

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL HELD ON WEDNESDAY, MARCH 5th, 2008

The Town Council met in the Council Chamber of the Town Hall at Shelburne, Nova Scotia on Wednesday, March 5th, 2008 at 7:00pm.

Those present were His Worship Mayor P.G. Comeau, Deputy Mayor Tony Mahaney, and Councillors Elizabeth Acker, Alan Delaney, Bernard Nickerson and Bill Murray.

Regrets: Councillor Allan Reid

The meeting was called to order by Mayor Comeau.

It was moved by Councillor Murray and seconded by Deputy Mayor Mahaney, "Resolved that Minutes of a regular meeting of Town Council held on February 6th, 2008 be received and adopted as circulated". Motion Carried

Cathy Holmes came before Council to provide information to Council pertaining to "Community in Blooms". Cathy Holmes and Elizabeth Rhuland are employed by the Shelburne and Area Chamber of Commerce and will be spearheading this project. The Committee will be comprised of the general public and businesses within the Town. Mrs. Holmes noted it was a friendly competition between Towns to be judged in July or August. She noted the eight criteria in which a community is judged, and felt that the Town was already addressing many of these areas. Mrs. Holmes and Ms. Rhuland will be preparing a "brag book" to submit to the judges, with many community events included. Many businesses and the general public will be getting involved in helping beautify the Town. Mrs. Holmes asked if the Town would agree to participate in an Earth Day clean up this spring, and if the Town's Public Works Department could assist the Committee in implementing projects. Mrs. Holmes noted the benefits to the Town; sense of community pride, decrease in vandalism, and volunteers working together. Discussion took place on the actual date of Earth Day, and Councillors agreed that the Public Works Department and the Recreation Department should be able to assist in this worthwhile project. It was also noted that youth groups might be able to assist in projects as well. Mayor Comeau thanked Mrs. Holmes for her presentation to Council on "Community in Blooms".

Mr. Keith Jacklin gave a review of his business located at 42 Falls Lane, and was asking for approval to operate a metal recycle business. His business would entail the buying of metal, with any metal that could be reused racked for resale to the public, and unsaleable material sold for scrap. Any oversized derelict material would be stored at a site located in the Municipality. Mr. Jacklin noted that he offers a free pick-up service to the public. The Town Clerk informed the Councillors the requirements of zoning for a commercial business as set out in the By-Laws, and the By-Laws of the Industrial General Zone. It was noted that Mr. Jacklin does presently have permission for a retail business, and that would mean a business involved with the selling of any goods to the general public for monetary gain. Also discussed was the old water tower on Lake Rodney Road, Mr. Jacklin was looking to dismantle the tower for scrap at no cost to the Town. The Mayor noted that the Town has no plans to dismantle the tower, and that members of staff felt it was an asset and could be used at a latter date if required. Discussion followed on the proposal to clean up the former Ronald Davis property on Prince Street and the removal of derelict barges on the west shore of Bells Cove at no cost to the Town. It was noted the barge issue requires investigation as to ownership, etc. Members of Council agreed to place Mr. Jacklin on a list for any portable welding or torch work that the Town may require, and give Mr. Jacklin an opportunity to bid on the scrap metal located at the dump at the time of sale. Mayor Comeau thanked Mr. Jacklin for his presentation.

It was moved by Deputy Mayor Mahaney and seconded by Councillor Murray, "Resolved that the Correspondence be received as circulated". Motion Carried

The Correspondence was dealt with in the following manner.

Information was received from the Honourable Mark Parent, Minister, Nova Scotia Environment and Labour, regarding amendments to definitions contained in the Nova Scotia Building Code Regulations.

It was moved by Councillor Murray and seconded by Deputy Mayor Mahaney, "Resolved that the Special Constable's Report for February be received." Motion Carried

It was moved by Councillor Nickerson and seconded by Councillor Murray, "Resolved that the Parks and Recreation Director's Report for January be received." Motion Carried

It was moved by Deputy Mayor Mahaney and seconded by Councillor Murray, "Resolved that bills as approved amounting to \$ 175,853.53 be received and paid." Motion Carried

Mayor's Items

Mayor Comeau noted that there would be a need for an in-camera session.

Mayor Comeau reported on the Shelburne Port Authority meeting held Wednesday, February 6th. He noted that the Port Authority had a small increase in revenue for January, and that a budget would be reviewed in April. Mayor Comeau stressed the need for security officers and that it was agreed to increase the wage to \$9.75/hr. He also noted that the Port Manager is working on the cruise line report and security ID's. Tri-County will be undertaking the necessary repairs to the wharf. It was moved by Councillor Murray, seconded by Councillor Delaney, "Resolved that this Report and Minutes of the Port Authority Meeting held February 6th, 2008 be received and adopted." Motion Carried

Mayor Comeau reported on the Water Utility Committee meeting held on Wednesday, February 6th, 2008. He commented on the resignation of the Water Treatment Plant Operator and the need for a replacement. Also discussed was the progress of the plant improvements and the funding deadline of March 31st, 2008. Discussions on the collapsed water line and the time frame for a boil order as requested by the Department of Environment was noted. It was moved by Deputy Mayor Mahaney, seconded by Councillor Nickerson, "Resolved that this Report and Minutes of the Water Utility Committee meeting held on February 6th, 2008 be received and adopted." Motion Carried

Mayor Comeau reported on the Finance and Audit Committee held on Tuesday, February 26th, 2008. He noted that discussions took place on setting a policy for missed meetings, the recognition of four top priorities for the Police Department, the deadline of April 1st for the removal of the building located on Prince Street, and two early budget approvals were reviewed from the Parks and Recreation Department. Mayor Comeau further noted that a letter was approved to be sent from Council to the Ombudsmen in regards to the funds from the sale of the Shelburne Youth Centre. Mayor Comeau noted information had been received regarding the "UNSM Municipal Property Tax Relief for Low Income Home Owners", the cost of purchasing green carts for the residents of the Town, and the need to develop an Integrated Community Sustainable Plan in order to receive the Federal Gas Tax Revenue. It was moved by Councillor Murray, seconded by Councillor Delaney, "Resolved that this Report and the Minutes of the Finance and Audit Committee held on February 26th, 2008 be received and adopted." Motion Carried.

Mayor Comeau noted correspondence he had received from Attorney General & Minister of Justice, Cecil P. Clarke pertaining to the youth justice system. Mr. Clarke noted that the youth justice system isn't working to meet the needs of Nova Scotians. He further noted the Federal governments new Bill C-25, to amend the Youth Criminal Justice Act is good news in the fight against youth crime. Mr. Clarke had enclosed a petition and was asking for signatures. He will be personally delivering the petitions he receives to the federal government to strengthen the Youth Criminal Justice Act by adopting all seven of the Nunn Commission's recommendations.

Committee Reports were given

Deputy Mayor Mahaney reported on the Civic Buildings and Properties meeting held on Wednesday, February 13th 2008 noting he was elected as Chair. He noted that discussion had taken place on the use of the Community Centre, user fees, the budget to operate the facility and the need to stress consideration in turning lights off and the heat down in order to remain within budget. Also noted was the need for a meeting to review the future use or sale of Town properties, and it was further noted that any sale of Town properties would have the purchaser pay the migration fee. Also noted was a brief discussion on the condition of the Town Hall and the possibility of upgrades.

It was moved by Deputy Mayor Mahaney, seconded by Councillor Murray, "Resolved that this Report and Minutes of a Civic Building and Properties Committee meeting held on February 13th, 2008 be received and adopted." Motion Carried.

Deputy Mayor Mahaney reported on a Police Committee meeting, which had been held on Wednesday, February 20th. He noted that RCMP are working on a performance plan, and they explained the more serious cases and the time it takes to process a single case.

Deputy Mayor Mahaney noted a Police Advisory Board is hoping to be in place by November, and that five (5) additional plain-clothes officers will be working on special projects out of the Town RCMP office. Also discussed was the availability of taxis and the hours they keep. It was noted that a review of the present Taxi By-Law would be taking place. It was also noted that a new request for a taxi service was received. Discussion took place on the posted parking limits in front of 25 King Street. Deputy Mayor Mahaney commented on the past problems of increased parking times for workers and the buying public ending up with no place to park. The past has proven it vital to control parking by a time limit. It was moved by Deputy Mayor Mahaney and seconded by Councillor Acker,

“Resolved that this Report and the Minutes of a Police Committee meeting held on February 20th, 2008 be received and adopted.” Motion Carried.

Deputy Mayor Mahaney reported on the arena activities and noted the arena is in good financial position with an increase of ice time rentals. The board is working on the repairs in the 4-year plan of the Aging Audit Report, and he noted that 2/3 of the \$300,000 has been raised. The public can commit to the project through fundraising activities and donations.

Councillor Delaney reported on the Waterfront Development Committee meeting on Monday, February 18th, 2008. He noted that a tender was received and accepted for the 27 hanging baskets to be placed on Dock Street, and that the Chair had met with ACOA regarding the re-allocating of funds from the historic look-off to implementing new crib work at the Memorial Park. Councillor Delaney had noted that work had begun on the roof of the Old Mill Building, and tenders will be going out for four locator signs. It was moved by Councillor Delaney and seconded by Councillor Nickerson,

“Resolved that this Report and the Minutes of the Waterfront Development Committee meeting held on February 18th, 2008 be received and adopted.” Motion Carried.

Councillor Delaney gave a verbal report on the Loyalist Landing 2008, and noted they had purchased 10,000 rack cards for promotion. These cards will be located at the VIC's across the province, the cat ferry, airport and in Boston. Representatives will be going to trade shows and expos throughout the year to spread the word. Councillor Delaney reported on the presentation that Shelburne gave to the Travel Writers Conference held at White Point on Feb. 20th. He noted that Shelburne was well received in period dress. On February 23rd Councillor Delaney attended a send off for Martin Fudge and Dale Roache to Quebec for Special Olympics Floor Hockey. He noted that Martin and Dale represented the Town well and returned with silver medals.

Councillor Acker reported on the Parks and Recreation Commission meeting held Wednesday, Feb. 20th. She noted application for funding has been submitted to refurbish the Cenotaph, and the goal for completion is July. She also commented on the Community Use of Schools Program at SRHS and the Physical Activity Strategy being ranked first in the province. Councillor Acker further noted that volunteers would be selected again this year in connection with Volunteer Week, and that a Program Development Assistance Grant of \$250. was approved for the Basement Theatre. It was moved by Councillor Acker and seconded by Councillor Delaney,

“Resolved that this Report and the Minutes of the Parks and Recreation Commission held on February 20th, 2008 be received and adopted.” Motion Carried.

Councillor Acker reported on the Planning Advisory Committee meeting held Thursday, February 28th. Councillor Acker was elected Chair and noted that she will be reviewing the changes with the PAC Subcommittee for clarification and approval. Discussion took place on the Town Council having a chance to review the revised document, and that civic numbering should be an issue for the Town to look into. It was moved by Councillor Acker and seconded by Councillor Murray,

“Resolved that this Report and the Minutes of the Planning Advisory Committee held on February 28th, 2008 be received and adopted.” Motion Carried.

Councillor Nickerson gave a verbal update on the MacKay Memorial Library and the donation received for a reading room. Instead of an expansion to the library, they are looking at reorganizing and utilizing the present structure. Councillor Nickerson reported on the Occupational Health & Safety Committee meeting on February 28th. He noted that a number of employees need certification in different areas, a request for the implementation of the “Return To Work” program has gone out, two items noted by the NS Environment Labour and OH&S were completed, and two recommendations from the OH&S Committee will be placed as a budget item; 2-way hand held radio and a gas monitor.

Discussion took place on the purchase of a gas monitor and the need for a new one or for recalibration. It was moved by Councillor Nickerson and seconded by Councillor Murray, "Resolved that this Report and the Minutes of the Occupational Health & Safety Committee meeting held on February 28th, 2008 be received and adopted." Motion Carried.

Clerk's Items

It was moved by Councillor Nickerson and seconded by Councillor Murray, "Resolved that all outstanding taxes with a balance of \$10.00 or over, as of March 31st, 2008, be published in the local paper." Motion Carried

The Clerk noted that last year during budget discussions an extension of the sewer line between Ann and Clements Street was approved with an estimate of \$12,000 to be transferred from the Capital Reserve Fund. The extension was expanded and the cost came in at \$35,788.06. It was moved by Councillor Murray seconded by Councillor Nickerson, "Resolved that Town Council authorize the withdrawal of \$35,788.06 from the Capital Reserve Fund to be transferred to the Town General Operating Fund." Motion Carried

It was moved by Deputy Mayor Mahaney and seconded by Councillor Delaney, "Resolved that the following list of taxes, sewer and water charges be written off as per Schedule "A" attached to the Minutes." Motion Carried

New Business

Councillor Acker reported on a meeting regarding the Roseway Manor. She noted that Chair Pat Nickerson and herself are the only municipal Councillors on the Board. In the future the Provincial government will be appointing people to the Board, and the budget is controlled through the Department of Health in Halifax. She noted that \$90,000 had been received for an adult day care service. The Manor will reach out to the community by picking up residents and transporting them to the Manor and providing them with lunch. This is to provide stimulation to the ones already in the Manor, and an outing for residents of the Town. There will be a minimal cost and the program will accommodate twenty (20) people and is expected to start sometime in April or May. Councillor Acker reported on the "Take the Roof Off Winter" challenge held by the Parks and Recreation Department and all winners can be viewed on the website.

At 8:25 pm Council recessed for a short break.

At 8:30 pm the meeting reconvened.

At 8:31 pm all members of Council agreed to go into an in-camera session to discuss personnel issues.

At 9:25 pm the meeting reconvened.

Further Business

It was moved by Councillor Acker seconded by Councillor Murray, "Resolved that the Town Council accept the resignation of Mr. Lewis, Water Treatment Plant Operator, with regret." Motion Carried

It was agreed by Town Council to respond to the UNSM Municipal Property Tax Relief Policy for Low Income Home Owners, as no to all four (4) questions.

It was moved by Councillor Acker, seconded by Councillor Delaney, "Resolved that the Town Council appoint Elizabeth Rhuland to the Shelburne Industrial Commission." Motion Carried

It was moved by Councillor Delaney and seconded by Councillor Murray, "Resolved that that Gloria Beuree, Jackie Race, Shannon VanBuskirk, David Huddleston, Dave Alexander, Debbie MacAlpine, Pat Lewis, and Lydia Dienstadt serve on the ADHOC Committee." Motion Carried

It was moved by Councillor Nickerson and seconded by Deputy Mayor Mahaney, "Resolved that all employees be expected to participate in an Emergency First Aid Course." Motion Carried

It was moved by Councillor Delaney, and seconded by Deputy Mayor Mahaney, "Resolved that the Town Council appoint Mr. Donald Harding as the returning officer for the 2008 election" Motion Carried

It was moved by Councillor Murray and seconded by Councillor Nickerson,
“Resolved that the Contract for the Port Manager be extended for the 08-09 year at the same rate
as last year.” Motion Carried.

It was moved by Councillor Nickerson and seconded by Councillor Murray,
“Resolved that the Contract for security officers be set at \$9.75/hr for the 08-09 year.” Motion
Carried

It was moved by Deputy Mayor Mahaney and seconded by Councillor Delaney,
“Resolved that the Parks and Recreation Commission purchase a zero turn radius lawnmower.”
Motion Carried. Further discussion noted that the Parks and Recreation staff be the only ones to
operate the new mower, summer staff would use the old mowers.

A Personnel meeting was set for March 11th, at 7:00pm.

A Public Works and Water Utility meeting was set for March 11th, at 7:30pm.

There being no further business at 9:35pm, on Motion the meeting adjourned.

P.G. Comeau, Mayor

C. Wilmont Hardy, Town Clerk