

**MINUTES
TOWN COUNCIL
April 26, 2010**

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 Monday, April 26, 2010, commencing at 6:00 p.m., with Mayor Carroll Publicover presiding. Those in attendance: Deputy Mayor David Walker; Councillors Jim Bell, Patrick Hirtle, Bill McInnis, David Mitchell and Greg Ritcey. Also in attendance were Ken Smith, Chief Administrative Officer; Dawn Keizer, Director of Finance; Harland Wyand, Town Engineer; Carol Pickings-Anthony, Director of Parks, Recreation & Culture; and Sandra Porter-Lowe, Executive Assistant.

ADDITIONS / DELETIONS TO AGENDA

Staff requested that "Document 10-114 - Proposed Payment Plan to Terminate Tax Sale - Assessment Account Number 03978117" be added under **Correspondence - Action** as it is a time-sensitive matter for Council's attention.

10-096 Moved by Councillor Ritcey, seconded by Councillor Hirtle that Town Council for the Town of Bridgewater accept the April 26, 2010 Town Council meeting agenda as amended. Motion Carried.

ANNOUNCEMENTS

Mayor Publicover noted that, since the last public Council meeting, he had the opportunity to represent Council at the Volunteer Recognition Ceremony, the BDA "Grow Bridgewater" Breakfast, and the Desmond Piers Memorabilia display. Additionally, the Mayor noted that he, along with other members of Council and staff, had been part of several meetings to finalize the funding arrangement for the Lunenburg County Lifestyle Centre project, which had been approved by way of a Memorandum of Understanding at a Special Joint Council meeting held on April 19, 2010 with the Council for the Municipality of the District of Lunenburg.

Mayor Publicover also reminded those in attendance of the upcoming Air Traffic Control CD Release and Concert being held at Empire Theatres on April 28, 2010, an initiative of the Bridgewater Performing Arts Society.

Deputy Mayor Walker represented Council at the Seniors' Police Academy Graduation, the Elementary School Art Exhibition at the DesBrisay Museum, and Bert Wallace's 90th Birthday celebration.

PRESENTATIONS

YOUTH TRAVEL GRANTS

Mayor Publicover presented Youth Travel Grant cheques to Darla Nauss, Niamh Leech, and Chanelle Jefferson. Darla and Niamh have competed in Artistic Gymnastics and were selected at the Provincial Championships to represent Nova Scotia in the Tyro category. Chanelle has been

named to Team Nova Scotia in Trampoline and Tumbling, and will be competing in the Eastern Canadian Championships.

ACHIEVEMENT AWARDS

Mayor Publicover presented Achievement Awards in recognition of the individuals' and groups' pursuit of excellence and in bringing distinction to themselves and the Town.

Deputy Mayor Walker outlined the achievements as Mayor Publicover presented awards, as follows, to:

- Bridgewater High School - 2009/10 NSSAF Division 2 Sr. Girls Volleyball Provincial Championship (Niki Brown, Nataya Smith, Alyssa Little, Tia Ko, Stephanie Baker, Kelsey Rankin, Olivia Pitman, Sophie Church, Alison McMullin, Emily Rogers, Stephanie Silver, Laura Whynot, Coaches Ashley Smith and Derek Nowe);
- Bridgewater Barracuda Swim Team - 2009 Summer Swimming Provincial Champions - Girls 13 -14 200 Meter Medley Relay (Ellen Snook, Stacey Hebb, Hannah Kelley, Sophie Church); and
- Sophie Church - 2009 Summer Swimming Provincial Champion Girls 13 - 14 50 Meter Butterfly and 2009 NS All Star Summer Swim Team.

DELEGATIONS

DEBI KAREL, PROPERTY VALUATION SERVICES CORPORATION (PVSC)

Debi Karel of the Property Valuation Services Corporation (PVSC) appeared before Council to provide an update regarding the PVSC. Ms. Karel noted that the PVSC was launched on April 1, 2008 and was a not-for-profit entity which falls under the direction of a Board of Directors who are municipally elected or are members of the Association of Municipal Administrators (AMA). Ms. Karel outlined the legislative mandate of PVSC, and the Mission, Vision and Goals of the organization.

PVSC now offers three websites to increase awareness and education of PVSC. The main site is www.pvsc.ca, municipal units access information through a municipal website, and the information website for the public can be found at www.nsassessmentonline.ca.

Ms. Karel outlined changes to the Notice of Assessment.

Jason Brown, Area Manager, advised that approximately 585,000 notices were mailed out this year in the province, with 3,655 to residents of the Town of Bridgewater. Mr. Brown encouraged members of Council to contact him with any questions regarding PVSC or the valuation process.

Mayor Publicover thanked Ms. Karel and Mr. Brown for presenting a PVSC update.

JOHN O'BRIEN (VARIOUS SPEAKERS) - SHANNEX BUILDING VENTILATION FAN

John O'Brien appeared before Council to present concerns regarding the Shannex development. He noted that he, and other area residents, had not been concerned about the Shannex development due to their good experiences with Miller Manor, and had assumed Shannex would be similar in that it wouldn't create any noise, and would be a 'good neighbour'. He noted that there had been lots of dust and truck traffic noise during construction. Mr. O'Brien stated that the fan had been turned on since April 9, 2010, and had been very loud. Although the noise has since been reduced, he would like to see it further reduced or eliminated. Mr. O'Brien further requested a fence due to the changes that were made to the project which placed the largest portion of the development closest to Brady Street, when residents had been expecting single-unit dwellings in the area as presented in the initial plans. The speaker also noted that he would like to see the large, bright lights repositioned so as to be lower and not shine in the residences on Brady Street. In closing, he requested Council's consideration in granting 3 - 6 months' of tax relief.

Sherry Darling, resident of Brady Street, also voiced her concerns regarding the Shannex development. Ms. Darling noted that staff has been very considerate to the residents and their concerns. Ms. Darling expressed concerns resulting from the changes in the site plan which had originally showed the larger Shannex buildings to be 'quite a distance' from the homes on Brady Street, but was now located very close to her home and that of her neighbours. She noted that Shannex has been cooperative thus far, but it is important for the development to be respectful of its existing neighbourhood. She noted that Shannex had advised it would be cleaning the exterior of the neighbourhood houses due to the dust from construction, and it had not been done. She advised that high-wattage lights are causing light disturbance, although the lights have been somewhat adjusted. Sherry Darling noted that she had visited other similar operations and had not experienced the noise as has been heard at Shannex.

Paul Langille advised that his main issue is with the noise of the fan. He advised that Shannex has 'diverted' the noise; however, they have not controlled it.

John Muise stated that a Shannex representative had advised that area homes would be pressure-washed to alleviate the construction dirt and grime, but this has not been done, and he feels the residents should be compensated.

Two residents, who live on the opposite side of Brady from the development, noted that they had received no notice of meeting with respect to the Shannex Development.

2010/2011 BUDGET DELIBERATIONS

PROPOSED BUDGET

Director of Finance Dawn Keizer reviewed the highlights of the proposed 2010-2011 budget. The total operating budget is \$17,152,203, an increase of \$805,181 from the previous year. A residential tax rate increase of 2.5%, and a commercial tax rate of \$4.058 are proposed. There will be no change in sewer charges. Parking rates for financial institutions and other businesses will both be increased by 10%. The total capital budget is \$6,682,825 with additional debt financing of \$1,387,133.

Ms. Keizer reviewed Capital projects and Senior Managers answered questions as they were raised

by Council.

It was determined that the next meeting of Council (briefing session scheduled for May 3, 2010) would be used solely for the purpose of budget deliberations in order to provide Council the opportunity to be at a point to approve the budget and set the tax rate at the May 10, 2010 regular Town Council meeting.

BUDGET SCHEDULE

The budget schedule was revisited, and it was noted that normal Briefing Session items would be dispensed with in order to provide additional time to discuss the budget. It was noted that Council was 'on track' to be able to approve the budget and set the tax rate at the May 10, 2010 Council meeting.

MINUTES

10-097 Moved by Councillor Mitchell, seconded by Councillor Hirtle that Town Council for the Town of Bridgewater approve and confirm the minutes of the April 6, 2010 Special Town Council meetings as circulated and confirm the minutes of the April 12, 2010 Town Council meetings as circulated. Motion Carried.

CORRESPONDENCE - ACTION

BLUENOSE COASTAL ACTION FOUNDATION (VIA PSC) - REQUEST FOR GRANT

A memo was received by Council from the Public Service Commission of Bridgewater. It advised that a representative from the Bluenose Coastal Action Foundation (BCAF) appeared before the PSC on March 11, 2010 to discuss their organization and to forward a request for grant funding and/or in-kind contributions to assist in their project to monitor and improve the water quality of the LaHave River watershed through education and cooperation within the community. This matter was deferred until the April 8, 2010 meeting at which time the matter was discussed in further detail, as well as, whether or not the PSC was the proper venue for the presentation and request. The PSC of Bridgewater is a public utility and does not have a Grant or Donation Policy in place. As most of the work being carried out by the BCAF impacts the LaHave River, and whereas, the Town of Bridgewater would be impacted due to the location of the Town's wastewater treatment plant outfall, the Public Service Commission of Bridgewater, by resolution, referred the Bluenose Coastal Action Foundation's request for support, in both cash and in-kind to assist in the LaHave River watershed project to Town Council for the Town of Bridgewater for review and consideration during the 2010/11 budget deliberations.

10-098 Moved by Councillor Mitchell, seconded by Councillor Ritcey that Town Council for the Town of Bridgewater refer the request from Bluenose Coastal Action Foundation for a grant to the 2010/2011 budget deliberations. Motion Carried.

SOUTH SHORE TRANSITION HOUSE ASSOCIATION - REQUEST FOR INCLUSION IN CHAPTER 184 - TAX EXEMPTION BY-LAW FOR NAMED REGISTERED CHARITABLE ORGANIZATIONS

A letter dated April 8, 2010 was received by Council from the South Shore Transition House Association requesting Council's consideration in including the Transition House in the recently-approved "Tax Exemption By-law for Named Registered Charitable Organizations".

10-099 Moved by Deputy Mayor Walker, seconded by Councillor Mitchell that Town Council for the Town of Bridgewater direct staff to prepare a draft amendment to the Tax Exemption By-law for Named Registered Charitable Organizations to accommodate the request from South Shore Transition House Association for full exemption. Those in Favour: Mayor Publicover; Deputy Mayor Walker; Councillors Hirtle and Mitchell. Those against: Councillors McInnis, Ritcey, and Bell. Motion Carried.

PROPOSED PAYMENT PLANS TO TERMINATE TAX SALES

Letters were received regarding three separate assessment accounts requesting Council's consideration in allowing proposals for payment for properties scheduled to go to tax sale on May 26, 2010, and the removal of the properties from the scheduled tax sale list.

10-100 Moved by Deputy Mayor Walker, seconded by Councillor McInnis that Town Council for the Town of Bridgewater direct staff to accept the proposal for the payment of taxes for Assessment Account Number 00476005 as outlined in Document 10-107. Motion Carried.

10-101 Moved by Deputy Mayor Walker, seconded by Councillor Mitchell that Town Council for the Town of Bridgewater direct staff to accept the proposal for the payment of taxes for Assessment Account Number 08199523 as outlined in Document 10-113. Motion Carried.

10-102 Moved by Deputy Mayor Walker, seconded by Councillor Hirtle that Town Council for the Town of Bridgewater direct staff to accept the proposal for the payment of taxes for Assessment Account Number 03978117 as outlined in Document 10-114. Motion Carried.

REPORT OF THE TOWN ENGINEER

REQUEST FOR PROPOSALS - KING STREET IMPROVEMENT PROJECT - CONCRETE STAIRS, DECK AND LIFTING MECHANISM

A memo dated April 22, 2010 was received by Council from Town Engineer Harland Wyand advising that, on April 21, 2010, the Town received two proposals for the supply, delivery and installation of the concrete stairs, deck and lifting mechanism for the King Street Park Improvement Project.

Sea Coast HVAC Ltd, of Bridgewater, Nova Scotia submitted a proposed cost of \$45,950 plus net HST. The competing contractor submitted a proposed cost of \$49,800 plus net HST. In addition to being the lowest bid, Sea Coast HVAC also submitted a more detailed description of the scope of work with regards to sediment and erosion control during and after construction. This aspect of the work will be closely scrutinized by regulatory agencies because of the work's close proximity

to the LaHave River. Therefore, the Engineering Department recommends the proposal be awarded to Sea Coast HVAC for a lump sum price of \$45,950 plus net HST.

- 10-103** Moved by Councillor McInnis, seconded by Councillor Ritcey that Town Council for the Town of Bridgewater endorse the recommendation of the Engineering Department and award the proposal for King Street Park Improvement Project - Concrete Stairs, Deck and Lifting Mechanism to Sea Coast HVAC for a lump sum price of \$45,950 plus net HST. Motion Carried.

REPORTS AND RECOMMENDATIONS

WASTE MANAGEMENT COMMITTEE - ADI REPORT

Matters relating to the operation of the Lunenburg Regional Community Recycling Centre have been discussed recently in in-camera meetings. Members considered matters discussed and brought forward the following motions:

- 10-104** Moved by Councillor Bell, seconded by Councillor McInnis that Town Council for the Town of Bridgewater, in keeping with direction given at an in-camera meeting held on March 15, 2010, hereby gives notice of its long-term commitment to the existing Partnership for the Waste Disposal Site and to work with the Partnership to ensure the long-term viability of the Lunenburg Regional Community Recycling Centre.
- 10-105** Moved by Councillor McInnis, seconded by Councillor Bell that Town Council for the Town of Bridgewater, in keeping with direction given at an in-camera meeting held on March 15, 2010, gives notice to the Partners of the Waste Disposal Agreement of its desire to review the Waste Disposal Agreement and the Governance Structure, including exploring the possibility of establishing an Authority as an alternative to the existing Governance Structure; and further that this notice is not made pursuant to Section 12 of the Waste Disposal Agreement. Motion Carried.
- 10-106** Moved by Councillor Bell, seconded by Councillor McInnis that Town Council for the Town of Bridgewater, in keeping with direction given at an in-camera meeting held on March 15, 2010, approves moving forward with the Compost Facility Upgrade, with the commencement of design and subsequent construction to be determined through budget deliberations. Motion Carried.
- 10-107** Moved by Councillor McInnis, seconded by Councillor Bell that Town Council for the Town of Bridgewater, in keeping with direction given at an in-camera meeting held on March 15, 2010, defer a decision respecting the Options presented in the ADI Report, Operations Review, dated February 2010, until the matter of the Partnership and Governance Structure have been completed, upon which a recommendation will be sought from the revised or new entity overseeing the LRCRC Operations. Motion Carried.

NEW BUSINESS

RECORDS MANAGEMENT / DESTRUCTION OF DOCUMENTS POLICY

A policy dealing with records management and the annual destruction of unneeded documents was brought forward for Council's consideration.

- 10-108** Moved by Councillor Hirtle, seconded by Councillor Mitchell that Town Council for the Town of Bridgewater repeal Chapter 135 - A By-law Respecting the Destruction of Certain Documents; and further that the draft "Records Management, Retention and Destruction of Documents" policy presented in Document 10-093A be approved as Policy for the Town of Bridgewater. Motion Carried.

ADJOURNMENT

- 10-109** Moved by Councillor Mitchell, seconded by Councillor Hirtle that the April 26, 2010 Town Council meeting hereby be adjourned. (Time: 8:35 p.m.)

Sandra Porter-Lowe, Executive Assistant

Carroll W. Publicover, Mayor