

## MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL HELD ON WEDNESDAY, NOVEMBER 4th, 2009

The Town Council met in the Council Chambers of the Town Hall at Shelburne, Nova Scotia on Wednesday, November 4th, 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 Councillor Race and seconded by Councillor Nickerson, "Resolved that the Agenda for the November Council meeting be approved as received". **Motion Carried**

It was moved by Councillor Nickerson and seconded by Deputy Mayor Acker, "Resolved that Minutes of a Regular Meeting of Town Council held on October 7th, 2009 be received and adopted as circulated". **Motion Carried**

There were no hearings of delegations or individuals scheduled.

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

The correspondence was dealt with in the following manner.

A letter was received and read from Moby Dick Productions Inc. thanking the Town for their cooperation and the use of Town owned property during filming. It was moved by Deputy Mayor Acker seconded by Councillor Rhuland, "Resolved that the letter from Moby Dick productions Inc. be received as circulated." **Motion Carried**

A letter was received from Hazel Keddy, Manager of the Visitor Information Centre thanking the Town for the upgrades done to the Centre and noting that there was an increase of visitors over last year. It was moved by Deputy Mayor Acker seconded by Councillor Rhuland, "Resolved that the letter from Hazel Keddy be received." **Motion Carried**

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

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

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

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

It was moved by Councillor Nickerson seconded by Councillor Rhuland "Resolved that bills as approved amounting to \$251,058.87 be received and paid." **Motion Carried**

### Election of Deputy Mayor

Mayor Delaney called for nominations for Deputy Mayor. Councillor Rhuland nominated Councillor Elizabeth Acker seconded by Councillor Nickerson. The Mayor called for further nominations three times, and hearing none, nominations ceased. Councillor Acker was then declared elected as Deputy Mayor for 2009/10. Deputy Mayor Acker thanked the Councillors for their support over the last year and indicated she looks forward to Councils continued support for 2009/10.

### Committee Reports

Councillor Mahaney reported on the Shelburne Area Chamber of Commerce Meeting held on September 16<sup>th</sup>, 2009. He noted that discussions took place on a replacement for Barb Falk with regards to the leadership role for the Christmas Parade Committee, and that next year Susanne Mahaney would take on the leadership role. A letter was received regarding parking downtown and an email was sent out to the Chamber members notifying them that parking along Water Street was for customer parking and not employees. It was noted that negotiations were still ongoing with Shelburne Ship Repair and that they are a private company so no details were available to the public. The Chamber was sending a letter to various politicians expressing concerns that the Shipyard remain in the County and remain active. He further noted that fall and Christmas promotions were being prepared to encourage downtown shopping, that welcoming baskets have been provided to visiting doctors and that the businesses provided great support to the cruise ship committee. It was moved by Councillor Mahaney seconded by Councillor Mattatall, "Resolved that this verbal Report of the Shelburne Area Chamber of Commerce Meeting held on September 16<sup>th</sup>, 2009 be received and adopted." **Motion Carried**

Councillor Mahaney reported on the Personnel Committee Meeting held on October 13<sup>th</sup>, 2009. He noted that the meeting was to begin negotiations with the IBEW Local Union to discuss proposed changes to the Collective Agreement. It was moved by Councillor Mahaney seconded by Councillor Nickerson,

“Resolved that Minutes of the Personnel Committee Meeting held on October 13<sup>th</sup>, 2009 be received and adopted.” **Motion Carried**

Councillor Mahaney reported on the Port Authority Meeting held on October 20<sup>th</sup>, 2009. He noted the main purpose of the meeting was to review information received to date regarding sample sediments that have been analyzed and screened. He further noted that tenders were received and awarded to Martin Crowell for repairs to the wharf, and that information should be received from the Atlantic Gateway Application, Phase 1 by the end of the month. It was moved by Councillor Mahaney seconded by Deputy Mayor Acker,

“Resolved that Minutes of the Shelburne Port Authority Meeting held on October 20<sup>th</sup>, 2009 be received and adopted.” **Motion Carried** Clarification was made regarding fish habitat being disturbed and the offset required to improve fish habitat in another area, possibly Bell’s Cove.

Councillor Mahaney gave a verbal report on the Shelburne County Arena Meeting held on October 8<sup>th</sup>, 2009. He noted that money had been received for the summer bingo held, that over the last two years a total of \$145,900 has been spent on capital improvements and that 24 hrs per week of ice time has been scheduled. He further noted that \$90,000 worth of capital improvements has been planned and this includes new rubber mats, electronic improvements including new lighting, painting of the ceilings, a new girl’s dressing room and a new zambonie room door. It was moved by Councillor Mahaney seconded by Councillor Race,

“Resolved that this verbal report of the Shelburne County Arena Meeting held on October 8<sup>th</sup>, 2009 be received and adopted.” **Motion Carried** Mayor Delaney thanked the volunteers who have assisted the Arena Board in improving the appearance of the Arena and he encouraged citizens to take in public skating and view the improvements completed to date.

Councillor Mahaney gave an update of the Shelburne Longboat Society. He noted the strong commitment from volunteers within the County that have been working with the construction team to provide a storage facility for the long boats. He further noted that the foundation has been poured and construction will proceed soon.

Councillor Mahaney gave an update on the statistics from the Visitor Information Centre. He noted that in October the VIC was open a part month and had received 383 visitors. He noted there has been a strong representation from the United States and Europe visiting, that the numbers of visitors reported are actual numbers signed in or making inquires. Councillor Mahaney thanked Hazel Keddy and her staff for their devotion and commitment for a successful tourism season.

Councillor Mattatall gave a verbal report on the Revision of Bylaws Meeting held on November 2<sup>nd</sup>, 2009. She noted that discussions took place on three (3) bylaws; Noise, Peace and Good Order, and Fire Prevention. The Committee will be reviewing a policy on Green Carts. It was agreed to write Carolyn Marriott of “Carolyn’s Wash All” a letter indicating that the car wash bay fees are being reviewed. It was noted that a letter had gone out to Mrs. Marriott regarding sewer charges.

Councillor Rhuland reported on the Waterfront Development Committee Meeting held on October 19<sup>th</sup>, 2009. She noted that Tenders had been received and opened for the roofing of the Muir-Cox Shipyard Interpretive Centre and the Tender being recommended to Town Council was from On Shore Construction. She further noted that a presentation on Climate Change was received, brainstorming for 2010/11 projects was held and information was circulated on serving on the Waterfront Development Committee for the 2009/10 year. It was moved by Councillor Rhuland seconded by Deputy Mayor Acker,

“Resolved that Minutes of the Waterfront Development Committee Meeting held on October 19<sup>th</sup>, 2009 be received and adopted.” **Motion Carried**

It was moved by Councillor Rhuland seconded by Councillor Race,  
“Resolved that the Town of Shelburne award the Muir-Cox Shipyard Interpretive Centre roof repairs to On Shore Construction at a total cost of \$24,740.17.” **Motion Carried**

Councillor Rhuland gave a verbal report on the South West Shore Development Authority Meeting held on October 21<sup>st</sup>, 2009. She noted that the Minutes are posted on the SWSDA’s website, and that the majority of discussions were around the financial position of SWSDA and the lawsuit to be held in January. She further noted that SWSDA staff were involved in many economic development projects. It was moved by Councillor Rhuland seconded by Councillor Race,

“Resolved that the verbal report of the South West Shore Development Authority Meeting held on October 21<sup>st</sup>, 2009 be received and adopted.” **Motion Carried**

Councillor Rhuland gave a verbal report on various committee meetings she had attended. She noted that she will serve as the Chair person for the Whirligig Festival, she had attended farmers market meetings which involved exchanging information and researching possible funding options, and she noted that the local farmer’s market committee will be meeting over the winter months.

She further made reference to all the work that the JCP employees have done to date, the Business Excellence Awards evening, and the tourism strategy meeting held on October 27<sup>th</sup>.

Deputy Mayor Acker reported on the Finance and Audit Committee Meeting held on October 13<sup>th</sup>, 2009. She noted that discussions were held regarding implementing the municipal energy strategy on items outlined in the energy audit, on the Eastern Shelburne County Energy Strategy which will identify tangible renewable energy projects, and on staff overtime requiring proper authorization. She further noted the Environmental Club at the Shelburne Regional High School had requested approval to conduct awareness of climate change to the historic waterfront area, and Mr. Redding was present to clarify the audited financial statements of the South West Shore Development Authority. Detailed discussions took place on the financial position of SWSDA, the change from a society to incorporation and on the delivery of economic development in Shelburne County and the role of SWSDA. It was moved by Deputy Mayor Acker seconded by Councillor Race,

“Resolved that Minutes of the Finance and Audit Committee Meeting held on October 13<sup>th</sup>, 2009 be received and adopted.” **Motion Carried**

It was moved by Deputy Mayor Acker seconded by Councillor Mattatall,  
“Resolved that the Town authorize the Town Clerk and the Mayor to sign the Resolution made to join the FCM-ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program.”  
**Motion Carried**

Deputy Mayor Acker noted that a letter had been sent to the other four municipal units regarding the delivery of economic development in Shelburne County and if SWSDA is the best vehicle for this service or if the possibility of establishing a Shelburne County Regional Development Authority should be examined. She noted that the Town of Clarks Harbour and the Municipality of the District of Shelburne will be sending two individuals to discuss the delivery of economic development.

Deputy Mayor Acker reported on the Parks and Recreation Commission Meeting held on October 28<sup>th</sup>, 2009. Deputy Mayor Acker noted that a discussion had taken place on the future development of the Albert Acker Field and that Roddy would be making a presentation to the Municipality and that the Parks and Recreation Director will be made aware of any work plans for the facility. She noted that damage estimated at \$1,677. had occurred to the George Street Playground and a restitution had been filed with the RCMP. She further noted that some repairs to areas on Dock Street following the Moby Dick movie shoot has taken place and others will be delayed until spring to ensure the turf areas will be restored properly. Discussions took place on the damage at the Roger Grovestine’s Recreation Complex and the RCMP suggestion of a surveillance camera. Deputy Mayor Acker noted funding options available for local arenas and curling clubs under the Ice Rink Energy Project and Recreation Facility Association of Nova Scotia. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson,

“Resolved that Meeting Notes of the Shelburne Parks and Recreation Commission Meeting held on October 28<sup>th</sup>, 2009 be received.” **Motion Carried**

It was moved by Deputy Mayor Acker seconded by Councillor Mahaney,  
“Resolved that the Parks and Recreation Director order the necessary replacement parts to repair the George Street Playground equipment that was vandalized on October 3<sup>rd</sup>, 2009.” **Motion Carried**

Deputy Mayor Acker reported on the Joint Services Board Meeting held on October 29<sup>th</sup>, 2009. She noted that the draft tender for solid waste services had been reviewed by the Lawyer and will be advertised with the deadline being November 30<sup>th</sup>, 2009. The Tenders will be opened by the management team in December. The Superintendent of Public Works has been requested to meet with the Joint Services Board administrator and discuss the four (4) Town Lanes that the trucks are having difficulty with. She noted that further discussions took place on the green carts distributed to all town households, damaged carts, promoting the lining of the carts, the waste collectors will not be banging the carts to retrieve the organics from the cart. It was moved by Deputy Mayor Acker seconded by Councillor Mattatall,

“Resolved that the Meeting Notes of the Joint Services Board Meeting held on October 29<sup>th</sup>, 2009 be received.” **Motion Carried**

Discussion took place on the tender document and on guaranteeing the employees do not lose their job. The actual tender document does not stipulate using the current employees but it will be built into the scoring criteria, the intent is not to have anyone lose jobs.

Deputy Mayor Acker gave a verbal report on the Team Shelburne Meeting held on October 13<sup>th</sup>, 2009. She noted that discussions were based around the recruitment of doctor’s and why other district health areas are putting money into doctor recruitment. She further noted that four (4) doctor’s have been to the Shelburne area this summer. She further noted discussions took place on the transition of a Regional Development Authority from a society to incorporation, and the possible need of an Economic Development/Sustainability Officer for Shelburne County.

Councillor Nickerson reported on the Occupational Health & Safety Committee Meeting held on October 27<sup>th</sup>, 2009. He noted that all training had been completed to date and that an audit was completed on the Town Office which indicated a refresher was required in WHIMIS. There was one employee concern regarding a backup plan for the H1N1 flu season and the need for employees to be cross trained. It was moved by Councillor Nickerson seconded by Deputy Mayor Acker, “Resolved that Minutes from the Occupational Health & Safety Committee Meeting held on October 27<sup>th</sup>, 2009 be received and adopted.” **Motion Carried**

### **Mayor’s Items**

The Mayor congratulated Council on their first year of hard work and thanked the Councillors and staff for their support. He noted projects that were underway, and that all Town departments appeared to be working together.

Mayor Delaney reported on October 13<sup>th</sup>, 2009 he attended the unveiling of a plaque in commemoration of the National Historic Significance of the Captain of the original Bluenose Angus J. Walters. He noted the importance of the Bluenose to the entire South Shore and that the plaque was mounted in the Fisheries Museum in Lunenburg.

On October 19<sup>th</sup>, 2009 the Mayor attended a breakfast meeting along with other members of Council held by the RRFB focusing on waste reduction.

On October 25<sup>th</sup>, 2009 the Mayor noted a lot of preparation had gone into the anticipated visit, although it was very disappointing the ship did not arrive, it was encouraging to see the community pull together and take a leadership role.

On October 28<sup>th</sup>, 2009 the Mayor had a meeting with Cooke’s Aquaculture to discuss their proposals made to Navigable Waters Protection. He noted that Cooke’s is a good corporate citizen and they plan to hold public meetings for discussion to take place.

On October 30<sup>th</sup>, 2009 the Mayor noted he attended a memorial service for Perry Wamback, former Town Crier. He noted that Perry was crowned World Champion and that he had created a lot of positive attention for the Town.

Mayor Delaney reminded everyone of the service being held in the Community Centre for Remembrance Day on Wednesday, November 11th, 2009.

Mayor Delaney reviewed the draft List of Committees and some changes were made. It was moved by Deputy Mayor Acker seconded by Councillor Nickerson, “Resolved that the List of Committees for 2009/10 be approved as amended.” **Motion Carried**

Mayor Delaney noted that the last two (2) years the Town and the Municipality held a joint New Years Levee. It was agreed to send a letter to the Municipality of the District of Shelburne inviting the Warden and Councillors to join the Town of Shelburne’s Mayor and Councillors in celebrating the New Years Levee at the Community Centre.

### **Clerk’s Items**

Discussion took place on the emergency parking regulations. It was moved by Deputy Mayor Acker seconded by Councillor Rhuland,

“Resolved that Town Council approve the Emergency Parking Regulations for the period effective December 1<sup>st</sup>, 2009 to March 31<sup>st</sup>, 2010, and forward the regulations to the local traffic authority for approval.” **Motion Carried**

Discussion took place on advertising for volunteers to serve on Town Boards, Committees, and Commissions. It was moved by Councillor Mahaney seconded by Councillor Nickerson, “Resolved that the Town of Shelburne place an Ad in the local paper for two weeks inviting interested persons to apply for volunteer positions on Town Boards, Committees and Commissions.”

**Motion Carried**

Discussion took place on the provincial acts dealing with Taxi Licenses. It was moved by Councillor Mattatall seconded by Councillor Nickerson, “Resolved that a Taxi License for 2009/10 be approved for Gerald and Debbie Matthews.” **Motion Carried**

### **New Business**

Deputy Mayor Acker noted that Mayor John Leefe, Region of Queens will be meeting with other municipal units on November 25<sup>th</sup> at 10:00am.

Deputy Mayor Acker noted that she attended various functions on behalf of the Mayor; an announcement on funding for the Shelburne Harbour Yacht Club, Long Boat Society and for the Shelburne County Museum.

She noted that 40 – 50 volunteers were in attendance on behalf of the three organizations. She attended a dinner with the new owners of Shelburne Diesel Supplies and noted their positive attitude with Shelburne and the surrounding area.

Deputy Mayor Acker noted that the annual Christmas Tree was being picked up on Monday, November 9<sup>th</sup> to be delivered to Gloucester, Mass. She further noted that a final draft CD was received from Mr. Peter Davies on Heritage Conservation District and one complete copy was being produced to review and then further copies would be available and the public process would begin.

Deputy Mayor Acker noted that she plans to attend a meeting in Bridgewater on Implementing Energy Strategies and a brief discussion took place on having signs removed from several businesses that are no longer in business.

Councillor Mattatall noted that the Motion made regarding the meeting scheduled with Mr. Leefe was not to invite the whole county; it was for eastern Shelburne County's municipal units. She further noted that the Town should invite Mr. Paul Wills, Municipal Advisor for information on the MGA and the process involved.

Councillor Mattatall noted that the SRHS Environmental Club did an awesome job on promotion of climate change. She further noted that the Christmas giving trees will be spearheaded by Shelburne Lions Club and she encouraged the viewers to take a nametag of a child in need, beginning November 20<sup>th</sup>.

Councillor Mattatall noted that the centre line required painting and discussion took place on the budget restrictions and it being scheduled for next year.

At 8:20pm Council recessed for a short break.

At 8:25pm the meeting reconvened.

At 8:25 pm all members of Council agreed to go into an in-camera session to discuss legal issues.

At 8:57pm the meeting reconvened. Deputy Mayor Acker removed herself from the Council table citing conflict of interest.

It was moved by Councillor Mattatall seconded by Councillor Nickerson, "Resolved that the Town purchase a portion of the Old Pit Road 30 (thirty) feet in width from Roland S. P. DesChamp Sr. as shown on survey plan number S8635-09 for the sum of \$3,000.00 (three thousand dollars) said road to be renamed Phelps Lane with the Town paying for the appropriate survey costs and transfer fees with the understanding that Mr. DesChamp will deed all portions of property north and northeast of the Lane to Ms. Tracey DesChamp and Mr. Frank Acker after all settlements with the Town.." **Motion Carried**

At 9:00pm Deputy Mayor Acker returned to the Council table.

Councillor Mahaney noted that past years the Public Works Department has contracted local contractors for assistance with snow removal on a rotational basis. This year Councillor Mahaney was asking the Town to consider tendering for assistance with snow removal. Discussion took place on the issues that had occurred other years and regarding contractors be given equal opportunity to bid, and on the Town supporting local businesses. It was moved by Councillor Mahaney seconded by Councillor Race,

"Resolved that the Town Tender out to local contractors for assistance with snow removal for the 2009/10 year." **Motion Carried**

### **Further Business**

The following meetings were scheduled:

November 10 <sup>th</sup>	Personnel Committee	6:30pm
November 18 <sup>th</sup>	Parks & Recreation	4:30pm
November 18 <sup>th</sup>	Shelburne Port Authority	7:00pm
November 23 <sup>rd</sup>	ICSP	6:00pm
November 24 <sup>th</sup>	SCE RCMP (MDS)	6:30pm
November 30 <sup>th</sup>	Revision of By-Laws	9:30am

There being no further business at 9:20pm, on Motion the meeting adjourned.

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Mayor

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Clerk