. She reported that the Municipality of the County of Kings had approved the agreement and the Towns of Kentville and Wolfville had recommended approval through their respective Committee of the Whole systems. Councillor Trinacty expressed concerns with the wordiness of the document. Ms. Parker relayed that the Chief Administrative Officers had discussed this concern and had agreed to flow chart the processes in an attempt to streamline and provide a user-friendly Agreement for working use. Councillor Trinacty wanted the document to be manageable and useful for incoming Council's. Ms. Parker relayed the Steering Committee's goal of having all four municipal Councils

approve the Agreement prior to the Municipal Elections so as to provide a guideline for new and incumbent Councillors.

(b) Storm Water Management Strategy

**IT WAS MOVED and seconded** Council accept the AMEC Storm Water Management Strategy.

**Motion Carried**

Mayor Prall noted that documentation would be developed based on the results of the strategy that would be integrated into the Town's Land Use By-law and Municipal Planning Strategy. He reported that amendments would be prepared in anticipation of future new and infill developments to address areas where the Town has been silent in the past. Ms. Parker relayed that processes for long term planning and infrastructure needs had been identified and the Strategy provided administrative tools to ensure that existing easements and agreements would be maintained and new ones were developed in a uniform manner. Councillor Trinacty noted that the inclusion of cost for preventative strategies in the document allowed for work performance in-house and thus in a more cost effective manner.

(c) Public Works Dump Truck

Ms. Parker read the motion. Councillor Bezanson expressed satisfaction for the procurement of a five year warranty for the Public Works Dump Truck at a reasonably low cost.

**IT WAS MOVED and seconded** that Council approve the purchase of the new Public Works dump truck from Silver's International at a price of \$66,808.

**Motion Carried**

(d) RCMP DARE Grant to Organization

Councillor Lecky asked if changes to the Grants to Organization Policy had been made. Ms. Parker replied that direction to staff at budget time last spring was to review the current process for awarding Grants to Organizations prior to budget deliberations in 2005.

**IT WAS MOVED and seconded** that Council approves \$250 be provided to the DARE program under the Grants to Organizations Policy.

**Motion Carried**

**5. Recommendations from Other Committees**

(a) Recommendation from Berwick Electric Commission

Ms. Parker read the motion.

**IT WAS MOVED and seconded** that Council approve long term borrowing in the amount of \$272,850 to finance the replacement of the penstock located at the Factorydale Power Plant.

**Motion Carried**

Ms. Parker explained to Council that the project would be funded through short term borrowings authorized by the Temporary Borrowing Resolution until such time as the project is complete. Once the final total costs of the project were known, the Town would fund this cost through long term debt with the Municipal Finance Corporation. Councillor Horsburgh asked what the balance was in the Berwick Electric Commission's reserve to which Ms. Parker replied \$109,000.

Deputy Mayor Clarke asked if the ability to fund annual debt charges out of depreciation had been approved by the Utility and Review Board to which Ms. Parker replied that the BEC had not yet heard from the Board on this request. She explained to the other members of Council who are not on the BEC, that the term of the funding will depend on the reply of the UARB. Deputy Mayor Clarke noted that tenders received had originally been much higher than the amount that was being approved at this time due to reductions in bids.

**6. New Business**

**(a) Temporary Borrowing Resolution ~ Kings Transit**

Ms. Parker gave the background to Council regarding a temporary borrowing resolution and outlined each respective partner's responsibility of capital expenditure responsibilities to Kings Transit. She relayed that the Town of Berwick's cost share under the agreement would be \$110,000. This figure would be used for a temporary borrowing resolution until the final cost of the buses was invoiced.

Deputy Mayor Clarke asked about Annapolis County's fiscal responsibility to the Authority. Ms. Parker replied that service provided to Annapolis County was on a "fee basis" and that they were not partners in the Kings Transit Authority. She agreed to research the Kings Transit Agreement to see if Annapolis County's fee-based service was detailed in regard to capital expenditures. Councillor Trinacty asked if it was possible to use revenue from the expanded bus service to pay for capital costs such as buses. Deputy Mayor Clarke agreed with this idea and Mayor Prall noted Annapolis County should pay something towards capital costs if they were using the service. Ms. Parker relayed that it was her understanding that the fees for service contributed to capital and operating costs, but that she would investigate the details further.

Councillor Whittier requested a representative from Kings Transit be brought in to clarify these questions and give a presentation to Council. Councillor

Horsburgh asked what percentage other municipal units were paying compared to the 5% that Berwick contributed. Ms. Parker agreed to research the questions for Council, but noted the sense of urgency behind the motion brought forward in order to take advantage of a current break in production that would allow for a discount in price from the bus manufacturing company.

Ms. Parker noted that there had been a change in the philosophy of bus purchasing within Kings Transit. She relayed that the purchase of second hand buses in the past had not been found to be cost effective due to the high cost of maintenance.

**IT WAS MOVED and seconded** that Council approve the Temporary Borrowing Resolution in the amount of \$110,000 to provide interim financing for the purchase of five new buses from New Flyer Industries by the Kings Transit Authority.

**Motion Carried**

**(b) Overview of Council Term**

Mayor Prall gave an overview of the projects and initiatives accomplished by Council during their four year term from 2000 to 2004. The following were identified in the overview:

**2001**

- Hire Linda Parker as CAO
- Larsen Packers Agreement re Sewer Treatment Plant
- EMO Plan started and restructured along with EMO Coordinator Appointment
- Kings CED Funding Ceases
- Recreation Strategy ~ completed and passed by Council
- Traffic Study ~ Completed by Allan Golding of GAALCO Traffic Engineering
- Committee struck for Berwick Arena Facility and carries out a needs assessment & feasibility study
- Smoke Free By-law approved and award received from Lung Cancer Assn. of N.S.
- Deed Transfer Tax of 1.5% passed
- Infrastructure program upgrade to Commercial, Cottage and Maple

**2002**

- Mike Payne (RCMP) transferred
- Berwick Arts Council formed
- Crow Problem Begins ~ use of starting pistols
- Start of the RCMP Pilot Project
- BEC made a bid for a gas franchise
- 4-Site Group leases Annex Unit
- Town Caucus Terms of Reference approved
- REMO Committee formed
- Traffic Lights installed at Commercial and Union Str.

- Regional Policing Plan for all of Kings Co. considered
- Larsen's given permission to reduce testing of Waste Water

### **2003**

- Fire Committee have CBCL draft an analysis of the Fire Hall
- Street Naming Policy adopted
- Autumn Drive renamed to Ron Smith Drive
- Union Street Café ~ Encroachment Request & Approval
- Water Quality Study for Private Wells ~ Chris Millier, Beth Easson, Hiltz & Seamone
- Murray Bezanson elected in by-election to replace Bruce Morse
- EMO Plan approved
- Council approves changes to UNSM Caucus System
- Phoenix Wailer tried compliments of the Town of Kentville
- Town continues RCMP Pilot Project
- Citizens Roundtable ~ Community Profile Report
- Factorydale Powerhouse Automation completed
- Town presented with award for Smoke Free By-law by Canadian Medical Association
- Danny Lecky replaces Councillor Thom Banks in a by-election
- Regional Policing Proposal Outlined
- Fire Service Agreement between Fire Protection Commissioners for the District of Berwick, The District Fire Department and the Town of Berwick
- Welcome Kit for New Residents is developed
- REMO supported by Council

### **2004**

- Occupational Health & Safety Manual produced
- Skateboard Park location approved
- Polly Scott and Joan Levack added to PAC
- Communication Strategy Developed
- REMO By-law and Inter-Municipal Agreement
- RCMP Pilot Project Continued
- Storm Water Management Strategy done by AMEC
- Street to Avon Foods named Morse Lane
- Avon Foods Steering Committee is formed
- Side Walk inventory & Upgrade Plan completed
- Trails Pilot Site is approved
- Council Communication Strategy with Public is completed
- Apple Dome Lands Rezoning Process started
- Town Map Entrance Sign is completed
- Purchase of Two new Phoenix Wailers

**7. Correspondence**

(a) Laura Andrews ~ Parking On Commercial Street

Ms. Parker reviewed the letter (attached) from Ms. Andrews regarding parking on Commercial Street. A response from the Town's Traffic Authority was distributed that set out the legal ramifications of parking and line of sight issues on Commercial Street. Council requested that Mr. Gould and Corporal Allen review and inventory parking on Commercial Street and bring back recommendations to Council on how the concerns raised by Ms. Andrews could be addressed. Deputy Mayor Clarke requested the size of parking spaces also be reviewed if any parking spaces were to be realigned to provide safer entrance and exit from driveways and parking lots on Commercial Street.

**8. Next Meeting Date**

The next meeting of Council will be held 9 November, 2004.

9. Hearing of no further business the Chairman adjourned the Council meeting at 8:40 p.m. Mayor Prall thanked Councillors and wished them all good luck, along with the candidates. He noted the campaign had been clean and had allowed existing and possible Councillors to meet with residents and hear citizen viewpoints.

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John P. Prall  
Chairman

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Michelle Millett  
Recording Secretary