

MEETING #92

TOWN OF BEDFORD

Regular Session

Tuesday, April 12, 1994

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, April 12, 1994 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Kelly presiding.

Prior to commencement of the session, a proclamation was made by Mayor Kelly.

The week of April 10-16, 1994 was proclaimed National Wildlife Week in the Town of Bedford.

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, Len Goucher and Anne Cosgrove, were in attendance at the commencement of the meeting. Councillor Oickle attended the meeting at approximately 7:20 p.m.

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

There were approximately 20 residents present.

3. APPROVAL OF MINUTES - Meeting #91 - Regular Session, March 22/94
Meeting #91 - Reconvened Session March 29/94

The minutes were amended to reflect that Councillor Goucher was not present at the meeting and did not participate in the following motions or discussions:

Page 2, under item #10.4: **Deputy Mayor MacLean** asked Police Chief MacKenzie for comments, not Councillor Goucher, as shown.

Page 5, under item #6.1: **Councillor Davies** was the mover of the Motion regarding the By-Law respecting Ferry Service, not Councillor Goucher, as shown.

Page 9, under item #6.3: **Councillor Davies** was the mover of the Motion regarding Lot BP-2, not Councillor Goucher, as shown.

ON MOTION of Councillor Hutt and Councillor Cosgrove, it was moved to approve the minutes of Meeting #91, March 22, 1994, as amended, and Meeting #91 Reconvened, March 29, 1994, as circulated. The Motion was unanimously approved.

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

The following changes were made to the Order of Business:

It was agreed to discuss Item #10.1 before Item #6.2. It was further agreed to add the following items:

Item #10.5 - Development Practices with Regard to Tree Cutting

Item #10.6 - Discussion re skateboard facilities at LeBrun Centre

Item #11.1.1 - B.H.A.C. - Ratification of Sub-Committee on the future uses for the Manor House

Item #11.1.2 - Update - Metropolitan Authority

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

ON MOTION of Councillor Goucher and Deputy Mayor MacLean, 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 **Bedford Electoral Boundaries**

Correspondence from Solicitor, Barry Ward, with comments on his review of a recent decision by the Provincial Government to place Bedford West into the constituency of Sackville/Beaverbank, was included in the agenda package.

Mayor Kelly spoke on the matter, commenting that it had been a "frustrating process," but that the government of the day has made its decision on the basis that they had no other option open to them, and that legally, they have no alternative until the year 2002, pending a new Electoral Boundaries Commission report, an opinion which Mr. Ward does not agree with.

The matter was discussed briefly by Council.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved that Bedford Town Council express its disagreement with the decision of the Provincial Government to place Bedford West in the constituency of Sackville/Beaverbank, and request that, in light of the denial of electoral rights by effected residents under Section 3 of the Charter of the Supreme Court, the Government make a constitutional reference on that decision. **The Motion was unanimously approved.**

10.1 Proposed MPS Amendment - Mainstreet Commercial

By memorandum dated April 6, 1994, Planning Staff reported background information and the outcome of a Public Information Meeting held regarding the Mainstreet Commercial designation on properties 1034 - 1094 Bedford Highway. Staff's recommendations were also included.

Ms. Donna Davis-Lohnes, Acting Director of Planning, spoke to Council on the matter, noting that, as indicated in the report on the Public Information Meeting, many concerns about the potential development of this part of the Bedford Highway for commercial uses have been raised by the owners of the properties and residents in the area.

A resident was given permission, by unanimous agreement of Council, to speak. He noted that he was the owner of a property on Locke Street that had been included in the Mainstreet designation of that part of the Bedford Highway in error, he felt, because it appeared to have frontage on the Bedford Highway. Concerns were also raised about possible blasting.

Ms. Davis-Lohnes acknowledged that the two properties on Locke St. had been included in error in the mainstreet designation. She then further clarified for the residents present the two-tiered planning tools of zoning and designations on the Future Land Use Map, noting that the area is still zoned R1 (or RSU), but that the Mainstreet Commercial designation allows for the possibility that the area could be re-zoned for commercial use in the future, if requested by an owner, and after passing the planning processes.

ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that Council indicate its intention to redesignate the properties 1034-1094 Bedford Highway, including #2 and #4 Locke St. to Residential, and to commence the regular planning process for an amendment to the Municipal Planning Strategy. **The Motion was unanimously approved.**

6.2 Petroglyph Advisory Report

Mayor Kelly reported that he has recently been advised that the Premier of Nova Scotia is currently in negotiations for a "land swap" or purchase for a further section of the 90 acres containing the Petroglyph site in Bedford. He has stated that there will be no similar negotiations with the land owners, St. Paul's Home for Girls and Redden Brothers.

Mayor Kelly noted that he had spoken to Dwight Dorey of the Native Council of Nova Scotia on this matter, and reminded him that the process for a Heritage Designation on the land will be complete in June, which could provide several other options.

Councillor Goucher stated that although he still supports the final decision of the Petroglyph Advisory Committee that all 90 acres should be protected, he is grateful that the Premier has made a decision on at least a portion of that land.

6.3 Proposed By-Law - Amalgamation - Dartmouth Ferry/Metro Transit - Final Reading

Mayor Kelly noted that the copy of the proposed By-Law included in this agenda package is the same as the other municipalities will be considering. He indicated that there was still some concern with respect to the fact that the document still did not refer to a time frame.

ON MOTION of Deputy Mayor MacLean and Councillor Cosgrove, it was moved that Bedford Town Council give Third and Final Reading to the By-Law respecting Ferry Service. The Motion was unanimously approved.

6.4 Proposed By-Law Pollution Control Surcharge Second Reading

ON MOTION of Councillor Cosgrove and Deputy Mayor MacLean, it was moved that the Proposed Pollution Control By-Law be given Second Reading. The Motion was unanimously approved.

ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that a Public Information Session on the proposed Pollution Control By-Law be held prior to the Third and Final Reading of the By-Law. The Motion was unanimously approved.

Councillor Goucher gave NOTICE OF MOTION with respect to lot levies to offset the increasing costs for infrastructure resulting from new development, which currently are borne mainly by existing residents.

6.5 Appointments to the Bedford Waterfront Development Corporation

Mayor Kelly reported that the Town has received no response to a request for further information in terms of the Government's intent as it relates to the future of the Bedford Waterfront Development Project. He suggested that it would be unfair to follow through with a submission of names for consideration for positions as Directors on the B.W.D.C. Board, and that he would not want to put the nominees in a position of liability if the province will not be funding the Corporation.

ON MOTION of Councillor Hutt and Councillor Goucher, it was moved to DEFER further discussion of nominations to the Bedford Waterfront Development Corporation.

Councillor Goucher expressed concern that the delay might put Bedford at risk of losing the right to nominate persons to the Board. Mayor Kelly indicated that the Province would be breaching its own Act in that case.

Deputy Mayor MacLean requested clarification as to whether the past Board had incurred any debt that they were personally liable for, and inquired if Bedford does not submit any names will the province appoint 6 members only. Mayor Kelly pointed out that the Act states "there shall be 9 members". He also noted that the Board has incurred debt in the past but not of a nature the Board members would be personally liable.

Councillor Oickle also expressed concern that this delay could result in a developer wishing to purchase land however with no Board in place to approve the purchase. He indicated that he would not support the Motion.

The Motion was put to the Meeting and was Carried. (Councillor Oickle and Deputy Mayor MacLean were opposed.)

7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM - NIL

8. PETITIONS AND DELEGATIONS

8.1 Angela Fraser - Future Plans for Municipal Facilities

Ms. Fraser noted that she has lived in Bedford for 30 years and was an employee of the Town at the time of Incorporation. She has also served on various Town committees such as the Heritage Advisory Committee and the Coat of Arms Committee, which established the motto "For the Common Good".

Ms. Fraser expressed that she has had many concerns in the past about the growth of the waterfront area and the Town's subsequent plans to locate the Town offices there. She suggested that an alternative location for the Town offices would be the old Central School building which is central in location and has character and history.

Mayor Kelly noted that the proposal to locate Town offices at the Waterfront is now a "dead issue." He further noted that a former steering committee had looked at the Central School building before, and that the possibility will be looked at again during the next three years while the Town is leasing space and considering its options for a more permanent location. The Mayor thanked Ms. Fraser for her interest and presentation.

8.2 Presentation - Cobequid Multi Service Centre re Request for Town of Bedford Contribution to Capital Expansion Program

Ms. Lee Wilson, Public Relations Director for the Cobequid Multi-Service Centre was present to speak to Council relative to a request for funding of an expansion to the facilities hours of operations, new programs and expanded programs. She reported that no funding will be available from the Province. Ms. Wilson requested that the Town of Bedford commit to \$75,000 over the next 5 years. The entire expansion is estimated to cost \$1 million.

Mayor Kelly thanked Ms. Wilson for her presentation to Council and indicated that the request will become part of the Operating Budget process.

9. MOTIONS - NIL

10. NEW BUSINESS

10.2 Consideration - Award of Tender - 93-26 - Contracted Grass Mowing

By memorandum dated April 6, 1994, Mr. Rick Paynter, Director of Engineering and Works, reported on the tenders received on Tender Call 93-26 and staff's recommendation.

Councillor Hutt inquired about the possibility that the company awarded the tender be required to employ young residents of Bedford for at least 50% of their labour requirements.

Councillor Oickle raised questions as to why the Staff's suggested number one choice of contractors is now eligible when it was not last year because of inadequacies. He requested information as to what changes have taken place since last year.

ON MOTION of Councillor Oickle and Councillor Goucher, it was moved to *DEFER* discussion of this item until further information from staff is provided to Council. **The Motion was unanimously approved.**

10.3 Status Report 1994/95 Operating Budget

Ron Singer, Director of Finance, reported that a draft 1994/95 Operating Budget is being prepared, but that several significant unknown factors are being awaited. It is hoped that the first draft will be presented at the May 3rd meeting.

10.4 Kelly Companies v. Town of Bedford - Resolution

Mayor Kelly turned the Chair of the meeting over to Deputy Mayor MacLean for discussion of this item.

Rick Paynter, Acting Chief Administrative Officer, noted that the resolution included in the agenda package was as discussed during a Committee of the Whole meeting.

ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that Council agree to the request from the Plaintiffs in the above action to discontinue their claim against the Town of Bedford without costs to either party. **The Motion was approved.** Mayor Kelly abstained.

10.5 Development Practices with Regard to Tree Cutting

Councillor Goucher reported that he has received many calls regarding excessive tree cutting at a new development; he indicated that everything that was not inside the sight disturbance lines or that was tagged has been cleared. Councillor Goucher noted he was of the understanding the Town would have more control over this kind of clearing of trees under the contract development agreement process. He suggested that more affirmative action for tree retention is required.

ON MOTION of Councillor Goucher and Councillor Hutt, it was moved that the Planning Department report back to Council on possible steps that could be taken for increased protection of trees during development. **The Motion was unanimously approved.**

10.6 Discussion - Skateboard Facilities at LeBrun Centre

Deputy Mayor MacLean inquired about condition of the skateboarding facility that has been outside the LeBrun Centre all winter, and whether the facility could be moved indoors for the summer.

Councillor Hutt reported that he has spoken to the Director of Recreation, Bob Nauss, about the skateboarding, and he has indicated that this facility is to be closed down entirely due to lack of interest.

11. REPORTS - NIL

11.1 COMMITTEES/COMMISSIONS/BOARDS

11.1.1

Heritage Advisory

ON MOTION of Deputy Mayor MacLean and Councillor Goucher, it was moved that Council approve the establishment of a sub-committee to review the possible uses and seek opportunities for the Manor House. The Motion was unanimously approved.

11.1.2

Update - Metropolitan Authority

Mayor Kelly reported that today's meeting of Metropolitan Authority was very brief, but that a Motion had been passed deferring the matter of the Incinerator Contract pending a legal review of the matter.

11.2 DEPARTMENTAL - NIL

12. CORRESPONDENCE

12.1 Robert Grant, Solicitor - Appeal - Nelson's Landing Development Agreement

A Notice of Appeal by Annapolis Basin Pulp & Paper Company Limited from a Decision of Bedford Town Council respecting Nelson's Landing Development Agreement was included in the agenda package.

Questions were raised from Councillor Goucher as to whether legal counsel had been retained on behalf of the Town in this Appeal, and whether legal representation is necessary when the Acting Director of Planning will be present at the Appeal.

Ms. Davis-Lohnes indicated that Mr. Peter McInroy had been retained, and she further suggested that much more time and commitment on her part would be required if she was to serve as legal representative for the Town in appeals, as the former Director of Planning had done on occasion.

ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that Council seriously review, by means of a report from staff, the legal representative involvement in planning appeals in the future, prior to hiring legal counsel in further appeals.

Councillor Goucher pointed out that the Appeals Board is a "quasi-legal" setting, and Council should review what legal costs have been in the past for these matters.

The Motion was unanimously approved.

ON MOTION of Councillor Oickle and Councillor Hutt, it was moved that the Acting Director of Planning, Donna Davis-Lohnes, represent the Town at the Appeal by Annapolis Basin Pulp & Paper Company Ltd., in a Planning capacity only.

Deputy Mayor MacLean indicated that he would support the Motion because he felt the Town should not take an active role and should not defend its position actively.

Councillor Cosgrove indicated that she felt the process should proceed as it has begun this time, with legal representation, and review for the future.

Councillor Goucher agreed, noting that the solicitor has likely done preliminary work already on this case.

The Motion was put to the Meeting and was LOST. (Councillor Oickle and Deputy Mayor MacLean voted in favour.)

12.2 David W. Fisher, Solicitor, Police Association of Nova Scotia - Notice to Commence Collective Bargaining

Correspondence from the Police Association of Nova Scotia, notifying Town Council of the commencement of collective bargaining on behalf of the Bedford Police Association was included in the package.

ON MOTION of Councillor Oickle and Councillor Hutt, it was moved that Council approve the following Resolution:

WHEREAS the Bedford Police Association, Local 239 of the Police Association of Nova Scotia was certified as a Collective Bargaining under the Nova Scotia Trade Union Act on April 5, 1994 and;

WHEREAS official notice has been received from PANS to commence collective

bargaining and;

WHEREAS these negotiations will result in the first Collective Agreement between the Town of Bedford and Local 239; and;

WHEREAS the first Collective Agreement is critically important in terms of it's contract language and must be approached in a professional and businesslike manner, and;

WHEREAS professional expertise should be engaged by the Town of Bedford to assist management in this Collective Bargaining exercise,

BE IT THEREFORE RESOLVED that the Town Council of the Town of Bedford appoint the following persons as representatives of the Town on the Negotiation Committee for the purpose of negotiating the first Collective Agreement with Local 239:

- *Dan English, Chief Administrative Officer*
- *Greg Murray, Deputy Police Chief*
- *Jeannine Theriault, Human Resource Officer*
- *Peter Kelly, Mayor/Police Commissioner*
- *Matthew V. MacPherson, Labour Relations Consultant (including Administrative Assistant as observer) and;*

BE IT FURTHER RESOLVED that from time to time additional and/or alternate Committee members may be appointed as required and that Mr. Matthew V. MacPherson be appointed to act as the official Negotiator/Consultant for the Town in this matter and;

BE IT FURTHER RESOLVED that any matters relating to the Collective Bargaining process with Local 239 PANS shall be referred to Mr. MacPherson through the Chief Administrative Officer.

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 February, 1994

ON MOTION of Deputy Mayor MacLean and Councillor Oickle, it was moved to accept the Fire Chief's Monthly Report for the Month of February, 1994 as circulated. The Motion was unanimously approved.

16.2 Building Inspector's Monthly Report - February 1994

ON MOTION of Councillor Oickle and Councillor Cosgrove, it was moved to accept the Building Inspector's Report for the Month of February, 1994 as circulated. The Motion was unanimously approved.

17. QUESTIONS

17.1 Status Sheet

Mayor Kelly reported that discussions regarding the Riverlane lots 1-10 have begun now that the Mall has been sold.

18. ADDED ITEMS - NIL

19. ADJOURNMENT

ON MOTION of Mayor Kelly, it was moved to Adjourn the 93rd Regular Session of the Town Council of the Town of Bedford at approximately 10:00 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

/sk

MEETING #93

TOWN OF BEDFORD
REGULAR SESSION
TUESDAY, APRIL 26, 1994 - 7:00 P.M.

A Regular Meeting of the Town Council of the Town of Bedford took place Tuesday, April 26, 1994 - 7:00 p.m. - in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia.

Prior to the commencement of the actual meeting, Mayor Peter Kelly presented two members of Town Staff, Mr. Rick Paynter, Director of Engineering and Works, and Mr. Ron Singer, Director of Finance, with Ten Year Plaques.

At the request of Mayor Kelly, Mr. Dan English, Chief Administrative Officer read two proclamations; Kidsport Day - April 28, 1994 and Arbor Day - May 7, 1994.

Mayor Kelly congratulated Councillor Stephen Oickle on the birth of his daughter Stephanie.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members in attendance included Dan R. English, Chief Administrative Officer; Mr. Rick Paynter, Director of Engineering and Works; Mr. Bob Nauss, Director of Recreation; Ms. Donna Davis-Lohnes, Acting Director of Planning; Deputy Police Chief Greg Murray; Mr. Mike Gillette, Community Programmer; Mr. Neville Wheaton, Fire Chief and Jane Nauss, Recording Secretary.

3. APPROVAL OF MINUTES

ON MOTION of Councillors Harris Hutt and Len Goucher, it was moved to approve the minutes of April 12, 1994 - #93 - as circulated. MOTION CARRIED UNANIMOUSLY.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

Under agenda item #81.2 - Mr. Eric Burgess - Eaglewood Subdivision Water Pressure - Mayor Kelly announced that Mr. Burgess was unable to make a presentation to Town Council this evening, however, he would still like the matter addressed.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, it was moved to approve the Order of Business. MOTION CARRIED UNANIMOUSLY.

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.1 Consideration of Recommendations - Youth Issues

At the request of Mayor Kelly, Mr. Bob Nauss reviewed his report respecting Bedford Youth Services. He noted the Recreation Department recommends an extension to the LeBrun Centre to accommodate a Youth Facility at an estimated cost of \$136,750 with \$25,000 being contributed from the Lions Club.

A lengthy discussion ensued with Councillor Len Goucher suggesting that another recreational facility should be established i.e. expansion of the Lions Pool, to take some of the burden off the LeBrun Centre.

Deputy Mayor Bill MacLean advised he has worked with Bedford Youth for many years at the volunteer level and feels that without the current level of volunteerism within the community, youth concerns would be greater.

In response to an enquiry from Deputy Mayor MacLean, as to whether Recreation Staff had sought facilities to rent, Mr. Nauss advised they had investigated those areas available on the open market.

Mr. Nauss advised the meeting that an addition to the LeBrun Centre would incorporate a youth facility as the addition (expansion of the current gymnasium) could be used as a multi-purpose area (one large area or closed off to provide for two rooms).

The meeting was also advised by Mr. Nauss that a new multi-purpose facility would take approximately 3 - 5 years before being realized. He further noted that \$25,000 has been identified within the 1994/95 Budget for a Facility Needs Assessment which would identify the needs of residents as well as locate appropriate land needed (6 - 8 acres). If the LeBrun Centre was expanded, the facility could be utilized now.

Mr. Mike Doucet, President, Bedford Youth Council, addressed Council advising that Bedford Youth were agreeable to being supervised and that they were simply looking for a location in which to be with their friends.

In response to an enquiry from Councillor Goucher as to whether the proposed Lions Pool expansion could be phased in, Mr. Nauss advised in the affirmative.

Councillor John Davies advised that unless previous concerns regarding Bedford Youth were addressed, the issue would be ongoing. He also enquired as to whether a Management Plan had been developed.

In response, Mr. Nauss advised that although there were no funds budgeted last year to rectify this issue, the Town was working towards addressing youth concerns i.e. public forums; dialogue with Youth Council and Bedford Police, and placing a representative from the Youth Council on the Recreation Advisory Committee. As well, he noted the youth are cognizant of the problem at hand.

Mr. Nauss noted that residents in the vicinity of the LeBrun Centre had not been made aware of the proposed management plan for the LeBrun Centre (monitoring committee, supervisor for parking lot, etc.) as yet as the report have been prepared strictly for Town Council at this point in time.

ON MOTION of Councillors Len Goucher and John Davies it was moved that the Director of Recreation be directed to bring back to Town Council the approximate costs involved, as well as the original plans/designs, to expand the Lions Pool as a multi purpose Youth Centre.

In speaking to the Motion, Councillor Hutt advised he would like to have public input on the matter prior to moving ahead with this matter.

In response, Mayor Kelly advised the matter had already been discussed during the previous Public Forum.

MOTION CARRIED UNANIMOUSLY.

8.1 N.S. FIREFIGHTERS SCHOOL - MR. ED REESE

Mr. Ed Reese, N.S. Firefighters School, addressed Town Council on the funding requirements of the School in order to maintain a high quality of service in training both paid and volunteer firemen throughout the Province.

Mr. Reese advised that since fire suppression was a municipal responsibility, he was seeking \$20 per firefighter to maintain the school.

ON MOTION of Councillors Stephen Oickle and Len Goucher, it was moved that \$1,400 (70 Bedford firefighters x \$20) be forwarded to the N.S. Firefighters School.

In speaking to the Motion, Councillor Hutt enquired of Neville Wheaton, Fire Chief, if Bedford paid for courses for its firefighters at the current time. Mr. Wheaton responded in the affirmative.

Mr. Reese explained that it costs the School \$100/day to train one firefighter but that they charge only \$30/day. The reason for this is that some municipalities can't afford anything higher than \$30.

MOTION CARRIED UNANIMOUSLY

Mayor Kelly thanked Mr. Reese for his presentation.

6.2 CONSIDERATION - TOWN COUNCIL POSITION - PETROGLYPH REPORT RECOMMENDATIONS

Ms. Donna Davis-Lohnes advised the meeting that the Province will not be pursuing acquisition of the remaining lands of the Barrens. Accordingly, Town Council will need to determine what, if anything, should be carried out further with respect to this matter.

The recommendations of the Petroglyph Advisory Committee were reviewed by Ms. Davis-Lohnes and she provided her comments on each as per the report included in the Council package.

In conclusion, Ms. Davis-Lohnes advised that a number of the recommendations had been completed either in whole or part. At this point in time there were two questions which needed to be answered: (1) what should be done with the 127 acres plus 10 acres of inholdings, and (2) is the Town interested in acquiring any additional land in the Barrens area?

Following a brief discussion, Mayor Kelly advised he would correspond with the Province to determine the Province's intention regarding the 37 acres.

Councillor Goucher suggested a meeting should be called by the Province to discuss the Barrens issue. Mayor Kelly enquired as to who exactly would be invited to attend.

In response, Councillor Goucher advised those who should attend would include Members of Town Council, the Provincial Minister for Aboriginal Affairs; Federal Minister responsible for Indian and Northern Affairs; Bedford's Member of the Legislative Assembly; Bedford's Member of Parliament; representatives from the aboriginal community and owners of the land in question.

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved that a letter be forwarded to Dwight Dorey to enquire if he would initiate a tri level meeting (Municipal, Provincial, Federal) so all three levels of government can discuss the Barrens issue.

A brief discussion took place with various Members of Council enquiring why the Town should be getting involved when the responsibility lies with both the Provincial and Federal Governments.

Councillor Goucher suggested the responsibility of Town Council never ends and that the Town's responsibility lies with protecting planning issues and the rights of all people in Bedford.

Councillor Len Goucher and Mayor Peter Kelly voted in the positive. Councillors Stephen Oickle, John Davies and Harris Hutt voted in the negative. **MOTION DEFEATED.**

ON MOTION of Councillor Stephen Oickle and Deputy Mayor Bill MacLean, it was moved to request Planning Staff to determine if the areas which have been acquired for the protection of the petroglyphs can be re-designated and re-zoned from RCDD to Park Open Space. **MOTION CARRIED UNANIMOUSLY.**

It was the consensus of the meeting that should the Town be invited to attend any meeting requested by the Province respecting the Barrens, Members of Town Council would attend.

6.3 Consideration - Award of Tender - #93-26 - Contracted Grass Mowing

Mr. Rick Paynter reviewed his report as contained within the Council Package making note that it was his recommendation that Contract #93-26 - Contracted Grass Mowing - be awarded to Graduate Commercial Contractors Ltd., in the amount of \$2,515 per mowing.

ON MOTION of Councillors Stephen Oickle and Deputy Mayor Bill MacLean, it was moved that Contract #93-26 be awarded to Mullane Landscaping in the amount of \$2,500 per mowing.

A brief discussion ensued on the fact there was only a \$15 difference in the two lowest bids and that Mullane Landscaping was a local firm. Mr. Paynter reviewed briefly the criteria that normally would apply in not accepting the low bidder. In this case, he advised there was no technical reason not to do so.

Councillors Harris Hutt and John Davies abstained. **MOTION CARRIED.**

8.2 Mr. Eric Burgess - Eaglewood Subdivision Water Pressure

Mayor Kelly had mentioned at the commencement of the Session that Mr. Eric Burgess was unable to attend the Council Meeting.

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved that a formal complaint be filed relative to the low water pressure with the Public Utilities and Review Board on behalf of the residents of Eaglewood Subdivision.

Councillor Stephen Oickle left the meeting at approximately 9:25 p.m.

In speaking to the Motion, Mr. Rick Paynter provided a technical overview of the situation and indicated that pressure variations exist across the expanse of a water distribution system and that uniformity in pressure is not practically possible.

Mr. Dan English advised the meeting that he would suggest a meeting be arranged between the Town of Bedford and the Water Utility in an attempt to rectify the water pressure problem. Should this not prove fruitful, then he would support the filing of a formal complaint.

Mayor Kelly disagreed and suggested the Town go ahead with the formal complaint.

Deputy Mayor Bill MacLean agreed with Mr. English and suggested that protocol called for a meeting to be held with the Water Utility first.

Mayor Peter Kelly and Councillor Len Goucher voted in the affirmative. Deputy Mayor Bill Maclean and Councillors John Davies and Harris Hutt voted in the negative. **MOTION DEFEATED.**

ON MOTION of Deputy Mayor Bill MacLean and John Davies, it was moved to correspond with the Water Utility requesting a meeting to discuss the water pressure in Eaglewood Subdivision within 30 days. In the event the meeting does not take place, or the results are unfavourable, a formal complaint will be filed with the Public Utilities and Review Board on behalf of the residents.

MOTION CARRIED UNANIMOUSLY.

9. MOTIONS - NIL

10. NEW BUSINESS

10.1 Halifax County Regional Library - Funding Formula Review

Councillor Harris Hutt reviewed the report from the Halifax County Library Board which referred to the Library Board's recommendation that the current funding formula (a per capita formula with a municipal library tax, based on ability to pay in relation to the population served) be reconsidered.

Councillor Hutt explained that the suggested formula will see Bedford/Halifax County receiving funding in the amount of \$10 per capita in comparison to the two larger metro municipalities (Dartmouth and Halifax) receiving \$19 per capita.

ON MOTION of Councillors Harris Hutt and Len Goucher, it was moved to support the Halifax County Library Board's bid in requesting the Province to not implement its recommended formula for Library funding. **MOTION APPROVED UNANIMOUSLY.**

10.2 Appointment of Returning Officer - 1994 Municipal Election

ON MOTION of Deputy Mayor Bill MacLean and John Davies, it was moved that the Chief Administrative Officer be appointed Returning Officer for the upcoming 1994 Municipal Election. **MOTION CARRIED UNANIMOUSLY.**

10. Consideration - Unsightly and Dangerous Property - 57 Orchard Drive

ON MOTION of Councillor Len Goucher and Deputy Mayor Bill MacLean, it was moved to proceed with issuing a 30 day Notice to the owner of #57 Orchard Drive, to clear his property. In the event, this is not carried out, the Town will clean the property and charge any costs incurred to the owner. **MOTION CARRIED UNANIMOUSLY.**

10.4 Overview - Backyard Composting Program for 1994

Mr. Rick Paynter reviewed his report as contained within the Council Package.

ON MOTION of Councillor Len Goucher and Deputy Mayor Bill MacLean, it was moved to endorse a Demonstration Residential Backyard Composting Program.

In speaking to the Motion, Deputy Mayor Bill MacLean advised the Town needs to take an active role in composting.

Mr. Rick Paynter advised that grass clippings will still be collected however it will be sent to another composting component. As well, he noted he was disappointed in the number of Bedford residents who have expressed an interest thus far in taking part in

the Backyard Composting Program. It was suggested that Bedford Town Council put out a strong challenge to Bedford residents to react positively to this program.

MOTION CARRIED UNANIMOUSLY.

10.5 Reserve Funds Committee Report

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, it was moved to defer this item until the next Regular Council meeting. Mayor Kelly opposed. **MOTION CARRIED.**

11. REPORTS - NIL

12. CORRESPONDENCE

12.1 Proposed Municipal Services Exchange

ON MOTION of Deputy Mayor Bill MacLean and Councillor Len Goucher, it was moved that Town Council express its concern at the present Service Exchange proposals as put forward by the Province, calling upon the Province to reconsider its position and to meet with representatives of the municipalities in an effort to achieve a more acceptable proposal. **MOTION APPROVED UNANIMOUSLY.**

12.2 Bedford Board of Trade Economic Development Committee - M. Ingram

This correspondence was received for information.

13. MOTIONS OF RECONSIDERATION - NIL

14. MOTIONS OF RESCISSION - NIL

15. NOTICES OF MOTION

15.1 Proposed Lot Levy Concept - Councillor Len Goucher

ON MOTION of Councillor Len Goucher and Deputy Mayor Bill MacLean, it was moved to defer this item until the next Regular meeting of Town Council. **MOTION CARRIED UNANIMOUSLY.**

16. DEPARTMENTAL INFORMATION REPORTS

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

ON MOTION of Councillors John Davies and Councillor Len Goucher, it was moved to receive the Fire Chief's Monthly Report for the month of March, 1994. **MOTION CARRIED UNANIMOUSLY.**

16.2 Chief Building Inspector's Monthly Report - Month of March, 1994

ON MOTION of Councillors Len Goucher and Councillor John Davies, it was moved to receive the Chief Building Inspector's Monthly Report for the Month of March, 1994. MOTION CARRIED UNANIMOUSLY.

17. QUESTIONS

17.1 Status Sheet

The Status Sheet was received for information.

18. ADDED ITEMS - NIL

19. ADJOURNMENT

The meeting adjourned at approximately 10:00 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

/jn

MEETING #94

TOWN OF BEDFORD
SPECIAL SESSION
TUESDAY, MAY 3, 1994 - 7:15 P.M.

A Special Session of the Town Council of the Town of Bedford was held ON Tuesday, May 3, 1994 - 7:15 p.m .- in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia.

1. LORD'S PRAYER

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

2. ATTENDANCE

Those in attendance included Mayor Peter Kelly; Deputy Mayor Bill MacLean and Councillors Anne Cosgrove, Harris Hutt, Len Goucher, Stephen Oickle and John Davies.

Staff in attendance included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Bob Nauss, Director of Recreation; Ron Singer, Director of Finance; Donna Davis-Lohnes, Acting Director of Planning and Development and Jane Nauss, Recording Secretary.

3. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

The following changes were made to the order of Business:

Added to the agenda under 6.1 "Update - M1 Development"

Added to the agenda under 5 - 5(a) "Proclamation Regarding Red Cross Day - May 8, 1994"

4. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillors Len Goucher and Harris Hutt, it was moved to approve the Order of Business as amended. MOTION APPROVED UNANIMOUSLY.

5. READING OF PROCLAMATION - RED CROSS DAY - MAY 8, 1994

Mayor Peter Kelly called upon Mr. Dan R. English to read a proclamation respecting Red Cross Day - May 8, 1994.

6. PROPOSAL CALL RESULTS - LEASED OFFICE ACCOMMODATIONS - MUNICIPAL FACILITIES

ON MOTION of Councillors Len Goucher and John Davies it was moved that Town Council authorize the Mayor and Chief Administrative

Officer to finalize negotiations with Southwest Properties Limited and to execute a three-year Lease Agreement for Town Office space, not to exceed 9,216 sq. ft., in the Royal Bank Building (1597 Bedford Highway), based on the terms and conditions as outlined in Southwest Properties Ltd.'s response to the Leased Office Accommodations Proposal Call No. 1994-001, received on April 27, 1994. Further, that prior to execution of the Lease Agreement being prepared by Southwest Properties Limited, a solicitor be engaged by the Town to review said document.

In speaking to the Motion, Mr. Dan English provided an overview of the matter utilizing a series of overheads primarily making note of Tables which had been included in the information packages. He indicated the deadline for proposal calls closed on March 22, 1994 - 12 Noon. The proposals contained limited information so as a result, staff undertook further evaluation of the various proposals taking into account all considerations the Town must look at before determining the best offer.

In referring to Table 1, Mr. English noted the space consistent analysis and pointed out that the Town was currently paying a gross rental rate of \$19.56 (1993) for a total rental cost of \$198,092.75. A comparison revealed the following:

- Southwest Properties Ltd. had the most favourable proposal at a rate of \$16.95 gross rental rate for a total area of 9,216 sq. ft. in the Royal Bank Building.
- Hustins Enterprises Limited provided a proposal for the Town's existing space at a total gross rental rate of \$18.16.
- Oxford Suburban provided a proposal for gross rental rate of \$17.77.

With respect to the Oxford Suburban proposal, the Town had requested a turnkey operation. Oxford Suburban (Oakmount Strip Mall), put a cap of \$15.00 per sq.ft. on leasehold improvements. The construction industry norm for leasehold improvements approximates \$20.00 per sq. ft. Should the Town consider the Oakmount strip mall, the additional \$5.00 per sq. ft. discrepancy in leasehold improvements would have to be picked up by the Town. As a result of this, staff recommended this particular proposal be excluded from the analysis.

Mr. English advised that the Town utilizes 9,760 sq. ft. at its present location including the Council Chambers. He noted the A.J. Hustins proposal offered 10,462 ft. but essentially that encompassed unuseable space including the hallways in the Town's current location. As well, A. J. Hustins did not include any leasing incentives.

Council was advised it was difficult to determine comparable space allocations therefore this was factored down to a base standard of 9,216 sq.ft. enabling a direct comparison between the three proposals. The gross rates were then multiplied by this base standard to give a gross rental cost. This excluded any offers of free rent and also assumed a turnkey operation.

The conclusion from Table 1 was that the Southwest Properties proposal was favourable by approximately \$11,000 in the first year with a three-year cost saving of approximately \$45,000.

Mr. English explained Table 2 which indicated actual cost comparisons and quantifiable leasing incentives such as the free rent offers by Southwest Properties Ltd. and Hustins Enterprises Ltd. The most favourable proposal was by Southwest Properties Ltd. indicating that a three-year cost would in fact amount to \$448,012.80. As well, there would be an additional cost of approximately \$3500 that the Town would have to expend for changes in letterhead and business cards. All other costs have been factored in such as moving the computers, telephones, moving costs, leasehold improvements, etc.

Mr. English noted one cost which was not factored in was the actual down-time involved during the move and that staff were estimating two moving days.

Deputy Mayor Bill MacLean enquired if the proposal call prices quoted were comparable to the market prices in downtown Halifax. In response, Mayor Kelly advised the quotes reflected the current market conditions within the Town of Bedford.

Deputy Mayor Bill MacLean enquired if Council could call for more proposals. In response Mayor Kelly advised that the proposals as received were valid and that Town Council needs to select one proposal or turn down all three.

Councillor John Davies advised that Council has three proposals before them and that if the Town called for additional proposals, it may lead to legal ramifications.

MOTION CARRIED UNANIMOUSLY.

5. PROPOSED ADDITION TO THE LIONS POOL - YOUTH FACILITY

Mr. Bob Nauss addressed Town Council expressing his appreciation to Members of Council for awaiting discussion on the Youth Facility until the arrival of Bedford Youth to the meeting.

Mr. Nauss advised this matter was discussed during the April 26,

1994 Regular Session, but was held in abeyance following receipt of additional information as to costs involved to expand the Lions Pool as a multi-purpose Youth Centre.

In reviewing his May 3, 1994 report, as requested by Council, Mr. Nauss advised of the Department of Recreation recommendations relative to a proposed Youth Facility:

Lions Pool Facility - although the facility is 25 years old and requires extensive renovations, with an upgrading of the bath house, office facility and pool tank, it would be advantageous for the Town to establish a Youth Centre at the Lions Pool. The facility is centrally located within the community and is not directly surrounded by residences. As well, it was noted that the facility had ample parking, with the facility being supported by the Bedford Parent Support Group.

The cost estimates to establish Phase 1 of this particular facility in 1994 totaled \$177,981 minus \$25,000 being contributed by the Lions Club (\$152,982 Town costs). Phase 2 in 1995 would cost \$147,019 of which \$100,000 would be raised by the Bedford Parent Support Group (\$47,109 Town costs - 1995/96). Fundraising efforts of the Bedford Parent Support Group are subject to Town Council's commitment to complete the renovations in 1995/96.

LeBrun Centre - An expanded LeBrun Centre would accommodate a Youth Centre at a cost of \$136,750 minus a \$25,000 contribution from the Lions Club (\$111,750 Town costs).

The Recreation Department also provided a Youth Facility Management Plan which would address operating concerns for either facility.

ON MOTION of Councillors Stephen Oickle and Len Goucher, it was moved that a Public Information Session be held for the residents within the Lions Pool area as it relates to the potential expansion and usage of the facility for a youth centre.

In speaking to the Motion, Mr. Bob Nauss advised the meeting he supported the Public Information Session, however, he reminded Council two public forums on the matter of youth issues had previously been held. As well, he noted that plans for a Youth Centre had been in effect for one year and as a result, he would like to see a tender call on the project.

MOTION CARRIED UNANIMOUSLY.

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved to authorize the Director of Recreation to call tenders for exact costs to locate the youth facility at the Lions Pool.

MOTION DEFEATED. Deputy Mayor Bill MacLean and Councillors John Davies, Harris Hutt and Anne Cosgrove voted in the negative. Mayor Peter Kelly, Len Goucher and Stephen Oickle voted in the affirmative.

6. | ENVIRONMENTAL REPORT - M1 DEVELOPMENT AGREEMENT

Ms. Donna Davis-Lohnes provided an update on the Environmental Report for the M1 site and advised that Town Council had been provided a copy of the final report for information purposes.

The meeting was advised that no development had commenced on the site, although work had begun on the filtration walkway system, with approximately 200 feet of walkway being constructed adjacent to the middle apartment building. The fence is also being constructed between the houses on Village Crescent and the two proposed apartment buildings closest to Bedford Hills Road. Ms. Davis-Lohnes reminded Council that the fence and all environmental protection measures (including the filtration walkway) had to be in place prior to construction commencing.

The Planning Department does have copies of the building plans for the two apartment buildings however, no permits for development, building, nor grade alteration, had been issued as of this date.

In response to an enquiry from Councillor Len Goucher if environmental monitoring would be carried out on a monthly basis, Ms. Davis-Lohnes advised in the affirmative.

In response to an enquiry from Councillor Len Goucher if hay bales will be available as an emergency backup procedure, Ms. Davis-Lohnes advised that they would be available.

Councillor Goucher expressed concern in that he felt the study was conducted to fit the development rather than the reverse. Accordingly, he advised Council he will be watching this development very closely to ensure the lake is not damaged as a result of the development.

7. | COUNCIL REPRESENTATION TO 1994 BEDFORD DAYS COMMITTEE

ON MOTION of Councillors Stephen Oickle and John Davies, it was moved to appoint Deputy Mayor Bill MacLean as Council representative to the 1994 Bedford Days Committee, thereby replacing Councillor Stephen Oickle. **MOTION APPROVED UNANIMOUSLY.**

8. ADJOURNMENT

The meeting adjourned at approximately 9:00 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

MEETING #95

TOWN OF BEDFORD
REGULAR SESSION
TUESDAY, MAY 10, 1994 - 8:00 P.M.

A Regular Meeting of the Town Council of the Town of Bedford took place on Tuesday, May 10, 1994 - 8:00 p.m. - in the Town Council Chambers, Suite 400, 1496 Bedford Highway, Bedford, Nova Scotia.

1. LORD'S PRAYER

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

2. ATTENDANCE

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

Staff members in attendance included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Bob Nauss, Director of Recreation; Ron Singer, Director of Finance; Donna Davis-Lohnes, Acting Director of Planning and Jane Nauss, Recording Secretary.

Mr. Peter McInroy, Solicitor, was also in attendance.

3. APPROVAL OF MINUTES - April 26, 1994

ON MOTION of Councillors Len Goucher and John Davies, the minutes of April 26, 1994 were approved. **MOTION CARRIED UNANIMOUSLY.**

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS - NIL

5. APPROVAL OF ORDER OF BUSINESS

Mayor Peter Kelly requested consideration of the following changes to the Order of Business:

- (a) Item #6.2 - Proposed By-Law Pollution Control Surcharge - Third and Final Reading - discussed prior to item #6.1.
- (b) Item #6.5 - Proposed Lot Levy Concept - Councillor Len Goucher - discussed following #6.2.

ON MOTION of Councillor John Davies and Deputy Mayor Bill MacLean, the Order of Business, as amended, was approved. **MOTION APPROVED UNANIMOUSLY.**

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.2 Proposed By-Law Pollution Control Surcharge (Waste Water Disposal Charge) - Third and Final Reading

Mayor Peter Kelly called on Mr. Rick Paynter, Director of Engineering and Works to address Council.

Mr. Paynter addressed Council noting that a Pollution Control Charge (direct user pay charge) was being proposed as a method of recovering costs associated with the construction, operation and maintenance of the Town's sanitary sewer collection/treatment system. He noted the proposed charge would achieve water conservation; reduce wastewater volume, and establish a fairer method of taxation for the utilization of the sanitary sewer system component of the Town's infrastructure.

He completed his comments by stating that the proposal is intended to be a volume based charge based on a certain volume of water usage and is identified as one of the user charge options under review by the Economic Instruments Study team (ADI Nolan Davis Ltd., Town of Bedford, Boyne Clarke, and the Federal and Provincial Departments of the Environment).

Mr. Ron Singer, Director of Finance addressed Council noting that this matter was on this evening's agenda for Third and Final Reading. As well, Council was advised the actual name of the by-law was to be changed to "Waste Water Disposal Charge."

He reviewed the impact to the taxpayer (both residential and commercial/industrial) as a result of the proposed charge:

Projected cost to be recovered	\$750,000
Total water consumption projected	375 million gal
Required Rate per 1,000 gallons	\$2.00

Mayor Kelly opened the floor to questions from the gallery.

MR. GRANT MOSHER

Mr. Grant Mosher, Terra Nova Landscaping, addressed Council reviewing his letter which had been previously circulated to Members of Council. Mr. Mosher advised that his company currently pays between \$200 - \$300 per year on a basic water charge. If this charge comes into effect, his water costs will increase by \$3,000 to \$4,000 per year. Mr. Mosher noted that 98% of his water is not discharged into the Town's sewer system. Accordingly, he respectfully requested Council to consider incorporating some

flexibility within the by-law with respect to those businesses whose majority of water usage is not discharged to the Bedford sewer system.

MRS. PEGGY GODFREY

Mrs. Peggy Godfrey, Atlantic Gardens, had circulated a letter to Town Council prior to the meeting. In addressing Council, Mrs. Godfrey reiterated Mr. Mosher's concerns. At the present time, her company pays \$647 per year on a basic water charge. Should the charge come into effect, her costs would rise to approximately \$3,000 per year. She agreed the charge should be based on a user pay system, however, reality dictates this is too high of an increase. She closed her statements by advising that consideration should be given by Council to some flexibility prior to giving Third and Final Reading to the proposed By-Law.

After three calls, Mayor Kelly opened the floor to comments from Members of Town Council.

Councillor Len Goucher suggested an amendment be made to Clause 4 (1) of the proposed by-law to allow for some flexibility.

ON MOTION of Anne Cosgrove, it was moved to defer this matter for reconsideration. **MOTION DEFEATED.** There was no seconder to the Motion.

ON MOTION of Councillors John Davies and Len Goucher, it was moved to request staff to prepare, by May 24, 1994, a report with legal comments on the aspects of an amendment to the proposed by-law as it pertains to incorporating a flexibility clause or exemption within the by-law.

In speaking to the Motion, Mr. Dan English advised that this charge will reflect on budget discussions. Accordingly, if Council agrees with the general intent of the proposed by-law, discussions can still take place during the next Regular Session scheduled for May 24, 1994. Subsequently, the Budget can be structured around the disposal charge rate.

MOTION CARRIED UNANIMOUSLY.

Mayor Peter Kelly enquired of the position of each Councillor on the user pay concept, and each advised of their support.

6.5 Proposed Lot Levy Concept - Councillor Len Goucher

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved that the Chief Administrative Officer have legal counsel prepare the necessary enabling legislation (draft) to be returned to Council for comment.

In speaking to the Motion, Mr. Peter McInroy, Solicitor, advised he would have the information, as required, by the June 28, 1994 Council Meeting.

In speaking to the Motion, Councillor Anne Cosgrove enquired if the Motion could be amended to include the fact that developer comments would be included.

Mayor Kelly advised that it has been the practice of Council that once legislation is brought to Council for consideration, same is then referred to the By-Law/Policy Advisory Committee for their input. Subsequently, the community would be invited to provide their comments/input.

MOTION CARRIED UNANIMOUSLY.

7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM - NIL

8. PETITIONS AND DELEGATIONS

8.1 Consideration - Financial Assistance - Bedford Skippers

Mr. Paul Girouard addressed Town Council outlining his request for a financial contribution for the Bedford Skippers.

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, it was moved that an amount of \$750 be forwarded to the Bedford Skippers.

In speaking to the Motion, Councillor John Davies advised that numerous requests for financial assistance are received by the Town. He noted that Council should either stay within the current policy of allocating certain funds in response for financial requests, or Council should reinstate the Grants Advisory Committee.

Mr. Dan English advised that if Council deemed it appropriate to provide financial assistance to the Bedford Skippers, it would be unfair to other groups who have not had the opportunity to address Council directly on the matter. He suggested that no funds be allocated for charitable donations at this point in time.

ON MOTION of Councillors Harris Hutt and John Davies, it was moved to defer this matter to the upcoming budget deliberations at which time a decision will have to be made on all non-charitable funding requests. **MOTION CARRIED.** Mayor Peter Kelly and Deputy Mayor Bill MacLean voted in the negative. Councillors Stephen Oickle, John Davies, Anne Cosgrove, Harris Hutt and Len Goucher voted in the affirmative.

Mayor Peter Kelly explained the situation to Mr. Girouard and thanked him for addressing Council.

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

6.1 Proposed Sewer Infiltration Reduction Program

Mr. Rick Paynter reviewed his report for Town Council noting that it was the recommendation of the Engineering Department that Council approve the implementation of a phased sanitary sewer infiltration reduction program as outlined in the staff report. This program could recoup lost system capacity thereby enabling the Town to accommodate development within the Town until completion of the treatment plant expansion is realized (1997/98).

Councillor Len Goucher noted that it appeared 25% of the costs involved in this program was directed to relatively new areas of the Town and felt that monies should be directed to the older systems.

In response, Mr. Rick Paynter advised that although the sewer systems in the Town may be considered relatively new (less than twenty years), nevertheless, T.V. investigations of sections of the system in the Bedford Hills area reveal significant degrees of infiltration. Also the Sobey's line is included in this area.

With regard to an inquiry from Mayor Kelly as to the priority of works to be undertaken, Mr. Paynter advised that Schedule "A" included in the information package was not a prioritized listing. Mr. Paynter advised that three initial areas were being looked at as the first run at the program, namely; Rocky Lake Drive; Union Street, and the Sobey's line to the Mill Cove Treatment Plant.

In response to an inquiry from Councillor John Davies with respect to the source of funding commitment of \$200,000 per year for 3 - 4 years, Mr. Paynter advised that a variety of sources was possible i.e. Sewer Redevelopment funding contributions from developers, the Wastewater Pollution Control Charge and in part, borrowing.

ON MOTION of Councillors John Davies and Len Goucher, it was moved that Town Council support the program up to \$200,000 for 1994/95 through the following funding sources: (a) the Sewer Redevelopment By-Law; (b) funding contribution from developers and (c) revenue derived from the Waste Water Disposal Charge; subject to a staff financial report being brought back to Town Council. **MOTION CARRIED UNANIMOUSLY.**

6.3 Appointments to the Bedford Waterfront Development Corporation

ON MOTION of Councillor Len Goucher and Deputy Mayor Bill MacLean, it was moved that the Town nominate three individuals to the Province for positions on the Bedford Waterfront Development

Corporation Board of Directors and not six as requested.

In speaking to the Motion, Mayor Peter Kelly advised that as of this date, no written response to his correspondence seeking additional information on the above-noted matter, had been received from the Province.

MOTION CARRIED UNANIMOUSLY.

A brief discussion took place as to which of the two ballots provided would be utilized for voting purposes as one ballot contained the names of individuals who applied subsequent to the application cut-off date.

Mayor Kelly advised that agenda item #6.4 would be discussed next while staff researched additional information for item 6.3.

6.4 Proposed Youth Facility - Councillor Harris Hutt

Councillor Harris Hutt reviewed his memorandum to Council noting he was against spending \$400,000 for a youth facility at the Lions Pool. He noted that as a temporary measure for a youth facility, the old fire hall be utilized.

Mr. Bob Nauss, Director of Recreation noted that this matter has been before Town Council for the last two Council meetings and discussed over the past 1 1/2 years. He agreed, however, with the idea of hosting a Public Information Session on the matter on May 18, 1994.

Mr. Nauss also noted that the Youth Council had met the previous evening at which time the proposal to go to the old fire hall on Rutledge St. was discussed. It was determined the building is too small and only has two rooms which are not interconnected. As well, the youth felt they were being shuttled around the community and would rather go to the LeBrun Centre where youth programs are being established.

Councillor Hutt responded by noting it was unfair for this Council to consider a \$400,000 debt to enhance the Lions Pool when it was nearing the end of its term and that this decision should be made by the new Council.

On a Point of Clarification, Councillor Len Goucher noted that the \$400,000 shouldn't be classified as a debt as there is potential for a Federal Grant; and a Parent Support Group willing to undertake fundraising. As well, he agreed with Mr. Bob Nauss that Council was transferring the problem from one area of the community to the other and that the LeBrun Centre would probably be the best location for the youth on an interim basis.

Councillor Anne Cosgrove advised the meeting she admires the position the youth of the community are taking with respect to a youth facility. As well, she felt the enhancement of the Lions Pool could be utilized by the entire community not only the youth. Although she supported Councillor Hutt's reasoning, she also supported the concept of the youth utilizing the LeBrun Centre as an interim youth facility.

Councillor John Davies expressed his concern that the facility would not be utilized in spite of the costs involved.

On a Point of Clarification, Councillor Stephen Oickle noted that this is a recreation facility expansion for the entire community, not just the youth.

It was the consensus of the meeting that the LeBrun Centre be utilized as a Youth Facility for the interim until either this Council or the new Council makes another decision on the matter.

Council also agreed to go ahead with the Public Information Session on Wednesday, May 18, 1994 respecting this matter.

Councillor Len Goucher left the meeting.

10. NEW BUSINESS

10.1 Consideration of Approval - Tender 94-08 - Roadway Grading

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, it was moved that Tender 94-08 - Gravel Roadway Grading be awarded to Dexter Construction Co. Ltd. in the amount of \$10,667.90 (gst included) with funding from the Operating Budget. **MOTION CARRIED UNANIMOUSLY.**

10.2(a)

Consideration of Approval - Tender 94-09 - 1 Ton Diesel 4x4 Truck Cab and Chassis

ON MOTION of Councillor John Davies and Deputy Mayor Bill MacLean, it was moved that Tender 94-09 be awarded to Carroll Pontiac Buick

Ltd. in the amount of \$26,451.47 for the supply of one 1994 one-ton 4 x 4 diesel maintenance truck with funding from the Equipment Reserve. **MOTION CARRIED UNANIMOUSLY.**

10.2(b)

Consideration of Approval - Tender 94-10 - Skid-Steer Loader

ON MOTION of Councillor John Davies and Deputy Mayor Bill MacLean, it was moved that Tender 94-10 be awarded to W.N. White & Co. Ltd. for the supply of one 1994 skid-steer loader (Bobcat) in the amount of \$18,966, with an additional appropriation of \$8500 for the provision of a snowblower, salt/sand spreader and fork lift attachments (gst inclusive) with funding from the Equipment Reserve. **MOTION APPROVED UNANIMOUSLY.**

10.3 Consideration - Polling Station(s) - General Municipal Election - October, 1994

Mr. Dan English addressed Council seeking direction as to how many polling stations would be required for the upcoming General Municipal Election. From a logistics point of view, he noted it would be easier for residents to have only one location at which to vote.

ON MOTION of Councillors Stephen Oickle and John Davies, it was moved that the Eaglewood Drive School Gymnasium be utilized as the Town's Polling Station for the upcoming General Municipal Election scheduled for October, 1994. **MOTION CARRIED UNANIMOUSLY.**

10.4 Consideration - Tax Write-Offs - 1993/94

Mr. Ron Singer, Director of Finance, reviewed his report advising that a number of businesses had gone bankrupt leaving the Town no recourse for collection of Business Occupancy taxes amounting to \$20,410.88.

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, it was moved that \$20,410.88 be written off as uncollectable tax receivables with same being applied to the Valuation Allowance. **MOTION APPROVED UNANIMOUSLY.**

10.5 Consideration - Extension Development Agreement - #86-05 - Nelson's Landing Development Ltd.

Ms. Donna Davis-Lohnes reviewed her report advising that Bedford Basin Estates Ltd. is requesting a five-year extension to Development Agreement #86-05. Council was advised there were three options available when developments are not completed within a specified time frame, namely; extend the agreement, negotiate a new agreement or discharge the agreement.

ON MOTION of Councillors John Davies and Anne Cosgrove, it was moved that Development Agreement #86-05 be extended for an additional five-year period. MOTION APPROVED UNANIMOUSLY.

10.6 Proposal for Metro CAO Committee to Act as Metro Authority Interim Executive Committee

Mr. Dan English advised that subsequent to the Council Packages being delivered late Friday, a revised Terms of Reference was prepared with respect to a proposed Metro Authority Executive Committee.

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, it was moved that the Town's Chief Administrative Officer be permitted to participate as a member of an Executive Committee until a new Executive Director for the Metro Authority is hired. MOTION CARRIED UNANIMOUSLY.

6.3 Appointments to the Bedford Waterfront Development Corporation
- CON'T

ON MOTION of Deputy Mayor Bill MacLean and Councillor John Davies, it was moved that all names be included on the ballot.

In speaking to the Motion, Councillor Stephen Oickle advised that Council was setting a precedent by not abiding by the application receipt cut-off date.

MOTION DEFEATED. Mayor Peter Kelly and Councillors Stephen Oickle and Harris Hutt voted in the negative. Councillors Anne Cosgrove, John Davies and Deputy Mayor Bill MacLean voted in the affirmative.

Mr. English advised that the two top names on the ballot are to be removed due to the individuals' applications being received past the cut-off date.

Following a secret ballot, Mr. Paul Diamond, Ms. Elizabeth Stevens and Mr. Doug Williams were nominated by Town Council. Accordingly, their names would be forwarded to the Province for consideration as members of the Board of Directors - Bedford Waterfront Development Corporation.

11. REPORTS - NIL

12. CORRESPONDENCE - NIL

13. MOTIONS OF RECONSIDERATION - NIL