

TOWN OF BEDFORD

MINUTES

TOWN COUNCIL

NOVEMBER 5, 1991 - OCTOBER 27, 1992

FIFTH COUNCIL

FIRST YEAR

MEETING #1

TOWN OF BEDFORD
FIRST MEETING OF THE FIFTH COUNCIL
SPECIAL SESSION
TUESDAY, NOVEMBER 5, 1991 - 8:00 P.M.

A Special Session (first meeting) of the Fifth Council of the Town of Bedford was held on Tuesday, November 5, 1991 - 8:00 p.m. - in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia.

Approximately one hundred guests were in attendance at this, the Swearing In Ceremony, for the Fifth Town Council of the Town of Bedford. Judge Patrick Curran administered the Oaths of Office.

1. **LORD'S PRAYER**

Archdeacon Power, Anglican Church, opened the Session by the leading of the Lord's Prayer.

2. **ATTENDANCE**

Those in attendance at the Swearing In Ceremony included Mayor Peter Kelly and Councillors Anne Cosgrove, Len Goucher, John Davies, Harris Hutt, Bill MacLean and Stephen Oickle.

Staff members in attendance included Dan English, Chief Administrative Officer.

3. **1991 TOWN OF BEDFORD ELECTION RESULTS**

Dan English advised Town Council that pursuant to the Municipal Elections Act, the information relative to the October 19, 1991 election results had been previously circulated to the candidates. The following persons were elected as Mayor and Councillors to the Fifth Town Council of the Town of Bedford for a three year term:

Mayor Peter Kelly
Councillors Anne Cosgrove, Len Goucher, John Davies, Harris Hutt, Bill MacLean and Stephen Oickle.

As well, Keith Roberts and Rick Collins were voted in as the School Board Representatives for a three year term.

4. **APPOINTMENT OF DEPUTY MAYOR**

Mayor Peter Kelly requested nominations for Deputy Mayor for the upcoming year.

ON MOTION of Councillors Stephen Oickle and Len Goucher, it was moved that Councillor Anne Cosgrove be nominated as Deputy Mayor for the year 1991/92.

MOTION APPROVED UNANIMOUSLY.

SPECIAL SESSION
NOVEMBER 5/91

TOWN OF BEDFORD

Regular Session

5. **APPOINTMENT OF METRO AUTHORITY REPRESENTATIVE**

Mayor Peter Kelly requested nominations for the Town's representative to Metro Authority for the upcoming year.

ON MOTION of Councillors John Davies and Bill MacLean, it was moved that Councillor Len Goucher be nominated as the Town of Bedford's representative to Metro Authority for the year 1991/92.

MOTION APPROVED UNANIMOUSLY.

LORD'S PRAYER

6. **RESOLUTION RE SIGNING AUTHORITIES**

ON MOTION of Councillors Stephen Oickle and Len Goucher, it was moved that the Resolution respecting Signing Authorities be approved as received. **MOTION APPROVED UNANIMOUSLY.**

7. **ADJOURNMENT**

As there was no further business, the meeting adjourned with Mayor Kelly inviting those in attendance to take part in the reception immediately following.

Mayor

Chief Administrative Officer

ON MOTION of Councillor Goucher and Councillor Davies, it was moved to approve as circulated the minutes of Bedford Town Council Reconvened Regular Session #122 (October 19, 1991); Regular Session #122 (October 15, 1991); Special Session #123 (October 29, 1991); Special Session #124 (October 29, 1991) and Special Session #1 (November 5, 1991). Motion carried unanimously.

TOWN OF BEDFORD

Regular Session

Tuesday, November 19, 1991

A Regular Session of the Fifth Town Council of the Town of Bedford took place on Tuesday, November 19, 1991 at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Kelly presiding.

1. **LORD'S PRAYER**

Mayor Kelly opened the Session by the leading of the Lord's Prayer.

2. **ATTENDANCE**

Deputy Mayor Cosgrove and Councillors John Davies, Len Goucher, Harris Hutt, Bill MacLean and Stephen Oickle.

Staff members in attendance included Dan English, Chief Administrative Officer; Barry Zwicker, Director of Planning and Development; Rick Paynter, Director of Engineering and Works; Bob Nauss, Director of Recreation; Chief of Police, Angus MacKenzie and Francis MacKenzie, Director, Bedford Economic Development Commission.

3. **APPROVAL OF MINUTES**

Circulated prior to the meeting were the minutes of Reconvened Regular Session #122 (October 19, 1991); Regular Session #122 (October 15, 1991); Special Session #123 (October 29, 1991); Special Session #124 (October 29, 1991) and Special Session #1 (November 5, 1991).

ON MOTION of Councillor Goucher and Councillor Davies, it was moved to approve as circulated the minutes of Bedford Town Council Reconvened Regular Session #122 (October 19, 1991); Regular Session #122 (October 15, 1991); Special Session #123 (October 29, 1991); Special Session #124 (October 29, 1991) and Special Session #1 (November 5, 1991). Motion carried unanimously.

4. **ADDITIONS/DELETIONS TO THE ORDER OF BUSINESS**

At the request of Councillor Goucher, item #17.1 (Heritage Advisory Committee, Terms of Reference) was added to the agenda for discussion. Councillor Goucher also requested discussion of a Capital Budget item: Mayor Kelly suggested this item should await Capital Budget discussions which are scheduled for the near future.

Deputy Mayor Cosgrove requested Town Council support in an ongoing fund raising campaign for the Fire Department's efforts in raising funds from the community to purchase a defibrillator. By consensus, Council agreed that the project was a worthwhile endeavor and should be supported.

Mayor Kelly indicated that Item 10.6 (Proposal re Metro Halifax Marketing Alliance) has been withdrawn from the agenda pending further notification.

5. **APPROVAL OF THE ORDER OF BUSINESS**

ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved to approve the Order of Business as amended. The motion was unanimously approved.

6. **DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES**

6.1 **Presentation - Results - Phase 1 Study - Market Feasibility**

By memorandum of November 14, 1991, Barry Zwicker reviewed Council's decisions regarding the undertaking of a market feasibility study by CBCL Limited for the proposed tennis and swim club facility. Mr. Zwicker also circulated with the memorandum a copy of the results from the market feasibility (phase 1).

The Ad Hoc Committee recommended that Phase III (Fiscal Impact) be undertaken in an attempt to develop a greater level of detail for capital costs estimates of constructing the facility, more detailed analysis with respect to the operating and management costs of the facility, anticipated revenues as a result of membership fees and an analysis as to how these expenses might impact on the Town of Bedford. The cost of this phase was capped at \$4,850.

Mr. Zwicker briefly introduced members of the Ad Hoc Committee who were present at the Town Council meeting as well as Mr. Kevin Conley of CBCL who was present to give a brief overview of the results of the Phase 1 study.

To summarize, Mr. Conley noted that from the survey, there appeared to be general overall support for the concept of a tennis/swim facility and conservatively, CBCL estimates that approximately 900 memberships could be generated within the Town of Bedford. The results of the interviews indicated that the facility should be family-oriented; generally, the adults using the tennis and children the swimming areas. When determining possible impacts on existing similar facilities, the survey indicated that there would be little impact upon existing Town of Bedford tennis courts and that although there are numerous pools in the metro area, the proposed facility would provide a competitive pool which Bedford does not currently have.

Mr. Conley noted that the study revealed members would be willing to pay an average membership of \$234 per year. In discussion of location, it was revealed that of the locations specified, the Lions Club playground was seen to be the most suitable location, perhaps because it was the area most familiar to Bedford residents. Vehicular access and parking were important factors.

In terms of specific facilities, it was recommended that four regulation tennis courts with room for expansion be constructed along with a 25 m. 6 lane pool and a separate recreational pool 25 m and 2 lanes wide. A clubhouse with 5-6,000 square feet and parking for 50 to 60 cars was deemed appropriate. It was suggested that a landscaped playground area should also be provided on a minimum lot size of 2.5 acres.

Mr. Conley commented briefly on Phase 2, Site Analysis and Phase 3, Fiscal Impact. Mr. Zwicker summarized by indicating that although the Ad Hoc Committee recommended proceeding with Phase 3 study at this time, Mr. English has recommended that, as there were no funds allocated in the 1991/92 budget, this item be deferred to budget discussions for 1992/93.

Subsequent questions from Town Council raised several issues including:

- although the consultants agreed there was not "overwhelming" support for the concept, there was general consensus
- Jim Trites, one of the original proponents and a member of the Ad Hoc Committee, reviewed some of the original work presented to Town Council in the initial phase of discussions and how this preliminary work has been supported by the findings in the CBCL report.
- Mr. Zwicker provided clarification to Deputy Mayor Cosgrove that the Lions Playground site (4.5 acres) is sufficiently large enough. He also noted that a portion of the existing parking is on the street right of way and is not included in the 4.5 acres.

- at the request of Councillor MacLean, Mr. Conley indicated that the primary age group served by the facility would be 18-35 year-olds but this was only a starting point and that the age group could expand.
- in discussion with Councillor MacLean, Mr. Trites indicated that the preliminary figures indicated there was sufficient interest and willingness to pay membership fees to cover the annual estimated operating costs and retirement of capital debt.

Mayor Kelly thanked Mr. Conley for his presentation. Town Council agreed to defer further discussion on this matter to 1992/93 Budget deliberations.

6.2 Town Owned Right of Way - Bedford Highway to First Avenue

On September 10, 1991, Town Council deferred further consideration of a request to investigate the possibility of implementing works to the Town-owned right of way pending clarification of a 1987 Court decision of Justice Rogers regarding this property.

By memorandum of November 14, 1991, Mr. Paynter requested Town Council's direction regarding the use of this Town owned right of way, 16 feet wide that was in 1987 deemed to be a dedicated public street vested in the Town of Bedford. The Town has never officially declared any intention to utilize the strip either as a street, driveway or public walkway and no maintenance has been performed by the Town on the subject property.

Mr. Paynter indicated in his memorandum that site improvements of approximately \$10 - \$12,000 would be required to accommodate pedestrian traffic should Council wish the strip to be used as a public walkway. Further, Mr. Paynter suggested that if the Town does not wish to encourage and create a pedestrian walkway, consideration should be given to closing the public right-of-way and disposing of the property to the abutting property owners.

ON MOTION of Councillor Goucher and Councillor MacLean, it was moved that Town Council authorize the Chief Administrative Officer to advertise for a public hearing with respect to the Town extinguishing the public right-of-way on the 16 ft. strip of land between Bedford Highway and First Avenue, adjacent to EMJ Data Systems Limited Building.

For clarification, Mr. English noted that once the public right-of-way has been extinguished, then the Town may declare it surplus property and at that time may consider selling it to the abutting property owners.

In speaking to the MOTION, Deputy Mayor Cosgrove inquired whether the abutting property owners were aware of the court ruling that the subject property

was deemed to be a dedicated public right-of-way without any reservation of a private right-of-way in favour of the abutting property owners. Staff suggested that perhaps the current abutting property owners were not aware of the court decision.

In speaking to the MOTION, Councillor Oickle questioned whether any of the abutting property owners had expressed an interest in purchasing the property. Mr. English indicated that although there has been no formal expression to-date, Town Council can still seek to extinguish the public right of way.

The MOTION was put to the meeting and CARRIED unanimously.

6.3 Consideration of Award - Tender 91-03 - Rocky Lake Drive Intersection

On October 29, 1991, Town Council deferred a decision to award Tender 91-03 pending further investigation by staff regarding DOTC cost-sharing with respect to updated tender costs.

By memorandum of November 15, 1991, Mr. Paynter reviewed the background and objectives related to the proposed improvements to the Rocky Lake Drive/Bedford Highway Intersection. Staff recommended that should Town Council agree with the objectives of the improvements, the tender be awarded to the lowest bidder, Dexter Construction, in the amount of \$314,621.79 plus the budgeted Engineering and Contingency allowances of \$27,000 and \$20,000 respectively for a total contract package not to exceed \$361,621.79.

Mr. Paynter's memorandum also provided information regarding approval for cost-sharing adjustments from the Department of Transportation and Communications to reflect a total DOTC funding contribution of \$159,1000 which leaves the Town of Bedford with a net overall cost of \$202,521.00. Mr. Paynter also noted that due to the lateness in the construction season, the majority of the work would be undertaken in the spring/summer of 1992.

ON MOTION of Deputy Mayor Cosgrove and Councillor Goucher, it was moved to award tender #91-03 for the Rocky Lake Drive Intersection Improvements to Dexter Construction in the amount of \$314,621.79 plus the budgeted Engineering and Contingency allowances of \$27,000 and \$20,000 respectively for a total contract package not to exceed \$361,621.79.

At the request of Councillor Oickle, Mr. Paynter provided clarification regarding the street widening and location of new traffic signals. Mr. Paynter further indicated how the new traffic control system should decrease vehicular accidents

at this intersection such that the intent is to allow a clearance interval in an attempt to eliminate the traffic congestion in the intersection. It was also noted that the pedestrian sidewalk would be continued along the Bedford Highway, in front of the PetroCanada Gas Station.

The MOTION was put to the meeting and CARRIED unanimously.

7. **PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM** - Nil

8. **PETITIONS AND DELEGATIONS** - Nil.

9. **MOTIONS** - Nil

10. **NEW BUSINESS**

10.1 **Proposed Establishment of Citizens Advisory Committee**

By memorandum of November 14, 1991, Mr. English outlined Mayor Kelly's suggested concept of establishing a Citizens Advisory Committee consisting of representatives from various sectors of the community. Mr. English recommended that the matter of preparing a proposed Mandate, Terms of Reference and composition for such a committee be referred to the Senior Administration Committee (SAC) following which a draft be forwarded to the By-Law/Policy Advisory Committee for recommendation to Town Council.

Mayor Kelly briefly explained his suggested concept and there were no questions from Council.

ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that the matter of preparing a proposed Mandate, Terms of Reference and composition for a Citizens Advisory Committee be referred to the Senior Administration Committee (SAC) following which a draft be forwarded to the By-Law/Policy Advisory Committee for recommendation to Town Council. The motion was unanimously approved.

10.2 **Council Appointments to Committees/Commissions/Boards**

By memorandum of November 14, 1991, Mr. English circulated a matrix outlining suggested Council appointments for November 1991 to November 1992. The list was developed by the Mayor taking into consideration preferences conveyed by individual Councillors.

ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved that the suggested Council Appointments to Committees/Commissions/Boards as circulated with the November 14, 1991 memorandum be approved. **The motion was unanimously approved.**

10.3 Citizen Appointments to Various Committees/Commissions/Boards

By memorandum of November 14, 1991, Mr. English circulated an information package respecting expressions of interest from the community relative to citizen appointments by Council to various Committees/Commissions/Boards for the year 1991/92.

Mr. English also outlined the traditional procedure of secret ballot voting by Council to determine successful applicants. Further, it was noted that a total of four Councillor votes is required for an individual to be appointed.

After a series of ballots, the following applicants were voted by Council:

Board of Health (1 yr. term) Sherry Hattin
B. Simchison

Board of Police Commissioners (1 yr. term) David Barrett
George Hepwoth

By-law/Policy Advisory Committee (1 yrr. term) Nelson Blackburn
Trevor Johnson

Economic Development Commission (3 yr. term):

Norman Hanley, Jack Innes, Rod McLeod, Gary Oickle, Joseph Randell, George Buckrell, Phil Burns and Melvin Fownes (Bedford Board of Trade representatives) and Stephen Wallace (UDI representative)

Heritage Advisory (1 yr. term) Hilary Grant
Betty Knodell
Jim Phillips
John Sieliakus
Neil Stuart

Planning Advisory (2 yr. term) Bill Fenton
Darrell Geddes
Ric Hattin
Joan Pryde

Recreation Advisory (3 yr. term)	Bill Stapleton Warren Hutt Lucie Goucher
Transit Advisory (1 yr. term)	Donald Cameron Bunty Hamilton Christopher Rigg Dora Sanford Douglas Shute Neil Smith
Tree Advisory (1 yr. term)	Bob Golding
Waters Advisory (3 yr. term)	Richard Morchat

With respect to the Grants Advisory Committee, Mayor Kelly reviewed the 1992 financial commitments to-date indicating that the committee has agreed to fund a total of \$25,000 (\$10,000 to Grace Maternity; \$10,000 to the Cobequid Multi-Service Center; \$3,000 to the IWK Hospital; \$1,000 to Canadian Cancer Society; and \$1,000 to Sackville Sports Stadium). He also noted that approximately \$6,000 of 1994 funds are pre-committed. Mayor Kelly recommended that appointments to the Grants Advisory Committee be eliminated for one year such that there would be no further expenditures due to financial restraints.

ON MOTION of Deputy Mayor Cosgrove and Harris Hutt, it was moved that Town Council honour the commitments made to-date by the Grants Advisory Committee but that appointments to the committee be eliminated for one-year and there be no further charitable grants/expenditures for 1992 due to financial restraints. **The MOTION was CARRIED** (Councillors Davies and MacLean abstained).

Mayor Kelly expressed his appreciation to those individuals who applied to serve the Town on various committees/commissions/boards. He indicated that those applicants voted to positions will be asked to further confirm their acceptance of the position. Following this, a list of committee members will be posted.

10.4 Establishment of Dates and Times - Regular Council Sessions

By memorandum of November 14, 1991, Mr. English outlined Mayor Kelly's suggestion that Town Council hold two regular meetings per month, implemented January 14, 1992, scheduled for the 2nd and 4th Tuesdays of each month; 7:00 p.m. to 10:00 p.m.

ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that the Fifth Town Council hold two Regular Council Meetings per month, commencing January 14, 1992, scheduled for the 2nd and 4th Tuesdays of each month, 7:00 p.m. to 10:00 p.m.

In discussion of the MOTION, Councillor Goucher suggested that the Rules of Order for Council be amended such that the notices for rescission and reconsideration be changed from 7 days to 14 days to permit the consideration of same at the next regular session. Mr. English noted that the seven-day requirement could simply be waived for the time being rather than processing a by-law amendment.

The MOTION was put to the meeting and CARRIED unanimously.

ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved to REFER to the By-law/Policy Advisory Committee for review and recommendation to Town Council the existing Rules of Order for Town Council given the change in regular Council meeting dates. The motion was unanimously approved.

Mayor Kelly announced that, with the cooperation of staff, the Town Office will now be opened between the hours of 8:00 a.m. and 5:00 p.m. and that staff would work on staggered hours. The move to lengthen the office hours is an attempt to have the Town Office provide more convenient hours for residents who work.

10.5 Proposed License Agreement - CNR to Town of Bedford/County of Halifax

By memorandum of November 14, 1991, Mr. English outlined the purpose of a license agreement prepared by Canadian National Railway for execution between the Town of Bedford and the County of Halifax. The agreement covers all of the lands which are currently owned by CN under which the sewer lines transport sewage from various collection points running, for the most part, adjacent to the CN rail line to the sewage treatment plant at Mill Cove. As joint owners with the County of Halifax of the sewage treatment plant trunkmains, CN requires a resolution from each of the Councils. A resolution for Town Council's consideration was circulated with the agenda package.

ON MOTION of Councillor Oickle and Councillor Davies, it was moved that Town Council authorize the Mayor and Chief Administrative Officer to execute the License Agreement with CN and the County of Halifax as circulated with Mr. English's memorandum of November 14, 1991. The motion was unanimously approved.

11. REPORTS

COMMITTEES/COMMISSIONS/BOARDS/DEPARTMENTAL

11.1 Bedford Board of Police Commission - Request to Purchase Two Police Vehicles

By memorandum of October 31, 1991 to Mr. English, Mr. H.A. MacKenzie, Chief of Police, requested approval from Town Council to purchase two 1992 police vehicles. Attached to the memorandum were the results of invitational quotes as well as the recommendation of the Board of Police Commissioners to replace two police vehicles.

At the request of the Mayor, Mr. MacKenzie reviewed the reasons for the request noting the high mileage and increased operating expenses of two of the existing units.

Mr. English commented on the fiscal impact of purchasing two units in the 1991/92 fiscal year. It was noted that the Police Department has already purchased one new unit within this budget year. It has been Town policy that only one vehicle be replaced per year; however, Mr. English noted that it is Town Council's prerogative to approve purchases as it deems necessary. Mr. English outlined three possible options for Town Council should they agree that the need has adequately demonstrated:

- i. purchase two vehicles in the 1991/92 budget year resulting in an unbudgeted expense of approximately \$38,000;
- ii. purchase two vehicles in the 1992/93 budget year and include the purchase in the upcoming budget; vehicles could be ordered in January or February 1992;
- iii. order two vehicles with one delivery in 1991/92 resulting in an overexpenditure of approximately \$19,000 in this budget year, and one delivery after April 1, 1992.

ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved that Town Council authorize the purchase of two police vehicles from McDonald Chevrolet-Oldsmobile Ltd. for a total cost of \$37,658 with one

vehicle for immediate delivery and a second vehicle for delivery after April 1, 1992 such that the expenditure would be divided equally between 1991/92 budget year and 1992/93 budget year.

In discussion of the MOTION, it was clarified that although the Board of Police Commissioners recommended the purchase of one new vehicle and one used vehicle (minutes of September 5, 1991), there were no used vehicles available for purchase at this time. Mr. English noted that the Board of Police Commissioners was therefore satisfied that two new vehicles be purchased.

The MOTION was put to the meeting and CARRIED (Councillor Davies abstained).

11.2 Planning and Development Department

11.2.1 Building Inspector's Report - October 1991

Circulated with the agenda package was the Building Inspectors Report dated October 1991. Mr. Zwicker commented that although construction activity is down from last year at this time, the Department is now predicting they will exceed their projections due to recent increased activity.

ON MOTION of Deputy Mayor Cosgrove and Councillor Davies, it was moved that Town Council accept the Building Inspectors Report dated October 1991 as circulated. The motion was unanimously approved.

11.2.2 Fire Chief's Report - October 1991

Circulated with the agenda was the Fire Chief's monthly report dated October 1991.

ON MOTION of Deputy Mayor Cosgrove and Councillor MacLean, it was moved that Town Council accept the Fire Chief's Monthly Report dated October 1991. The motion was unanimously approved.

12. CORRESPONDENCE

12.1 Correspondence - Mrs. Sarah Jerram - Driveway - 38 Union Street

By letter of 24 October 1991, Mrs. Jerram expressed dissatisfaction with the 1987 installation of the sidewalk and the impact upon her driveway at 38 Union Street. She asked that the driveway be corrected or the Town take full responsibility for damage done to vehicles.

Also circulated was a letter from Mr. Paynter to Mrs. Jerram in which Mr. Paynter reviewed the history of the problem as well as the position that the Town's is under no obligation to undertake any further works as per Sections 158 and 159 of the Towns Act. Further correspondence dated September 3, 1991 and April 15, 1987 as well as a site profile were provided for Council's information.

Mayor Kelly indicated that the property owners were not pleased with the results of the sidewalk construction and the resulting impact upon their driveway. At the request of Council, Mr. Paynter verbally reviewed the problem noting the angle of the driveway and sidewalk have created a problem for large, long wheel based vehicles. Deputy Mayor Cosgrove reported on her site visit and discussions with Mrs. Jerram who indicated problems with delivery of fuel, and use of the driveway by other vehicles.

Mayor Kelly asked Deputy Mayor Cosgrove to assume the Chair so that he might comment on the issue. Deputy Mayor Cosgrove assumed the Chair.

ON MOTION of Mayor Kelly and Councillor Goucher, it was moved that Town Council request the Engineering and Works Department to correct the driveway/sidewalk situation at 38 Union Street due to commitments made to the Property Owners.

In speaking to the MOTION, Mayor Kelly indicated that the sidewalks were installed for the safety of pedestrians and as a result the grade of the driveway was changed. Mayor Kelly reported that, after the change in the grade of the driveway, staff had asked the property owners to give the situation a one-year trial and if it was not satisfactory, then the Engineering Department would review the situation.

At the request of Councillor Goucher, Mr. Paynter indicated that \$5,000 may be sufficient to change the slope (cross slope) of the driveway, reinstall the pavement and realign the driveway. He was not aware of any prior commitment to the property owners. Councillor Davies suggested that the Town should be cautious and only repair the problem which the Town originally created, i.e. the "dip" in the driveway entrance.

There was also discussion regarding the "leaking" of sand from the retaining wall onto the sidewalk. Both Councillors Oickle and Hutt confirmed the problem and indicated that this should also be addressed. However, Mr. Paynter indicated that addressing the issue of the retaining wall would probably indicate increased price as the scope of the work would have to be expanded.

ON MOTION of Councillor Goucher and Mayor Kelly, it was moved to AMEND the MAIN MOTION such that Town Council requests the Department of Engineering and Works to proceed with correction of the

driveway/sidewalk grade problem as well as the retaining wall issue to a maximum of \$5,000; however, should the correction of the retaining wall problem require additional funds, the Department should request approval from Town Council.

ON MOTION of Mayor Kelly, it was moved to **REFER** the issue back to Engineering Staff for an evaluation of cost estimates and to report back to Town Council at the next regular meeting. **The MOTION TO REFER was LOST** as there was no seconder after three calls from the Deputy Mayor.

In discussion of the **MOTION** to **REFER**, Council expressed concern that the problem should be corrected as quickly as possible and therefore, work should not be delayed.

ON MOTION of Councillor Oickle, it was moved to **AMEND** the Motion such that the funding level be increased to a maximum of \$7,500. **The MOTION to AMEND was LOST** as there was no seconder after three calls from the Deputy Mayor.

The MOTION TO AMEND the MAIN MOTION was put to the meeting and CARRIED unanimously.

The MAIN MOTION AS AMENDED was put to the meeting and CARRIED unanimously.

Mayor Kelly resumed the Chair.

12.2 Correspondence - Mr. Stew MacMillan - Reconfirmation of Town Crier Appointment

By letter of November 12, 1991, Mr. MacMillan requested reappointment as Town Crier according to the By-Laws of the Nova Scotia Guild of Town Criers Item 6 (c).

ON MOTION of Councillor MacLean and Councillor Davies, it was moved that Town Council re-appoint Mr. Stew MacMillan as Town Crier for the duration of the period of office of the Mayor according to the By-laws of the Nova Scotia Guild of Town Criers, Item 6(c). **The motion was unanimously approved.**

Councillor Oickle raised the issue of possible financial assistance for the Town Crier and Mr. English indicated that this would be part of the 1992/93 budget discussions.

13. MOTIONS OF RECONSIDERATION - Nil

14. MOTION OF RESCISSION - Nil

15. NOTICES OF MOTION

15.1 **Notice of Motion re Proposed Purchasing By-Law**

On October 15, 1991, then Councillor Kelly gave a NOTICE OF MOTION to rescind the Town's current purchasing policy and that Town Council seek legal counsel to develop a purchasing by-law which must be enforced and be more point specific. At that time, Mr. English indicated there was no enabling legislation for such a by-law and that all other municipalities have purchasing policies.

ON MOTION of Councillor Goucher and Councillor MacLean, it was moved that Town Council REFER the Town's current purchasing policy to the By-Law/Policy Advisory Committee for review, up-date and recommendation to Town Council. The motion was unanimously approved.

16. QUESTIONS

16.1 **Status Sheet**

With respect to the item on Fencing (CP Allen) dated September 10, 1991, Mr. English reported that this matter has apparently been reviewed by the School Board and although he has not received written confirmation, the School Board is not in agreement with cost sharing on this matter.

17. ADDED ITEMS

17.1 **Heritage Advisory Committee - Terms of Reference**

Councillor Goucher reported that the Heritage Advisory Committee has requested Town Council to have the By-Laws/Policy Advisory Committee prepare Terms of Reference for Heritage Advisory. In discussion with Mr. English, it was noted that although there is no Town of Bedford Terms of Reference for the committee, the committee operates under the mandate of the Heritage Property Act.

It was agreed by consensus that the matter be referred to the By-law/Policy Advisory Committee for review and recommendation.

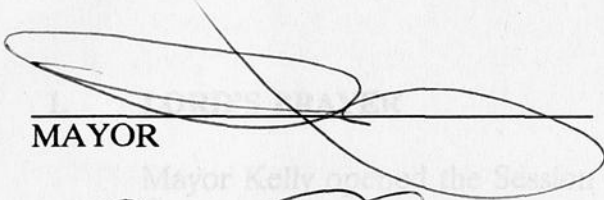
MEETING #3

18. ADJOURNMENT

ON MOTION of Councillor Goucher and Councillor MacLean, it was moved to adjourn Regular Session #2 on November 19, 1991 at approximately 10:00 p.m.

At this time, Mayor Kelly on behalf of Town Council expressed appreciation to Diana Lidstone, Recording Secretary, for her work with Council and its committees over the past three years.

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, December 16, 1991 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Peter Kelly presiding.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

/dl

3. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

There were no additions or deletions to the Order of Business.

4. APPROVAL OF THE ORDER OF BUSINESS

ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved to approve the Order of Business as amended. The motion was unanimously approved.

MEETING #3

TOWN OF BEDFORD

Special Session

Tuesday, December 10, 1991

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, December 10, 1991 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Peter Kelly presiding.

1. **LORD'S PRAYER**

Mayor Kelly opened the Session by the leading of the Lord's Prayer.

2. **ATTENDANCE**

Deputy Mayor Cosgrove and Councillors John Davies, Harris Hutt, Len Goucher, Bill Maclean, and Stephen Oickle were present at the commencement of the meeting.

Staff members in attendance included Dan English, Chief Administrative Officer and Rick Paynter, Director of Engineering and Works.

3. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS**

There were no additions or deletions to the Order of Business.

4. **APPROVAL OF THE ORDER OF BUSINESS**

ON MOTION of Councillor Goucher and Deputy Mayor Cosgrove, it was moved to approve the Order of Business as amended. The motion was unanimously approved.

5. PRESENTATION - GRIFFITHS/MUECKE - SITING CRITERIA

Ms. Anne Muecke of Griffiths Muecke Associates and Mr. Mort Jackson, Metro Authority, gave a presentation to Council on the Siting Criteria for a Waste-to-Energy Incinerator (booklet circulated in the Agenda package) that had been prepared as part of the Solid Waste Management Strategy, adopted by Metro Authority in July 1991.

Anne Muecke reviewed for Council the Solid Waste Management Strategy with the use of an overhead projector. To summarize, the strategy has three divisions: 31% recycling and composting, 40% waste-to-energy incineration and 29% landfill.

Ms. Muecke displayed an artist's drawing of a similar incinerator in Florida and a diagram of the interior, explaining to Council how various stages of the incinerator work. She commented on the importance of the elimination of household waste, especially batteries, through recycling and composting, to the efficiency of the incinerator, i.e. the burning of only "clean" garbage.

Ms. Muecke noted that the incinerator would burn 155 thousand tons of garbage per year, producing 16 megawatts. Of this, 3 would be used to power the plant and 13 would be sold to Nova Scotia Power for approximately 7 million dollars, roughly equal to the operating cost of the incinerator per year.

Among the siting requirements presented were: Environmental Requirements of Facility; site size, location and service requirements; Avoided Features/Characteristics; Minimized Features/Characteristics; Desirable Features/Characteristics.

Mr. Mort Jackson spoke on the Capital Cost figures for the incinerator, noting that the 1991 figure of 125 million is a composite of 2 bids and should be an accurate estimate. The figure is based on private ownership of the plant. New figures indicate that ownership by Metro Authority would save 16 million dollars through lower taxes and interest rates.

Of four options under Comparative Costs of Waste Management Scenarios, option 3 is the proposed option at \$81/tonne (1995 figures), which includes plans for recycling, composting, incineration and landfill.

Questions from Town Council raised several issues including:

- Councillor Maclean noted that the Sackville Landfill closes in 1994 and the incinerator is planned to open in 1995, and questioned about a plan for the interval. Ms. Muecke suggested that the new landfill would have to be used exclusively during that time, although organics could be eliminated through composting.

- Responding to a question from Councillor Maclean, it was noted that the incinerator has 5-day storage space in the "pit" which is enough to keep the incinerator going at all times.
- On composting, it was explained that this would be for commercial waste only in the beginning, since a residential composting plan is costly and extensive education is required for the public in order to get "clean" garbage.
- Responding to a question from Councillor Goucher, it was noted that although the plant uses 275 gallons of water per minute, only enough to dampen the ash is used, which then goes to the landfill. The rest re-circulates through the plant.
- Responding to questions from Mayor Kelly, it was noted that all four municipalities are needed to participate, due to supply guarantees. Ms. Muecke pointed out that it would be too expensive and difficult for any one municipality to do it on their own. In addition, it was noted that cost shares will be based on assessment, although it is preferable to cost sharing on the basis of a charge per ton.

In closing, Ms. Muecke told Council there will be a Siting meeting for the Metropolitan Authority on December 17 in the Halifax County Council Chambers.

Mayor Kelly thanked Ms. Muecke and Mr. Jackson for their presentation.

6. **PRESENTATION - HALIFAX COUNTY-BEDFORD DISTRICT SCHOOL BOARD
- COMMUNITY EDUCATION CONCEPT**

At the request of Mayor Kelly, Mr. Lloyd Gillis, CEO of the Halifax County-Bedford District School Board and Mr. Gordon Michael, District Superintendent for Community Education, provided a presentation to the new Council on the concept of the Town's Community Education initiative and progress to date. A presentation on this subject had been made to the previous Council in January 1991.

Mr. Gillis first introduced the two school board members from Bedford, Mr. Keith Roberts and Mr. Rick Collins. Mr. Gillis then provided an overview of the concept of Community Education and it's progress to date. He introduced Mr. Gordon Michael to Council, who continued with the presentation.

With use of an overhead projector, Mr. Michael showed a number of charts and graphs and spoke on the need for a new approach involving Community Education. He itemized a list of Ten Significant Social Trends which point to this need, such as:

increasing numbers of senior citizens, changing family patterns, minority students, increase in birthrate in 35-44 year old women, increase in jobs in service and information fields, changing technology, young people staying in the family home longer, and increase in numbers of women in the workforce.

Mr. Michael spoke of the need for continuous, "life-long" learning, the linking of business and education sectors, collaboration in the community to address these needs, and the use of schools as community learning centres. He referred to the concept of Community Education as a process and change in the mind-set among educators, the public and private sectors, youth and people in the community.

Reference was made to the School Board's Steering Committee and a report on the committee's mandate, which had been circulated previously.

Questions from Town Council raised several issues including:

- funding for the implementation of the project would include \$55,000 to \$60,000 per year for 3 years from The Town of Bedford, mainly to cover salary costs for a co-ordinator and cost-sharing of a secretary.
- Councillor Maclean asked about possible duplication of existing services and there was some discussion on this. However, Mr. Gillis stated that there would not be any duplications and that all existing programs would continue.

Councillor Goucher served **NOTICE** that he planned to table a Motion at the next Regular Session on Tuesday, December 17, with respect to Community Education.

Mayor Kelly informed Mr. Gillis that Council will deal with this Motion on December 17, 1991. Mr. Gillis requested that notice in writing of this intent be given to Halifax County-Bedford District School Board, since this subject was on the Agenda for a meeting that evening.

Mayor Kelly agreed and thanked Mr. Gillis and Mr. Michael for their presentation.

7. **ADJOURNMENT**

ON MOTION of Mayor Kelly, it was moved to adjourn the Town Council Special Session #3 at approximately 9:05 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

MEETING #4

TOWN OF BEDFORD

Regular Session

Tuesday, December 17, 1991

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, December 17, 1991 at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Kelly presiding.

1. LORD'S PRAYER

Mayor Kelly opened the Session by the leading of the Lord's Prayer.

2. ATTENDANCE

Councillors Harris Hutt, Bill Maclean, and Stephen Oickle were in attendance at the commencement of the Session. Councillor Len Goucher arrived at 7:40 p.m., and Deputy Mayor Cosgrove arrived at 8:25 p.m.

Regrets were conveyed from Councillor John Davies.

Staff members in attendance included Dan English, Chief Administrative Officer; Barry Zwicker, Director of Planning and Development; and Rick Paynter, Director of Engineering and Works.

3. APPROVAL OF MINUTES

Circulated prior to the meeting were the minutes of Regular Session #2 (November 19, 1991); and Special Session #3 (December 10, 1991).

ON MOTION of Councillor Oickle and Councillor MacLean, it was moved to approve as circulated, the minutes of Bedford Town Council Regular Session #2 (November 19, 1991); and Special Session #3 (December 10, 1991).

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

At the suggestion of Mr. Dan English, items #6.1 through #10.2 were delayed until later to allow for the arrival of Councillor Len Goucher and Deputy Mayor Cosgrove. Items #10.3 through #11.2.1 were discussed first.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Oickle and Councillor Maclean, it was moved to approve the Order of Business as amended. The motion was unanimously approved.

10. NEW BUSINESS

10.4 **Resolution - Need and Demand Study - Senior Citizen and Family Housing Units - Town of Bedford**

By letter of November 22, 1991, the Nova Scotia Department of Housing advised Mayor Kelly that a Need and Demand Study for the Town of Bedford would be initiated following a resolution of Council.

At the request of Councillor Maclean, Mr. English and Mayor Kelly clarified that no lands had been identified regarding this matter as this would be a part of the study. Also, single family homes could be a part of the needs identified during the study.

ON MOTION of Councillor Maclean and Councillor Oickle, it was moved that:

WHEREAS under Section 6 and Section 17 of the Housing Act, Statutes of Nova Scotia 1983, Chapter 6, the Minister of Housing may enter into agreements with the Government of Canada through Canada Mortgage and Housing Corporation, for the purpose of public housing construction and undertake jointly, with a municipality, projects for the acquisition and development of land and construction therein of rental housing projects, and;

WHEREAS the Minister of Housing may, pursuant to the Housing Act, make an agreement with a Municipality and the Government of Canada.

NOW THEREFORE, the Council of the Town of Bedford resolves as follows:

1. *There is an acute shortage of public rental housing accommodation in the Town of Bedford;*
2. *That an application be made to the Minister of Housing requesting that the Minister participate with the Town of Bedford in an investigation regarding public housing and if feasible, to acquire certain lands and to construct rental housing pursuant to Section 17 of the Housing Act;*

3. *That evidence of need and demand available to Council in support of paragraph number one and two above will be submitted;*
4.
 - (a) *That if investigations reveal the feasibility of a project, the Minister of Housing, pursuant to Section 17 of the Housing Act, request Canada Mortgage and Housing Corporation to participate or to provide a loan;*
 - (b) *That the terms of financing be defined and agreed to by Council prior to the implementation of the project;*
 - (c) *That the sharing of operating costs be defined and agreed to by Council prior to the implementation of the project.*

The MOTION was put to the meeting and APPROVED unanimously.

10.6 Ratification - Public Participation Committee - Paper Mill Lake - RCDD

By memorandum dated November 29, 1991, Mr. Steve Moir, Senior Planner, recommended to Council the composition of a Public Participation Committee to fulfill Policy R-14, regarding a Development Agreement with Bedford Village Properties for the lands around Paper Mill Lake designated Residential Comprehensive Development District (RCDD).

The Committee would include representatives from BWAC, BPAC, BRAC, the Bedford Village Resident's Association, residents of Paper Mill Lake neighbourhood, and the Board of Trade. Following ratification from Council, each group would be asked to name their representatives.

ON MOTION of Councillor Oickle and Councillor Hutt, it was moved that Council ratify the appointment of the Public Participation Committee as recommended.

In discussion of the MOTION and at the request of Councillor Oickle, Mr. Zwicker clarified that the Public Participation Committee would report to the Planning Advisory Committee and its findings would be used to assist developers, consultants and town staff.

Councillor Maclean questioned whether it would be preferable to have more representation from residents at large. Mr. Zwicker noted that additional individuals could be added. Councillor Goucher added that established groups, such as the Residents Association, who already liase with other committees are invaluable for their knowledge.

The MOTION was put to the meeting and was unanimously approved.

10.7 Proposed Rebate - Bedford Presbyterian Church - 1990-1991

By memorandum dated December 13, 1991, Mr. Singer, Director of Finance, recommended, that a request for a tax rebate in the amount of \$1,586.09 be approved for payment to Bedford Presbyterian Church.

Mr. English explained that churches are normally exempt under the Assessment Act, but that this was for land purchased by the church two years ago and the actual church building is just reaching completion, therefore a rebate of two year's taxes is being requested.

Mayor Kelly asked whether rebates are normally made beyond one year. Mr. English indicated that this was at the sole discretion of Town Council.

ON MOTION of Councillor Goucher and Councillor MacLean, it was moved to approve the rebate of two year's taxes in the amount of \$1,586.09 for payment to Bedford Presbyterian Church.

In discussion of the MOTION, Councillor Hutt inquired whether the Assessment Department knew that this land was for the construction of a church. Mr. English explained that it was known, but that until a church building was erected the Assessment Department had to assess taxes on the land. Mr. Zwicker also noted that the land was zoned residential originally and an amendment was made recently to allow for church construction.

The MOTION was put to the meeting and unanimously approved.

11. REPORTS: COMMITTEES/COMMISSIONS/BOARDS/DEPARTMENTAL

11.1 Planning and Development Department

11.1.1

Building Inspector's Report - November/91

ON MOTION of Councillor Hutt and Councillor Oickle, it was moved to accept the Building Inspector's Report for the month of November/91. The Motion was unanimously approved.

11.1.2

Fire Chief's Report - November/91

ON MOTION of Councillor Oickle and Councillor Goucher, it was moved to accept the Fire Chief's Report for the month of November/91. **The Motion was unanimously approved.**

11.2

Heritage Advisory Committee

11.2.1

Heritage Designation - Bedford "Teachery"

By memorandum dated November 15, 1991, the Heritage Advisory Committee recommended to Council that "The Teachery", a municipally owned property located at civic #9 Spring Street, be designated a heritage property.

Councillor Maclean, current Chairman of the Heritage Advisory Committee, spoke to Council and noted this was an initiative of the previous Committee however could set an example for other residents to volunteer to have their property designated as a heritage property.

ON MOTION of Councillor MacLean and Councillor Goucher, it was moved to designate "The Teachery" a heritage property. **The Motion was unanimously approved.**

10. **NEW BUSINESS**

10.1 **Committee Membership - Recreation Advisory Committee**

By memorandum of November 25, 1991, Mr. English circulated an information package respecting expressions of interest from the community relative to citizen appointments by Council to fill a vacancy within the Recreation Advisory Committee for one year term which expires November, 1992.

After two ballots, the following applicant was appointed by Council:

Dominik Machek

10.2 **Committee Membership - Heritage Advisory Committee**

To fill a vacancy within the Heritage Advisory Committee, two ballots were taken and the following applicant was appointed by Council:

Janet Ogden Calder

10.3 Proposed Solid Waste Management Strategy

By memorandum of December 12, 1991, Mr. Paynter, Director of Engineering and Works, requested direction from Town Council - for Tender Call purposes - on various components of future residential garbage collection operations, including recycling, within the Town of Bedford. Included in the memorandum was a report on present and proposed residential garbage and recycling collection, and staff recommendations.

Mr. Paynter outlined for Council the recommendations in the report as follows:

- a) Negotiate a 3-4 month extension of the existing recycling depot operation to provide uninterrupted service until commencement of curbside pickup.
- b) Tender for residential garbage collection for a one year term based on a four-day collection program that would also include condominiums. (There are 451 condominium units in Bedford. Due to an increase in tipping fees, they may want to be included in municipal service on a once a week basis.)
- c) Tender for bi-weekly curbside recycling, including condominiums and apartments, thus eliminating the depot.

In answer to questions from Mayor Kelly, Mr. Paynter indicated that the proposed operation would not be four days plus one day for condominiums, but that the condominium pickup would be included in the four day plan. He also explained the tender for garbage pickup would include an option for bi-weekly curbside recycling pickup, but this would be a separate operation from garbage pickup. The refuse trucks cannot do both at the same time.

Councillor Goucher spoke in support of the condominium option, noting that the owners are taxpayers too. Councillor Goucher also inquired whether the option of the Town taking over the recycling depot had been considered. Mr. Paynter noted that the Town did not have the necessary resources.

Councillor Hutt inquired whether the introduction of recycling curbside pickup would reduce the amount of garbage, and therefore the need for four day a week pickup. Mr. Paynter noted that the volume is not the reason for an increase in pickups, rather it is the increase in the number of stops. He also noted that prices for both three day and four day service will be considered before awarding the contract.

Councillor MacLean inquired if the Town could implement curbside recycling pickup earlier to eliminate the need for extending the depot contract. Mr. Paynter explained that to be sure of a delivery point, it was best to wait and coincide with the M.R.F. in April. Mr. English also noted there is no budget for this option. Mr. Paynter noted that curbside pickup costs are much higher than the \$3,500.00 for the depot.

ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that Staff be authorized to negotiate a contract for the continued operation of the recycling depot, for a three to four month period.

Further, that staff be authorized to call Tenders for residential garbage collection services for a one-year term, based on four-day pickup, including condominiums, and, in addition, call Tenders for bi-weekly curbside recycling, including condominiums.

In speaking to the MOTION, Mayor Kelly questioned whether the condominiums would have sufficient storage space when on a one-day-a-week pickup of garbage. Mr. Paynter indicated that each condominium building would be approached and arrangements would be made on an individual basis. Some may wish to have additional pickups at an additional cost.

The MOTION was put to the meeting and unanimously approved.

6. BUSINESS ARISING FROM THE MINUTES

6.1 Falcon Run Drainage Proposal - Councillor Len Goucher

Councillor Goucher reviewed for Council the information included in the agenda package. He noted that this matter has been before Council in the past, and there is a report from the Engineering Department. He further noted the question of how the cause of this drainage problem is still unresolved; however, there is a drainage problem and especially with icing in winter on the street.

ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that Council authorize the Engineering Department to carry out corrective operations in the vicinity of Falcon Run Toboggan Hill to rectify drainage problems.

In speaking to the MOTION, Mayor Kelly inquired about an estimate of cost from Mr. Paynter, and whether the job could be done "in house". Mr. Paynter indicated that an estimate was done in November 1990 for the amount of \$18,000, including landscaping. The job could be done by staff, but Mr. Paynter noted that time is a factor and it may be more cost effective to tender it to a contractor considering staff is now involved in snow removal operations.