

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL HELD ON THURSDAY, July 2nd, 2009

The Town Council met in the Council Chamber of the Town Hall at Shelburne, Nova Scotia on Thursday, July 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, and Michael Race.

Regrets: Councillor Elizabeth Rhuland

The meeting was called to order.

It was moved by Councillor Nickerson and seconded by Councillor Race, "Resolved that the Agenda for the July Council meeting be approved as received". Motion Carried

It was moved by Councillor Race and seconded by Councillor Nickerson, "Resolved that Minutes of a Regular Meeting of Town Council held on June 3rd, 2009 be received and adopted as circulated". Motion Carried

There were no hearing of delegates.

It was moved by Deputy Mayor Acker seconded by Councillor Mahaney, "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 Gloria Beuree of the Shelburne Historical Society and Beverly Cox of the Black Loyalist Heritage Society regarding an invitation to the annual Garden Party on Sunday, July 19th.

A letter was received from Allan Reid owner/operator of The Sea Dog Saloon regarding Founder's Days. It was moved by Councillor Mahaney seconded by Deputy Mayor Acker, "Resolved that Town Council authorize Mr. Reid to establish a beer tent during Founder's Days from July 16th-19th subject to approval from the Nova Scotia Liquor Board." Motion Carried

A letter was received from Allan Reid owner/operator of The Sea Dog Saloon regarding the Street Dance. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson, "Resolved that Town Council authorize Mr. Reid to organize and establish a bar for the Street Dance on August 15th, 2009, subject to the Nova Scotia Liquor Boards approval." Motion Carried

A letter was received from Patricia MacDougall, Special Events Coordinator for the Parks and Recreation Department. It was moved by Councillor Mahaney seconded by Councillor Mattatall, "Resolved that Town Council grant permission to close a portion of Bulkley Street to vehicular traffic on Saturday, July 4th, 2009 during the Soapbox Derby Race." Motion Carried

It was moved by Councillor Nickerson seconded by Councillor Mattatall, "Resolved that the Building Inspection Services Report for May, 2009 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 May 2009 be received and adopted." Motion Carried

It was moved by Councillor Mahaney seconded by Councillor Mattatall, "Resolved that the Physical Activity & Community School Coordinator Report for June 2009 be received and adopted." Motion Carried

It was moved by Councillor Nickerson seconded by Councillor Race, "Resolved that bills as approved amounting to \$189,235.36 be received and paid." Motion Carried

Committee Reports

Councillor Mahaney reported on the Personnel Meeting held on June 9th, 2009. He noted that interviews were held to replace a vacancy for a student Parks Worker for the Parks and Recreation Department. It was moved by Councillor Mahaney seconded by Deputy Mayor Acker, "Resolved that Minutes of the Personnel Meeting held on June 9th, 2009 be received and adopted." Motion Carried

Councillor Mahaney reported on the Personnel Meeting held on June 30th, 2009. He noted the meeting was held to shortlist applicants for the Parks and Recreation Departments office clerk position. It was moved by Councillor Mahaney seconded by Councillor Mattatall, "Resolved that Minutes of the Personnel Meeting held on Tuesday, June 30th, 2009 be received and adopted." Motion Carried

Councillor Mahaney gave a brief verbal report on the Shelburne Area Chamber of Commerce meeting held on June 15th. He noted that there has been great cooperation within the Chamber and that several committees have been set and are actively working on projects, such as marketing, cruise ship and doctor recruitment.

Councillor Mattatall reported on the Heritage Advisory Committee Meeting held on June 29th, 2009. She noted that the meeting addressed issues with regards to the Tottie's Crafts building. She noted that the front door needed repairs and the Committee intended to replace the veranda to the front entrance to make the building safer and create better accessibility.

It was moved by Councillor Mattatall seconded by Deputy Mayor Acker, “Resolved that the Town Council approve the request from the Heritage Advisory Committee to perform the required changes at the Tottie’s Crafts building subject to the building inspector’s approval.” Motion Carried

It was moved by Councillor Mattatall seconded by Deputy Mayor Acker, “Resolved that Minutes of the Heritage Advisory Committee Meeting held on June 29th, 2009 be received and adopted.” Motion Carried

Councillor Mattatall reported on the Integrated Community Sustainability Plan meeting held on June 3rd, 2009. She noted that discussions took place on the sustainability plan and the upcoming public sessions, and the use of a discussion matrix. It was moved by Councillor Mattatall seconded by Councillor Nickerson,

“Resolved that Minutes of the Integrated Community Sustainability Plan Meeting held on June 3rd, 2009 be received and adopted.” Motion Carried

Councillor Race reported on the Parks and Recreation Commission Meeting held on June 18th, 2009. He noted that Constable Vaughn had had discussions with the Parks and Recreation Director and it was agreed to hold a public meeting in the fall with regards to the George Street Playground proposal. He further noted that the Kid’s Fair Play Fund has been experiencing a demand for assistance and as a result has its finances dwindling. He noted that fundraising options will need to be explored. It was moved by Councillor Race seconded by Deputy Mayor Acker,

“Resolved that Minutes of the Parks and Recreation Commission Meeting held on June 18th, 2009 be received and adopted.” Motion Carried

Discussion took place regarding concerns that the public process was to take place in the fall when previously it was to take place before the summer problems arose near the George Street playground. It was noted that this was a community project taken on by Constable Vaughn and obstacles had pushed it to the fall such as vacations, and the time needed to conduct a public session. It was further noted that the residents were fearful to come forward. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson,

“Resolved that Town Council write a letter to Sergeant MacLellan expressing concerns on the public process being postponed to the fall and requesting an update on the developments at George Street Playground and surrounding areas.” Motion Carried

Deputy Mayor Acker gave a verbal report on the Roseway Manor Board Annual Meeting. She noted that several items were highlighted from the year. She noted that a new van was purchased, an outreach program called the Roseway Leisure and Support Services was developed, and twenty of the twenty-one fire inspection actions were addressed. It was noted that the one item left to address was the relocation of the fire hydrant. She further noted that the Roseway Manor has been updating technology, has opened a new palliative care room, and that the Manor is thirty years old and requires ongoing maintenance. Also noted was that the Manor would be providing services for a fee to residents at the Lake Road Apartments if requested. Deputy Mayor Acker further noted that the Roseway Manor By-Laws have changed and instead of three Councillors there may be two Councillors and an individual from the community who can sit on the Board. The Roseway Manor held a volunteer night recognizing over 220 volunteers.

Councillor Nickerson reported on the Occupational Health & Safety Committee Meeting held on June 25th, 2009. He noted that suggestions and comments were reviewed with regards to the new monthly inspection sheets and some changes were made. He further noted that several employees have completed training, that the Town Hall was tested for asbestos, and that the Committee suggested that the Fire Chief should visit the water treatment plant to be made aware of the chemicals being used and stored on site. The Committee recommended that Mr. Thomas check into pricing a “cat walk” to construct over the water tanks for safety. It was moved by Councillor Nickerson seconded by Councillor Race,

“Resolved that Minutes of the Occupational Health & Safety Committee Meeting held on June 25th, 2009 be received and adopted.” Motion Carried

Councillor Nickerson gave a verbal report on the Western Regional Library meeting held in Yarmouth. He noted that they are still proposing a different formula for funding. The present funding is based on population and as the population decreases the funding also decreases.

Mayor’s Items

On June 9th, the Mayor attended a Team Shelburne meeting. Discussions took place regarding the Marine Centre of Excellence. The members of Team Shelburne will be meeting with local ACOA representatives regarding the significance of an Excellence Centre and the possibility of expanding to include research with sea plants. The future of Team Shelburne was discussed and the Terms of Reference would be reviewed, a new chairperson will need to be elected in January 2010, a letter was received regarding the incorporation of the South West Shore Development Authority, and an application has been submitted to ACOA for the position of a Tourism Coordinator.

It was moved by Councillor Mahaney seconded by Councillor Nickerson, “Resolved that Minutes of the Team Shelburne Meeting held on June 9th, 2009 be received and adopted.” Motion Carried

Discussion took place on the letter received regarding Incorporation of the South West Shore Development Authority. It was noted that information would need to be gathered along with legal advice and a discussion would need to take place at a special meeting. It was further noted that public information sessions should be held and that the Chamber was going to ask Town’s Council consideration for public participation. It was noted that other municipal units were pursuing other possibilities of economic development, and a request to support the tourism coordinator position was being asked from all municipal units.

On June 11th, the Mayor attended the Nova Scotia Community College closing as an invited guest. He noted that there was a wide range of ages of those graduating, some straight out of high school and others going back to upgrade.

June 24th, the Mayor attended the AGM for the Shelburne Historical Society and he noted that Dave Alexander had been elected as President.

July 2nd the Mayor attended the Discover Shelburne County Tourism Association Meeting. Discussion had taken place on the Walking Tour Map and the importance to the visiting public. It was agreed to revisit the printing of the Walking Tour Map and solicit six sponsors to assist in paying for the cost of printing.

On June 24th the Mayor attended the Port Authority Meeting. He noted that Clearwater had issued a letter of support for the future wharf expansion, soil samples were being taken from the harbour bottom, the port manager was checking on information regarding the salt boats and the port manager would be doing maintenance repairs to the office. He further noted that discussions were held regarding outstanding accounts and the use of a collection agency. It was moved by Councillor Mahaney seconded by Councillor Race,

“Resolved that Minutes of the Shelburne Port Authority Meeting held on June 24th, 2009 be received and adopted.” Motion Carried

The Finance and Audit Meeting was held on June 16th, 2009. The Mayor noted that three motions had taken place, one with respect to the purchase of an air conditioner, one regarding placing a tender for the old #4 fire truck and the third with regard to providing a grant to the Shelburne Founders’ Days Committee. It was moved by Councillor Mahaney seconded by Councillor Nickerson,

“Resolved that Minutes of the Finance and Audit Committee Meeting held on June 16th, 2009 be received and adopted.” Motion Carried

A brief discussion took place regarding a response from the Minister of Housing regarding the Town’s concerns of the Tri-County Housing Authority ballooned deficit. It was noted that there was no response to date.

Clerk’s Items

Four tenders were received for 500 cubic yards of Type 1 Quarry Class A Gravel and for 300 cubic yards of screened sand suitable for sanding streets.

The Tenders received were all costs before HST:

Swansburg Construction Ltd.	\$21.40/cu.yd (gravel)	\$14.95/cu.yd (sand)
Harlow’s Construction Ltd.	\$20.45/cu.yd (gravel)	\$16.35/cu.yd (sand)
Lenny Stuart	\$19.50/cu.yd (gravel)	\$20.50/cu.yd (sand)
Burke Harris	no price given	\$15.25/cu.yd (sand)

It was moved by Councillor Mahaney seconded by Councillor Deputy Mayor Acker, “Resolved that the Tender from Harlow’s Construction Limited in the amount of \$20.45 cu/yd + HST for the supply of 500 Cubic Yards of Type 1 Quarry Class A Gravel delivered to the stockyard on Hammond Street be accepted” and

“Further Resolved that the Tender from Swansburg’s Construction in the amount of \$14.95/cu.yd + HST for the supply of 300 Cubic Yards of screened sand suitable for sanding streets delivered to the stockyard on Hammond Street be accepted.” Motion Carried

The Clerk noted that the first Monday in August has been designated as a civic holiday in the Town, and a notice will be placed in the local paper to that effect.

The Clerk noted that pursuant to recent meetings of the Joint Services Board recommendations have been made to update the Waste Disposal By-Law. A copy of that information had been circulated to all members of Council. He noted that in order to approve the By-Law, two readings were required and the first reading would be held this evening.

It was moved by Councillor Mahaney seconded by Councillor Race, “Resolved that the Waste Disposal By-Law pass.” Motion Carried

One Tender was received from H & B Car Sales Ltd. for the purchase of a new 2009 Ford F150. It was moved by Deputy Mayor Acker seconded by Councillor Mattatall, "Resolved that the Town purchase a 2009 Ford F150 from H & B Car Sales Ltd. at the price of \$19,814. plus HST for a total of \$22,389.92." Motion Carried

Discussion took place on the truck it would replace. The public works truck needed an extensive amount of work completed to pass inspection so the new truck will be replacing an existing public works truck. The sanitation truck would not be replaced as it will be repaired at the cost of approximately \$2,000 to repair the front end and truck box.

A letter was received from the South West Shore Development Authority requesting a letter of support from Shelburne Town Council. It was moved by Deputy Mayor Acker seconded by Councillor Mahaney, "Resolved that the Shelburne Town Council write a letter of support to the South West Shore Development Authority in support of their business plan and that Shelburne Town Council will support their contribution arrangements." Motion Carried

New Business

Councillor Mattatall noted that the street dance would be starting at 9:00pm and would require time for set up. It was moved by Deputy Mayor Acker seconded by Councillor Mahaney, "Resolved that Town Council agrees to close off the section of Water Street between King and John Street to vehicular traffic between the hours of 7:30pm and 1:00am to ensure the public's safety." Motion Carried

Discussion took place on setting up barricades and fencing and if qualified personnel were needed to install the barricades. Councillor Mattatall would check into the requirements.

Councillor Mattatall noted that the first street dance held in the Town was held by the Loyalist. Councillor Mattatall noted that the Christmas Parade Committee was looking for volunteers. She further noted that the R.C.M.P. would assist the Town in making the public aware of the Noise By-Law. It was agreed that it would not be appropriate to bring awareness to the Noise By-law until the Noise By-Law was approved.

Councillor Mahaney noted that the Personnel Committee would be meeting next week to conduct interviews for the vacant office clerk position at the Parks and Recreation Department. It was moved by Councillor Mahaney seconded by Deputy Mayor Acker, "Resolved that Town Council grant the Personnel Committee permission to hire the candidate they feel appropriate after conducting interviews." Motion Carried

Councillor Nickerson expressed concerns on the air quality within the Town Hall. He noted that air quality tests were conducted with regards to asbestos but there may be other concerns such as mould within the building. The Town Clerk will check with Maritime Testing to see what was tested under their air quality tests that had been conducted.

Councillor Mattatall had expressed concerns of a bus stop located on King Street and the use of the Hammond Street sidewalk. It was agreed that a letter should be sent to Dale Royal, Coordinator of Transportation for the Tri-County Regional School Board relating to concerns being expressed to the Town.

Deputy Mayor Acker noted that Councillor Rhuland had attended a function with two doctors who were considering the move to Shelburne. She noted that the Shelburne Chamber of Commerce had supplied a gift basket for the doctors, and it was agreed to send a letter to the Shelburne Chamber of Commerce recognizing their generous contribution to doctor recruitment.

Deputy Mayor Acker noted she had attended the S.R.H.S. Junior Closing on behalf of the Town and the High School closing as a guest. She noted that twenty six new items had been completed over the year such as exchanges, community gardens, cultural history of Shelburne County, promotion of healthy schools and over \$30,000 received in grants.

Mayor Delaney noted that a letter had been received from Discover Shelburne County requesting a representative from the Town to participate in forming a Tourism Committee to deal with issues on the proposed tourism development officer. Mayor Delaney noted that he will attend on behalf of the Town.

Further Business

At 8:40pm Council recessed for a short break.

At 8:45pm the meeting reconvened.

At 8:45 pm all members of Council agreed to go into an in-camera session to discuss the sale of municipal property and legal issues.

At 9:00pm the meeting reconvened.

It was moved by Councillor Mattatall seconded by Councillor Mahaney,
“Resolved that Town Council approve an extension be given to the buyers of the Hammond Street property located at Hammond Street to allow time for a completed survey.” Motion Carried

The Following meetings were scheduled:

July 7 th	Personnel Committee	6:45pm
July 8 th	ICSP – Energy Audit	5:30pm
July 13 th	Finance & Audit	6:30pm
July 16 th	Finance & Audit	6:30pm
July 20 th	Revision of By-law	9:30am
July 23 rd	Finance & Audit	6:30pm
July 27 th	Finance & Audit	6:30pm
July 30 th	Finance & Audit	6:30pm

There being no further business at 9:10pm, on Motion the meeting adjourned.

Mayor

Clerk