

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL HELD ON WEDNESDAY, August 5th, 2009

The Town Council met in the Council Chamber of the Town Hall at Shelburne, Nova Scotia on Wednesday, August 5th, 2009 at 7:00pm.

Those present were His Worship Mayor Alan Delaney, Deputy Mayor Elizabeth Acker, and Councillors Tony Mahaney, Karen Mattatall, Bernard Nickerson, Michael Race and Elizabeth Rhuland.

The meeting was called to order by Mayor Delaney.

It was moved by Deputy Mayor Acker and seconded by Councillor Nickerson, "Resolved that the Agenda for the August Council meeting be approved as received". **Motion Carried**

It was moved by Councillor Race and seconded by Councillor Rhuland, "Resolved that Minutes of a Regular Meeting of Town Council held on July 2nd, 2009 be received and adopted as circulated". **Motion Carried**

There were no hearings of delegates.

It was moved by Deputy Mayor Acker seconded by Councillor Rhuland, "Resolved that the correspondence be received as circulated." **Motion Carried**

The correspondence was dealt with in the following manner.

A letter was received for information from Gary S. Porter, Executive Director for Housing Authorities & Property Operations in response to Council's concerns relating to the increased cost to the Town for the Tri-County Housing Authority deficit. Mr. Porter noted that there is no formal requirement for the Housing Authority to have the municipal units approve their budget. Mayor Delaney noted that Ms. Jacquard, Director of Tri County Authority has been invited to come before Council and discuss the budget and future capital work planned.

A letter was received from Nova Scotia Association of Health Organization regarding the Town's participation in declaring the month of September Continuing Care Month. It was moved by Councillor Mattatall seconded by Councillor Nickerson, "Resolved that the Town of Shelburne declare the month of September 2009 as *Continuing Care Month*." **Motion Carried**

It was moved by Deputy Mayor Acker seconded by Councillor Mahaney, "Resolved that the Building Inspection Services Report for June, 2009 be received and adopted." **Motion Carried**

It was moved by Deputy Mayor Acker seconded by Councillor Mahaney, "Resolved that the Special Constables Report for June and July be received and adopted." **Motion Carried**

It was moved by Deputy Mayor Acker seconded by Councillor Race, "Resolved that the Parks and Recreation Director's Report for June 2009 be received and adopted." **Motion Carried**

It was moved by Councillor Nickerson seconded by Councillor Rhuland, "Resolved that the Physical Activity & Community School Coordinator Report for July 2009 be received and adopted." **Motion Carried**

It was moved by Councillor Nickerson seconded by Councillor Mahaney, "Resolved that bills as approved amounting to \$350,509.73 be received and paid." **Motion Carried**

Committee Reports

Councillor Mahaney reported on the Personnel Committee meeting held on July 7th. He noted that interviews were conducted for the Parks and Recreation Departments Office Clerk position and Jennifer Perry was chosen for the position. The Chair made the Committee aware that Cynthia Matheson would complete her probationary period and would become a full time employee on July 30th. It was moved by Councillor Mahaney seconded by Councillor Mattatall, "Resolved that this Report and Minutes of the Personnel Committee meeting held on July 7th, 2009 be received and adopted." **Motion Carried**

Councillor Mahaney gave a verbal report on the Visitor Information Centre statistics; he noted that there were 2,643 visitors for the month of July.

Councillor Rhuland gave a verbal report on the Waterfront Development Committee. She noted that two employees under the JCP program were hired to assist in the operations, such as Farmers Market, Communities in Bloom, Community Garden, Christmas Parade, Fall Concert, etc. She further noted that with the assistance of the JCP project under the South West Shore Development Authority the BIDD building has been shingled and a window replaced. Councillor Rhuland thanked the Public Works Department for their assistance in providing and setting up the staging for the repairs to the BIDD building and she noted that an application had been submitted to ACOA for repairs to various Town owned buildings.

Deputy Mayor Acker gave a verbal report on the energy audit meeting held on July 8th. She noted the meeting reviewed the results of the completed energy audit showing the three areas audited (buildings, vehicles and street lighting), and the Town's possible participation in an Energy Management Program.

Deputy Mayor Acker reported on the Joint Services Board meeting held on June 29th. She noted that the Board was beginning budget deliberations and discussions have taken place regarding the spring and fall metal collection and more public awareness is required on the metal pickup. She further noted that the Board was sending out Request for Tenders to provide waste management services, and the lock-up facility will begin negotiations in October 2009 to become a cost recovery facility. It was moved by Councillor Race seconded by Councillor Nickerson,

“Resolved that this Report and Minutes of the Joint Services Board Meeting held on June 29th, 2009 be received and adopted.” **Motion Carried**

Mayor's Items

Mayor Delaney gave a verbal report on a movie production “Moby Dick Productions Inc.” filming in the Historic Waterfront for approximately twelve days in mid September. He noted that the company would be constructing a church on the William Norman Park, covering Dock Street with sand and that the company would be issuing a press release and talking to home owners on Dock Street.

Mayor Delaney reported on a meeting with a representative of NSPC regarding the Town's interest in becoming involved in an experimental renewable energy program. There will be only two municipal units in the Province to launch this pilot project. Within the program NSPC will provide the funding for the installation of solar thermal technology on a Town owned building that is deemed suitable for solar panels. The Town will be submitting an Expression of Interest to NSPC to try and take advantage of this opportunity.

Mayor Delaney noted that it had been a busy month with five meetings of the Finance and Audit Committee to balance the budget. He noted that the Town had a loss of income through the Provincial phase out of the Business Occupancy Tax, that in other years reserves were used to help stabilize the tax rate, and that there are only two ways to raise revenue; cut services or raise taxes.

On July 13th, the Finance and Audit Committee met. Discussions were held with Mrs. Marriott regarding the sewer maintenance charge for her business. It was agreed that more information was needed before a decision could be made. Discussions had taken place on the issue at the Shelburne Ship Repair and the repairs needed to avoid layoffs. He noted that discussions have been ongoing with union members, cabinet members and MLA Sterling Belliveau to find a resolution. The Committee recommended that repairs under the 2009/10 Waterfront Development projects not to exceed \$20,000. Discussions had taken place on closing an old Lane on Hammond Street, allowing the property to be sold at fair market value. It was moved by Councillor Mahaney seconded by Councillor Rhuland,

“Resolved that this Report and Minutes of the Finance and Audit Meeting held on July 13th, 2009 be received and adopted.” **Motion Carried**

On July 16th, the Finance and Audit Committee met. Mayor Delaney noted that a letter was received noting the Amistad will be visiting on August 12th to 17th. The Committee had invited Sterling Belliveau to attend a Town Council meeting, recommended that the Public Sewer By-Law be reviewed by the Revision of By-Laws Committee, and that the Town committed \$1,879. towards the engineering and a design study of a Medical Centre. It was moved by Councillor Nickerson seconded by Councillor Rhuland,

“Resolved that this Report and Minutes of the Finance and Audit Meeting held on July 16th, 2009 be received and adopted.” **Motion Carried**

On July 23rd, the Finance and Audit Committee met. Mayor Delaney reported on safety concerns expressed regarding seven scooters in the Town on various streets including Hammond Street leading to the Hospital. It was agreed these concerns should be expressed to government authorities in the hopes of receiving funding to construct sidewalks. Mayor Delaney noted that several letters have been sent out to various individuals stressing concerns on the future of Shelburne Ship Repair. Mayor Delaney noted a request was received for the Town to support the Remote Office Committee and provide an in kind contribution of \$3,000 towards the project. He further noted that the Town write to the Province to prohibit Municipal units from lobbying and providing incentives for doctors. It was noted that municipal units should be on an equal playing field. It was moved by Deputy Mayor Acker seconded by Councillor Mahaney,

“Resolved that this Report and Minutes of the Finance and Audit Meeting held on July 23rd, 2009 be received and adopted.” **Motion Carried**

On July 27th, the Finance and Audit Committee met. Mayor Delaney reported on the problems at the Water Treatment Plant, corrections that have taken place to solve the problem, and he thanked the staff for working together and solving the water issues.

He further noted discussions took place on the timeline to review the Request for proposals for the water line extension, the Tender for the 1978 Ford Fire Truck was opened and awarded with some exceptions, the Port Authority Budget was approved, and the Water Utility Budget was approved. The draft Town Budget was distributed and after budget cuts and much discussion the Finance and Audit Committee recommended raising the commercial tax twelve cents and transferring money from the reserves to balance the Town General Budget. It was moved by Councillor Rhuland seconded by Councillor Race,

“Resolved that this Report and Minutes of the Finance and Audit Meeting held on July 27th, 2009 be received and adopted.” **Motion Carried**

On July 30th, the Finance and Audit Committee met. Mr. Drane from Redding CA came before the committee to speak on the 2008/09 audit and review of the financial statements, discussions took place on the Tangible Capital Assets and the timeframe to complete before the 2009/10 audit is conducted. Mayor Delaney noted that the water treatment plant was back on line under full production and that the Destination South West Nova will be presenting grant cheques from the Visitor Information Centre to various groups. He further noted that the 2009/10 water budget was amended and received, that the 2009/10 Town Budget was recommended to Council in the amount of \$3,099,314., the residential tax rate set at \$2.04 and the commercial tax rate set at \$3.81. It was moved by Councillor Mahaney seconded by Deputy Mayor Acker,

“Resolved that this Report and Minutes of the Finance and Audit Meeting held on July 30th, 2009 be received and adopted.” **Motion Carried**

It was moved by Councillor Mahaney seconded by Councillor Race,
“Resolved that the Council of the Town of Shelburne estimates that the sum required for the lawful purposes of the Town for the fiscal year 2009/10 after crediting the probable revenue from all sources other than the rates for the year is the sum of \$1,906,914;
Further Resolved that the Town Council hereby authorizes the levying and collecting of the following dual tax rates for the current fiscal year of 2009/10; Commercial Rate of \$3.81 per \$100.00 on the assessed value of commercial property assessed in the Assessment Roll for the current year;
Residential Rate of \$2.04 per \$100.00 on the assessed value of residential and resource property assessed in the Assessment Roll for the fiscal year these being the rates the Council deems sufficient to raise the sum required to defray the expenditures of the Town for the current fiscal year;
Further Resolved that payment of the rates and taxes as set down in the Assessment Roll for the fiscal year 2009/10 is required to be made to the Treasurer on or before the 23rd day of September, 2009 and that after the said date the Treasurer shall proceed to issue warrants and taxes then unpaid;
Further Resolved that an additional percentage charge for nonpayment of any such rates and taxes at the rate of 15 percent per annum be charged on and after the 23rd day of September, 2009” **Motion Carried**

It was moved by Councillor Mahaney seconded by Councillor Nickerson,
“Resolved that the annual sewer service charge be set at \$198.00 per unit for the fiscal year 2009/10 and that an additional percentage charge for nonpayment of the annual sewer service charge at the rate of 15percent per annum be charged on and after the 23rd day of September, 2009.” **Motion Carried**

It was moved by Councillor Mahaney seconded by Councillor Race,
“Resolved that the Water Utility Budget for 2009/10 and projections for 2010/11 be approved.” **Motion Carried**

It was moved by Councillor Nickerson seconded by Deputy Mayor Acker,
“Resolved that the Port Authority Budget for 2009/10 be approved.” **Motion Carried**

It was moved by Deputy Mayor Acker seconded by Councillor Rhuland,
“Resolved that authorization be given to transfer \$57,000.00 from the Special Reserve Fund – Operating Reserve to the Town General Operating Fund for the year 2009/10.” **Motion Carried**

Clerk's Items

It was moved by Deputy Mayor Acker seconded by Councillor Mattatall,
“Resolved that the Towns Financial Statements for the fiscal year ending March 31st, 2009 as prepared by Redding CA registered Municipal auditors be received and adopted; and
Further Resolved that the following parts of the Financial Statements be made available to the public at the Town office and on the Town's website, Auditors Report, the Statement of Operations General Section and Operating Fund Balance Sheet; and
Further Resolved that the Mayor and Clerk be authorized to sign a letter of engagement and a letter of representation with respect to the engaging of Redding CA to undertake the audit for the Town of Shelburne and the Towns understanding of the audit procedures which were conducted in order to express the opinion of the Financial Statements for the Town of Shelburne.” **Motion Carried**

It was moved by Councillor Race seconded by Councillor Nickerson,
“Resolved that a minor change be made to the Waste Disposal By-law under Section A, bulky items to remove the line indicating TV's, computers, and or computer components. “ **Motion Carried**

It was moved by Councillor Mattatall seconded by Deputy Mayor Acker,
“Resolved that the second reading of the By-Law to amend the Waste Disposal By-Law pass and a copy be filed with Service Nova Scotia and Municipal Relations.” **Motion Carried**

It was moved by Councillor Mattatall seconded by Deputy Mayor Acker,
“Resolved that Tina McKay be appointed as a qualified building official for the Town of Shelburne.”
Motion Carried

It was moved by Councillor Mahaney seconded by Councillor Rhuland,
“Resolved that authorization be given to the Mayor and the Town Clerk to sign the Temporary Borrowing Resolution in the amount of \$95,985. for the Town’s share of the new fire tanker and the 2009 public works half ton truck.” **Motion Carried**

It was moved by Deputy Mayor Acker seconded by Councillor Mahaney,
“Resolved that the Mayor and the Town Clerk be granted permission to sign the Resolution for Pre-Approval of Debenture for a period of ten years for the fire tanker and a period of five years for the half ton truck, subject to the interest rate required by Service Nova Scotia Municipal Services.”
Motion Carried

Two tenders were received for the sale of the 1996 Ford half ton. The Tenders received were Larry Jones in the amount of \$650. and Douglas Stewart in the amount of \$578. It was moved by Deputy Mayor Acker seconded by Councillor Mahaney,
“Resolved that the Town award the 1996 Ford Tender to Mr. Larry Jones in the amount of \$650. as is where is.” **Motion Carried**

It was moved by Councillor Race seconded by Councillor Nickerson,
“Resolved that the Town adopt the Non-Smoking Policy as distributed.” **Motion Carried**

New Business

There was no new business to report.

Further Business

Councillor Rhuland made a request to the Town for permission to close a portion of Dock Street to vehicular traffic between Ann Street and Rodney Lane on August 12th, 2009 from 10:30am until noon for the official welcoming ceremonies of the Amistad. It was moved by Councillor Mahaney seconded by Councillor Mattatall,
“Resolved that the Town grant permission for the closure of a portion of Dock Street on August 12th, 2009 between 10:30am and noon.” **Motion Carried**

Councillor Rhuland noted that the Communities In Bloom judges will be in Town on August 13th. She also gave an update on the Farmers Market noting that musicians have joined the market and donations are accepted, and that the Committee has purchased two canopies to go over vendors stalls bringing a more uniformed look to the Market. She further noted that the Community Garden located at SRHS still has a few spaces left, and she encouraged the public to make a nomination for the Business Excellence Awards that will be held on October 22nd with the deadline for submissions being August 28th.

Mayor Delaney noted that a book launch was taking place on August 29th from 1-4:00pm at the SRHS for retired telephone operators. He further encouraged the public to visit the Amistad on Dock Street for the official welcoming on August 12th.

Deputy Mayor Acker reminded the public of the Shelburne County Exhibition taking place August 11th – 15th and the Parade taking place on Tuesday, August 11th.

The Following meetings were scheduled:

August 11 th	Police Committee	6:30pm
August 25 th	By-Laws Committee	9:30am
August 25 th	Joint Services Board	6:30pm

There being no further business at 7:58pm, on Motion the meeting adjourned.

Mayor

Clerk