

MEETING #86

TOWN OF BEDFORD  
REGULAR SESSION  
TUESDAY, JANUARY 11, 1994 - 7:00 P.M.

A Regular Meeting of the Town Council of the Town of Bedford took place Tuesday, January 11, 1994 - 7:00 p.m. - in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia.

1. LORD'S PRAYER

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

2. ATTENDANCE

Those in attendance at the meeting included Mayor Peter Kelly; Deputy Mayor Bill MacLean and Councillors Anne Cosgrove, Harris Hutt, Stephen Oickle and John Davies. Councillor Len Goucher was absent with regrets.

Staff members in attendance included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Finance and Donna Davis-Lohnes, Acting Director of Planning. Mr. Peter Spencer, Solicitor, was in attendance for a portion of the meeting. Also in attendance was Jane Nauss, Recording Secretary.

3. APPROVAL OF MINUTES

ON MOTION of Councillors Davies and Oickle, the minutes of Regular Session #85 were approved. **MOTION CARRIED UNANIMOUSLY.**

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

Council was in unanimous agreement with adding the following items to the agenda:

- 10.4 Update - Metro Authority
- 10.5 Proposed Extend A Care Facility - Sackville Drive
- 10.6 Department of Transportation Meeting - Burnside Express
- 10.7 Provincial Discussion Paper - Regionalization of Services

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillors Cosgrove and Hutt, it was moved to approve the Order of Business. **MOTION APPROVED UNANIMOUSLY.**

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 Proposed Upgrading - Lions Pool - Mr. Jim Aitken

Mayor Peter Kelly invited Mr. Jim Aitken to address Council. Mr. Aitken, Chairman of the Lions Pool Fundraising drive, advised Council that funding, from both the Province and Federal Government, for the project, was on hold until the Spring. Accordingly, any public fundraising efforts (\$100,000) could not be started until both levels of government could provide their commitment to the project.

ON MOTION of Councillors Davies and Cosgrove, it was moved to defer further discussions on this matter, particularly as it relates to the Town's previous commitment to the pool project, until the upcoming Budget deliberations. **MOTION APPROVED UNANIMOUSLY.**

8. PETITIONS AND DELEGATIONS

8.1 Mr. Alexander Walker - 50 Meadowbrook Drive

Mr. Walker, along with several representatives from Meadowbrook Drive, addressed Town Council providing information on the continuing drainage problems experienced by certain residents.

He advised that the residents share concerns over their property values, damage to vehicles and the safety factor for children in the area as a result of drainage problems. Mr. Walker enquired Town Council as to what works they plan to put in place to alleviate the problem. Mr. Walker ended by reading a letter dated January 11, 1994, addressed to Town Council.

Deputy Mayor MacLean advised that the matter was indeed a serious one and that he supported Mr. Walker's statement.

ON MOTION of Councillor Oickle and Deputy Mayor MacLean, it was moved that corrective drainage works for Meadowbrook Drive, be brought forward to the 1994/95 Capital budget deliberations. **MOTION APPROVED UNANIMOUSLY.**

In response to an enquiry from Councillor Oickle as to whether the project could be phased in, Rick Paynter, Director of Engineering, advised that the project could be phased - (a) up to Douglas Drive and (b) from Douglas Drive to the end.

At the request of Councillor Oickle, staff will prepare a cost analysis of a phased project for the Capital Budget.

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6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES CON'T

6.2 Electoral Boundaries Issue

Mayor Kelly advised that an Appeal Hearing date has been set for January 31, 1994 and that Council direction was required in order for the Town to continue on with the matter.

Councillor Oickle enquired if both M.L.A.'s for the area (Bill MacDonald and Francene Cosman) were in support of the issue. In response Mayor Kelly advised they personally were supportive.

Mr. English reminded the meeting that should the Appeal prove successful, the matter still had to go back to the House for resolve.

Mayor Kelly noted that the Province has chosen not to deal with the situation as it now exists, however, if the Appeal is successful, the Province will have to look at the matter again.

Mr. English advised that 90% of the work for the Appeal has been completed to date at a cost of approximately (\$15,000) and that an additional \$1,200 - \$1,500 would be required to complete the work.

**ON MOTION** of Councillors Oickle and Davies, it was moved to proceed with the January 31, 1994 Appeal Hearing.

In speaking to the Motion, Councillor Davies expressed his concern with the additional costs involved. As well, he noted he was not supportive of going further than the intent of the Motion. If the Appeal is unsuccessful, Councillor Davies suggested that the M.L.A.'s should "carry the torch."

Councillor Cosgrove disagreed with Councillor Davies and advised that Council should deal with the matter themselves and look after their constituents.

Councillor Davies reclarified his position that he supported the Motion however, he was questioning any municipal role after the Appeal.

**MOTION CARRIED UNANIMOUSLY.**

6.3 Ratification - Storm Drainage Corrective Works - Ridgevale

Mr. Rick Paynter, Director of Engineering and Works reviewed his report dated December 17, 1993. As requested by Town Council, staff sought prices for the installation of a drainage system at 75 Ridgevale Drive and a drainage swale/berm on the property adjacent (45 Ambercrest Drive).

**ON MOTION** of Councillors Cosgrove and Oickle, it was moved to ratify the expenditure of \$9,000 for installation of a drainage system at 75 Ridgevale Drive and a drainage swale/berm at 45 Ambercrest Drive with the owners involved to pay any costs over the amount.

In speaking to the Motion, Mr. Paynter advised that the work had not been commenced to date due to the lack of frost. He was confident, however, that the project would be undertaken within the next two weeks.

**Motion carried.** Mayor Kelly, Deputy Mayor MacLean, and Councillors Oickle, Hutt and Cosgrove voted in the affirmative and Councillor Davies voted in the negative.

**6.4 Consideration of Tender Award - Extension of Capital Storm Drainage - 389/393 Hammonds Plains Road**

Mr. Rick Paynter reviewed his memorandum dated January 6, 1994 for Council. As requested by Town Council, staff obtained quotes for drainage improvement works to a section of Hammonds Plains Road, immediately west of Killarney Drive.

It was staff's recommendation that the unbudgeted Tender be awarded to C.R. Falkenham Backhoe Services Limited in the amount of \$9,844.00, plus the provisional price of \$75 per cubic yard for any rock excavation works.

**ON MOTION** of Councillors Hutt and Cosgrove, it was moved that Tender #93-27 be awarded to C.R. Falkenham Backhoe Services Limited in the amount of \$9,844.00, plus the provisional price of \$75 per cubic yard for any rock excavation with such works to be included in the 1994/95 budget and carried out in the Spring. **MOTION CARRIED OUT UNANIMOUSLY.**

**6.5 Extension of Trunk Services - Hammonds Plains Road**

Town staff had received a request from Mrs. Annie Foster, 753 Hammonds Plains Road, to extend trunk services to service a vacant parcel of land located at 795 Hammonds Plains Road. Mrs. Foster was seeking servicing in order that she could subdivide the parcel, in the future.

A lengthy discussion took place on this matter. Ms. Donna Davis-Lohnes advised that the parcel could not be subdivided in accordance with Section 16 of the current MPS. Accordingly, the only way in which the parcel of land could be subdivided would be through an amendment to the MPS and LUB.

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Mayor Kelly noted it was his understanding that the request related to a service lateral extension not a trunk extension. He also noted other service lateral extensions have been permitted in this area by Engineering staff.

Mr. Rick Paynter expressed his concern that although three other lot laterals were able to connect to the main, this was an entirely different situation. He foresaw operational problems occurring with this proposal and recommended against it. He was not confident, that the manhole could handle another lateral. He was also sceptical about water utility acceptance of the proposal given the other service connections that had been made.

**ON MOTION** of Councillors Cosgrove and Oickle, it was moved that the Town allow the extension of lateral services (water and sewer) to Mrs. Foster's one lot at 795 Hammonds Plains Road with the full cost being the responsibility of the property owner.

In speaking to the Motion, Councillor Oickle expressed concern as to whether an additional lateral could effectively be connected to the main.

Councillor Davies expressed his concern with the Town setting a precedent and that some indemnification on the part of the Town should be looked into. He reiterated his concern that the Town was setting itself up for any future problems which may occur and approving a known risk.

Mayor Kelly enquired if Town Council would agree to suspend the Rules of Order to allow Mrs. Foster's daughter to address Council on her behalf. Mrs. Foster's daughter explained their request. Following her statement, another lengthy discussion took place on the costs involved and who would be responsible for what costs.

**Motion Carried.** Mayor Kelly, Deputy Mayor MacLean and Councillors Oickle and Cosgrove voted in the affirmative and Councillors Davies and Hutt voted in the negative.

Councillor Hutt enquired if Engineering staff could determine the number of laterals which could be connected to a manhole and be prepared to report on same during a future Council Meeting.

Prior to the meeting breaking, Mayor Kelly requested Mr. Dan English, Chief Administrative Officer to read a Proclamation proclaiming January as Alzheimer Awareness Month.

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6.6 Update - Municipal Facilities Relocation - Bedford Waterfront

Councillor John Davies excused himself from the meeting due to a Conflict of Interest.

ON MOTION of Councillors Cosgrove and Oickle, it was moved to defer this item to the February 8, 1994 Council meeting. MOTION APPROVED UNANIMOUSLY.

Councillor John Davies took his place at the meeting.

7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM - NIL

9. MOTIONS

9.1 Revised By-Law - Burning - Third and Final Reading

ON MOTION of Councillors Cosgrove and Davies, it was moved that the Burning By-Law receive Third and Final Reading. MOTION APPROVED UNANIMOUSLY.

Councillor Cosgrove requested that the Homebuilders Association be advised of this decision for insertion in their newsletter.

Mayor Kelly advised that once Municipal Affairs approval is received, the community will be advised of the by-law through newspaper ads and/or next issue of the Blueprint.

10. NEW BUSINESS

10.1 1994 Assessment Roll

Mr. Ron Singer reviewed his Assessment Roll report dated January 6, 1994.

Mayor Kelly advised that of the five hundred appeals received in 1993, one third still had to be processed. The Town's concern is that there are inconsistencies in the manner in which assessments are carried out by the Province. As a result, it is the Town which is suffering as a result of numerous successful appeals.

10.2 Banking Services - Proposal Call

Mr. Ron Singer reviewed his report dated January 7, 1994 for Council's consideration.

Councillor Davies agreed that with the number of banking institutions located within the community at the present time, they all should be given the opportunity to provide banking services for the Town.

**ON MOTION** of Councillor Davies and Deputy Mayor MacLean, it was moved that the Town call for tenders for banking services effective April, 1994 for a three year period. **MOTION CARRIED UNANIMOUSLY.**

### 10.3 Update - New School Construction

Mayor Kelly provided an update on the project. Concerns had been raised by neighbouring residents with respect to tree removal, buffering and fencing. Mayor Kelly advised that he, along with members of staff had met with the Department of Government Services on-site that afternoon. Accordingly, a decision was reached that no further tree cutting would take place until an analysis of the existing trees was undertaken.

Council was advised that the cost to provide fencing and buffering for the project approximated \$100,000 and that same could possibly be absorbed through the special levy which had been established last year.

A meeting is to be established between the residents, staff and Council in order to reaffirm to the residents that Town Council will fully explore options once all information has been compiled.

Mayor Kelly advised that although the Province is not bound to Municipal laws, they are attempting to adhere to the Town by-laws, particularly as they pertain to building permits, grubbing, etc.

In response to an enquiry from Councillor Oickle as to whether the Town is guaranteed to be reimbursed a portion of its commitment towards the school, Mayor Kelly advised that numerous calls have been made to the Department of Government Services, however, no contact has been made. Mayor Kelly advised that further discussions will be taking place with the Department of Education, Government Services and Francene Cosman, M.L.A.

Councillor Oickle advised he would like the residents to understand that the Town is not promising that a fence will be erected until all costs and information is available.

Mayor Kelly noted that he would be responding to the residents as a result of their meeting the previous evening and advise that further information will be compiled prior to making any further commitment.

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#### 10.4 Metro Authority

Mayor Kelly advised that a new draft of the By-Law pertaining to an Amalgamated Ferry System is to be provided; a tender had been awarded to Halifax Reefer Services who will be responsible for the collection of CFCs at no cost to residents.; the Waste Flow Legislation Bill had been deferred pending a review and response by the House during its next sitting.

Deputy Mayor MacLean advised the meeting that a committee had been established to monitor the entire process of the Waste to Energy Facility. Accordingly, he advised the meeting that Metro Authority will be seeking three individuals from each community to sit on this committee. Although a terms of reference has not been established as yet, it was the final decision of Council that an ad be placed in the newspaper requesting expressions of interest for residents to sit on this committee.

#### 10.5 Extend a Care Facility - Sackville Drive

Councillor Hutt circulated a proposal for the construction of a Seniors Extend-a-Care facility to be located in Lower Sackville. As well, he noted that Halifax County Councillor Jack Brill would like to make a presentation to Town Council in order to elaborate further.

Councillor Hutt also advised that the committee involved in this project would like the names of two individuals from Bedford - one an alternate - to sit on the committee. Councillor Hutt suggested he would approach the Leisure Club to provide the names of two individuals.

#### 10.6 Minister of Transportation - Meeting with Mayor

Mayor Kelly provided an update on a recent meeting he attended with the Minister of Transportation respecting the Burnside Expressway. Various individuals i.e. the respective M.L.A.'s; Federal M.P.; Chief Administrative Officers; Mayor Lichter; County and Town Councillors were also in attendance. The extension is to take in the area from Glendale Avenue in Lower Sackville to Duke St., Bedford at a cost of approximately \$10 million with the interchange alone costing \$6 million.

A brief discussion took place on the funding available for this project. It was the general consensus of Council that any

municipal contribution to Series 100 Highways would be setting a dangerous precedent.



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10.7 Provincial Discussion Paper - Service Exchange

Mayor Kelly advised that an Executive UNSM meeting has been scheduled for January 19, 1994. At that time, comments from the Town of Bedford on the proposed Service Exchange are to be forwarded to the UNSM in order that they can make a presentation to the Cabinet on January 20, 1994.

Accordingly, an informal meeting on the 18th will be arranged to discuss this matter with comments to be forwarded to the UNSM immediately following the meeting.

11. REPORTS

11.1 Committees/Commissions/Boards - NIL

11.2 Departmental

11.2.1

Finance Department - Status of 1993 Taxes and Assessments

This matter was discussed under agenda item 10.1.

12. CORRESPONDENCE

12.1 Mayor Lichter - District School Board Funding

Following a brief discussion, Mayor Kelly advised he would respond to the correspondence from Mayor Lichter advising that Bedford Town Council rejects his suggestion for an amendment to the current District School Board excess funding formula.

13. MOTIONS OF RECONSIDERATION - NIL

14. motion of rescission - NIL

15. NOTICES OF MOTION - NIL

16. DEPARTMENTAL INFORMATION REPORTS - NIL

17. QUESTIONS

17.1 Status Sheet

Councillor Oickle enquired of Donna Davis-Lohnes if a survey respecting 6.2 - August 17, 1993 had been circulated. In response Ms. Davis-Lohnes advised that same would be distributed next week with a two-week response time expected.

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Councillor Oickle enquired on the status of the expansion to the Sewage Treatment Plant.

Mayor Kelly advised that he had met with the Hon. Sandy Jolly, Minister of Municipal Affairs as well as two private groups i.e. the Hardman Group and the Shaw Group. A definite response is still required from the Province in terms of cost sharing.

Councillor Davies advised that sewage treatment is the biggest issue within the community at the present time.

18. ADDED ITEMS - NIL

19. ADJOURNMENT

As there was no further business, the meeting adjourned at approximately 10:30 p.m.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

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**MEETING #87**

**TOWN OF BEDFORD**

**Public Hearing #94-01**

**Tuesday, February 8, 1994**

A Public Hearing of the Town of Bedford took place on Tuesday, February 8, 1994 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia.

**ATTENDANCE**

Councillors Harris Hutt, Stephen Oickle, Len Goucher, John Davies, Anne Cosgrove, Deputy Mayor Bill MacLean and Mayor Peter Kelly were in attendance at the commencement of the Meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Donna Davis-Lohnes, Acting Director of Planning and Development.

**Amendment to Development Agreement #86-05 Nelson's Landing Development**

**INTRODUCTION**

The purpose of the amendment was to change the phasing to allow the residential phase to proceed prior to the commercial and hotel components. Also, the amendment was to allow a mix of single unit, two unit and three unit dwellings/townhouses for a total of 84 units to be constructed on the site originally approved for 137 townhouse units. The Amendment proposes a road configuration that differs from the existing Development Agreement.

Donna Davis-Lohnes, Acting Director of Planning and Development verbally reviewed the background to the application, noting that a Public Information Meeting had been held and that a Staff report was included in the agenda package, as well as a draft of the amended Development Agreement. The matter had been before the Planning Advisory Committee for review and recommendation on January 10, 1994, and had been approved unanimously, with an additional recommendation that a holding tank be installed on the site to handle sewage for the development. All written documentation for the application was included in an information package with the agenda.

Mayor Kelly opened the floor for questions from Council.

Councillor Davies inquired whether the identified private open spaces will be protected against future development. Ms. Davis-Lohnes confirmed that the open spaces would be owned by the

individual lot owners however, the identification and enforcement of site disturbance lines on each lot would preclude these areas from being developed.

Deputy Mayor Oickle asked about the minimum lot size. Ms. Davis-Lohnes indicated that the lot sizes would not be less than 3,000 square feet for the single dwelling units.

Ms. Davis-Lohnes also indicated where the proposed holding tank would likely be located, in response to a question from Councillor Cosgrove.

Councillor Goucher inquired about the size of the total area to be developed. Ms. Davis-Lohnes stated that the total area was 12.3 acres in size. Councillor Goucher noted that the density for this size of area exceeds that of an RCDD. Ms. Davis-Lohnes acknowledged that, but noted that this land is not zoned RCDD and therefore not subject to the six (6) unit per acre ceiling, and that the density under the amended agreement would be lower than originally approved.

Ms. Davis-Lohnes noted, at the request of Mayor Kelly, that correspondence had been received just today from R. G. Grant on behalf of Annapolis Basin Pulp and Paper Company Ltd. in objection to the proposed amendment. Copies of this were circulated to Town Council.

There were no further questions from Council.

### ***SPEAKERS***

#### **Barry Zwicker - MacDonald, Wallace & Lively**

Mr. Zwicker spoke as the proponents' consultant. He also reviewed the development proposed under the amended agreement, noting that the previous agreement had been for 137 townhouses on lots of 20 X 100. As a result of topographical surveys, the amended development will result in minimal site disturbance, since the grid pattern for streets has been eliminated. Mr. Zwicker spoke with respect to land use and density, and with reference to concerns raised under Policy R8 and Z3 in the recently received correspondence. He indicated that he considered them to be "unfounded concerns".

With respect to the sewage holding tanks, Mr. Zwicker indicated that, should this actually be a requirement, the tanks could only realistically service 58 units. He noted that, as the proponents consultant, he questions the requirement for holding tanks.

#### **Mr. Grant Walker, Torrington Place**

Mr. Walker noted that, as a resident of the adjoining development, Torrington Place, he had been a part of the public participation process for this amendment. He noted that he was pleased to see many of the recommendations arising from this process have been addressed by the

proponent. He indicated that he was in favour of the amendment.

After three calls by Mayor Kelly there were no further speakers from the audience.

Deputy Mayor Maclean asked Ms. Davis-Lohnes to confirm that the requirement for an increase in the buffer space between Torrington Place properties and the Nelson's Landing property from 16 feet to 20 feet will be included in the amended agreement. Ms. Davis-Lohnes indicated that it would be.

Therefore, Public Hearing #94-01 of the Town of Bedford was adjourned at 7:45 p.m.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

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MEETING #88

TOWN OF BEDFORD

Regular Session

Tuesday, February 8, 1994

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, February 8, 1994 at 8:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Kelly presiding.

Mike Batchelor of the 7th Bedford Scout Troop and the Troop was in attendance to make a presentation to Mayor Kelly and Council in gratitude for funding provided by the Town to the Troop which enabled them to attend the 1993 Jamboree in Calgary.

Mr. Don Huntington presented to the Mayor and Council an original painting of the Manor House by Gerry Nolan.

1. LORD'S PRAYER

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

2. ATTENDANCE

Deputy Mayor Bill MacLean and Councillors Harris Hutt, Anne Cosgrove, Stephen Oickle, Len Goucher and John Davies were in attendance at the commencement of the meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; Police Chief H.A. MacKenzie; Rick Paynter, Director of Engineering and Works; and Donna Davis-Lohnes, Acting Director of Planning.

There were approximately 20 residents present.

3. APPROVAL OF MINUTES - Meeting #86 - Regular Session, January 11/94

*ON MOTION of Deputy Mayor MacLean and Councillor Davies, it was moved to approve the minutes for meeting #86 as circulated. The Motion was unanimously approved.*

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

The following additions were agreed upon to the Order of Business:

- Item # 6.6 Discussion - Sewage Treatment Plant
- Item #10.5 Update - Infrastructure Program
- Item #10.6 Library Funding Update

The following changes were made to the Order of Business:

- Item #8.1 Councillor Jack Brill - Halifax County - Proposed Seniors Extended Care Facility, Lr. Sackville - to be heard first on the agenda.

- Item#11.1.2 Bedford Board of Police Commissioners - to be heard after item #8.1

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

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

8. **PETITIONS AND DELEGATIONS**

- 8.1 **Councillor Jack Brill - Halifax County - Proposed Seniors Extended Care Facility, Lr. Sackville**

A written preliminary proposal respecting the above project as prepared by the Sackville Seniors Advisory Council was included in the agenda package. Mrs. Eleanor Reeder was in attendance and provided a background history on the project, referring to a schematic drawing on the wall depicting the 17 acre site on First Lake Drive. She also reported that application for a \$49,000 grant from the Department of Health Services for a "Needs Analysis" has been made.

Councillor Brill also addressed Council, reviewing the proposal in some detail and noting the concern among seniors in the Bedford/Sackville area that, in order to obtain these same services and lifestyle, they must leave their community. He reported that a final proposal will be prepared and requested permission to present this to Council at some time in the future.

Mayor Kelly thanked Councillor Brill and Mrs. Reeder, indicating that the concerns raised are valid ones. He further indicated that Council will await the presentation of the final proposal before considering a motion of support.

11.1.2

**Bedford Board of Police Commissioners**

**(a) Consideration of Approval - False Alarm By-Law**

A draft of a proposed False Alarm By-Law was included in the agenda package. Police Chief MacKenzie reported there had been 4600 false alarms in 1993. Councillor Goucher suggested that the By-Law should also address the problem of false external alarms, which are noisy and disturb the peace. Mayor Kelly indicated that this will be investigated, but noted this was First Reading only.

*ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved that Council give first reading to the proposed False Alarm By-Law. The Motion was unanimously approved.*

**(b) Consideration of Approval - Revised Police Vehicle Replacement Policy**

*ON MOTION of Councillor Cosgrove and Councillor Goucher, it was move to approve the following resolution:*

*WHEREAS it is desirable that the purchase, operation and maintenance of Police Vehicles be effected in the most efficient and cost effective manner, giving consideration to the nature of use, safety factors and maintenance costs;*

*BE IT RESOLVED that Town Council approve that Bedford Police Vehicles be replaced once they reach 125,000 kms.*

Councillor Goucher and Deputy Mayor MacLean both raised questions with respect to the amount spent on repairs on the existing vehicles in the past year. Chief MacKenzie indicated that he had not prepared a detailed list of repairs, but had totalled up the amount spent. Councillor Goucher indicated that the proposed policy does provide a more defined time for replacement of vehicles.

Councillor Davies expressed concern that Council is discussing a policy that would call for a \$40,000 expenditure at this time, out of context with the 1994/95 budget. He suggested that it was not fair to other Departments. He further noted that the policy had not yet gone to the Policy/By-Law Review Committee. He suggested that a reserve fund be established for the replacement of vehicles.

Mr. Dan English, Chief Administrative Officer, noted that last year, the \$22,000 expenditure for a new police car had represented 5% of the total Capital from Revenue Budget of \$500,000; this year, the capital budget is expected to be only \$150,000, of



which \$40,000 would represent approximately 25%. He also noted that a Revenue Fund would not be appropriate given the fact vehicle replacements are basically an operating cost.

Chief Mackenzie also reported that the \$50,000 budget for repairs and maintenance set for the fiscal year ending March 31, 1994 was all spent by the end of December, so it will be an over-expenditure for the year.

Mayor Kelly suggested that a further concern should be the officers' and the public's safety when 30% of the cost of a new vehicle is being spent every year on repairs.

**The Motion was put to the Meeting and was CARRIED.** (Councillor Cosgrove, Councillor Hutt, Councillor Goucher and Mayor Kelly voted in favour; Councillor Oickle, Councillor Davies and Deputy Mayor MacLean were opposed.)

**(c) Consideration of Approval - Police Vehicle Purchase - F.C.M. Purchasing Program**

*ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved that Council approve replacing two police vehicles ('91 Chevrolet - 152,598 kms. and '92 Chevrolet - 129,748 kms.) through the FCM Police Vehicle Purchasing Program.*

Chief MacKenzie reported that if two vehicles are approved for purchase at this time, the Department will attempt to keep one of them as a low mileage vehicle, which will be monitored daily, in order that only one vehicle will need replacing per year.

**The Motion was put to the meeting and was CARRIED.** (J. Davies and Deputy Mayor MacLean abstained; Councillors Cosgrove, Hutt, Goucher, Oickle and Mayor Kelly voted in favour.)

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

**6.1 Ratification - Appointment - Metro Authority Citizens' Committee on Recycling**

*ON MOTION of Deputy Mayor MacLean and Councillor Davies, it was moved that Mr. Bruce Strum be appointed to represent the Town of Bedford on the Metropolitan Authority's Citizens' Committee on Recycling. The Motion was unanimously approved.*

**6.2 Consideration of Approval - Amalgamation - Metropolitan Transit/Dartmouth Ferry**

Mr. Dan English, Chief Administrative Officer, noted that the amended By-Law included in the agenda package incorporates all amendments requested.

Councillor Goucher raised concern that no time-frame or limit has been indicated, with respect to Item #1 (d).

Councillor Cosgrove requested that the Town's representatives to Metropolitan Authority bring forth concerns with respect to the Dartmouth Ferry employees' pensions during the changeover of staff from the Dartmouth Ferry to Transit employees, and also that patrons input be sought with respect to any proposed ferry schedule changes.

*ON MOTION of Councillor Goucher and Deputy Mayor MacLean, it was moved that Council approve the By-Law Respecting Ferry Service, subject to Item #1 (d) being clarified. The Motion was unanimously approved.*

**6.3 Ratification - Appointments to Union Street RCDD Public Participation Committee**

By memorandum dated February 3, 1994, Donna Davis-Lohnes, Acting Director of Planning and Development Control, provided names for the remaining three positions on the Committee, and requested Council's ratification of the appointments so that meetings of the Committee may commence. In addition, she noted that Don McCarthy will be replacing Eric Fraser on the Committee.

*ON MOTION of Deputy Mayor MacLean and Councillor Cosgrove, it was moved that Council endorse the appointments of Walter Williams, Bedford Recreation Advisory Committee member; and David Sherer, Bedford Board of Trade member, to the Union Street RCDD Committee. Further, that Don McCarthy replace Eric Fraser as appointee to the Committee.*

Councillor Goucher read aloud a letter from the Chief of the Native Council, Dwight Dorey, dated February 3, 1994, objecting to the establishment of the Committee and refusing any involvement of the native community in the process.

Councillor Goucher also reported that no member of the Petroglyphs Advisory Committee was able to serve on the Committee.

Mayor Kelly reported that the Department of Natural Resources has indicated the possibility of a land exchange respecting the lands in question, but no concrete approach has been made to the owners to date.

Councillor Oickle inquired whether a member of the Petroglyphs Advisory Committee is required for the Union St. RCDD Committee. Ms. Davis-Lohnes indicated that if all attempts have been made to find a member to appoint, then the Committee can proceed without that appointee.

Councillor Hutt noted the proponent had only wished to establish the Committee in order that it is set to go ahead should the Province not approve a land exchange. He suggested that the process should not now be stopped because members of Petroglyph Advisory do not want to be involved.

Councillor Goucher indicated it is the native community's view that Council has ignored a request by the Province to not proceed with the development process until a decision is reached with respect to a land exchange.

Deputy Mayor MacLean suggested that the Town has two groups to consider in this matter and that it would not be fair for one to take priority over the other. He indicated that both the Province and the Town has to move forward.

**The Motion was put to the meeting and was CARRIED.** (Councillor Goucher abstained.)

#### 6.4 Electoral Boundaries Issue

Included in the package for Council's information was a copy of a letter from Barry Ward, legal counsel, regarding the Court of Appeal's decision that the area known as Bedford West was wrongly included in the electoral boundary of Sackville/Beaverbank.

Deputy Mayor MacLean referred to page 3 of the letter, pointing out that Bedford West does not now belong to any defined electoral district, and where it will end up being included is now a political decision. He suggested that much money has been spent without achieving anything.

Mayor Kelly noted that the Court decision means it must now be dealt with quickly by the Legislature.

Councillor Goucher pointed out that the court decision has forced the matter into the political arena, and that it would not have been dealt with without the legal interception.

#### 6.5 Update - Municipal Facilities Relocation - Bedford Waterfront

Copies of correspondence between Boardwalk and the Town were included in the agenda

package. Mr. Dan English, Chief Administrative Officer, reported that, currently, Boardwalk has indicated they are not prepared to purchase a building permit at this time.

Mayor Kelly informed Council the Town Solicitor, Peter Spencer, had been requested to prepare a resolution for Council's consideration, giving Boardwalk 30 days notice prior to cancellation of the lease agreement should three conditions in the resolution not be met within that time. A copy of this resolution was circulated.

Councillor Oickle questioned the 30 days, and inquired why the time limit could not be reduced to one week, or February 14, 1994. Mr. Spencer responded, indicating that it was his recommendation to provide 30 days because it was reasonable under the circumstances.

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved that Town Council adopt the following resolution:

*WHEREAS by Heads of Agreement and Leases executed as of the 4th of July, 1993, the Town of Bedford (the "Town") entered into arrangements with Boardwalk Developments Limited (the "Boardwalk") for the lease of certain space to be constructed by Boardwalk as landlord, for use by the Town as tenant for administrative offices, a Town Hall, a community cultural centre and a community library facility.*

*AND WHEREAS concerns have arisen amongst members of Town Council as a result of Boardwalk's apparent inability to obtain financing and to conclude arrangements to have a building permit issued, which matters were raised with Boardwalk through correspondence issued by the Chief Administrative Officer on the 12th of January 1994 and through prior meetings and correspondence with Boardwalk.*

*AND WHEREAS the concerns of Town Council with respect to Boardwalk's ability to proceed to conclude the proposed development, have not, to date, been satisfied.*

*BE IT THEREFORE RESOLVED THAT Boardwalk be given 30 days from delivery of a copy of this Resolution to it by the Town to:*

- (1) *Provide written confirmation in a form acceptable to the Town that it has obtained project financing sufficient to permit it to proceed to construct the premises for lease by the Town as called for in the Agreements;*

- (2) *Provide evidence that it has concluded its arrangements with the Bedford Waterfront Development Corporation for the acquisition of the lands upon which the development is to be constructed;*
- (3) *Make payment to the Town so that a building permit may be issued to permit construction of the development.*

*AND BE IT FURTHER RESOLVED THAT in the event of failure by Boardwalk to perform any of the aforementioned stipulations, that the various Agreements and Leases executed on the 4th of July, 1993 and the obligations of the Town of Bedford shall cease and be at an end, and the Boardwalk be so notified.*

Councillors Goucher and Cosgrove commented on the negative comments made by Members of the Legislature during the Public Accounts Committee's review of the Bedford Waterfront Corporation, and the negative effect this had on the project.

Councillor Oickle referred to an article in a publication called "Public Interest". He raised questions as to "how four Councillors could have approved of a project of this magnitude without public input." He called the project a waste of public money. Councillor Oickle suggested that Council has an opportunity to get out of the agreement and that he felt they should do so as soon as possible.

Deputy Mayor MacLean suggested that it could be said that the project has failed for any number of reasons, but that he felt it had been a matter of economic reality. He stated that he would not support a Motion of no action, and that he felt the resolution did not define the terms well enough.

*ON MOTION of Deputy Mayor MacLean and Councillor Oickle, it was moved to AMEND the Motion such that:*

*In paragraph (1) the wording be changed to: "...in the form of a written letter from an accredited financial institution...."*

*In paragraph (2) the wording be changed to: "...Provide evidence in the form of Deed Transfer Taxes being paid,..."*

*In paragraph (3) the wording be changed to: "...Make full payment...."*

*ON MOTION of Councillor Goucher and Councillor Oickle, it was moved to extend the meeting until 11:00 p.m. The Motion was unanimously approved.*

Councillor Goucher stated that since the solicitor had been hired by the Town to prepare the resolution, he would not support any changes.

**The Amendment to paragraph (3) was put to the meeting and was LOST.** (Mayor Kelly, Councillor Goucher and Councillor Cosgrove were opposed; Councillor Hutt abstained; Councillor Oickle and Deputy Mayor MacLean voted in favour.)

**The Amendment to paragraph (2) was put to the meeting and was CARRIED.** (Mayor Kelly, Councillor Oickle, Deputy Mayor MacLean, and Councillor Hutt voted in favour; Councillor Goucher and Councillor Cosgrove were opposed.)

**The Amendment to paragraph (1) was put to the meeting and was LOST.** (Mayor Kelly, Councillor Goucher, Councillor Hutt and Councillor Cosgrove were opposed; Councillor Oickle and Deputy Mayor MacLean voted in favour.)

**The Amended Motion was put to the meeting and was CARRIED.** (Mayor Kelly, Councillor Goucher, Councillor Hutt and Councillor Cosgrove voted in favour; Councillor Oickle and Deputy Mayor MacLean were opposed.)

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

9. **MOTIONS** - NIL

10. **NEW BUSINESS**

10.6 **Library Funding Update**

Councillor Hutt reported to Council that he is of the understanding that the Provincial Funding Formula Review Committee has filed a report on the future Library funding. It may change funding such that it would now not be based on the number of people served, but on the square footage of the library building and the number of residential units in the area, which will result in a large shortfall of funding for the Halifax County/Bedford Library Board. He noted that a letter will be going out in the near future to the Province from Mayors Kelly and Lichter on this matter.

19. ADJOURNMENT

*ON MOTION of Mayor Kelly, it was moved to adjourn the 88th Regular Session of the Town Council of the Town of Bedford at approximately 11:00 p.m.*

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

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MEETING #89

TOWN OF BEDFORD

Regular Session

Tuesday, February 22, 1994

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, February 22, 1994 at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Kelly presiding.

Chief Administrative Officer, Dan English, read aloud a proclamation by Mayor Peter Kelly, designating March as Red Cross Month.

1. LORD'S PRAYER

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

2. ATTENDANCE

Deputy Mayor Bill MacLean and Councillors Harris Hutt, Anne Cosgrove, Stephen Oickle, Len Goucher and John Davies were in attendance at the commencement of the meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Bob Nauss, Director of Recreation; Fire Chief Neville Wheaton; and Donna Davis-Lohnes, Acting Director of Planning.

There were approximately 20 residents present.

3. APPROVAL OF MINUTES - Meeting #87 - Public Hearing, February 8/94  
Meeting #88 - Regular Session, February 8/94

*ON MOTION of Deputy Mayor MacLean and Councillor Goucher, it was moved to approve the minutes for meetings #87 and #88 as circulated. The Motion was unanimously approved.*

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

The following additions were made to the Order of Business:

- Item #10.8 Update - Board of Health
- Item #18.1 Leisure Club Expansion - Councillor Hutt

The following changes were made to the Order of Business:



Mayor Kelly requested that items #10.6 and #10.7 be left until the completion of the remainder of the agenda.

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

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

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

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

7.1 **Public Hearing #94-01 - Amendment to Development Agreement #86-05 - Nelson's Landing**

Donna Davis-Lohnes, Acting Director of Planning addressed Council, noting that two amendments to the development agreement had been circulated: one under Schedule "C", item "d", to increase the buffer zone from 16 feet to 20 feet between Nelson's Landing and the adjoining Torrington Place property, and the other under Section 25, item "b", pertaining to the requirement of holding tanks.

*ON MOTION of Councillor Oickle and Councillor Davies, it was moved that Town Council approve the amendment to Development Agreement #86-05, subject to the two new amendments being added to the agreement.*

Councillor Cosgrove requested clarification with respect to the recreational space of 1.4 acres. She inquired about the quality of the land, and expressed concern that most open space in the subdivision was to the rear of the lots, or all in one place on the 1.4 acre area.

Ms. Davis-Lohnes indicated that the 1.4 acres is useable park land with good potential for development, and that it was not likely to need any infilling to make it flat. She further noted that the amended development does have larger lot sizes than the original, providing more "passive living space" than before.

Councillor Goucher also expressed concern that there will be no finished parkland in the subdivision for approximately 85 families, and suggested that, in future, Council should attempt to ensure against this through the development agreement process.

**The Motion was put to the Meeting and was unanimously approved.**

8. **PETITIONS AND DELEGATIONS - NIL**

9. **MOTIONS**

9.1 **Consideration of Approval - Second Reading - False Alarm By-Law**

**ON MOTION** of Councillor Cosgrove and Councillor Hutt, it was moved that the False Alarm By-Law be given Second Reading. **The Motion was unanimously approved.**

10. **NEW BUSINESS**

10.1 **Consideration - Tax Rebates to Certain Individuals**

By memorandum dated February 2, 1994, Mr. Ron Singer, Director of Finance, outlined the proposed 1994/95 Resident Tax Exemption.

**ON MOTION** of Councillor Oickle and Councillor Goucher, it was moved that Town Council authorize the 1994/95 Resident Tax Exemption, with the following amendments:

*That the grant be raised to \$450.00 and that the total income limit be raised to \$25,000.*

Councillor Hutt expressed concern about the possible increase in Town costs if the limit were raised to \$25,000.

**ON MOTION** of Councillor Goucher and Councillor Oickle, it was moved to **AMEND** the Motion such that the total income limit be changed to \$22,000.

Deputy Mayor MacLean suggested that, while he could see reason for concern about the \$25,000 limit, he felt that this would provide a break for seniors, and that Council should set it at \$25,000.

**The Amendment was put to the meeting and was CARRIED.** (Deputy Mayor MacLean and Mayor Kelly were opposed.)

**ON MOTION** of Deputy Mayor MacLean, it was moved to **AMEND** the Motion such that the grant be raised to \$500.00. **The Motion was LOST - no seconder.**

**The Amended Motion was put to the Meeting and was unanimously approved.**

**10.2 Ratification - Election of Bedford Volunteer Fire Department Officers**

Included in the agenda package was a memo from Assistant Deputy Chief Eric Sheppard, listing the results from the 1994 Officer's Election for the Fire Department.

**ON MOTION** of Councillor Oickle and Councillor Cosgrove, it was moved that Bedford Town Council ratify the 1994 Officer's Election for the Fire Department. **The Motion was unanimously approved.**

Councillor Oickle suggested that Mayor Kelly send a letter to the Fire Department on behalf of Town Council, expressing sincere appreciation and recognition of the efforts of the Volunteer Fire Fighters.

**10.3 Consideration - Application - Canada/Nova Scotia Infrastructure Program**

By memorandum dated February 9, 1994, Mr. Rick Paynter, Director of Engineering and Works, outlined for Council's review, the projects to be submitted for funding assistance under the Canada/Nova Scotia Infrastructure Program.

**ON MOTION** of Councillor Goucher and Deputy Mayor MacLean, it was moved that Town Council approve the projects to be submitted for funding assistance under the Canada/Nova Scotia Infrastructure Program, as outlined in the memo of February 9, 1994.

Councillor Goucher questioned the priority of some of the items, indicating that, although he considered the sewage treatment plant expansion to be the first priority, there were other projects such as the extension of the water system along the Bedford Highway, improvements to Bedford Highway, and sidewalks, that were not included in any of the categories shown. He inquired as to how the Province would prioritize the submissions received from each municipality.

Deputy Mayor MacLean indicated agreement that the number one issue for the Town is the sewage treatment plant, but that there were other issues not addressed in the memo, such as sidewalks, and improvements to Glen Moir School, which the Town has recently become aware of.

Mayor Kelly pointed out that the School Board would have to apply for funding assistance regarding improvements to the school. He further pointed out that funds will be very limited, and Council should consider the Town fortunate if they at least receive the assistance requested for the sewage treatment plant.

**ON MOTION** of Deputy Mayor MacLean and Councillor Davies, it was moved to AMEND the Motion such that sidewalks be added to the projects listed, under Category II. **The Motion was unanimously approved.**

**The Amended Motion was put to the meeting and was unanimously approved.**

**10.4 Consideration - Award of Contract - Fire Hall Structural Repairs**

Mayor Kelly noted that the results of a tender for a contract to make structural repairs to the Fire Hall had been circulated for Council's approval.

**ON MOTION** of Councillor Goucher and Councillor Oickle, it was moved that Town Council approve the awarding of Tender #94-01 to T.A.G. Enterprises Ltd., and including an additional 6% cost for an engineering consultants' fee, in the amount of \$27,394.00 to be withdrawn from Reserves. **The Motion was unanimously approved.**

**10.5 Request to Initiate MPS Amendment - Mainstreet Commercial - Councillor Stephen Oickle**

Councillor Oickle, with the use of a map, indicated to Council a section of the Bedford Highway that had been included in the Mainstreet Commercial designation, but was primarily residential at this time. The section of houses were located between Landsburg Road and Locke Street. He reported that concerns have arisen with respect to the future of this residential area, and that he wanted to initiate an MPS amendment to either change the designation or, with consultation with the area residents, address their concerns by some other method.

**ON MOTION** of Councillor Oickle and Councillor Goucher, it was moved that an MPS amendment be initiated with respect to the section of the Bedford Highway indicated on the map, changing the designation from Mainstreet Commercial.

Ms. Davis-Lohnes, Director of Planning and Development, explained the history and background of the matter, and noted that an MPS amendment will have to go through the approval process of a Public Information Meeting, and Public Hearing, review by B.P.A.C. and, finally, will be subject to Ministerial approval.

Councillor Goucher expressed concern that the amendment appeared open-ended, and requested that what it should be changed to should be included in the Motion. Councillor Oickle indicated that he would prefer to consult with the residents of the area before stating what it should be changed to. After further discussion, Councillor Oickle

and Councillor Goucher **withdrew the Motion.**

**ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that a Public Information Meeting be called with respect to the MPS amendment. The Motion was unanimously approved.**

Councillor Cosgrove requested that Council be made aware of the date of the Public Information Session so that they can attend.

**11. REPORTS**

**11.1 COMMITTEES/COMMISSIONS/BOARDS**

**11.1.1**

**Transit Report Committee**

**(a) Bus Shelters**

Councillor Goucher noted that the construction of two bus shelters had come under discussion by the committee, and that he would be bringing forward a request under discussion of the Capital Budget later in the agenda.

**(b) Route 88**

Councillor Goucher reported that a lack of ridership on route 88 has caused Metropolitan Authority to decide to cancel the service as of May, 1994.

**ON MOTION of Councillor Davies and Councillor Goucher, it was moved that Bedford Town Council advise Metropolitan Authority of it's approval of the cancellation of Route 88 bus service. The Motion was unanimously approved.**

Councillor Cosgrove suggested that, out of courtesy, Dynatek be advised by Bedford of the cancellation and the reasons why.

**(c) Accessible Taxis**

Councillor Goucher reported discussion and a recommendation had been brought forth by the committee relative to accessible taxis.

**ON MOTION** of Councillor Goucher and Councillor Cosgrove, it was moved that the situation regarding municipal boundaries currently preventing the implementation of accessible taxis be changed, and to support and work towards having accessible taxis implemented throughout all the municipalities.

**The Motion was unanimously approved.**

**ON MOTION** of Deputy Mayor MacLean and Councillor Goucher it was moved that Town Council request the Bedford Transit Advisory Committee to review the issuance of taxi operators' licenses and forward their report to Town Council for review and consideration. **The Motion was unanimously approved.**

11.1.2

**Board of Health - Consideration of Approval - 1993 Annual Report**

**ON MOTION** of Deputy Mayor MacLean and Councillor Goucher, it was moved to accept the 1993 Annual Report of the Bedford Board of Health. **The Motion was unanimously approved.**

Deputy Mayor MacLean reported the Board of Health will be sponsoring a "Nutrition Break" at this summer's N.S. Institution of Professional Health Inspectors' Conference.

11.1.4

**Planning Advisory Committee - Activity Report**

**ON MOTION** of Councillor Davies and Deputy Mayor MacLean, it was moved to accept the Report to Town Council Respecting Activities of B.P.A.C., dated February 3, 1994. **The Motion was unanimously approved.**

11.2 **DEPARTMENTAL - NIL**

12. **CORRESPONDENCE**

12.1 **Bedford Heritage '80 - Proposed Name - New Elementary School**

A copy of a letter from Mr. Anthony Edwards, Chairman, Bedford Heritage '80 Committee, to the Chair and Members of the Halifax County-Bedford District School Board, regarding a recommended name for the new elementary school of Arthur Lismer Elementary School, was included in the agenda package.

Mayor Kelly reported that the School Board had recently decided to name the school Basinview Elementary School, and had indicated that they had a policy of not using personal names for schools. Mayor Kelly expressed displeasure at Bedford not having

been consulted about the name, particularly when Bedford has contributed \$1.3 million to the enhanced school facility.

**ON MOTION of Councillor Davies and Deputy Mayor MacLean, it was moved that Bedford Town Council express displeasure at not having been included in the overall discussion of the name for the new elementary school, and ask the Halifax County-Bedford District School Board to reconsider the name of Arthur Lismer Elementary School. The Motion was unanimously approved.**

**13. MOTIONS OF RECONSIDERATION - NIL**

**14. MOTION OF RESCISSION - NIL**

**15. NOTICES OF MOTION - NIL**

**16. DEPARTMENTAL INFORMATION REPORTS**

**16.1 Fire Chief's Monthly Report - Month of January, 1994**

**ON MOTION of Deputy Mayor MacLean and Councillor Davies, it was moved to approve the Fire Chief's Monthly Report for the Month of January 1994. The Motion was unanimously approved.**

**16.2 Building Inspector's Monthly Report - December 1993 and January 1994**

**ON MOTION of Deputy Mayor MacLean and Councillor Oickle, it was moved to approve the Building Inspector's Monthly Report for December 1993 and January 1994. The Motion was unanimously approved.**

**17. QUESTIONS - NIL**

**18. ADDED ITEMS**

**18.1 Leisure Club Expansion**

Councillor Hutt raised concern with respect to the \$35,000 included in last year's budget for the Leisure Club Expansion being carried over into the 1994/95 Budget. It was agreed that this would come up for discussion under the Capital Budget later in the agenda.

### 10.6 Proposed 1994 Capital Budget

Dan English, Chief Administrative Officer, provided Council with an overview of the proposed Capital Budget, and indicated that the proposed Operating Budget for 1994/95 would not be ready for presentation until the end of March.

Mr. English noted that the total Capital Budget proposed for 1994/95 approximated \$2.917 million (approved 1993/94 \$2,052,600). When revenue recovery on cost-shared projects etc. is taken into account, it was noted the net Capital Budget amounted to \$2,320,100 (1993/94 net \$1,458,060).

In reviewing the Funding Sources for the proposed Capital Budget, it was noted that the amount available in the General Operating Fund i.e. to be financed through current Tax Rates is \$150,000 compared to \$500,000 in 1993/94. It was also noted that monies were available in the amount of \$167,000 to fund certain projects through Reserve Accounts. Mr. English noted that if Council was to proceed with the full Capital Program as proposed, borrowing in the amount of approximately \$2,000,000 would be required. He further noted that the maximum Capital financing available according to the Town's 12% Policy i.e. Debt Charges over Tax Levy approximated \$900,000. Of this amount, he noted that approximately \$380,000 has already been committed. Mr. English then proceeded to review specific projects and their funding sources.

**ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that Council authorize the Director of Recreation to proceed with a tender call for the upgrading of Granville Park. The Motion was unanimously approved.**

**ON MOTION of Councillor Oickle and Deputy Mayor MacLean, it was moved that \$5,500 be committed for two bus shelters from Source 1. The Motion was unanimously approved.**

**ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that projects shown to be funded from Withdrawal from Equipment Reserve be tendered. The Motion was unanimously approved.**

Councillor Cosgrove put forth a NOTICE OF MOTION OF RESCISSION of the Motion regarding the commitment of \$5,500 for bus shelters.

Further discussion centered around those projects included under Source #5 - Borrowing.



Councillor Goucher suggested that Council relies on the 12% borrowing policy to set the borrowing amount, but that this should be viewed as a ceiling. He pointed out that the amount that the Town is borrowing each year is increasing, and that Council should consider reducing the 12% to 10% or 11%.

**ON MOTION of Councillor Davies and Councillor Hutt, it was moved that the Oakmount Blvd. project be tendered. The Motion was unanimously approved.**

Mr. English reported on a proposed Town Pollution Control charge per 1000 gallons, that could result in at least an Annual Reserve Fund of \$200,000 for funding of the Sewer Infiltration Reduction Program.

**ON MOTION of Councillor Davies and Councillor Oickle, it was moved that the \$200,000 Sewer Infiltration Reduction Program be removed from Source #5 - Borrowing and that staff table a report on this project along with suggested sources of funding. The Motion was unanimously approved.**

**ON MOTION of Councillor Oickle and Councillor Hutt, it was moved to extend the meeting until 10:45 p.m. The Motion was unanimously approved.**

At the request of Councillor Oickle, Mr. Rick Paynter, Director of Engineering and Works, explained the \$125,000 indicated for improvements to the storm drainage system on Meadowbrook Dr.

**ON MOTION of Councillor Oickle and Councillor Cosgrove, it was moved that Council instruct the Director of Engineering to tender for the improvements to the storm drainage system on Meadowbrook Dr. The Motion was unanimously approved.**

**ON MOTION of Councillor Oickle and Councillor Davies, it was moved that the Mann Street Forcemain Repairs be tendered. The Motion was unanimously approved.**

**ON MOTION of Deputy Mayor MacLean and Councillor Oickle, it was moved that Council instruct the Director of Recreation to proceed with tendering the LeBrun Centre Renovations. The Motion was unanimously approved.**

Town Council, prior to adjournment also directed staff to prepare specifications and call Tenders on the three proposed Sidewalk Projects, i.e., Wardour, Wimbledon and Eaglewood Drive.

19. **ADJOURNMENT**

*ON MOTION of Mayor Kelly, it was moved to adjourn the 89th Regular Session of the Town Council of the Town of Bedford at approximately 10:45 p.m.*

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

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MEETING #90

TOWN OF BEDFORD

Regular Session

Tuesday, March 8, 1994

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, March 8, 1994 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 Peter Kelly opened the Session by the leading of the Lord's Prayer.

2. ATTENDANCE

Deputy Mayor Bill MacLean and Councillors Harris Hutt, Anne Cosgrove, Stephen Oickle, Len Goucher and John Davies were in attendance at the commencement of the meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Finance; and Donna Davis-Lohnes, Director of Planning.

There were approximately 20 residents present.

3. APPROVAL OF MINUTES - Meeting #89 - Regular Session, February 22/94

*ON MOTION of Councillor Davies and Councillor Goucher, it was moved to approve the minutes for meeting #89 as circulated. The Motion was unanimously approved.*

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

The following changes were made to the Order of Business:

Item #8.1, #8.2, and #15.1 were moved up to be heard prior to #6.1

5. APPROVAL OF THE ORDER OF BUSINESS

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

**8. PETITIONS AND DELEGATIONS**

**8.1 Basinview Neighbourhood - Proposed Sale of Basinview Lots.**

A petition against the sale of the Basinview lots, signed by residents in the area, was circulated with the agenda package.

Councillor Goucher reported that this matter had been discussed the previous evening at B.P.A.C., and that a motion supporting the residents' wish that the lots remain as parkland was passed unanimously with one abstention.

**8.2 Millview, Crosby, Glenmount Residents Association - Proposed Sewer and Water Extension**

Correspondence from the Residents Association was included in the agenda package. Mr. Rick Paynter, Director of Engineering, spoke to Council and addressed four points raised in the correspondence.

1. The project of extending water and sewer services along the Bedford Highway to the Town's southern boundary is included in the Capital Budget list of projects for Council's consideration, and the engineering design is complete.
2. Polling of the 29 lot owners along the Bedford Highway has been conducted, with respect to how the lot owners would prefer the costs to be allocated, ie. by frontage, assessment, usage or by lot. Less than 10% have responded and no clear direction has been established yet.
3. The petition from the above residents was circulated.
4. A rumour that Clearwater was willing to fund the extension to their business, with a payback by the Town in the future, could not be substantiated. Mr. Paynter stated that the Town has not received such an offer.

Ms. Donna Bowdridge of the Residents Association was present to speak to Council. She circulated a petition from the residents and spoke on the desire for extension of water and sewer services into the residential neighbourhoods. She raised questions with respect to the proposed expansion of the Millcove Sewage Treatment Plant, how the Fire Department would handle a fire in their area with a reported capacity of 1800 gallons of water on their trucks, and whether the homes are being properly assessed given the fact that they do not have the fundamental services. She reported that the residents wish to know what the cost of the extension would be to each lot owner.

The Deputy Fire Chief was present and responded, indicating that pumper trucks from other areas would also be called in should it be necessary. Mayor Kelly explained the current status of the MillCove plant, and indicated that the Province's assessments of homes in the area does take into consideration the lack of services and are based on the market values.

Mr. Paynter reported that if the current project is approved to go to tender by Council, actual prices will be available by May. He noted that if the current expansion plans were to include the areas of Millview, Crosby and Glenmount, a new design would take an additional two months, and could cost an additional \$925,000, of which the Town would contribute approximately \$275,000.

Ms. Bowdridge expressed that the residents just wish to know that they will not be forgotten, and that their request will be given serious consideration. Mayor Kelly indicated that, since the residents have made this presentation, Council must give it consideration.

Councillor Oickle noted to Ms. Bowdridge that Council must consider 26 projects already on the Capital Projects funded from borrowing, worth about \$2 million, and that Council can only borrow a total of approximately \$900,000 this year under present guidelines.

Mayor Kelly noted that Council would have the option to consider the project later in the year for funding out of the 1995/96 Capital Budget.

15. **NOTICES OF MOTION**

*ON MOTION of Councillor Cosgrove, it was moved to RESCIND the Motion of February 22, 1994:*

*ON MOTION of Councillor Oickle and Deputy Mayor MacLean, it was moved that \$5,500 be committed for two bus shelters from Source 1. The Motion was unanimously approved.*

Councillor Cosgrove stated that her reasons for the motion to rescind were that she felt Council had rushed into the decision, only one hour into deliberations, and that, in her opinion, Council should wait to more thoroughly review the priority list.

**The Motion to rescind was LOST - no seconder.**