

**MINUTES
TOWN COUNCIL
November 13, 2007**

Minutes of a meeting of Town Council for the Town of Bridgewater, held in the Council Chambers of Town Hall, 60 Pleasant Street, Bridgewater, Nova Scotia on Tuesday, November 13, 2007, commencing at 6:00 p.m. with Chairman Mayor Carroll Publicover presiding. Those in attendance: Deputy Mayor Walker; Councillors Jim Bell, Beverlee Brown, David Mitchell, Kevin Marlin and Bill McInnis. Also present were Ken Smith, Town Manager; Harland Wyand, Town Engineer; Eric Shaw, Director of Planning; Carol Pickings-Anthony, Director of Parks, Recreation & Culture; Doug Covey, Director of Finance; Amy Wamboldt, Strategic Initiatives Coordinator; and Sandra Lowe, Executive Assistant.

ADDITIONS / DELETIONS TO AGENDA

The following additions were made to the agenda by members:

- Under **Reports and Recommendations**, add “Bridgewater Shines (Councillor McInnis)” and “UNSM Conference Report (Mayor Publicover)”

07-254 Moved by Councillor Brown, seconded by Councillor Marlin that Town Council for the Town of Bridgewater accept the November 13, 2007 Town Council agenda as amended. Motion Carried.

STAFF RECOGNITION

Harland Wyand, Town Engineer, introduced Tim Hiltz, Chief Operator, Water Treatment Plant. Council was advised that Tim had recently been presented with the 2007 Nova Scotia Operator of the Year award at the Atlantic Canadian Conference held in Newfoundland. Mr. Wyand stated that this recognition was quite an accomplishment for Tim, and the Town was fortunate to have and operator of this quality.

Mayor Publicover thanked Tim for his continuing good work with the Town, and congratulated him on behalf of Council, staff and the public.

DELEGATIONS

GRAHAM FISHER, SERVICE NOVA SCOTIA AND MUNICIPAL RELATIONS - INTEGRATED COMMUNITY SUSTAINABILITY PLAN

Graham Fisher, Service Nova Scotia and Municipal Relations, noted that the Federal Government has committed to the transfer of a portion of its gas tax revenues to municipalities across Canada. As one requirement for the Funding Agreement, municipalities are expected to prepare and submit an Integrated Community Sustainability Plan. The implementation of Integrated Community Sustainability Plans will integrate economic, environmental, social and cultural sustainability objectives; be reasonably consistent with statements of provincial interest

adopted by the Province under the Municipal Government Act; be prepared with public participation; maximize the benefits of any infrastructure that will be produced under the Agreement; and demonstrate, where appropriate, that there has been collaboration with other municipalities to achieve sustainability. An ICSP, he stated would provide a long-term balanced approach to community planning and provide a clear path forward.

Mr. Fisher advised that an ICSP, as a strategic planning document for communities, would define a community's environmental, economic, social and cultural values and strategic goals for the future; build on existing planning efforts through linkages between different types of plans or planning activities; create a framework that helps plan for community needs while ensuring needs of future generations are also met; and shape the direction the community takes as it moves into the future.

The speaker outlined eligible projects as being: public transit, drinking water supply, sanitary sewer, sewage treatment, storm water, solid waste, community energy systems, active transportation, and capacity building (consultation, outreach, building partnerships; use of new technology; planning and policy development). Projects must contribute to sustainable outcomes such as cleaner air, cleaner water, and/or reduced greenhouse gas emissions.

Mr. Fisher advised that in order to qualify for funding, final ISCPs must be submitted by March 31, 2010.

SHARON BROWN AND CHARLENE FLINT, RESTORATIVE JUSTICE SOCIETY - RESTORATIVE JUSTICE WEEK

Charlene Flint and Sharon Brown appeared before Council to speak regarding South Shore Community Justice Society. Ms. Flint noted that the Society offers a number of different programs to Lunenburg and Queens Counties, including the Restorative Justice Program, which would be the focus of this presentation since it is Restorative Justice Week.

The speaker advised that Restorative Justice is a way of thinking about crime and conflict, which challenges us to look at how we think about ourselves collectively as a society, how we respond to crime, and how we restore the balance after a crime has been committed. The Restorative Justice model focuses on holding offenders accountable in a more meaningful way: repairing the harm caused by the offence; reintegrating the offender into the community; and achieving a sense of healing for both the victim and the community.

Ms. Flint said that, since the inception of Restorative Justice in 2001, 780 youth from Lunenburg and Queens Counties have benefitted from the process. Many of the youth have had an opportunity to come face to face with the victim(s) of their crime, thus hearing how their actions have affected others. To date the sessions have resulted in: \$25,862 of restitution; 6,973 hours of community service work; 39 referrals for anger management; 172 verbal apologies; 433 written apologies; 214 essays; 105 creative assignments; and numerous other agreement terms. The Restorative Justice program offers support for both the victim and the offender, and deals with many types of offences.

Council was advised that the backbone of the organization is its strong volunteer base, consisting of eight board members and many trained volunteer facilitators.

The speakers thanked Council for its ongoing support.

APPROVAL OF MINUTES

Council members expressed concern regarding the backlog of minutes being presented for approval at this meeting. It was suggested that draft minutes be placed on the website (prior to approval by Council) for the information of the public. The Town Manager will look at this possibility.

Town Manager Ken Smith advised that, as evidenced by the minutes before Council at this meeting for approval, staff is working diligently outside their normal work hours to get the minutes up to date.

07-255 Moved by Councillor Brown, seconded by Councillor Mitchell that Town Council for the Town of Bridgewater approve and confirm the minutes of the June 11, June 25, July 9, August 13, and September 10, 2007 regular Town Council meetings as circulated. Motion Carried.

CORRESPONDENCE - INFORMATION

PHILLIS PRICE, PUBLIC HEALTH SERVICES - SMOKE-FREE AREAS

A letter dated October 19, 2007 was received by Council from Phyllis Price, Tobacco Strategy Coordinator, Public Health Services. Ms. Price wrote to commend Council for exploring ways to extend smoke free areas to outdoor locations, and noted she would welcome the opportunity to do a presentation to Council regarding some of the research she had done on the topic.

Council members queried as to when the recommendation regarding the feasibility of making all Town-owned property (ie: sidewalks) smoke-free would be coming to Council. Amy Wamboldt, Strategic Initiatives Coordinator, advised that the report would be ready for the next Briefing Session on November 19, and the next regular Council meeting on November 26. Ken Smith, Town Manager, advised Council that significant research had gone into Ms. Wamboldt's report.

MFCA CONFERENCE 2008 - 98TH MARITIME FIRE CHIEFS' CONFERENCE 2008

A letter was received by Council from John Robart, Chair, of the Maritime Fire Chiefs' Conference 2008 in Lunenburg. Mr. Robart advised he would like to make a presentation to the Council to provide details of the conference and benefits to our communities.

Executive Assistant Sandra Lowe advised she had contacted Mr. Robart to arrange a presentation to Council, and was currently awaiting a reply.

CORRESPONDENCE - ACTION

HEART AND STROKE FOUNDATION OF NOVA SCOTIA - CPR AWARENESS MONTH - NOVEMBER - PROCLAMATION

Correspondence was received from Allen McAvoy, Government Relations Manager and Health Policy Researcher for the Heart and Stroke Foundation of Nova Scotia, requesting Council's consideration in proclaiming November as CPR Awareness Month in the Town of Bridgewater.

07-256 Moved by Deputy Mayor Walker, seconded by Councillor Brown that

WHEREAS this year's CPR Awareness Month theme, "Pass the Torch of Life" emphasizes the need for Nova Scotians to share CPR training skills with families and friends so they will have core CPR skills that can save a life; and

WHEREAS CPR training teaches individuals to recognize the signals of a heart attack and the signs of a stroke and how to follow the links in the Chain of Survival: phoning 9-1-1, performing CPR, and using a defibrillator until medical services arrive;

WHEREAS the Heart and Stroke Foundation of Nova Scotia celebrates CPR Awareness Month every November as a way to encourage Nova Scotians to learn CPR so they increase a person's chances of surviving a cardiac arrest by 30 per cent or more; and

WHEREAS the Heart and Stroke Foundation sets the guidelines for CPR in Canada and leads in eliminating heart disease and stroke and reducing their impact through the advancement of research and its application, the promotion of healthy living and advocacy.

THEREFORE BE IT RESOLVED THAT Town Council for the Town of Bridgewater hereby proclaims November 2007 as CPR Month in the Town of Bridgewater. Motion Carried.

MUNICIPALITY OF THE COUNTY OF KINGS - SUPPORT OUR TROOPS INITIATIVES

A letter dated October 16, 2007 was received by Council from Fred Whalen, Warden, Municipality of the County of Kings. Warden Whalen advised that his municipality has recently moved to join municipal councils across Canada that are acting to demonstrate support for troops on overseas assignments.

The Warden requested that Council advise him of any initiatives being undertaken by the Town

of Bridgewater.

Mayor Publicover advised that Warden Whalen would be advised of Bridgewater's efforts in planning a Red Rally in the spring. He further advised the public that more details would be forthcoming.

MUNICIPALITY OF THE DISTRICT OF LUNENBURG - JOINT FUNDING FOR A MULTI-PURPOSE FACILITY

A letter dated November 6, 2007 was received by Council from Warden Jack Wentzell, Municipality of the District of Lunenburg, requesting a meeting of representatives from Town of Bridgewater Council and the Municipal Council to 'commence negotiations regarding what is perceived by Municipal Council as a necessary Partnership between the Town of Bridgewater and the Municipality of the District of Lunenburg concerning the development and operation of a Regional Multi-Purpose Facility'.

The letter noted that although the meeting is to discuss a partnership between the Town and the Municipality, the role of the Lunenburg County Lifestyle Society will inevitably be a relevant part of the discussions, and it was hoped a suitable role for the Society could be identified.

Members discussed the role of the Society. It was noted that the Lunenburg County Lifestyle Society could act as a 'working committee', and that a Memorandum of Understanding should be crafted.

Deputy Mayor Walker stated that the Society had been registered under the Societies Act, and had applied for a registered charity status. He advised that a Business Plan is being crafted by the Society, and once complete it would be presented to both Town and Municipal Councils, at which time significant decisions would be made.

In agreeing to meet with representatives of the Municipal Council, members stressed that this in no way affected the Lunenburg County Lifestyle Society's hard work on this important project. Staff will advise the Municipality that representatives of Council would be available to meet on Thursday, November 15. Members' preference of an early morning meeting was noted.

REPORT OF THE TOWN ENGINEER

SIDEWALK - EAST SIDE OF HIGH STREET (EMPIRE TO ANNE)

As a result of a Special Town Council meeting held on November 5, 2007, the Engineering Department had been asked to provide options for the construction of a sidewalk on the east side of High Street. Council had requested that the feasibility of six-foot sidewalks on both sides of High Street be considered.

Harland Wyand presented options to Council: *Option 1* was the option shown at the meeting of November 5, where the sidewalk on the east side of High Street is shown to be constructed behind the utility poles in front of two properties, and adjacent to the curb in front of the other

two. The sidewalk on the west side would be 10 feet wide with a three-foot grass verge between the curb and the sidewalk; *Option 2(a)* would consist of a six foot sidewalk on the east side of the street with the sidewalk on the street side of the utility poles in front of all houses. A 6 foot wide sidewalk would go on the west side of the street, along with a 2.5' grass strip between the sidewalk and the curb; *Option 2(b)* is similar to Option 2(a), except instead of having a six foot wide sidewalk and a 2.5' grass strip, the sidewalk would be 8.5' adjacent the curb; *Option 3* would consist of a six foot sidewalk on the east side with the sidewalk located on the street side of the utility poles, but would incorporate a ten foot sidewalk in front of the Justice Centre and the Provincial Building, adjacent the curb. Mr. Wyand advised that Option 3 would present problems for the Justice Centre.

Mr. Wyand advised he had received additional information, and that the Justice Centre prefers Option 1, as they do not wish the curb to be closer to the Justice Centre facility.

Deputy Mayor Walker stated that another option was available, and that was the original plan of having a ten-foot sidewalk on the west side of High Street, with no sidewalk on the east side.

07-257 Moved by Councillor Marlin, seconded by Councillor Mitchell that Town Council for the Town of Bridgewater construct sidewalks on High Street as outlined in Document 07-298B, specifically Option 2(b). Those in Favour: Mayor Publicover; Councillors McInnis, Brown, Mitchell and Marlin. Against: Deputy Mayor Walker and Councillor Bell. Motion Carried.

REPORTS AND RECOMMENDATIONS

RECOMMENDATION OF THE WASTE MANAGEMENT COMMITTEE - REVISED POLICY ON SECURING LOADS ON VEHICLES

A letter dated October 23, 2007 was received by Council from the Waste Management Committee recommending the approval of a revised Policy on Securing Loads. The amendment was requested by the Municipality of the District of Lunenburg Council to amend the Third Offence section. Councillors had a concern with regard to the unsafe situation that could result if waste was not accepted at the site. It was felt that it would be in the facility's best interest to allow the disposal of the waste and then notify the RCMP for them to follow up. The Town representative on the Waste Management Committee, Councillor Bell, noted that this would, hopefully, ensure no illegal dumping took place due to being turned away from the site.

07-258 Moved by Councillor Mitchell, seconded by Councillor Bell that Town Council for the Town of Bridgewater endorse the recommendation of the Waste Management Committee and approve the revised Policy on Securing Loads on Vehicles as outlined in Document 07-233A. Motion Carried.

RECOMMENDATION OF THE PARKS, RECREATION & CULTURE COMMISSION - PHYSICAL ACTIVITY COORDINATOR

A memo dated October 17, 2007 was received by Council from the Parks, Recreation & Culture Commission requesting that Council write a letter of intent for a Physical Activity Coordinator and approve staff entering into discussions with the Municipality of the District of Chester and the Town of Lunenburg to prepare a proposal for Council's subsequent consideration.

In answer to a query from Council, Carol Pickings-Anthony, Director of Parks, Recreation & Culture, advised that the cost to the Town of Bridgewater would be approximately \$5,000 - \$7,000 per year for up to five years.

07-259 Moved by Councillor Brown, seconded by Deputy Mayor Walker that Town Council for the Town of Bridgewater endorse the recommendation of the Parks, Recreation & Culture Commission and instruct the Director of Parks, Recreation & Culture to enter into discussions with the Municipality of the District of Lunenburg and the Town of Lunenburg to discuss preparing a proposal to access funding from Nova Scotia Health Promotion and Protection; and that a subsequent report and recommendation be provided to Council for consideration regarding the feasibility of hiring a Physical Activity Coordinator. Motion Carried.

RECOMMENDATION OF THE WASTE MANAGEMENT COMMITTEE - PROPOSED AMENDMENTS TO THE REGULATIONS FOR THE ADMISSION AND DISPOSAL OF WASTE AT WHYNOTTS SETTLEMENT DISPOSAL SITE

A letter dated October 23, 2007 was received by Council from the Waste Management Committee requesting Council's consideration in amending the "User Pay Charges" and "Definitions" in the *Regulations for the Admission and Disposal of Waste at the Wynotts Settlement Disposal Site*.

07-260 Moved by Councillor McInnis, seconded by Deputy Mayor Walker that Town Council for the Town of Bridgewater endorse the recommendation of the Waste Management Committee and approve the proposed amendments to the Regulations for the Admission and Disposal of Waste at the Whynotts Settlement Disposal Site as presented in Document 07-292, as follows:

1. Amend Section 7 "User Pay Charges" by adding the new clause 7(g) immediately following clause 7(f):

"7(g) Loads of any acceptable waste, as defined in Section 4 of these Regulations, received from publicly-owned and/or operated parks within the jurisdiction of the Owner, including parks owned and/or operated by the Province of Nova Scotia, are received at no charge.";
2. Amend Section 3 "Definitions" by renumbering definitions 5 to 35 inclusive to 6 to 36 respectively; and
3. Amend Section 3 "Definitions" by adding the following definition for "COMMERCIAL

ORGANICS” immediately following definition 4. “CELL” on page 3:

- “5. *COMMERCIAL ORGANICS means COMPOSTABLE WASTES delivered to the Whynott’s Settlement Waste Disposal Site by Commercial Carriers registered under the Nova Scotia Commercial Carrier Safety Fitness Rating and Compliance Regulations. COMMERCIAL ORGANICS will be charged user fees in accordance with SCHEDULE A”.*

Motion Carried.

BRIDGEWATER SHINES

Councillor Bill McInnis advised everyone of the November 29th for the Bridgewater Shines event, being held at Shipyards Landing. Councillor McInnis noted that popular events from the previous years would be continuing. The Whimsical Children’s Store would be open again this year for a no-pressure environment for children to purchase or make gifts for their family and friends. The Memorial Forest would be back, with the official opening on December 2nd at 4:00 p.m., with proceeds of the event going to Mothers of Angels. Proceeds of the home tours, being held December 7th and 8th, would go to the Hospital Auxiliary. Tree clusters would be located throughout the town, and sponsored by local businesses.

The new and exciting event this year will be a Christmas Parade to kick off Bridgewater Shines on November 29th, ending at Shipyards Landing for a tree-lighting ceremony and entertainment by Kid Brothers.

In case of bad weather, the alternate location will be the Bridgewater Mall.

UNSM CONFERENCE

Mayor Publicover reviewed highlights from the recent UNSM Conference:

Clear Bags - Mayor Publicover noted that twenty-two of fifty-two municipal units now use clear bags for ‘regular’ garbage, and allow one black bag per collection. This matter will be presented to the Waste Management Committee by Council’s representatives for consideration.

On-line voting - It was noted that on-line voting is thought to increase voter ‘turnout’. If on-line voting is implemented, the experts recommend maintaining regular polls for one to two elections. Mayor Publicover clarified that ‘on-line’ voting would include telephone voting or other form of electronic voting. A computer would not be required.

New Funding Formula - Members were advised of the phasing out of Corrections and Housing funding by municipal units, and that the education funding had been capped at CPI.

Halifax Regional Municipality (HRM) - HRM will come under a separate charter than other municipal units in Nova Scotia.

Deputy Mayor Walker noted that the resolution regarding the cost-sharing of roads, as spear-

headed by Councillor Brown, had gone through at the Conference. Further, he congratulated Councillor Brown on receiving a long-service award recognizing her ten years in municipal government, and on being re-elected to the Towns' Caucus.

BUSINESS ARISING AND UNFINISHED BUSINESS

CITIZENS FOR PUBLIC TRANSIT PROPOSAL

Correspondence in support of Citizens for Public Transport was received by Council from MLAs Carolyn Bolivar-Getson and Michael Baker.

Additionally, a letter from Citizens for Public Transit was received requesting Council to appoint representatives to meet with other area Councils in order to discuss the feasibility of establishing a public transit system in Lunenburg County.

07-261 Moved by Councillor Marlin, seconded by Deputy Mayor Walker that Town Council for the Town of Bridgewater appoint Councillors Bill McInnis and Kevin Marlin, and Ken Smith as representatives for the Town of Bridgewater to the committee regarding exploration of establishment of a public transit system in Lunenburg County. Motion Carried.

DESBRISAY MUSEUM MOVE

It was noted that the amount approved for the move of items from the DesBrisay Museum had included one way only, and did not include the return of artifacts, etc., to the Museum.

In answer to a query from Council, Town Engineer Harland Wyand reviewed the sequence of events at the Museum. He advised that the Parks, Recreation & Culture Commission had estimated \$60,000 to replace the roof and awarded a tender. When the roof was stripped, it was discovered that the Siporex material was damaged and had to be removed. Part of the roof (2nd expansion which took place approximately 30 years ago) was spongy, had 2 x 6 planking, and was not safe. Engineering negotiated extra work of \$70,000 with the winning tenderer (McCarthy's). He noted that it may cost up to \$85,000. Therefore, the job now totalled \$145,000 plus moving, packing, and storage of \$25,000 to \$30,000, for a total of \$175,000.

Town Manager Ken Smith noted that additional funding sources are being sought. Councillor Marlin noted that volunteers have come forward to assist in the packing and moving of artifacts and other items from the Museum.

INTEGRATED COMMUNITY SUSTAINABILITY PLANNING - TERM POSITION

Further to previous presentations to Council, including that of Graham Fisher earlier in this meeting, Director of Planning Eric Shaw recommended that Council authorize the hiring of a new staff member for the Planning Department to fill the position of "Sustainability Planner / Project Coordinator". Mr. Shaw advised Council that, if this position is approved, he hoped to

fill the position by mid-December or early January.

- 07-262** Moved by Councillor Marlin, seconded by Councillor Mitchell that Town Council for the Town of Bridgewater reserve a portion of Bridgewater's share of the federal gas tax revenue for the proposed Sustainability Planner / Project Coordinator position; and that the position be established for a term of 24 months commencing as soon as possible; and further that the compensation for this position be set at a range of \$39,000 - 44,000 per annum, commensurate with the successful candidate's qualifications and experience. Motion Carried.

SECOND AND FINAL READING - CAO BY-LAW

First reading of the CAO By-law took place at the Council meeting held on October 9, 2007. A memo dated September 28, 2007 was received by Council from Town Manager Ken Smith requesting Council's consideration in approving a Chief Administrative Officer By-law, and that the existing Town Manager By-law be repealed.

- 07-263** Moved by Deputy Mayor Walker, seconded by Councillor Brown that Town Council for the Town of Bridgewater approve the second and final reading of the Chief Administrative Officer By-law, as presented in Document 07-269REVISED, adopt as Town of Bridgewater By-law Chapter 190, and authorize staff to publish all public notices pursuant to Section 168 of the *Municipal Government Act*. Motion Carried.

Councillor Bell asked that policies be put in place so as not to lose the effectiveness of the 'old' Town Manager by-law.

REPEAL OF TOWN MANAGER BY-LAW

In light of the passing of the second and final reading of the CAO By-law for the Town of Bridgewater, it was necessary to repeal the existing Town Manager by-law.

- 07-264** Moved by Deputy Mayor Walker, seconded by Councillor Brown that Town Council for the Town of Bridgewater hereby repeal Chapter 150 - Town Manager By-law. Motion Carried.

2007/2008 CAPITAL PROJECTS UPDATE

Council was provided with a capital projects update. Staff noted an underexpenditure of \$445,000 by the Waste Management Committee.

Deputy Mayor Walker requested that staff look at the capital surplus from the Waste Management Committee first in order to fund the shortfall resulting from the museum roof project.

STRATEGIC PLANNING PROCESS

Strategic Initiatives Coordinator Amy Wamboldt advised Council that a Request for Proposals (RFP) had been crafted with a deadline for response of November 28, 2007. The deadline for the completion of the Strategic Plan would be the end of May, 2008.

Ms. Wamboldt advised that the Senior Management Committee was following up on the *imagine Bridgewater* report to determine needs, and what can be accomplished with the Town's current resources.

Members of Council indicated a desire to review the RFP prior to its release to the public. Members requested that this matter be deferred to the next Briefing Session to examine timelines and RFP content, and that it come back to the table at the next regularly-scheduled meeting of Council for a decision.

NEW BUSINESS

CHARITABLE STATUS FOR PROPOSED SOUTH SHORE FIELDHOUSE FUND

A memo dated November 1, 2007 was received by Council from Town Manager Ken Smith requesting Council's approval to set up a special fund to allow the Town to accommodate a request from the South Shore Fieldhouse Society to use the Town's charitable status to issue donation receipts for funds solicited towards the construction of a multi-use fieldhouse on Town lands.

07-265 Moved by Councillor Brown, seconded by Councillor McInnis that Town Council for the Town of Bridgewater approve the establishment of a special fund, to be known as the South Shore Athletic Facility Fund, to allow the South Shore Fieldhouse Society to use the Town's charitable status to issue donation receipts for funds donated for the construction of a multi-use fieldhouse on Town lands. Motion Carried.

SUNDRY

BRIDGEWATER FIREFIGHTERS' BAND APPRECIATION NIGHT

It was noted that the Bridgewater Firefighters' Band Appreciation Night again conflicted with Council's schedule. Mayor Publicover said that he had sent a letter to Band President Julia Brandwin-Glait expressing Council's appreciation of the Band.

ADJOURNMENT

07-266 Moved by Councillor Brown, seconded by Councillor Marlin that the November 13, 2007 Town Council meeting hereby be adjourned (time: 8:45 p.m.).

Sandra J. Lowe, Executive Assistant

Carroll W. Publicover, Mayor