

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

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

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

The meeting was called to order.

Town Clerk C. Wilmont Hardy administered the Oath of Allegiance and Oath of Office to Mayor-elect Alan Delaney as per his Certificate herewith: I, C. Wilmont Hardy, Town Clerk of the Town of Shelburne, do hereby certify that Alan Delaney, Mayor-elect for the Town of Shelburne, took and subscribed before me the Oath of Allegiance and Oath of Office as required by Section 147 of the Municipal Elections Act.

Mayor Alan Delaney administered the Oath of Allegiance and Oath of Office to Councillors-elect as per his Certificate herewith: I, Alan Delaney, Mayor of the Town of Shelburne, do hereby certify that Elizabeth Acker, Tony Mahaney, Karen Mattatall, Bernard Nickerson, Michael Race, and Elizabeth Rhuland, Councillors-elect for the Town of Shelburne, took and subscribed before me the Oath of Allegiance and Oath of Office as required by Section 147 of the Municipal Elections Act.

Mayor Delaney thanked everyone in attendance for coming to the swearing in ceremony this evening.

It was moved by Councillor Nickerson and seconded by Councillor Mattatall,

“Resolved that the Agenda for the November 5<sup>th</sup>, Council meeting be approved as received”. Motion Carried

The Town Clerk noted that an addition to the Agenda under Clerks Items needs to be added, 5. Approval of Signing Officers.

Mayor Delaney then addressed members of Council, welcoming the three reelected Councillors and the three new Councillors. Mayor Delaney went on to thank former Mayor P.G. Comeau for his many years of service to the Town of Shelburne, and two former Councillors, Councillor Reid and Councillor Murray for their last four years of service. Mayor Delaney indicated that he believed in the future of the Town of Shelburne and the Mayor and Councillors working together with teamwork and openness.

It was moved by Councillor Mahaney and seconded by Councillor Acker,

“Resolved that Minutes of a regular meeting of Town Council held on October 1st, 2008 be received and adopted as circulated”. Motion Carried

Councillor Mattatall questioned items from the previous month’s minutes regarding SWSDA and the Physician Recruitment Committee. It was moved by Councillor Mattatall and seconded by Councillor Acker,

“Resolved that all Municipal units in Shelburne County should participate and be represented on the Physician Recruitment Committee.” Motion Carried

Mr. David Williams was scheduled to appear before Council regarding his property at 98 King Street but he was unable to attend. A letter from Mr. Williams dated November 4<sup>th</sup>, 2008 was read regarding his property located at 98 King Street. Discussion took place on the Dangerous and Unsightly property and it was noted that this has been ongoing for two years with some attempt at improving the appearance of his property. It was moved by Councillor Nickerson, seconded by Councillor Mattatall,

“Resolved that a letter be sent to Mr. David Williams indicating the Town of Shelburne is issuing an Order for his property located at 98 King Street, requesting him to remove the debris and secure the outbuilding on his property to the state acceptable under the Town’s Dangerous and Unsightly Premises By-Law by April 1<sup>st</sup>, 2009 or the Town of Shelburne will go in and remove it at his cost.” Motion Carried

It was moved by Councillor Mahaney and seconded by Councillor Nickerson,

“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 Penny Smith, Municipality of the District of Shelburne, pertaining to the SRHS Crosswalk/Lighting indicating that the crosswalk is a Government of Nova Scotia responsibility and that it meets all NS Government Standards and Regulations.

It was moved by Councillor Acker seconded by Councillor Mahaney,

“Resolved that the Building Inspector’s Report for September 2008 be received.” Motion Carried It was noted that it was encouraging to see an increase in permits from last year.

It was moved by Councillor Mahaney seconded by Councillor Rhuland,

“Resolved that the Special Constable Reports for September and October be received.” Motion Carried

It was moved by Councillor Acker and seconded by Councillor Mattatall,  
“Resolved that the Parks and Recreation Director’s Report for September 2008 be received.”  
Motion Carried

It was moved by Councillor Mahaney and seconded by Councillor Rhuland,  
“Resolved that the Physical Activity & Community School Coordinator Report for October 2008  
be received.” Motion Carried

It was moved by Councillor Nickerson seconded by Councillor Acker,  
“Resolved that a letter be sent to Adam Dedrick, Community Use Coordinator for his dedication  
in launching the very successful “Keep It Moving Day” held on October 15<sup>th</sup>.” Motion Carried

It was moved by Councillor Mahaney seconded by Councillor Rhuland,  
“Resolved that bills as approved amounting to \$225,097.47 be received and paid.” Motion  
Carried

### **Election of Deputy Mayor**

Councillor Nickerson nominated Councillor Elizabeth Acker, Councillor Rhuland  
nominated Councillor Karen Mattatall, and Councillor Race nominated Councillor Tony  
Mahaney.

Mayor Delaney called for further nominations three times.

It was moved by Councillor Mattatall seconded by Councillor Nickerson,  
“Resolved that nominations cease” Motion Carried

Voting by ballot then took place for Deputy Mayor with the Town Clerk acting as  
scrutineer. The Clerk reported that Councillor Acker received four (4) votes, Councillor  
Mattatall received one (1) vote and Councillor Mahaney received two (2) votes. Councillor  
Acker was then declared elected Deputy Mayor for the Town of Shelburne for 2008/09.

### **Committee Reports were given**

Councillor Mahaney reported on his contact with Corporal Michael O’Callaghan from the  
RCMP office concerning new provincial rules on establishing a Police Advisory Board. He  
noted that the Board will consist of two (2) Councillors, two (2) members appointed who are  
neither members of council nor employees of the municipality, and one (1) member appointed by  
the Minister. All Board members will require training that will be administered by the Province.

Councillor Mahaney gave an update on the Civic Building and Properties Committee  
noting that the Town Hall will be receiving new windows next week.

Deputy Mayor Acker reported on the Joint Services Board meeting held on Tuesday  
Sept.18<sup>th</sup> noting that the Joint Services Board budget was received and recommended for  
approval from the Management Committee. She further noted that the Joint Services Board are  
involved in Union negotiations and she was pleased to note that on Sept. 28<sup>th</sup> negotiations were  
concluded. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson,  
“Resolved that the Minutes of the Joint Services Board held on September 18th, 2008 be received  
and adopted.” Motion Carried

Deputy Mayor Acker reported on the Parks and Recreation Commission meeting held on  
October 15<sup>th</sup>. She noted that vandalism at the George Street Playground has increased and that a  
letter had been distributed to neighbours concerning the vandalism asking them to report any  
concerns to the R.C.M.P. detachment. It was also noted that the Tri-County Housing Authority  
has a mediator on staff that could assist the home owners located near the George Street  
Playground who may be fearful of naming names to the R.C.M.P. She further noted that the  
removal of the skateboard equipment had been delayed, after contact from Mr. Hallet regarding  
doing the repairs for the Our House Youth Wellness Centre. If the repairs were not done by Oct.  
21<sup>st</sup> the equipment would be removed and placed in Town storage. Deputy Mayor Acker reported  
that bookings at the Shelburne County Arena are slightly higher than last year. It was moved by  
Deputy Mayor Acker seconded by Councillor Mattatall,  
“Resolved that the Minutes of the Parks and Recreation meeting held on October 15th, 2008 be  
received and adopted.” Motion Carried

Deputy Mayor Acker gave a verbal report on a meeting of the Roseway Manor Board  
held on Oct. 28<sup>th</sup> noting that there are presently no empty beds; that the Fire Marshall had left a  
lengthy list of deficiencies with a total cost of \$32,900, the Manor is looking into emergency  
funding for these updates; and that the Roseway Manor will be replacing their old van that had  
been taken off the road with a new van that should arrive in January 2009.

Deputy Mayor Acker further noted that there have been requests regarding a palliative  
care room at the Roseway Manor which are being looked into and that the Roseway Manor has a  
new By-law stating only two (2) elected members of Council are needed to sit on the Board and  
one (1) community person instead of the now three (3) members of Council.

It was agreed that three (3) members of Council would remain on the Roseway Manor Board at this time. It was moved by Deputy Mayor Acker seconded by Councillor Rhuland, "Resolved that the report on behalf of the Roseway Manor Board meeting held on October 28<sup>th</sup>, 2008 be received." Motion Carried

Councillor Nickerson reported on the Shelburne Library Building Association meeting held on Sept. 10<sup>th</sup> noting that Joan Bower, Development Officer for SWSDA was present and any available funding through SWSDA would need to be for economic development and she explained some possibilities for funding. Councillor Nickerson further noted that a local retired architect, Mr Graham had donated his services and the expansion would be a larger room for exhibits and would cost approximately \$200,000. It was moved by Councillor Nickerson seconded by Councillor Race, "Resolved that the Minutes of the Shelburne Library Building Association meeting held on September 10<sup>th</sup>, 2008 be received." Motion Carried

Councillor Nickerson reported on the Shelburne Library Building Association meeting held on September 23<sup>rd</sup>, 2008 noting that the engineer drawings were presented, that they were certified and available in a PDF format at the Town office. It was moved by Councillor Nickerson seconded by Councillor Mattatall, "Resolved that Minutes of the Shelburne Library Building Association meeting held on September 23<sup>rd</sup>, 2008 be received." Motion Carried

Councillor Nickerson reported on the Occupational Health & Safety Committee meeting held October 23<sup>rd</sup>, 2008, he noted there were no incidents to report, that the Inspection Sheets are being reviewed and updated, and an audit was completed on the Public Works building with two concerns expressed. It was moved by Councillor Nickerson seconded by Deputy Mayor Acker, "Resolved that the Minutes of the Occupational Health & Safety Committee held on October 23<sup>rd</sup>, 2008 be received and adopted." Motion Carried

### **Mayor's Items**

Mayor Delaney reminded everyone and invited all to attend the Remembrance Day ceremony to be held on November 11<sup>th</sup> at 11:00am in the Community Centre.

He noted that the Shelburne County Christmas Parade will be held Saturday, November 22<sup>nd</sup> at 2:00pm and that the Mayors, Wardens and Councillors in Shelburne County are all invited to participate in the Parade. He would encourage the Town to participate in the Municipality of the District of Barrington's Parade being held on December 5<sup>th</sup>.

Mayor Delaney further noted that the annual Christmas spruce tree will be cut on November 7<sup>th</sup> on lands of Dr. Jeffrey and be picked up by representatives from our sister city Gloucester Massachusetts.

Mayor Delaney reminded all Councillors of the New Year's Levy that was held last year jointly with the Municipality of the District of Shelburne in celebration of the Loyalist Landing Celebrations. The Mayor suggested that again this year the Municipality of the District of Shelburne Warden and Councillors be invited to celebrate New Year's Levy together with the Town of Shelburne at the Community Centre. It was agreed by all to celebrate together and work towards a better relationship with the Municipality of the District of Shelburne.

The Union of Nova Scotia Municipalities requested that all Councils were to consider committing to the Code and signing the proposed Statement of Commitment to the Code. Some discussion on the UNSM Code of Conduct took place. It was moved by Deputy Mayor Acker seconded by Councillor Mahaney,

"Resolved that the Shelburne Town Council agrees to adopt the UNSM Code of Conduct and all Councillors have agreed to sign the "Statement of Commitment". Motion Carried

Mayor Delaney reviewed the draft List of Committees and some changes were made between Committees. He further noted that letters will be sent out to all outside agencies indicating the Town appointees, and he encouraged all Councillors to review past minutes relating to their Committees. It was moved by Councillor Nickerson seconded by Councillor Rhuland,

"Resolved that the List of Committees for 2008/09 be approved as amended." Voting for the Motion six (6) voting against the Motion one (1). Motion Carried. Councillor Mattatall voted against the Motion recorded.

### **Clerk's Items**

The Town Clerk informed Town Council that Bell & Grant/Cowan, the Town's Insurance Company will be putting on a Risk Management Session to be held at the Community Centre on November 17<sup>th</sup>, this session will be open to all Councillors and Town employees as well as Councillors and employees of the Municipality of the District of Shelburne.

Discussion took place on the emergency regulations and nightly patrols. It was moved by Councillor Mahaney seconded by Deputy Mayor Acker, “Resolved that Town Council approve the Emergency Parking Regulations for the period December 1<sup>st</sup>, 2008 to March 31<sup>st</sup>, 2009, and forward the regulations to the local traffic authority for approval.” Motion Carried

Discussion took place on advertising for citizens to volunteer to serve on Town Boards, Committees, and Commissions. It was agreed to include the Police Advisory Board with this list. It was moved by Councillor Nickerson seconded by Councillor Mattatall, “Resolved that the Town place an ad in the local paper for one week inviting interested persons to apply for volunteer positions on Town Boards, Committees and Commissions.” Motion Carried

The Joint Services Board budget for 2008/09 was reviewed with discussions taking place on services provided, cost paid to date for services and the possibility of a short fall. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson, “Resolved that the Town of Shelburne approve the Joint Services Board budget for the 2008/09 year.” Motion Carried

It was moved by Councillor Race seconded by Councillor Mattatall, “Resolved that the resolution regarding signing officers in the Town of Shelburne as attached to these Minutes as per Schedule “A” be approved and that the Mayors and Clerks be authorized to sign said resolution on behalf of the Town.” Motion Carried

### **New Business**

Councillor Nickerson was pleased to announce that he had the privilege to show Dr. Sedigee around and that he has accepted a position at the Shelburne Medical Associates Clinic and will be arriving on December 1<sup>st</sup>. Congratulations were expressed around the table and it was agreed to send a letter acknowledging the hard work and dedication the Physician Recruitment has done to date.

A meeting for all Councillors has been called for November 19<sup>th</sup> at the Roseway Hospital to make the announcement.

Deputy Mayor Acker noted that Little Peoples Place on October 28th celebrated their 30<sup>th</sup> Anniversary. It was moved by Deputy Mayor Acker seconded by Councillor Mattatall, “Resolved that congratulations be given to Little People’s Place on their achievements and the valuable service they offer the Town of Shelburne and surrounding areas.” Motion Carried

It was moved by Councillor Mahaney seconded by Councillor Rhuland, “Resolved that the Town of Shelburne regretfully accept the resignation of Mr. Jacklyn as Dog Catcher.” Motion Carried

Deputy Mayor Acker brought attention to the possibility that all Town owned vehicles carry a log book to document trips taken. It was decided that discussions could take place at the Committee levels and with the Department heads.

Discussion took place on emergency departments such as the fire department and ambulance service having difficulty finding homes efficiently. It was moved by Councillor Mahaney seconded by Councillor Mattatall, “Resolved that the Town of Shelburne adopt the civic numbering system in their By-Laws.” Motion Carried

Deputy Mayor Acker suggested that letters or certificates be sent out to new businesses that open within the Town, and to present businesses within the Town that celebrate any achievements or milestones.

### **Further Business**

The following Committee Meetings were set:

Finance & Audit	Nov. 13 <sup>th</sup>	6:30pm
Port Authority	Nov. 13 <sup>th</sup>	after Finance
ICSP	Dec. 2 <sup>nd</sup>	7:00pm
Revision of By-Laws	Nov. 18 <sup>th</sup>	6:00pm

At 9:25pm Council recessed for a short break.

At 9:34pm the meeting reconvened.

At 9:35pm all members of Council agreed to go into an in-camera session to discuss Personnel issues.

At 10:47 pm the meeting reconvened.

It was moved by Councillor Mahaney seconded by Councillor Mattatall,  
“Resolved that the Personnel Committee Minutes of October 1<sup>st</sup>, October 8<sup>th</sup>, October 28<sup>th</sup> and  
October 30<sup>th</sup> be approved, and that the recommendation to hire Mr. Brian O’Connor as  
Superintendent of Public Works, at the probationary rate of \$22.52 be approved.” Motion  
Carried

It was moved by Councillor Mattatall seconded by Councillor Race,  
“Resolved that Town Council meet with Mr. Jacklyn to discuss and clarify issues relating to his  
business located at 42 Falls Lane.” Motion Carried

There being no further business at 10:50pm, on Motion the meeting adjourned.

---

Mayor

---

Clerk