

7.4 ACTION SHEET

NIL

8 MOTIONS OF RESCISSION8.1 MOTION SERVED BY COUNCILLOR LONCAREVIC RE MOTIONS PASSED FEBRUARY 8 AND APRIL 26, 1982, CONCERNING SPEEDING PROBLEMS - SHORE DRIVE

Copies of correspondence from Mr. Kenneth MacInnis, Town Solicitor, were circulated in which Mr. MacInnis offered his opinion that it was not necessary to rescind the motion of February 8, 1982 due to the fact that the motion passed April 26, 1982 had, in effect, rescinded the original motion.

Concern was expressed by some members of Council that the motions should be rescinded in order to clear up the confusion over the points of order.

ON MOTION of Councillor Legree and Deputy Mayor Roberts, it was moved that the motions passed February 8 and April 26, 1982 concerning Speed Problems - Shore Drive be rescinded.

Motion defeated. Councillor Lugar, Councillor Short, Councillor Tolson and Councillor Loncarevic voted against the motion.

16 NOTICE OF MOTION16.1 NOTICE OF INTENT TO PASS A BYLAW CLOSING OAKMOUNT DRIVE (PARCEL Z)

Councillor Short served notice of intent to pass a Bylaw closing Oakmount Drive (Parcel Z) at the next meeting of Town Council.

16.2 NOTICE TO PASS A BYLAW CLOSING OAKMOUNT DRIVE (PARCEL Y)

Councillor Short served notice of intent to pass a Bylaw closing Oakmount Drive (Parcel Y) at the next meeting of Town Council.

12 OTHER REPORTS12.5 STREET PAVING - BEDFORD VILLAGE S/D (REPORT - TOWN ENGINEER)

By memorandum the Town Engineer advised Council of the details of a proposal by Bedford Village Properties Limited to pave Millrun Crescent, Walden Place and Moirs Mill Road in the Bedford Village Subdivision.

It was noted that the total cost of this project would be \$195,200 and it was recommended by the Town Engineer that Town Council cost share on this project to install the concrete curbs for most of the subdivision with costs to be apportioned from the 1982 and 1983 Street Paving Capital Budget.

It was further recommended that the Town enter into negotiations with Bedford Village Properties for the paving of Moirs Mill Road, Walden Place and Millrun Crescent.

ON MOTION of Councillor Short and Councillor Lugar, it was moved that the Town enter into negotiations with Bedford Village Properties for the paving of Moirs Road, Walden Place and Millrun Crescent and that the Chief Administrative Officer and the Town Engineer complete these negotiations and report back to Town Council at a future meeting. Motion carried unanimously.

#### 14 MISCELLANEOUS BUSINESS

##### 14.3 RATIFICATION OF APPOINTMENT OF ENGINEERING CONSULTANT PAVING - ROCKMANOR DRIVE

By memorandum the Town Engineer advised Town Council that a valid petition has been received from the residents of Rockmanor Drive for street paving and that these residents have been advised of the cost sharing policy of the Town and the probable costs per homeowner for street paving. He further noted that the majority of the residents have indicated by return copy a desire to proceed with this paving on the basis proposed.

ON MOTION of Councillor Legree and Councillor Tolson, it was moved that the Town appoint the firm Project Consultants Limited of Halifax to prepare the necessary documentation for tendering purposes for the paving of Rockmanor Drive and to be responsible for the field inspection thereof, the costs not to exceed \$8,000; and further that the Mayor and Chief Administrative Officer be authorized to enter into a contract with Project Consultants Limited for this work. Motion carried unanimously.

##### 14.6 TENDERS - CHIP SEALING PROGRAM

By memorandum the Town Engineer advised Council that one tender was received in response to a tender call for a Chip Sealing Program on a designated list of streets proposed for improvements. The total tender price was \$176,935 which included \$16,900 for the Recreation Parking Lot and a Town Contingency of \$7,500.

It was also noted that the tender document included a provision for submission of prices for asphalt paving as an alternative to chip sealing.

It was recommended by staff that Council award the tender for Surface Treatment Tender 82-03 to Municipal Contracting following a determination of the magnitude of the program and the streets to be treated in 1982.

Councillor Legree expressed strong concern at the proposal to chip seal some of the very steep streets in the Town suggesting that it would be a wiser policy to asphalt these particular streets. In response the Town Engineer reviewed the details of the Chip Sealing process and expressed the opinion that such a program would be satisfactory for all the streets proposed. He also noted the increased cost of asphaltting and the problem of whether or not abutters could be charged for asphaltting when no petition had been received for same.

Some discussion ensued as to why abutters are not charged for a chip sealing program and it was noted that such a program is considered a maintenance item rather than a long term capital program, wherein the Street Improvement Bylaw would apply.

It was suggested by Councillor Loncarevic that the Town should be able to waive the petition and cost sharing requirements for the paving of a particular street if it was determined by the Town that such street should be paved in order to save maintenance costs.

A further lengthy discussion took place during which both Mayor Cosman and the Chief Administrative Officer expressed concern at the proposal to pave some streets without charging abutters in contrast to paving other streets and allocating a percentage of costs to the abutters. The Chief Administrative Officer noted that although Section 162 of the Towns Act provides the necessary authority for Council to pave any street without first requiring a petition and cost sharing arrangements with the abutters, a vehicle is in place in the form of the Street Improvement Bylaw which permits Council to recover, due to the economics involved, a portion of their costs from the abutters. To deviate from this could create precedents which would, in turn, translate to financial repercussions in the future.

ON MOTION of Councillor Tolson and Councillor Loncarevic, it was moved that a contract to chip seal the streets designated as Number 2 to Number 15 and the Recreation Centre Parking Lot be awarded to Municipal Contracting Limited and that the portion of Rutledge Street, designated as Number 1, be paved.



ON MOTION of Councillor Legree and Deputy Mayor Roberts, an amendment was moved that Lindsay Hill, designated as Number 7, be removed from the list of streets to be chip sealed and included in a paving contract.

During discussion of the motion the Chief Administrative Officer again expressed concern with the proceeding of paving without receiving a petition from the residents concerned. He suggested that Council approve only the Chip Sealing Program and that the issue of paving without petition and cost sharing be addressed at the time of the consideration of the proposed amended Bylaw re Street Improvements.

It was agreed that any reference to paving would be deleted from the original motion and that the amendment would be withdrawn.

It was further agreed by the mover and seconder that the motion should read as follows:

"ON MOTION of Councillor Legree and Deputy Mayor Roberts, it was moved that a contract to chip seal the streets designated as Nos. 2 to No.15 with the exception of No. 7 and the Recreation Centre Parking Lot be awarded to Municipal Contracting Ltd. at a cost not to exceed \$103,691 and a contingency allowance of \$4600.00."

Mayor Cosman expressed concern that Doyle Street was not included in the list to be chip sealed and it was suggested by the Town Engineer that Doyle Street, Doyle Court and the Old Hammonds Plains Road should be addressed as a package at a later date.

Some concern was expressed at the inclusion of the Recreation Centre Parking Lot due to the fact that it now appears the Recreation Commission would prefer to pave a portion thereof, rather than chip sealing the whole parking lot. Councillor Lugar requested that the matter of the Recreation Parking Lot be deferred pending further consideration by the Recreation Commission.

The motion was put to the meeting and passed. Councillor Lugar voted against the motion.

14.4 TENDERS - SCHOOL CAPITAL PROJECT - HEATING SYSTEM  
BEDFORD JUNIOR HIGH SCHOOL

Copies of correspondence from LeDaire Morris and Associates Limited were circulated to members of Council in which it was noted that Halifax Heating and Air Conditioning Limited have submitted the low tender for the renovations to the Heating System of the Bedford Junior High School in an amount of \$71,970. It was recommended that the Town of Bedford award the contract for these renovations to the low bidder.



ON MOTION of Deputy Mayor Roberts and Councillor Tolson, it was moved that the contract for the Heating System Renovations to the Bedford Junior High School be awarded to Halifax Heating and Air Conditioning Limited, in the amount of \$71,970., and that the Mayor and Chief Administrative Officer be authorized to enter into a contract with Halifax Heating and Air Conditioning Limited for this work. Motion carried unanimously.

PUBLIC HEARINGS AND RESOLUTIONS ARISING THEREFROM

NIL

PETITIONS, DELEGATIONS, CORRESPONDENCE

10.1 PETITIONS

10.1.1 PETITION - RESIDENTS - SHOREVIEW DRIVE: SPEED BUMPS

Copies of a petition signed by the residents of Shoreview Drive were circulated to members of Council in which the residents requested the installation of speed bumps on Shoreview Drive.

ON MOTION of Councillor Loncarevic and Councillor Lugar, it was moved that the petitioners be advised that their petition will be tabled until 1983, when Council can determine the results of the experimental program of the placing of speed bumps on Shore Drive. Motion carried unanimously.

10.1.2 PETITION - RESIDENTS - SHOREVIEW DRIVE: TOT LOT

Copies of a petition signed by residents of Shoreview Drive were circulated to members of Council in which concern was expressed that the tot lot located on Shoreview Drive not be developed beyond the necessary clearing to develop it as a green area.

Copies of correspondence from Mr. J. Brian Charlton were also circulated to members of Council in which Mr. Charlton offered to purchase the subject tot lot located on Shoreview Drive, which happens to be adjacent to his house lot.

ON MOTION of Councillor Lugar and Councillor Legree, it was moved that the petition and the correspondence from Mr. Charlton be referred to the Recreation Commission for evaluation and recommendation. Motion carried unanimously.

10.1.3      PETITION - RESIDENTS OF BEDFORD - PURCHASE OF  
LOT 3 SHORE DRIVE

A petition signed by approximately 290 residents of Bedford was presented to Council by Deputy Mayor Roberts in which the residents expressed their opposition to the purchase by the Town of Lot 3 Shore Drive.

ON MOTION of Councillor Short and Councillor Legree, it was moved that the petition be tabled with the proviso that it can be lifted from the table during the future discussion to be held with regard to the possible purchase of the property. Motion carried unanimously.

10.2      DELEGATIONS

NIL

10.3      CORRESPONDENCE

10.3.1      MRS. ANNA SHUPE - SPEEDING ON SHORE DRIVE

Copies of correspondence from Mrs. Anna Shupe were circulated and read into the record, in which Mrs. Shupe expressed concern with the prevalence of speeding on Shore Drive, and her desire that speed bumps be installed as a deterrent.

10.3.2      MR. JOHN MACDONALD - OLD CENTRAL BEDFORD HOMEOWNERS  
ASSOCIATION

Copies of correspondence from Mr. John MacDonald were circulated to members of Council and read into the record, in which Mr. MacDonald advised Council of the formation of the "Old Central Bedford Homeowners Association". Mr. MacDonald further advised Council of the mandate of the Association and asked the cooperation of Town Council by informing the Association when matters are pending which would be of interest to the Association.

ON MOTION of Councillor Loncarevic and Councillor Lugar, it was moved that a meeting be arranged whereby Town Council could meet with the Executive of the 4 homeowners associations, presently in existence in the Town of Bedford, in order that matters of mutual concern can be discussed. Motion carried unanimously.

10.3.3      MR. M.G. WARRINGTON, RE METRO TRANSIT CONCERNS

Copies of correspondence from Mr. M.G. Warrington were circulated to members of Council, in which Mr. Warrington expressed his concerns with regard to

various matters concerning the Metro Transit Commission and its operations. It was agreed that copies of this correspondence should be forwarded to the Transit Advisory Committee and to the Metropolitan Transit Commission.

0.3.4

CHIEF P.R. DICKINSON RE MEETINGS BETWEEN TOWN COUNCIL AND FIRE DEPARTMENT OFFICIALS

Copies of correspondence from the Chief Administrative Officer to Chief P.R. Dickinson were circulated, in which the Chief Administrative Officer advised the Fire Chief that the Town Council would be willing to meet with officials of the Fire Department at a mutually acceptable date.

ON MOTION of Councillor Legree and Councillor Lugar, it was moved that the Chief Administrative Officer make arrangements for this meeting to be held on Monday, June 21, 1982. Motion carried unanimously.

0.3.5

CHIEF OF POLICE - RESULTS OF RADAR SURVEILLANCE IN TOWN OF BEDFORD

Copies of a memorandum from H.A. MacKenzie, Chief of Police, Town of Bedford, were circulated in which statistics were provided with regard to the results of radar surveillance throughout the Town of Bedford. Some concern was expressed by Members of Council as to the method of averaging used in this report. It was agreed that this memorandum was an information item and would be tabled.

0.3.6

MUNICIPAL CONTRACTING LIMITED - DUKE STREET EXTENSION

Correspondence from Ms Fiona Imrie, Solicitor for Municipal Contracting Limited, was circulated to Members of Council, in which Ms Imrie requested the acceptance of the "Duke Street Extension" by the Town of Bedford prior to the purchasing of the Bedford Industrial Park from Municipal Contracting Limited, by Industrial Estates Limited.

By memorandum, the Town Engineer reviewed the details of this request to have the Duke Street Extension taken over by the Town of Bedford. Attached to the Town Engineer's memorandum was correspondence signed by F.M. LeTourneau, Manager, Industrial Parks, Industrial Estates Limited, in which Mr. LeTourneau advised that it was IEL's intent to bring this



street up to normal urban municipal standards when and if additional industrial development takes place in this industrial park. He noted that this would be subject to I.E.L.'s ability to obtain the necessary funds from the Province, a situation which he did not expect to occur until the 1983-84 fiscal year at the earliest. A lengthy discussion ensued during which the possible future ramifications of the acceptance of Duke Street Extension as an official street were explored by Council and staff.

ON MOTION of Councillor Legree and Councillor Short, it was moved that the street known as the Duke Street Extension be accepted by Town Council, based on the assurances expressed in Mr. LeTourneau's letter of June 14, 1982.

ON MOTION of Councillor Tolson and Councillor Loncarevic, an amendment to the Motion was moved that the assurances received from I.E.L. must be acceptable to the Legal Counsel for the Town.

During discussion of this Motion and the amendment, Mr. MacInnis, Legal Counsel, suggested that he could not recommend this procedure.

It was noted by the Chief Administrative Officer that the Town, through the Industrial Commission, is in a partnership situation with I.E.L., and that a scenario could conceivably arise when it would be wise for the Town to contribute towards the cost of capital services, as an investment to attract industrial development.

ON MOTION of Deputy Mayor Roberts and Councillor Loncarevic, it was moved that a decision be deferred until the next Council Session, and that in the meantime staff endeavor to obtain a guarantee from I.E.L. with regard to the provision of street paving and underground services. Motion defeated. Councillor Legree, Councillor Short, Councillor Tolson, and Mayor Cosman voted against the Motion.

The amendment was put to the meeting and passed unanimously.

The amended Motion was put to the meeting and passed. Councillor Loncarevic voted against the Motion.

#### STANDING COMMITTEE REPORTS

##### 11.1 FIRE DEPARTMENT

Copies of the Fire Department's report for the month of May were circulated to members of Council. It was noted in the report that the Department had received a commendation from the Insurance Company concerning their handling of a recent fire which occurred on Birch

COUNCILLOR SHORT RE MEETING BETWEEN TOWN COUNCIL AND DEVELOPERS

Councillor Short inquired as to what has been done in terms of a requested meeting between Town Council and Developers. He was informed that the meeting has not taken place due to the lack of a quorum available for any of the suggested dates. It was agreed that, since staff is not to be involved in this meeting, arrangements will be made directly between the Council and the developers concerned.

EXTENSION OF MEETING

ON MOTION of Councillor Tolson and Councillor Lugar, it was moved that the meeting be extended one half hour. Motion carried unanimously.

10.3.7 NOVA SCOTIA HOUSING COMMISSION - APPOINTMENT OF REPRESENTATIVE - HALIFAX COUNTY WEST HOUSING AUTHORITY

Copies of correspondence from the Nova Scotia Housing Commission were circulated in which Town Council was requested to replace or reappoint Mr. Nelson Kennedy to the Board of the Halifax County West Housing Authority.

It was agreed that this matter should be deferred to the next meeting of Town Council in order that it may be determined whether or not Mr. Kennedy would accept a re-appointment.

10.3.8 HALIFAX COUNTY REGIONAL LIBRARY - REQUEST FOR ADDITIONAL FUNDING

Copies of correspondence from Mary Gilliss, Secretary, Halifax County Regional Library Board were circulated in which Ms. Gilliss advised Council that the Provincial Grant to the Town of Bedford towards their share of the operating costs of the Halifax County Regional Library will be Seven Hundred and Fifty-two (\$752) dollars less than estimated in the Library's original submission. She requested the Town of Bedford's approval for confirmation for the previously approved net grant of \$24,048 for operating costs for the year 1982.

ON MOTION of Councillor Loncarevic and Councillor Legree, it was moved that the Town of Bedford confirm its previously approved net grant to the Halifax Regional Board for 1982 of \$24,048. Motion carried unanimously.

STANDING COMMITTEE REPORTS11.1 FIRE DEPARTMENT

Copies of the Fire Department's report for the month of May were circulated to members of Council. It was noted in the report that the Department had received a commendation from the Insurance Company concerning their handling of a recent fire which occurred on Birch

Street. The report was received and tabled.

11.2 RECREATION COMMISSION

Copies of the Recreation Commission report were circulated to members of Council. Included in the report was a copy of the Agenda for the 1982 Bedford Days Celebrations.

It was noted by Councillor Loncarevic that the Church Service refers to the presentation of the, "Town Crest" by the Lieutenant Governor Shaffner and he asked that this be changed to "Town Coat of Arms."

ON MOTION of Councillor Lugar and Councillor Short, it was moved that the Recreation Commission report be accepted. Motion carried unanimously.

11.3 BIDC

Copies of the BIDC Report dated June 9, 1982, were circulated to members of Council. The report advised Council of the changes in the 1982 program which have been made due to a reduction in the expected funding for the Mainstreet Program from the Province.

ON MOTION of Deputy Mayor Roberts and Councillor Legree, it was moved that the report be accepted.

During discussion of the motion Mayor Cosman questioned the plans to place a sidewalk on two sides of a portion of the highway when there are still areas of the Town without any sidewalks on the Main Street. It was noted that individual projects would be presented to Council for final approval and could be considered at that time.

The motion was put to the meeting and passed unanimously.

OTHER REPORTS

12.1 BUILDING INSPECTORS REPORT - APRIL

BUILDING INSPECTORS REPORT - MAY

Copies of the Building Inspector's Report for the months of April and May, 1982, were circulated to members of Council indicating a total value of construction to May 31, 1982, for which permits have been issued of \$6,567,025 and total permit revenue of \$13,013.

ON MOTION of Councillor Lugar and Councillor Legree, it was moved that the Building Inspector's Report for April and May be accepted and that the Building Inspector be commended for the excellent format of the reports which are easily understood.

Some concern was expressed by Councillor Loncarevic that the total figures are a bit deceiving due to the fact that they include a major project without which



the totals would indicate a major decline in development for the year 1982 compared to 1981.

The motion was put to the meeting and passed unanimously.

#### SUSPENSION OF RULES OF ORDER

ON MOTION of Councillor Tolson and Councillor Lugar, it was moved that the Rules of Order be suspended. Motion carried unanimously.

#### MISCELLANEOUS BUSINESS

##### 14.2 MOBILE FOOD SHOPS - BOARD OF HEALTH

By memorandum dated April 23, 1982, the Town Engineer advised Council that the Town's Board of Health has received various verbal complaints from Bedford businessmen questioning the propriety of the sale of fruit, vegetables, fish and meat products from roadside stands or vehicles. He noted that the Trade and Licensing Bylaw inherited by the County specifically excludes "those persons offering to sell the products of the farm, the forest or the sea" from requiring licenses. As such only a Board of Health permit has been required of the vehicles insuring vehicular compliance with health regulations. He further noted that at the April 2, 1982, Board of Health meeting it was agreed that the matter of fees for Mobile Foodshop Licensing should be brought to the attention of Town Council.

Mr. Dursi suggested that there are two avenues of approach to this matter. Either the existing bylaw can be amended or a new bylaw put in place or the health permit fee for Mobile Foodstores and Canteens can be increased.

Some general discussion took place on this matter during which concern was expressed by Councillor Tolson over the fact that persons are permitted to sell in the Town of Bedford as vendors by the paying of a very small trade license fee or no charge at all in contrast to the normal taxation which is applied to those occupying premises throughout the Town.

ON MOTION of Councillor Legree and Councillor Lugar, it was moved that the matter be referred to the Town's Legal Solicitor for recommendation. Motion carried unanimously.

#### MOTIONS

##### 13.2 AMENDED - STREET IMPROVEMENT BYLAW

By memorandum from Mr. Louis M. Dursi, Town Engineer, copies of a proposed Street Improvement Bylaw were circulated to members of Council for consideration.

Councillor Loncarevic requested that the proposed Street Improvement Bylaw be amended by the inclusion of the following paragraph or to like affect:

It is the intention of the Town Council to carry out improvements to Town streets at the Town's expense based on the criteria of use, maintenance work, and the Town's ability to pay. A priority list of streets that can be improved in any fiscal year will be prepared by staff and presented to the Council for approval as a part of the budget preparation process. Any group of residents may petition the Council to improve their street ahead of the priority list provided that they are prepared to cost share according to the principles established by this policy.

It was suggested by the Chief Administrative Officer that this addition is not needed due to the fact that the Town's Act already provides this authority by virtue of Section 162.

It was agreed to refer the proposed bylaw including the suggested amendment to staff for further study and recommendation.

OTHER BUSINESS

17.1 STAFF HOLIDAY - AUGUST 2, 1982

ON MOTION of Councillor Lugar and Councillor Legree, it was moved that August 2, 1982, be declared a Staff Holiday and that advertising to this effect be published in the local newspapers. Motion carried unanimously.

ADJOURNMENT

ON MOTION of Councillor Lugar and Councillor Legree, it was moved that the Session adjourn at 11:30 p.m. Motion carried unanimously.

*Francene J. Cosman*  
MAYOR

*[Signature]*  
CHIEF ADMINISTRATIVE OFFICER

MINUTES OF THE THIRD YEAR'S MEETINGS OF THE FIRST  
COUNCIL OF THE MUNICIPALITY OF THE TOWN OF BEDFORD

PUBLIC HEARING  
JUNE 14, 1982

A Public Hearing called by the Town Council of the Town of Bedford was held on Monday, June 14, 1982, at 7:00 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Francene Cosman presiding.

ATTENDANCE

Councillors Arnold Legree, Bosko Loncarevic, David Lugar and Robert Short were in attendance at this Public Hearing at the commencement of the session.

Staff members in attendance included Dan English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Lou Dursi, Town Engineer; Barry Zwicker, Director of Planning and Development and John Robertson, Chief Building Inspector.

PURPOSE OF MEETING

Mayor Cosman advised Council that the purpose of the Public Hearing was for the Town Council to hear and determine all written objections and other representations to the proposed closure of two portions of Oakmount Drive.

At the request of the Mayor, the Chief Administrative Officer, Mr. Dan English, read the advertisement concerning the Public Hearing which had been published in the Daily News on May 21 and May 26, 1982, and in the Halifax Chronical Herald/The Mail Star on May 22 and May 29, 1982, in accordance with the provisions of the Towns Act.

STAFF REPORT

The Town Engineer, Mr. Louis Dursi, reviewed the contents of a memorandum outlining the details of the proposed closure of the two portions of Oakmount Drive known as Parcel Z and Parcel Y-1. He further advised Council that staff is in support, and recommends to Town Council the closure of these portions of Oakmount Drive.

REPRESENTATIONS IN FAVOR OF THE PROPOSED CLOSURES

Mayor Cosman then opened the hearing to any persons wishing to speak in favor of the proposed closure of the two portions of Oakmount Drive. There was no response to three calls for such representations.

Mayor Cosman then called for representations from persons wishing to speak against the proposed closure of the two portions of Oakmount Drive. There was no response in answer to three calls for such representations.



In response to an inquiry from Mayor Cosman the Chief Administrative Officer advised that no written submissions have been received in favor of or objecting to, the proposed closure of the two portions of Oakmount Drive.

#### ADJOURNMENT

ON MOTION of Councillor Legree and Deputy Mayor Roberts, it was moved that the Public Hearing be adjourned at 7:15 p.m. Motion carried unanimously.

*Francene J. Cosman*  
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 MAYOR

*[Signature]*  
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 CHIEF ADMINISTRATIVE OFFICER

#### REPORT: NEGOTIATIONS - PURCHASE OF LOT 3 SHEAR DRIVE

The Chief Administrative Officer advised Council that a meeting was held between staff officials, Mr. Ken Macdonald, Senior, Ms. Karin Valle-Cavero and Mr. David Jackson, Assistant, to discuss the proposed purchase of Lot 3 Shear Drive. The Officer advised that, at this meeting, an amount of \$30,000 was offered by the Town for the purchase of this property. Subsequent to this meeting correspondence had been received from Mr. Jackson containing a counter-proposal to the Town for the sale of the property.

MINUTES OF THE THIRD YEAR'S MEETINGS OF THE FIRST  
COUNCIL OF THE MUNICIPALITY OF THE TOWN OF BEDFORD  
SPECIAL COUNCIL SESSION - JUNE 21, 1982

Special Session of the Town Council of the Town of Bedford took place Monday, June 21, 1982, 7:30 p.m. in the Council Chambers, Suite 0, Bedford Tower, Bedford, Nova Scotia, Mayor Francene Cosman presiding.

LORD'S PRAYER

Mayor Cosman opened the session with the leading of the Lord's Prayer.

ATTENDANCE

Deputy Mayor Keith Roberts and Councillors Arnold Legree, David Lugar, Robert Short and John Tolson were in attendance at the commencement of the session. Mr. Dan English, Chief Administrative Officer and John Pryde, Deputy Clerk also attended the session.

ORDER OF BUSINESS

It was suggested by the Chief Administrative Officer that the following items, deferred from the Council Session of June 14, 1982, should be further deferred until the next meeting of Council at which time involved Department Heads would be available.

- 12.1 Development Officer's Report - Month of May and M.D.P.
- 13.1 Terms of Reference for BPAC
- 14.1 Flooding Problems and Maintenance of Drainage System.

In response to an inquiry from Councillor Short as to whether or not the question with regard to status of Shipyard Road could be added to the Agenda, it was agreed that this matter should be deferred pending further information from staff and legal counsel. It was generally agreed this would be discussed at the June 28th meeting.

3.1 REPORT: NEGOTIATIONS - PURCHASE OF LOT 3 SHORE DRIVE

The Chief Administrative Officer advised Council that a meeting was held between staff officials, Mr. Ken MacInnis, Solicitor, Ms. Karin Valle-Cavero and Mr. Harold Jackson, Solicitor to discuss the proposed purchase of Lot 3 Shore Drive. He further advised that, at this meeting, an amount of \$36,000 was offered by the Town for the purchase of this property. Subsequent to this meeting correspondence had been received from Mr. Jackson containing a counter-proposal to the Town for the sale of the property.

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It was agreed that Council should adjourn for 10 minutes in order to provide an opportunity for the Mayor and Councillors to read the correspondence from Mr. Jackson.

Following the reconvening of the session, Council commenced to review the details of the counter-proposal from Mr. Jackson, in an amount of \$40,000.

ON MOTION of Councillor Legree and Councillor Lugar, it was moved that Council move in-camera for 15-20 minutes to discuss the contents of correspondence received from Mr. Harold F. Jackson, Solicitor for Ms. Karin Valle-Cavero. Motion defeated. Deputy Mayor Roberts, Councillor Tolson and Mayor Cosman voted against the motion.

ON MOTION of Councillor Tolson and Councillor Short, it was moved that the Town of Bedford offer to purchase Lot 3, Shore Drive for a purchase price of \$37,534.

In discussing the motion Councillor Short spoke at length expressing the following opinions:

- a) The offer was a fair one to both the Town and the purchaser and that it was supported by the Recreation Commission in order to ensure that the lands presently and formerly occupied by the Yacht Club would remain for recreational use.
- b) There are reserve funds existing for the purchase of recreational lands which are earmarked for projects of this nature.
- c) There are some justifiable reasons why the Recreation Commission has not, during the past year, entered into any major programs of park maintenance and/or upgrading.
- d) The acquisition of Lot 3 Shore Drive would be a justifiable investment, both to the future of Bedford, and as a financial investment.
- e) Although this proposed purchase might be considered a controversial issue today, some 20 years ago the proposed purchase of the Hart Property (Lions' Playground) was also debated far and wide - history has certainly justified that expenditure.

Councillor Lugar, in speaking to the motion, tabled for information a letter from Mr. Rob. Williams, Commodore of the Bedford Basin Yacht Club in which it was noted that the Yacht Club would be most interested in entering into an agreement with the Town with regard to Lot 4, Shore Drive and that the Club would prefer to see tennis courts developed on the lots in question rather than homes.

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In response to a question from Mayor Cosman as to the long term future of the Bedford Basin Yacht Club if Lots 3 and 4 were sold, Mr. Williams advised that this matter has been addressed by the Club and that other arrangements can be made for the storage of boats rather than the use of these particular properties in question.

Deputy Mayor Roberts expressed the opinion that the motion in question was most unfair and that Council is aware that the landowner is only willing to accept a purchase price of \$40,000 for Lot 3.

Councillor Legree expressed concern with regard to this proposal to purchase new recreational land when much remains to be done to upgrade and develop existing holdings.

ON MOTION of Councillor Lugar and Councillor Short, it was moved that the motion be amended by an increase of the purchase price to \$40,000.

The amendment was put to the meeting and was defeated. Deputy Mayor Roberts, Councillor Legree and Mayor Cosman voted against the amendment.

The motion was put to the meeting and was defeated. Deputy Mayor Roberts, Councillor Legree and Mayor Cosman voted against the motion.

Councillor Short advised Council that he wished to serve Notice of Reconsideration to be considered at the Council Session scheduled for July 12, 1982. It was agreed that, in order for this to be in order, the Rules of Order would have to be suspended.

ON MOTION of Councillor Lugar and Councillor Short, it was moved that the Rules of Order be suspended. Motion defeated. Deputy Mayor Roberts, Councillor Tolson and Councillor Legre voted against the motion.

Councillor Short served Notice of Reconsideration of the Motion at the next regular meeting of Town Council.

### 3.2 ACCEPTANCE - DUKE STREET EXTENSION

Copies of correspondence pertaining to the possible acquisition of the Bedford Industrial park by Industrial Estates Limited were circulated to members of Council in which the intentions of Industrial Estates Limited were clarified, in particular reference to the Duke Street Extension. Also circulated were copies of correspondence from Mr. Kenneth MacInnis, Legal Counsel, in which he expressed his opinion with regard to two concerns, namely,

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- a) That the Town of Bedford cannot ensure that the property involved will be conveyed from the Province to I.E.L.
- b) That I.E.L. is not liable for any costs and expenses that are done without the express approval of I.E.L.

In speaking to this matter the Chief Administrative Officer advised Council that staff has addressed both concerns as noted by the Solicitor and recommended that Town Council accept the deed to the Duke Street Extension from St. Paul's Home for Girls.

ON MOTION of Councillor Lugar and Deputy Mayor Roberts, it was moved that the Town Council of the Town of Bedford accept staff's recommendation that the Town of Bedford accept the conveyance of Duke Street Extension as a public street.

Some discussion ensued as to the possible implications of the Town of Bedford accepting this street prior to the installation of all services, however, the Chief Administrative Officer pointed out that Council would be under no obligation to install services.

The motion was put to the meeting and carried unanimously.

3.3 DEFERRED ITEMS FROM COUNCIL SESSION - JUNE 14, 1982

12.2 TAX COLLECTIONS REPORT

ON MOTION of Councillor Lugar and Councillor Tolson, it was moved that the Tax Collection Report be accepted. Motion carried unanimously.

12.3 GRANTS ADVISORY COMMITTEE REPORT

ON MOTION of Councillor Lugar and Councillor Legree, it was moved that the recommendation of the Grants Advisory Committee, that \$500 be contributed to the C.N.I.B., be approved. Motion carried unanimously.

14.2 "911" EMERGENCY ANSWERING SERVICE

By memorandum the Chief Administrative Officer advised Council that the proposed Regional "911" Emergency Answering Service has not met with the acceptance of the various metro municipalities and recommended that Council establish a committee to determine the viability of a more localized "911" System.

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ON MOTION of Councillor Legree and Councillor Lugar, it was moved that the existing E.M.O. Working Committee, with the power to make additional appointments, be appointed as the "911" Planning Committee. Motion carried. Councillor Tolson voted against the Motion.

17.1 TREE COMMITTEE

By memorandum the Town Engineer advised of several concerns which have recently arisen with regard to trees in the community.

ON MOTION of Councillor Lugar and Deputy Mayor Roberts, it was moved that the correspondence involved be referred to the Tree Committee, for consideration and recommendation/direction to staff. Motion carried unanimously.

OTHER BUSINESS

4.1 SENIOR CITIZENS WEEK

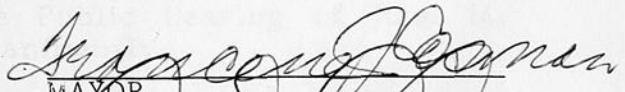

It was agreed by Council that a reception for Senior Citizens of the community of Bedford would be hosted by the Town Council, to take place in the Council Chambers on Friday, June 25, from 11:00 a.m. to 1:00 p.m.

4.2 BEDFORD DAYS ACTIVITIES

Council was reminded of a softball game to take place between Town Council/Staff and the Lions Club on Sunday, June 27th at 4:00 p.m. at the Meadowbrook Field.

ADOURNMENT

ON MOTION of Councillor Lugar and Councillor Legree, it was moved that the meeting adjourn at 9:30 p.m.

  
MAYOR  
  
CHIEF ADMINISTRATIVE OFFICER



DEFERRED BUSINESS / BUSINESS ARISING FROM THE MINUTES

MINUTES OF THE THIRD YEAR'S MEETINGS OF THE FIRST COUNCIL OF THE MUNICIPALITY OF THE TOWN OF BEDFORD COUNCIL SESSION - JUNE 28, 1982

A Session of the Town Council of the Town of Bedford took place on Monday, June 28, 1982, at 7:30 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Francene Cosman presiding.

1 LORD'S PRAYER

Mayor Cosman opened the session with the leading of the Lord's Prayer.

2 ATTENDANCE

Deputy Mayor Keith Roberts, and Councillors Arnold Legree, David Lugar and Robert Short were in attendance at the commencement of the session. Staff members in attendance included Dan English, Chief Administrative Officer, Louis Dursi, Director of Engineering, Barry Zwicker, Director of Planning & Development, John Robertson, Chief Building Inspector, Robert Nauss, Director of Recreation, and Lillian Smith.

3 APPROVAL OF MINUTES

3.1 SPECIAL SESSION - MAY 27, 1982

In the Minutes of May 27, 1982, the Mayor requested that the last paragraph on page one be amended to reflect the fact that the Motion was defeated due to lack of a quorum, as stipulated under the Planning Act.

ON MOTION of Councillor Legree and Councillor Short, it was moved that the Minutes of the Special Session of May 27, 1982 be approved as amended. Motion carried unanimously.

3.2 PUBLIC HEARING - JUNE 14, 1982

ON MOTION of Deputy Mayor Roberts and Councillor Lugar, it was moved that the Minutes of the Public Hearing of June 14, 1982, be approved. Motion carried unanimously.

3.3 REGULAR SESSION - JUNE 14, 1982

ON MOTION OF Deputy Mayor Roberts and Councillor Lugar, it was moved that the Minutes of the Regular Session of June 14, 1982, be approved. Motion carried unanimously.

playgrounds, and also, its policy to preserve lands actually used for recreational purposes.

Councillor Lugar further stated that the lands in question had already been zoned parkland by the Municipal Development

DEFERRED BUSINESS / BUSINESS ARISING FROM THE MINUTES

CHIP SEALING PROGRAM - PARKING LOT RECREATION CENTRE

Mr. Edward Litle, Chairman of the Bedford Recreation Commission addressed Council. He noted that, at a meeting of the Recreation Commission held in April, 1982, it was agreed that the \$15,000 from Reserve Funds be used for paving approximately one-third of the parking area at the Lebrun Recreation Centre. Mr. Litle advised that one portion of the lot was not being proposed for paving at this time, because of a proposed addition to the Lions Club Facility in this area.

ON MOTION of Councillor Short and Councillor Lugar, it was moved that Council approve the paving of a portion of the Lebrun Centre Parking Lot, as specified in the memo of June 28, 1982, to Town Council, at a cost not to exceed the budgetted amount of \$15,000; and that the Chip Sealing Tender awarded on June 14, 1982, be amended to reflect this deletion. Motion carried unanimously.

It was agreed that this Motion would have the effect of giving staff authority to enter into a contract for the above noted paving work once quotations are received.

Councillor Tolson arrived at the meeting at approximately 8:30 p.m.

MOTIONS OF RECONSIDERATION

NOTICE SERVED BY COUNCILLOR SHORT RE MOTION - PURCHASE OF LOT 3 SHORE DRIVE

ON MOTION of Councillor Legree and Councillor Lugar, it was moved that Council go in camera, prior to further public discussion on this item. Motion carried. Mayor Cosman and Councillor Short voted against the Motion.

RECONVENING OF COUNCIL SESSION

Council reconvened at approximately 9:45 p.m. in Regular Session.

Councillor Short advised Council that he was aware of the outcome of the impending vote and, therefore, wished to withdraw his Notice for a Motion of Reconsideration.

Councillor Lugar addressed Council by stating that Council's failure to acquire this land was contrary to the Recreation Commission's decision to acquire recreation land near existing playgrounds, and also, its policy to preserve lands actively used for recreational purposes.

Councillor Lugar further stated that the lands in question had already been zoned parkland by the Municipal Development

Plan Process, and during the Bedford Survey, preservation and acquisition of access to the Basin for recreational purposes was a priority item.

#### NOTICE OF MOTION

Councillor Lugar served Notice to Council that at the next Regular Meeting, he will move a Motion to Rescind the Resolution of Council, made at the Special Meeting held Monday, June 21, 1982, relating to an offer to buy a property from Mrs. Karin Valle-Cavero situated on Lot 3, Shore Drive, Bedford, Nova Scotia.

In accepting the Notice of Motion to Rescind, the Mayor reviewed the Town of Bedford Bylaw Respecting Council Rules of Order, in particular, Section 42, i.e. "A Notice of Motion to Reconsider or Rescind shall not have the effect of delaying or impeding any action necessary to give effect to any resolution, unless the Council otherwise orders . . . ."

#### DEFERRED BUSINESS: BUSINESS ARISING FROM THE MINUTES

#### APPOINTMENT - HALIFAX WEST HOUSING AUTHORITY

Deputy Mayor Roberts advised Council that Mr. Nelson Kennedy was not prepared to accept a nomination recommending him to serve for a further term on the Halifax West Housing Authority. It was noted that Mr. Austin MacDougall, of Bedford, was in agreement with having his name stand as nominated to serve on the Housing Authority.

ON MOTION of Deputy Mayor Roberts and Councillor Lugar, it was moved that Mr. Austin MacDougall's name be submitted as Bedford's nominee to serve on the Halifax West Housing Authority. Motion carried unanimously.

There being no further nominations, the Mayor declared Mr. Austin MacDougall as the nominee from Bedford, to be recommended to serve on the Halifax West Housing Authority.

#### ACTION SHEET

#### Homeowners Association Item 10.3.2 - June 14

Mr. English suggested that a proposed meeting with the executive of the four homeowners' associations in Bedford, be deferred until the fall months, and requested Council's direction in this matter. Following a brief discussion, Council agreed with this suggestion.



Speed Bumps - Shore Drive Item 8.1 - June 14

Mr. English advised that a letter had been received from the Town Solicitor, pointing out the potential liability to the Town with the installation of speed bumps, and questioning the Town's authority to carry out such works on roadways. Mr. English requested direction from Council as to whether staff should refrain from carrying out the installation of speed bumps, until receiving further legal advice.

In discussing this item, Councillor Legree expressed concern with trucks manoeuvring over speed bumps, and felt that staff should know more about the legal aspects before proceeding.

Following further discussion, it was the general opinion of Council that staff proceed with the installation of speed bumps on Shore Drive, on a trial basis.

Deputy Mayor Roberts commended the Town Engineer, and staff of the Engineering Department for taking quick action with repairs to the Sackville River Bridge, following a telephone request from the Deputy Mayor.

8. MOTIONS OF RESCISSION

Nil

9. PUBLIC HEARINGS

Nil

10. PETITIONS, DELEGATIONS, CORRESPONDENCE10.1. PETITIONS

Nil

10.2. DELEGATIONS

Nil

10.3. CORRESPONDENCE10.3.1. HALIFAX VISITORS & CONVENTION BUREAU RE REGIONAL TOURISM STUDY

Mr. English referred Council to a letter dated June 21, 1982, from the Halifax Visitors & Convention Bureau, enclosing a copy of a completed study, forwarded from the Nova Scotia Department of Tourism. The letter noted that a meeting of the four municipalities is scheduled for June 28, 1982, at which time, each municipality was requested to bring a prioritized shopping list of tourism related projects. Mr. English stated that Bedford did not have direct input into the Steering Committee, and, due to the time frame involved, would not

have been able to produce a prioritized shopping list for the June 28, 1982 meeting. Councillor Legree expressed the opinion that Bedford should have a Tourist Association in order to provide input into studies such as this.

ON MOTION of Councillor Legree and Councillor Short, it was moved that Council request Mr. Robert Nauss, Recreation Director to coordinate the Town's efforts in providing input to tourism related projects, and that he meet with working committees, etc., and coordinate their input into the Nova Scotia Department of Tourism. Motion carried unanimously.

ON MOTION of Councillor Lugar and Councillor Legree, it was moved to extend the time of the Council Session to 11:00 p.m. Motion Defeated. Deputy Mayor Roberts, and Councillor Tolson voted against the Motion. Councillor Short abstained.

## 11 STANDING COMMITTEE REPORTS

### 11.1 BIDC REPORT

Deputy Mayor Roberts referred to the report of June 25, 1982, from the BIDC Project Coordinator, in which a recommendation was contained that Town Council award the 1982 Mainstreet Program Survey requirement (for that portion of Bedford Highway from No. 7 Highway to Oakmount Road), to Servant, Dunbrack, McKenzie and MacDonald Limited, at a cost not to exceed \$25,000; further, that the Mayor and Chief Administrative Officer be authorized to enter into a contract with said firm.

Councillor Legree expressed concern with the monies being spent on surveying, and stated that he would rather see one section at a time completed. In response to a question from Councillor Tolson, Mr. Dursi advised that, to date, an amount approximating \$70,000 had been spent on surveying (net after Provincial cost sharing is \$28,000.).

ON MOTION of Deputy Mayor Roberts and Councillor Lugar, it was moved that Council award the 1982 Mainstreet Program Survey Requirements (for that portion of Bedford Highway from No. 7 Highway to Oakmount Road) to the firm of Servant, Dunbrack McKenzie and MacDonald Limited, at a cost not to exceed \$25,000; further, that the Mayor and Chief Administrative Officer enter into a contract with said firm. Motion carried. Councillor Tolson voted against the Motion.

2. OTHER REPORTS

2.1.3 APPROVAL OF UNDERSIZED LOT (40 DARTMOUTH ROAD)

By memorandum, the Development Officer advised Council that an application has been received on behalf of Mrs. Ruby S. Boutilier, civic no. 40 Dartmouth Road, requesting Town Council to approve the subdivision of her land into two lots, RB-2A and RB-2B.

ON MOTION of Councillor Lugar and Councillor Short, it was moved that Town Council authorize the Chief Administrative officer to set the date for a Public Hearing and place the appropriate advertising in the local newspaper, the cost of which advertising is to be borne by the applicant. Motion carried unanimously.

3. MOTIONS

3.2 BYLAW RESPECTING CLOSING OF PORTIONS OF OAKMOUNT DRIVE, PARCEL Y-1 AND PARCEL Z

It was noted that Notice had been served by Councillor Short at the Council Session of June 14, 1982 to pass a bylaw respecting the closing of portions of Oakmount Drive, namely, parcel "Y-1" and parcel "Z".

ON MOTION of Councillor Short seconded by Councillor Lugar it was moved that a Bylaw Respecting Closing of a Portion of Oakmount Drive, parcel "Y-1", and a Bylaw Respecting Closing of a Portion of Oakmount Drive, Parcel "Z", be adopted by Town Council, subject to approval by the Minister of Municipal Affairs, and the Minister of Transportation. Motion carried unanimously.

The Mayor moved the meeting adjourned at 10:30 p.m.

  
MAYOR

K.R.

  
CHIEF ADMINISTRATIVE OFFICER



Special Session - July 5, 1982

MINUTES OF THE THIRD YEAR'S MEETINGS OF THE FIRST  
COUNCIL OF THE MUNICIPALITY OF THE TOWN OF BEDFORD  
SPECIAL COUNCIL SESSION - JULY 5, 1982

Special Session of the Town Council of the Town of Bedford took place Monday, July 5, 1982, at 7:30 p.m., in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Deputy Mayor Kieth Roberts presiding.

LORD'S PRAYER

Deputy Mayor Roberts opened the Session with the leading of the Lord's Prayer.

ATTENDANCE

Councillors Arnold Legree, Bosko Loncarevic, David Lugar and Robert Short were in attendance at the commencement of the session. Staff members in attendance included Dan R. English, Chief Administrative Officer, Louis M. Dursi, Director of Engineering, Barry Zwicker, Director of Planning and Development, John Robertson, Chief Building Inspector and Lillian Smith. Mr. Kenneth MacInnis, Town Solicitor, was also in attendance at the meeting.

It was noted that the purpose of this Special Session of Council was to complete items outstanding from the Regular Session of June 28, 1982.

OTHER REPORTS

.1 DEVELOPMENT OFFICERS REPORTS

12.1.1 MUNICIPAL DEVELOPMENT PLAN

By memorandum, Mr. Barry Zwicker, the Development Officer highlighted the future direction of both the Planning Department and Planning Advisory Committee, in terms of the work program outlined within the MDP. Mr. Zwicker stated that Ministerial approval of the MDP is pending Council resolution of acquisition of Lot 3, Shore Drive in Bedford. He further noted that if this matter is resolved by July 12, 1982, Council could expect Ministerial approval of the plan during that week.

It was noted that no particular action was required on this report, however, Councillor Loncarevic stated that this was a very useful summary.

12.1.2 MONTHLY REPORT - MAY

In a monthly report for May, the Development Officer noted that there were two outstanding rezoning applications. Processing of these applications was pending approval of the MDP and appointment of a Planning Advisory Committee.

MOTIONS

12.1 TERMS OF REFERENCE - BPAC

The Deputy Mayor stated that Notice of Motion to adopt Terms of Reference for the Bedford Planning Advisory Committee was served by Councillor Loncarevic at a Council Session on April 26, 1982. Councillor Loncarevic reviewed Draft No. 3 of the Terms of Reference. Discussion ensued on this item, the main concern being which body should hold Public Hearings: BPAC or Council.

Mr. Ken MacInnis stated that Council must deal with all written objections. BPAC may hear public discussions and objections and make recommendations to the Council, but the final decision rests with Council.

Councillor Loncarevic expressed concern that if BPAC was perceived just as a debating body, there would be very little public involvement.

Following further discussion, the main amendment to the Draft Terms of Reference was made in item 3.2, wherein rather than giving a mandate to the Committee to hold all Public Hearings; "the Committee may hold public hearings, as and when directed by Council."

ON MOTION of Councillor Loncarevic and Councillor Legree, it was moved that Council adopt the Terms of Reference for the Bedford Planning Advisory Committee, as revised by Council on July 5, 1982. Motion carried unanimously.

Staff was instructed to have the approved Terms of Reference circulated and to advertise for interested citizens in accordance with same.

12.1 APPOINTMENTS TO COUNCIL STIPEND COMMITTEE

The Chief Administrative Officer stated that by memorandum of June 17, 1982, Councillor Loncarevic put forward the names of three individuals as appointments to the Council Stipend Committee: Mr. Austin MacDougall, Mr. Bill Roy, and Mr. Gerald Hoganson.

Councillor Arnold Legree stated that he would also like to nominate Mr. Mervyn Maxwell as an appointment to the Council Stipend Committee.

A brief discussion ensued, in which Council decided to appoint all four nominees to serve on the Stipend Committee.

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ON MOTION of Councillor Short and Councillor Lugar, it was moved that the following individuals be appointed to serve on the Stipend Committee: Mr. Austin MacDougall, Mr. Bill Roy, Mr. Gerald Hoganson and Mr. Mervyn Maxwell. Motion carried unanimously.

.2 APPOINTMENT - TREE COMMITTEE

ON MOTION of Councillor Loncarevic and Councillor Lugar, it was moved that the nomination from the Horticultural Society, Mrs. Isobel Muggah, be appointed to serve on the Tree Committee. Motion carried unanimously.

.3 ACCEPTANCE - PRIVATE DRAINAGE SYSTEMS

By memorandum of June 14, 1982, regarding the acceptance of private drainage systems, the Town Engineer recommended that: Firstly, where a private drainage system forms an integral part of the street drainage system and is compatible to Town standards, and upon recommendation of the Town Engineer, the Town accepts the system. The memorandum also contained the recommendation that the "Recommended Procedure for the Acceptance of Private Drainage Systems" attached as Appendix A to the memorandum be accepted by Council as the basic procedure to be followed in dealing with requests for acceptance of private drainage systems.

ON MOTION of Councillor Loncarevic and Councillor Lugar, it was moved that Council accept the Procedure for the Acceptance of Private Drainage Systems as recommended by the Town Engineer, in his memorandum of June 14, 1982.

In discussion on this item, Mr. Dursi noted that, in cases of inadequate sizing of existing piped systems, prior to acceptance, the owner(s) must provide the Town with written notice waiving any responsibility of the Town for the sizing of the system and problems which may result therefrom.

Councillor Short stated his concern with the cost of application, for acceptance, to be borne by the homeowners.

Councillor Legree stated that he was not in agreement with the proposed policy of non acceptance of open drainage systems in the Town. He stated that some of these open systems were, in fact, key systems in the Town and, because of their large capacity, cannot be piped. Mr. Dursi noted that a major problem experienced with open systems was the amount of debris washed down in the system, however, he stated that the policy of non acceptance of open systems was qualified with the words "except where otherwise recommended by the Town Engineer."

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Councillor Loncarevic noted an analogy in the concept of a homeowner petitioning for acceptance of private systems, and homeowner(s) petitioning for paving. He felt that these two policies should be consistent.

Councillor Legree expressed concern regarding costs to developers stating that the Subdivision Bylaw requires the Developer of a subdivision to pipe to a location where the system is capable of handling the flow.

Mr. Dursi advised Council that there are presently three applications for takeover of private drainage systems:

One closed system on Union Street, one open system on Village Crescent, and another open system on the Hammonds Plains Road.

Mr. Dursi stated that as an exercise in utilizing the proposed procedure, these three applications could be addressed at the July 12th Council Session by applying the terms of the proposed policy.

ON MOTION of Councillor Loncarevic and Councillor Legree, it was moved that the Procedure for the Acceptance of Private Storm Drainage Systems be deferred to the Council Session of July 12, 1982. Motion carried unanimously.

#### STATUS REPORT PRIVATE STREET ACCEPTANCE

Mr. Louis Dursi, Town Engineer, stated that the definition previously accepted by the Department of Transportation and the Cities of Halifax and Dartmouth, in respect to public -vs- private streets may not be correct in the full legal sense and, therefore, some "rethinking" may be necessary in preparing a Policy on Street Acceptance for the Town.

By memorandum, Mr. Dursi recommended that Council approve an unbudgetted expenditure of \$6,000 to complete a confirmatory field survey on certain streets within the Mainstreet area, to determine the possible dimensions of the public component of the street right-of-way. He further noted these certain streets as: Bedford Street, Borden Street, Cadogan Street, Green Lane, and Pleasant Street.

The memorandum also listed 5 criteria to be used for determining if a street may be classified as a public street. Mr. Dursi noted that, in order for a so called private street to be accepted as public, it must meet at least one of the five listed criteria.

Discussion on this item ensued, and the Town Solicitor noted the following points: (a) After 1953, in order for a street to be accepted as a public street, it had to be accepted by the Minister of Transportation; (b) Prior to 1953, a street was deemed to be a public street,

if it was open and in use; and (c) If certain streets meet certain conditions, they are deemed to be public. Mr. MacInnis felt that the Town should firstly, determine whether a certain street is public or private and, secondly, determine the public component of the street right-of-way.

ON MOTION of Councillor Short and Councillor Legree, it was moved that Council accept the report of the Town Engineer entitled "Status Report - Private Street Acceptance"; Further, that an expenditure of \$6,000 be approved to complete the confirmatory field survey on certain streets within the Bedford core area, to determine the possible dimensions of the public component of the street right-of-way. Also, that the Mayor and Chief Administrative Officer be authorized to enter into an agreement with Wallace MacDonald Lively Surveys Limited to complete this work." Motion carried unanimously.

Councillor Loncarevic stated that, in his opinion by applying the criteria for acceptance of a private street, Pleasant Street is not a private street. He requested the Development Officer and Town Engineer to provide sufficient information in response to inquiries regarding street acceptance of Pleasant Street.

PRIVATE STREETS - SHIPYARD ROAD

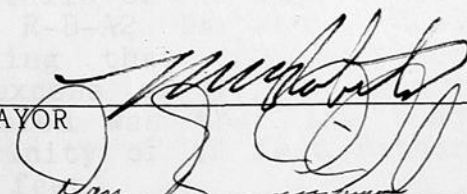

By memorandum, the Town Engineer advised that to facilitate pending development on Shipyard Road, this street has been earmarked to be the pilot case in determining the possible public status of certain formerly designated "private" streets.

Mr. Kenneth MacInnis stated that Shipyard Road did, in fact, meet two of the criteria for determining whether it may be classified as a public street, i.e., it was dedicated for public use on a plan, and, was open and in use as a public street prior to 1861 and consequently Development Permits may be issued.

1982 BORROWING RESOLUTION

ON MOTION of Councillor Legree and Councillor Lugar, it was moved that Council approve the 1982 General Borrowing Resolution in the amount of \$1,655.100. Motion carried unanimously.

ON MOTION of the Chairman, the meeting adjourned at 11:00 p.m.

  
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MAYOR  
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

MINUTES OF THE THIRD YEAR'S MEETINGS OF THE FIRST  
COUNCIL OF THE MUNICIPALITY OF THE TOWN OF BEDFORD  
PUBLIC HEARING - JULY 12, 1982

A Public Hearing called by the Town Council of the Town of Bedford was held on Monday, July 12, 1982, at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Deputy Mayor Keith Roberts presiding.

ATTENDANCE

Councillors Arnold Legree, Bosko Loncarevic, David Lugar, Robert Short and John Tolson were in attendance at this Public Hearing at the commencement of the session.

Staff members in attendance included Dan English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Louis Dursi, Director of Engineering; Barry Zwicker, Director of Planning & Development; and John Robertson, Chief Building Inspector.

PURPOSE OF THE MEETING

Deputy Mayor Roberts advised Council that the purpose of the Public Hearing was for the Town Council to hear and determine all written objections and other representations to the approval of Lot R-B-2A Dartmouth Road as an undersized lot.

At the request of the Deputy Mayor, the Chief Administrative Officer, Mr. Dan English, read the advertisement concerning the Public Hearing which had been published in the Daily News on July 2 & 9, 1982 and in the Halifax Chronicle Herald/Mail Star on July 2nd and 9th, 1982, in accordance with the provisions of the Town's Act.

STAFF REPORT

The Director of Planning and Development, Mr. Barry Zwicker reviewed the details of the application for the approval of Lot R-B-A2 Dartmouth Road as an undersized lot, noting that the proposed lot would actually be in excess of 30,000 square feet and that the only problem was that the road frontage would be in the vicinity of 42 feet rather than the normally required 60 feet.