

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL HELD ON WEDNESDAY, December 2nd, 2009

The Town Council met in the Council Chambers of the Town Hall at Shelburne, Nova Scotia on Wednesday, December 2nd, 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.

Mayor Delaney noted that an additional item was added to the Correspondence and would be noted as item number 11, and that additional names were added to the draft Town Appointments for 2009/10.

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

Mayor Delaney noted that he had attended the UNSM Fall Conference along with Deputy Mayor Acker and Councillor Rhuland. He noted that the UNSM had awarded Certificates of Recognition for long service awards and was pleased to recognize three (3) Town of Shelburne Councillors; Deputy Mayor Acker, Councillor Mahaney, Councillor Nickerson. Deputy Mayor Acker had received her Certificate of Recognition award at the conference for 10 years of dedicated service, Councillor Mahaney was awarded a Certificate of Recognition for fifteen (15) years of dedicated service and Councillor Nickerson a Certificate of Recognition for ten (10) years of dedicated service.

It was moved by Councillor Nickerson and seconded by Deputy Mayor Acker, "Resolved that Minutes of a Regular Meeting of Town Council held on November 4th, 2009 be received and adopted as circulated". **Motion Carried**

Mayor Delaney welcomed Mr. Andrew Pace, Immigration Information Navigator. Mr. Pace gave an introduction and update on Immigration. He noted that his area of focus is between Digby and Lockeport with his office based in the Yarmouth Library. His objective is to provide settlement guidance that allows successful integration, to coordinate and lead efforts to unite communities, and on retention of newcomers. Mr. Pace noted that there were three main challenges and reasons that the area requires immigration; facing demographic challenges, facing economic challenges and immigrants enrich the social cultural and economic life of Nova Scotia. He noted that the program was started in the Spring of 2006 and partners with the Western Counties Regional Library, SWSDA, and receives funding from Nova Scotia Office of Immigration. Discussion took place on the process and the length of time to process and he noted that it is quicker for immigrants to become permanent residents under the provincial nominee program rather than through the federal program. Mr. Pace noted that on December 20th immigrants would be meeting and sharing what Christmas is like in other countries at Luong's restaurant in Shelburne. Mr. Pace was thanked for his very informative presentation.

Mrs. Renata Tweedy came before Council on behalf of PET Projects. Information packages were passed out to Council regarding the Beulah Burman Memorial Animal Shelter Society and PET (Pet Emergency Team) Projects. She noted that PET Projects is a virtual organization connected by email and web services, run by a Board of Directors and a network of members and volunteers. She further noted that the Association is against killing, and is a no-cage organization with a network of foster homes available until adoption. Adoption services is a small part of what the association does, their mission is to assist abandoned, abused and neglected pets in desperate situations, to give help and hope to pet owners in need, and to educate the community about responsible pet ownership and the importance of spaying and neutering. Mrs. Tweedy noted that the organization relies on community grants and donations and that there has been \$17,000 spent on vet bills alone. All programs and information can be accessed through their website PETProjects.ca. Mrs. Tweedy was thanked for her presentation and update on PET Projects.

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

The correspondence was dealt with in the following manner.

A letter was received from Warden Sherman Embree of the Municipality of the District of Shelburne regarding resolving the issue of governance and ownership of the Shelburne County Arena. It was agreed to refer this to the next Finance and Audit Committee Meeting to allow time to review the issues.

A letter was received from Warden Peter Newton of the Municipality of the County of Annapolis requesting the Town to consider designating a day to honour volunteer firefighters on a provincial-wide basis. It was moved by Deputy Mayor Acker seconded by Councillor Race, "Resolved that the Town send a letter of support to Honourable Darrell Dexter requesting a provincial-wide day to honour volunteer firefighters." **Motion Carried**

A memo was received from Brian Holland, Municipality of the District of Barrington regarding the Town showing support for the lobster fishery by purchasing a 4x8 sign, "Enjoy Nova Scotia Lobster" to be erected in the arena and to encourage residents to show their support of the lobster fishery by purchasing license plates. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson, "Resolved that the Town refer the request to the Finance and Audit Committee regarding purchasing a sign in support of the lobster fishery for the Shelburne County Arena." **Motion Carried**

A letter was received from Frank Anderson, CEO of the South West Shore Development Authority regarding a letter to be received by December 11th of the Town's intention to continue to be funding partners in the operations of the South West Shore Development Authority under the Regional Community Development Act after March 31st, 2010. It was moved by Deputy Mayor Acker seconded by Councillor Rhuland, "Resolved that a letter be sent to Mr. Anderson advising that at this point in time the Town of Shelburne is exploring options and will let SWSDA know when the Town of Shelburne knows." **Motion Carried** Discussion took place on issues related to SWSDA and concerns were expressed about not jeopardizing ongoing projects, and making clear that the Town was looking at options with no obligations being made.

An invitation was received for information from James Scott requesting members of Council to consider attending a presentation of long time service awards to several active and retired firemen on Monday, December 7th at 8:30pm.

A request was received from Rhonda Dixon regarding opening a men's hair salon at 197 Water Street. It was moved by Councillor Mattatall seconded by Councillor Mahaney, "Resolved that the Town of Shelburne grant Rhonda Dixon approval to open "For Men Only Hair Salon" at 197 Water Street subject to appropriate licenses and by-laws" **Motion Carried**

It was moved by Councillor Nickerson seconded by Councillor Matattall, "Resolved that the Building Inspection Services Report for October 2009 be received." **Motion Carried**

It was moved by Councillor Mahaney seconded by Councillor Rhuland, "Resolved that the Special Constable's Report for November 2009 be received." **Motion Carried**

It was moved by Councillor Rhuland seconded by Councillor Race, "Resolved that the Parks and Recreation Director's Report for October 2009 be received." **Motion Carried**

It was moved by Councillor Mahaney seconded by Councillor Nickerson, "Resolved that the Physical Activity & Community School Coordinator's Report for November 2009 be received." **Motion Carried**

A request was received by Beverly Suttle regarding opening a cake and sweet shop in Shelburne. It was moved by Councillor Mattatall seconded by Councillor Nickerson, "Resolved that the Town of Shelburne grant Beverly Suttle approval to open "Bev's Cake Designs" at 218 Water Street subject to appropriate licenses and by-laws." **Motion Carried**

It was moved by Councillor Mahaney seconded by Councillor Nickerson, "Resolved that bills as approved amounting to \$243,203.33 be received and paid." **Motion Carried**

Committee Reports

Councillor Mahaney reported on the Personnel Meeting held on November 3rd, 2009 and noted that information was received and reviewed from Manulife, discussions took place on the applications for the Dog Catcher vacancy position, and discussions continued with the local IBEW union representatives. It was moved by Councillor Mahaney seconded by Councillor Rhuland, "Resolved that Minutes of the Personnel Committee Meeting held on November 3rd, 2009 be received and adopted." **Motion Carried**

Councillor Mahaney gave a verbal report on the Shelburne County Arena Association Meeting held on November 12th, 2009. He noted that funding options were reviewed and items were identified to fit the funding requests and that the arena is averaging over thirty (30) hours of ice time per week. Councillor Mahaney noted the many repairs and upgrades being completed and ongoing discussions were needed to address the bylaws respecting only one councillor from each municipality to sit on the Board. It was moved by Councillor Mahaney seconded by Councillor Race, "Resolved that the verbal report of the Shelburne County Arena Association Meeting held on November 12th, 2009 be received." **Motion Carried**

Councillor Mahaney gave a verbal report on the Shelburne and Area Chamber of Commerce Meeting held on November 18th, 2009. He noted that the chamber was writing back to individuals who had written regarding the Balmoral visit, that the chamber would not be completing a coupon book due to the merchants lack of interest, the port readiness was reviewing the cost to join a cruise ship organization, and he noted that there were two new doctors interested in the Shelburne area. It was moved by Councillor Mahaney seconded by Councillor Race, "Resolved that the verbal report of the Shelburne and Area Chamber of Commerce Meeting held on November 18th, 2009 be received." **Motion Carried**

Councillor Mahaney reported on the Shelburne Port Authority Meeting held on November 18th, 2009. He noted that a brochure had been produced for the Port, and that the domain name for the Ports website be moved out of the port managers' name and into the Shelburne Port Authority's name. He further noted that the Town has cleared phase I of the Atlantic Gateway, phase 2 involves the development of a business plan and that the wharf manager had outlined some wharf repairs required. It was moved by Councillor Mahaney seconded by Deputy Mayor Acker, "Resolved that Minutes of the Shelburne Port Authority Meeting held on November 18th, 2009 be received and adopted." **Motion Carried**

Councillor Mattatall gave a verbal update on the Revision of By-Laws Meeting held on November 30th. She reported that currently there are three (3) by-laws (fire prevention by-law, noise by-law, and peace and good order by-law) being reviewed for discussion in the new year, and she noted that the Municipal Advisor suggested integrating the Peace and Good Order By-law into other Town by-laws.

Councillor Race reported on the Waterfront Development Committee Meeting held on November 16th, 2009. He noted that a cost estimate will be prepared on a boardwalk at the Sandy Point Lighthouse; discussions took place with regards to fixing the Town floating docks during the same time as the Shelburne Harbour Yacht Club was having repairs completed on their docks, and that discussions took place on the possibility of interpretive panels being placed at Island's Park. It was moved by Councillor Race seconded by Councillor Rhuland, "Resolved that Minutes of the Waterfront Development Committee Meeting held on November 16th, 2009 be received and adopted." **Motion Carried**

Councillor Rhuland reported on the South West Shore Development Authority Meeting held on November 18th, 2009. She noted that a full set of minutes are posted on the SWSDA's website, that a letter of support was sent to all nine (9) municipal units regarding supporting the \$500,000 interim financing, that a letter was to be sent to the Minister of Economic Development requesting a meeting to discuss the province taking over the mortgage of the former navy base property. A meeting was held on December 11th for all voting members to discuss issues around finances, the present situation of SWSDA, and the lawsuit being held in January. It was moved by Councillor Rhuland seconded by Councillor Nickerson,

"Resolved that the verbal report of the South West Shore Development Authority Meeting held on November 18th, 2009 be received." **Motion Carried**

Councillor Rhuland gave a verbal update on the JCP workers and noted that the project ends on January 2nd, 2010. She noted that the project was very successful and the workers contributed with many projects including the Communities in Bloom. Councillor Rhuland noted that she had attended the TIANS conference in Halifax and the provincial winners of the Communities in Bloom were announced. She was very pleased to note that the Town of Shelburne won, receiving five (5) blooms over eight (8) categories with special mention given to the Shelburne Waterfront. She thanked everyone who helped make the award possible.

Deputy Mayor Acker reported on the Integrated Community Sustainability Plan Meeting held on November 23rd. She noted that twenty-nine (29) goals were reviewed, discussed and prioritized. She further noted that the process was positive but overwhelming and highlighted the future workload of the Town employees and that the ICSP is a working document that needs to be reviewed and updated annually. It was moved by Deputy Mayor Acker seconded by Councillor Race, "Resolved that Minutes of the Integrated Community Sustainability Plan Meeting held on November 23rd, 2009 be received and adopted." **Motion Carried**

Deputy Mayor Acker reported on the Shelburne Parks and Recreation Commission Meeting held on November 18th, 2009. She noted that the Towns Christmas lights were installed this year with the use of a forklift and operator donated by Shelburne Stevedores and it was agreed that the Town should send a thank you to Shelburne Stevedores. She further noted that the Gloucester Tree had been shipped on November 9th and the lightening of the Gloucester tree can be seen on YouTube. The Tree was donated by Betty Marsh and the Parks and Recreation staff was preparing a scrapbook for Mrs. Marsh. She further noted that the Minor Baseball Association will be applying for funding through the Department of Health Promotion and Protection's Recreation Facility Development Fund to develop the Albert Acker Memorial Field. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson,

"Resolved that Minutes of the Shelburne Parks and Recreation Commission Meeting held on November 18th, 2009 be received and adopted." **Motion Carried** Deputy Mayor Acker updated council letting them know that the vandalized playground equipment located on George Street had been repaired, and that Jerry Locke and Marilyn Johnston are meeting with Roddy Conrad regarding a lease agreement and fencing at the Albert Acker Memorial Field.

Deputy Mayor Acker reported on the Planning Advisory Committee Meeting held on November 30th, 2009.

She noted that five (5) principles were reviewed (people, municipal services and operations, economy, environment and socio-cultural) and it was agreed to place a stronger emphasis on the economic development of the Town. She further noted that educating both staff and council was the key to good decision making. It was moved by Deputy Mayor Acker seconded by Councillor Mahaney,

“Resolved that Minutes of the Planning Advisory Committee Meeting held on November 30th, 2009 be received and adopted.” **Motion Carried**

Deputy Mayor Acker gave a verbal report on the Joint Services Board, she noted that the RFP's on Waste were being reviewed by management and no recommendation was made yet. Deputy Mayor Acker reported on an energy management workshop held in Bridgewater on November 27th. She noted that it gave her clearer understanding of how the energy management program for the Town should work; the use of energy, and on documenting the use.

Deputy Mayor Acker reported on an information meeting held on November 25th with Mayor John Leefe of the Region of Queens. Three municipal units were present to hear Mayor Leefe speak on the amalgamation of the Region of Queens. Deputy Mayor Acker encouraged the public to review the information, and suggested that a meeting be scheduled in the New Year with the municipal advisor to discuss the direction Council wishes to go.

Deputy Mayor Acker noted that a meeting took place on December 1st with all five (5) municipal units present to discuss economic development in Shelburne County and to request information on bylaws pertaining to the Regional Community Development Act. She noted that the next meeting would be held in Barrington on January 12th. Discussions took place on possibly improving the existing structure with more transparency and accountability.

Councillor Nickerson gave a verbal report on the Western County Regional Library Meeting held in Yarmouth on November 19th. He noted that the regional director had been reviewing the bylaws and policies and developed an employee's code of conduct which would be of great assistance for the orientation of new employees. He further noted that an extensive checklist was prepared for each library to complete on a yearly basis and that a pension review had been undertaken. The Board meeting had taken place after the regular meeting and it was noted that the Western County Regional Library is remaining within budget, that employee negotiations are underway with a possible 3% increase and that the justice department has been preparing an excellent database. It was moved by Councillor Nickerson seconded by Councillor Mahaney, “Resolved that the verbal report of the Western County Regional Library Meeting held on November 19th, 2009 be received.” **Motion Carried**

Councillor Nickerson gave a verbal report on the Occupational Health and Safety Meeting held on December 2nd, 2009. He noted that WHIMIS training for all town employees can be costly and require access to a computer and it was agreed that a refresher could be completed by a paper copy. He further noted that an additional quote for a catwalk at the water treatment plant was requested, there were no new employee issues, that one (1) department was negligent in completing their safety inspection sheets, and that nine (9) employees would be taking the traffic control person course to be held here at the community center. It was moved by Councillor Nickerson seconded by Councillor Race,

“Resolved that the verbal report of the Occupational Health and Safety Committee Meeting held on December 2nd, 2009 be received.” **Motion Carried** Discussions took place on the safety committee receiving information before the individual Committee Chairperson and the possible time lapse with regard to safety issues.

Mayor's Items

The Mayor gave condolences to Councillor Mattatall on the passing of her mother and noted that the Town had made a donation on her mother's behalf.

Mayor Delaney reported that the UNSM Conference was held in Halifax on November 5th, 6th, and 7th. Deputy Mayor Acker and Councillor Rhuland had also attended and they had divided up the various meetings held at the conference.

Mayor Delaney noted that on the morning of November 9th the Christmas tree was sent to Gloucester, and in the afternoon he had a meeting with Cooks Aquaculture and discussed their continued use of the wharf, the future wharf repairs, and public concerns regarding the expansion of the salmon farm.

On November 11th, the Mayor had the pleasure of laying the wreath on behalf of the Town during the Remembrance Day ceremonies.

On November 12th, the Mayor attended a meeting on South West Nova Transportation and considerable discussion took place on all areas of transportation issues and options being explored and recommendations to the Province.

On November 13th, the Mayor noted a meeting was held with several Councillors, MP, Gerald Keddy and Peter MacKay's executive assistant. Several items were discussed including the governments continued support with the port expansion, White Juan, the need of a sidewalk down Hammond Street to the hospital, downtown revitalization and ongoing projects.

On November 21st the Christmas Parade took place that was well attended and he thanked the many volunteers for their time.

Mayor Delaney reported on the Port Authority Meeting held November 27th. He noted that it was agreed to proceed with an application under Service Canada for funding under the Target Wage Subsidy Program and that the chair and a member of the Port Authority would be meeting with the port manager to discuss several issues pertaining to the Port Authority. It was moved by Councillor Nickerson seconded by Councillor Rhuland,
“Resolved that Minutes of the Shelburne Port Authority Meeting held on November 27th, 2009 be received and adopted.” **Motion Carried**

Clerk’s Items

A draft document was distributed to all Councillors regarding the Town’s water rate study, and a special council meeting would be required to review the document. It was moved by Councillor Mahaney seconded by Councillor Rhuland,
“Resolved that a Special Council Meeting be called for December 10th at 12:00 pm to discuss the draft water rate study.” **Motion Carried**

The Clerk provided a draft list of Town Appointments for 2009, noting that additional names were added from the previous list supplied. It was moved by Deputy Mayor Acker seconded by Councillor Rhuland,
“Resolved that Council approve the List of Town Appointments as amended for 2009/10 and as attached to these Minutes as per Schedule “A”.” **Motion Carried**

It was moved by Councillor Mahaney seconded by Councillor Race,
“Resolved that Town Council approve the Temporary Borrowing Resolution in the amount of \$1,128,627, authorized pursuant to Section 84 of the Municipal Government Act, and that the Mayor and the Clerk be authorized to sign the Borrowing Resolution.” **Motion Carried**

Two tenders were received to assist the Town with snow removal. The Tenders received were before HST:

Swansburg Construction Limited - One tandem truck and front end loader \$144/hour
Two tandem trucks and front end loader \$198/hour

Harlow’s Construction Limited - One tandem truck and front end loader \$195/hour
Two tandem trucks and front end loader \$270/hour

It was moved by Councillor Mahaney seconded by Councillor Race,
“Resolved that the Town accept the Tender from Swansburg’s Construction Limited for snow removal for the 2009/10 year.” **Motion Carried**

New Business

Deputy Mayor Acker reported on a meeting held on November 17th with David MacLaughlin of Nova Scotia Power Incorporation and three representatives from Tri-County Regional School Board to discuss the possibility of retrofitting Hillcrest Academy and/or the Shelburne Regional High School to implement solar initiatives.

Deputy Mayor Acker reported on a meeting held on November 20th with the CAO of the Municipality of the District of Shelburne and a representative from Nova Scotia Business Inc. to discuss options on marketing Shelburne. She noted that the municipal units would be working on collecting information to market the assets within the Town and County; this information would be incorporated into a website to promote Shelburne County.

Deputy Mayor Acker reported on the UNSM conference and briefly summarized the meetings she had attended. She noted the importance of the Town to begin working on the Municipal Source Water Protection Plan in January to have completed by the deadline of October 15th, 2010.

Councillor Rhuland reported on the UNSM Conference and noted that she appreciated the opportunity to network and was amazed at the power of the UNSM. She briefly reviewed the meetings she had attended at the conference and explained the funding available under Age-Friendly Communities.

Councillor Mahaney expressed concerns of possibly having the web page professionally done. It was moved by Councillor Mahaney seconded by Councillor Rhuland,
“Resolved that the Town prepare a Request for Proposal to develop a webpage for the Town of Shelburne.” **Motion Carried** Discussion took place on producing the RFP and if this would be within this year’s budget.

It was moved by Councillor Mahaney seconded by Councillor Mattatall,
“Resolved that the Town send overseas to Afghanistan the Town’s flag for a period of time to be determined by the serving member.” **Motion Carried** Discussion took place on the Town flag, the condition and the possibility of reproducing the flag.

Further Business

Councillor Rhuland noted an interesting David Suzuki program on aquaculture farming which mentioned the Cooke's Aquaculture farm in New Brunswick and their sustainable practices. She noted the importance to participate in the transportation study; roads, ferry service and port development are all required to transport product out of the area. She further noted that another letter should be sent to MP Gerald Keddy and a copy forwarded to the Minister regarding White Juan.

At 10:02pm Council recessed for a short break.

At 10:05pm the meeting reconvened.

At 10:05pm all members of Council agreed to go into an in-camera session to discuss personnel issues.

At 10:10pm the meeting reconvened.

The following meetings were scheduled:

December 10 th	Special Council Meeting	12:00am
December 10 th	Personnel Meeting	6:30pm

There being no further business at 10:16pm, on Motion the meeting adjourned.

Mayor

Clerk