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In response to this Notice of Motion, Councillor Stephen Oickle suggested that a Motion of Rescission was now required as Council earlier agreed to give the County the go ahead in this regard.

Mayor Peter Kelly advised that normally this would be the process, however, if there were any concerns regarding the process then Town Council has the right to bring these points forth.

Councillor Stephen Oickle expressed concern with Councillor Silver's Motion as it was very action oriented.

Councillor Len Goucher advised it would be difficult to make an informed decision this evening with no background information being made available on Mr. Elder's comments.

Mr. Rick Paynter, Acting Chief Administrative Officer, suggested that contact be made with Halifax County to seek clarification on this issue.

Councillor Len Goucher suggested that additional information be obtained from Mr. Elder including a letter forwarded to the CSC disempowering the group.

Mayor Peter Kelly advised this matter would be dealt with at the next Regular Session of Council, or earlier, if need be.

10. NEW BUSINESS

10.10

Update - Storm Drainage Concerns - Union Street Upgrading Project

Mr. Wayne Legere, Acting Director of Engineering and Works, addressed Council advising the project had been awarded with a contingency allowance of \$27,321 with approximately \$4,000 being allocated for materials testing. Further, it was staff's recommendation that three work items be undertaken to address storm drainage concerns of the residents, namely:

- (a) Ditch and Cross-Culvert Stabilization - in the area of #68 Union St. - it is proposed that the ditch system be lined with clay and resodding to eliminate surface runoff from running into the trench gravels. This cost approximates \$4,000.

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- (b) Adjusting Roadside Storm Drainage Piping - in the area of #43 and #45 Union St. and constructing a deep storm drain from the sanitary sewer trench near Bedford Place Mall intersection with a piped drain to the storm drainage ditch near the access road - it is proposed to relieve flooding. This cost approximates \$15,000.
- (c) Grades and driveway culvert conditions in the area of #67 to #81 Union St. have been undertaken to improve roadside drainage. This cost approximates \$3,500.

Mr. Legere further noted that staff have received additional requests for the following:

- (a) Piping and Ditch Infilling - in the area of #79 Union St. This cost approximates \$2,000.
- (b) Driveway culvert and restoration works - in the area of #71 Union St. This cost approximates \$1,000.
- (c) Culvert and restoration works in the area of #88 Union St. This cost approximates \$1,000.
- (d) Piping existing open corrugated metal lined ditch system near the intersection of Bridge Street fronting #94 Union St. This cost approximates \$12,000.
- (e) Curbing installation on the south side of Union St. from the Bridge Street and Meadowview Street intersections for an estimated distance of 200 feet. This cost approximates \$7,200. However, to undertake this in conjunction with the elimination of roadside ditching, the cost would approximate \$23,000. Town staff do not recommend this approach due to potential flooding.

Mr. Legere further advised that staff is anticipating additional costs of \$8,000 for contract completion (based on contract unit over runs).

In response to an enquiry from Mayor Peter Kelly if Council agrees with staff's recommendation, would the flooding problems on Union St. be solved, Mr. Legere advised that the proposed works would return the Union St. area to a pre-construction storm drainage capability.

ON MOTION of Councillors Joan Pryde and Len Goucher, it was moved to increase the contingency allowance by \$32,000 to cover costs for a ditch lining, deep trench and minor

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ditch infilling in the Union St. area.

Mayor Peter Kelly permitted area residents to pose questions to Council and express their concerns.

In response to an enquiry from Councillor Anne Cosgrove if other options in this regard had been presented to Council earlier, Mr. Rick Paynter, Acting Chief Administrative Officer, advised when the Capital Budget was discussed earlier in the year, there were two options available - to allocate funds to reconstruct Union St. as it is now or to eliminate all ditches and street upgrading. It was agreed this project would go forth in that the roadbase and street surfacing would be upgraded.

Mayor Peter Kelly invited other residents in the gallery to address Council with their concerns in this regard.

In response to comments made by one resident, Mr. Rick Paynter advised that the developer for the RCDD lands will pay for a bypass system only, however, this could be clarified with the developer in the future.

A brief discussion ensued between staff and the residents on the matter of clay lining and sodding over the top, in the ditches. Mr. Legere advised that another option was an asphalt liner, however, he was not confident if the residents would desire this.

In response to an enquiry from Mayor Peter Kelly which option staff would recommend, clay/grass or asphalt lining, Mr. Legere advised either one.

In response to concerns expressed by Mrs. Shirley Towill in that water was running from the Barrens into a ditch which wasn't graded properly, Mayor Peter Kelly advised that staff would be requested to finish the ditch prior to the next rain storm.

Councillor Stephen Oickle expressed concern that this Regular Council Meeting had turned into a Public Hearing.

In response, Mayor Kelly advised that Council must be responsive to resident concerns.

MOTION CARRIED UNANIMOUSLY.

3. APPROVAL OF MINUTES

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3.1 #31 - Regular Session - October 24, 1995

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved that the minutes of October 24, 1995 - #31 - be approved.

In speaking to the Motion, Deputy Mayor Peter Christie advised that page 5 - third paragraph from the bottom of the page - should be amended to read "MOTION DEFEATED. Councillors Marvin Silver, Anne Cosgrove and Joan Pryde voted against the Motion."

Further, that page 6 - first paragraph - should be amended to read "MOTION DEFEATED. Councillors Stephen Oickle, Len Goucher and Joan Pryde voted in the negative."

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved that the minutes of October 24, 1995 - as amended - #31 - be approved. **MOTION CARRIED UNANIMOUSLY.**

3.2 #32 - Special Session - October 30, 1995

ON MOTION of Councillor Marvin Silver and Deputy Mayor Peter Christie, it was moved that the minutes of October 30, 1995 - #32 - be approved. **MOTION CARRIED UNANIMOUSLY.**

6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES

6.3 Consideration - Proposal by Mediacom

This matter had been referred back to staff for further clarification during the last Council Session.

In response to an enquiry from Councillor Joan Pryde if Mediacom would be responsible for all advertising, Mr. Wayne Legere advised in the affirmative.

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, it was moved to accept proposal #2 from Mediacom. **MOTION CARRIED.** Councillor Joan Pryde and Mayor Peter Kelly voted in the negative.

6.4 Amalgamation Process - Deputy Mayor Peter Christie

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Deputy Mayor Peter Christie addressed Council reviewing his Motion.

ON MOTION of Deputy Mayor Peter Christie and Councillor Marvin Silver

WHEREAS amalgamation was imposed on the Town of Bedford in May, 1995 by the Provincial Government based on studies two years old which were incomplete and with no full assessment of the tax rate; and

WHEREAS the new Municipality has shown that start up costs will exceed all estimates in time and dollars as demonstrated by the Financial System Implementation Report, and in the Sydney Municipality where start up costs have exceeded targets and will require transition grants; and

WHEREAS the Minister of Municipal Affairs now recognizes the mistake in establishing the Halifax Regional Municipality, and has changed the process in establishing Queens County, and announcing Bill 28, an Act Respecting Regional Municipalities, allowing the Councils and residents to decide on amalgamation, and vote on the issue; and

WHEREAS the residents of Bedford expressed their views by referendum and Council vote in May, 1995 that they did not want to amalgamate but keep a Town status; and

WHEREAS residents of Bedford have shown their ability and desire for local self government (since 1935), having direct control of their community affairs; and

WHEREAS the government recognized several unique features of the area, by legislating the retention of Halifax and Dartmouth Supplementary Education Funding and retention of the Dartmouth Commons;

BE IT RESOLVED that Bedford Town Council ask its local M.L.A. and the Minister of Municipal Affairs to introduce amendments to Bill 3, An Act to Incorporate Halifax Regional Municipality in order to:

1. correct the wrong done to the Town of Bedford and make the provision of Bill 28, An Act Respecting Regional Municipalities, apply to the present process in the Halifax Regional Municipality, commence the process over

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and do so correctly; and

2. allow present municipal units to opt out of the current amalgamation process until the study and process of Bill 28 are satisfied.

In speaking to the Motion, Councillor Len Goucher expressed concern that it would be difficult for him to vote in favour of this Motion, particularly as he was a candidate for the new Council of the Halifax Regional Municipality. Further, he felt this matter should be deferred subsequent to the election taking place December 2, 1995.

Councillor Len Goucher advised that residents are tired of amalgamation discussions and want to get on with their lives. Further, he felt this Motion was a motion of emotion.

In response, Deputy Mayor Peter Christie noted that residents are still asking questions about the amalgamation process. Further, he noted that two weeks earlier, Bill 28 was introduced to the House which permits communities to opt out of amalgamating with another unit. As Bedford had opted not to amalgamate with the other three metro units in May, 1995, Deputy Mayor Peter Christie advised that Bedford missed the right to make its own decision five months ago.

With other issues still outstanding i.e. correspondence from Mr. Bill Hayward to Mayor Walter Fitzgerald on staffing issues; costs are mounting to implement the amalgamation; employees are being seconded, and Bill 28 stating that community councils will have the right to amend Land Use By-Laws, Deputy Mayor Christie advised that the wrong done to Bedford must be rectified by making the provisions of Bill 28 apply to Bill 3, An Act Respecting the Halifax Regional Municipality. Further, he would request that the existing municipalities be permitted to opt out of the amalgamation process pending a study of the process, as stipulated in Bill 28.

A brief discussion ensued on the fact that the existing Council must work together to carry out resident wishes, irregardless if current Council Members were running in the upcoming Halifax Regional Municipality election.

Councillor Joan Pryde advised that Council must be cooperative and vote for the Motion on the floor.

Councillor Marvin Silver advised that this metro amalgamation process is a disaster waiting to happen and that it is turning out worse than the amalgamation process in Sydney and the Miramichi area in New Brunswick. Further, he would like to see a

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statedmanship of Town Council here and now.

Councillor Anne Cosgrove advised she will support the Motion and feels that in this particular issue, Council should stand together.

Mayor Peter Kelly advised that Council had earlier requested a study on the amalgamation process and that Bedford has been short changed. With respect to the provincial process, Mayor Kelly noted that sometimes, politicians do get in the way. This case proves that politicians have gotten in the way of democracy and that the residents should always have the final say - not the politicians.

Councillor Len Goucher reiterated his concern noting that the Province has made a mistake but that two wrongs do not make a right. With regards to the Motion on the floor, although he agrees with the intent, the problem is that Council must deal with the reality of amalgamation.

ON MOTION of Councillors Len Goucher and Stephen Oickle, it was moved to defer this matter to the Regular Council Session following the December 2, 1995 municipal election. **MOTION DEFEATED.** Councillors Joan Pryde, Deputy Mayor Peter Christie, Mayor Peter Kelly, Marvin Silver and Anne Cosgrove voted in the negative.

Mayor Peter Kelly made reference to Sydney, Cape Breton noting that costs have escalated and that the residents are not receiving any benefits. Further, if the Province took the position of the Town of Bedford to support the wishes of the residents - there would not be the problems which are currently being experienced.

Deputy Mayor Christie advised that residents do not like the process and that a number of residents may not vote because of the process.

MOTION CARRIED. Councillor Len Goucher voted in the negative.

10. NEW BUSINESS CONT

10.1 Consideration - Appointment of Deputy Mayor

ON MOTION of Councillors Len Goucher and Marvin Silver, it was moved to extend Deputy Mayor Peter Christie's term as Deputy Mayor until March 31, 1996. **MOTION CARRIED.** Councillor Joan Pryde voted in the negative and Councillor Stephen Oickle abstained.

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10.4 **Manor House Provincial Designation**

Ms. Donna Davis-Lohnes, Director of Planning and Development, addressed Council noting that the reason for requesting Provincial designation of the Manor House and the land owned by the Town surrounding the House, was to protect the building.

ON MOTION of Councillor Anne Cosgrove and Deputy Mayor Peter Christie, it was moved to request the Province to designate the Scott Manor House as a Provincial Heritage Property; further, that the designation apply to all of the land owned by the Town surrounding the Manor House. **MOTION CARRIED UNANIMOUSLY.**

10.5 **Ratification - Award of Tender 95-31 - Left Turn Lane - Hammonds Plains Road @ Symonds Road**

ON MOTION of Councillors Len Goucher and Joan Pryde, it was moved to ratify the awarding of Tender 95-31 - Left-Turn Lane, Hammonds Plains Road @ Symonds Road - to Dexter Construction Company Limited in the amount of \$145,519.46 with a 10% contingency for a total contract cost of \$160,000. **MOTION CARRIED UNANIMOUSLY.**

10.6 **Consideration - Request for Funding - Lions Club**

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved to grant \$1500 to the Bedford Lions Club to assist in celebrating their 50th year of commitment to the residents of the Town of Bedford. **MOTION CARRIED UNANIMOUSLY.**

10.7 **Consideration - Takeover by the Town of Private Streets - Mayor Peter Kelly**

Mayor Peter Kelly addressed Council noting that with the impending amalgamation, residents will expect the same level of service. Further, he requested the matter of the Town taking over private streets be referred to staff for comment.

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to refer the matter of the Town taking over private streets to staff for comment. **MOTION CARRIED UNANIMOUSLY.**

10.8 **Consideration - Wastewater Charges - Mill Cove Treatment Plant**

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Mr. Rick Paynter addressed Council noting he had hoped to receive feedback from the County on this matter this afternoon, however he was not successful. He did note however that a large quantity of water is used at the plant in the treatment process. The question at this point in time is whether Council is willing to exempt the County from a wastewater charge.

A brief discussion ensued on the fact that other requests for exemption have been turned down by Council and that Council cannot create a double standard in this regard.

ON MOTION of Councillor Marvin Silver and Deputy Mayor Peter Christie, it was moved to defer this matter pending further clarification. **MOTION CARRIED UNANIMOUSLY.**

10.9 Consideration- Amendment - By-Law Respecting the Discharge of Firearms

Mayor Peter Kelly addressed Council noting that the matter of creating a recreational Air Pistol Program within Bedford had been discussed at the Bedford Board of Police Commissioners; further that the Board endorsed the proposal.

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved that the matter of amending the By-Law Respecting the Discharge of Firearms be forwarded to the By-Law/Policy Advisory Committee for comment.

In speaking to the Motion, Councillor Joan Pryde advised she would like to enquire where the Town's insurance company would stand on this matter, also, if there was a suitable location for the classes.

Councillor Anne Cosgrove, speaking as a member of the Board, advised the classes would take place at the rifle range.

A brief discussion ensued on whether all weapons should be eliminated from our society.

MOTION CARRIED. Councillors Joan Pryde and Marvin Silver voted in the negative.

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16. DEPARTMENTAL REPORTS

16.1 Fire Chiefs Monthly Report - Month of October, 1995

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, it was moved to approve the Fire Chiefs Monthly Report for the month of October. MOTION CARRIED UNANIMOUSLY.

16.2 Chief Building Inspector's Report - Month of September, 1995

The September Report had been referred back to staff during the previous Council Meeting for further clarification.

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to approve the Chief Building Inspector's Report for the month of September, 1995. MOTION APPROVED UNANIMOUSLY.

17. QUESTIONS

17.1 Status Sheet

The Status Sheet was received for information.

19. ADJOURNMENT

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

MAYOR

ACTING CHIEF ADMINISTRATIVE OFFICER

MEETING #32

TOWN OF BEDFORD
SPECIAL SESSION
MONDAY, OCTOBER 30, 1995 - 8:55 P.M.

A Special Session of the Town Council of the Town of Bedford took place Monday, October 30, 1995 - 8:55 p.m. - in the Committee Room, Suite 300, Royal Bank Building, 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 Peter Christie and Councillors Len Goucher, Stephen Oickle, Marvin Silver and Anne Cosgrove.

Absent with regrets was Councillor Joan Pryde.

Staff members in attendance included Rick Paynter, Acting Chief Administrative Officer; Wayne Legere, Acting Director of Engineering and Works; Ron Singer, Director of Corporate Services; Francis MacKenzie, Director of Economic Development; Chief Greg Murray, and Neville Wheaton, Fire Chief.

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

4. **APPROVAL OF ORDER OF BUSINESS**

5. **Consideration - Award of Tender 95-11 - Smiths Road Upgrading**

Following the completion of the In Camera discussion on financial issues which took place between Council and Senior Staff on Monday, October 30, 1995, a Special Session of Town Council was convened in order to address the outstanding Tender award associated with Smiths Road Upgrading.

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved that Tender 95-Smiths Road Upgrading, be awarded to Vernon Kynock Trucking Limited in the amount of \$141,561 inclusive of GST plus a 10% contingency allowance of \$14,156 for a total capital budget commitment of \$155,717. **MOTION APPROVED UNANIMOUSLY.**

6. **ADJOURNMENT**

There being no further business, the meeting adjourned at approximately 9:00 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORD
SPECIAL SESSION
TUESDAY, DECEMBER 5, 1995 - 7:00 P.M.

A Special Session of the Town Council of the Town of Bedford took place Tuesday, December 5, 1995 - 7:00 p.m. - in the Committee Room, Suite 300, 1597 Bedford Highway, 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 Peter Christie and Councillors Len Goucher, Anne Cosgrove, Joan Pryde, Marvin Silver and Stephen Oickle.

Staff members in attendance included Rick Paynter, Acting Chief Administrative Officer; Wayne Legere, Acting Director of Engineering and Works; Francis MacKenzie, Director of Economic Development; and, Donna Davis-Lohnes, Director of Planning and Development Control.

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

A request from the Halifax Regional Municipality for a Bedford representative to be appointed to a Heritage Project Team, was added to the agenda as item 10.5.

5. **APPROVAL OF ORDER OF BUSINESS**

ON MOTION of Councillors Joan Pryde and Anne Cosgrove, the Order of Business, as amended was approved. **MOTION CARRIED UNANIMOUSLY.**

NOTICE OF CONGRATULATIONS

Deputy Mayor Peter Christie offered, on behalf of Town Council, congratulations on the success of Mayor Peter Kelly during the recent Halifax Regional Municipal Election to the new Regional Council.

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

6.1 **Amalgamation Process - Deputy Mayor Peter Christie**

Deputy Mayor Peter Christie outlined his concerns in the manner in which the Halifax Regional Municipality is dealing with employees. He indicated that 3800 employees are held in a state of flux and that the Regional Municipality should notify as immediately as possible those employees whose positions are to be identified as redundant to the new unit. He also indicated

that in terms of staff secondments and the delay in the staff recruitment process, that by not making any comments, we are in a sense giving tacit approval to the process and Deputy Mayor Christie wanted to be clear on the fact that Bedford Town Council was not in approval of the process that is presently taking place.

Councillor Stephen Oickle referenced a recent letter by Halifax Mayor Walter Fitzgerald seeking clarification on this staffing issue.

Acting Chief Administrative Officer, Rick Paynter, also gave a brief review of the staffing processing and the tremendous amount of pre-planning work in which the Senior Commissioners are involved, in terms of identifying the basic organizational structures for their respective Departments. Mr. Paynter referenced a December 1, 1995 letter from Mr. Ken Meech wherein he indicates that it is now unlikely that all employees will be in a position of knowing their new employment situation in December as was previously projected.

Both Councillors Pryde and Silver expressed their displeasure over the slow staff recruitment process.

ON MOTION of Councillors Marvin Silver and Joan Pryde, it was moved to express its concern for the welfare of current municipal employees of the Halifax metropolitan area and hope that the amalgamation process and staff recruitment timeframe will be considerate to these employees.
MOTION APPROVED UNANIMOUSLY.

10. **NEW BUSINESS**

10.1 **Verbal Overview of Winter Snow Plowing Arrangements Under Contract to Halifax County Municipality**

Mr. Rick Paynter, Acting Chief Administrative Officer and Mr. Wayne Legere, Acting Director of Engineering and Works, gave a brief overview of the temporary contract arrangements between the Halifax County Municipality and the Town of Bedford for this coming winter season as it pertains to the provision of snow plowing services to those geographic areas of Halifax County not being serviced by the Provincial Department of Transportation and Communication. It was made clear that any works undertaken by the Town of Bedford would be at no cost to the Town and in terms of impacts to the Town of Bedford operations, Mr. Legere indicated that under heavy snowfall conditions, there would probably be some delays in the final cleanup operations.

10.2 **Consideration - Funding Request - Metro United Way**

Councillor Joan Pryde referenced the Policy of the Town of Bedford not to make contributions to charitable organizations.

Councillor Anne Cosgrove gave a brief review of the overall funding shortfall being experienced by the Metro United Way.

ON MOTION of Councillors Stephen Oickle and Marvin Silver, it was moved that this request

for funding from Mr. Barry Coopersmith, Municipal Metro United Way Campaign Chairman, be accepted for information purposes only at this time. **MOTION APPROVED UNANIMOUSLY.**

10.3 Information Report - Town of Bedford Backyard Composting Program

Acting Chief Administrative Officer, Mr. Rick Paynter, and Mr. Wayne Legere, Acting Director of Engineering and Works, gave a brief overview of the Town of Bedford's Backyard Composting Program and the fact that our original estimated diversion rate of five percent (5%) was achieved from this program and it was demonstrated that backyard composting can be a meaningful component of a municipality's solid waste management strategy. It was also indicated that the success of the Bedford program had an impact and an influence on the regional backyard composting program that was implemented over the course of 1994. Following some further discussion and exchange of information, management of the Engineering and Public Works Department was congratulated on a job well done.

10.4 Consideration - Ronald F. Harris Refund of Taxes

ON MOTION of Councillors Anne Cosgrove and Marvin Silver, it was moved that Mr. Ronald F. Harris be refunded taxes in the amount of \$3,629.49. **MOTION APPROVED UNANIMOUSLY.**

10.5 Heritage Project

Councillor Joan Pryde indicated that the Town of Bedford was quite capable of looking after its own heritage artifacts and did not need the Regional Municipality involved in this process. Concern was raised that if any of the Town artifacts were to leave the Town it would be gone for good. Bedford artifacts are to stay in Bedford.

Ms. Donna Davis-Lohnes gave a brief overview of the background of this project and why it would be important for the Town of Bedford to be involved to protect its interests. It was also indicated that the Heritage Advisory Committee had suggested that Mr. Tony Edwards be the Town's representative to work on this Regional Heritage Project Team.

ON MOTION of Councillors Anne Cosgrove and Marvin Silver, it was moved to appoint Tony Edwards as the Town's representative to work on this Regional Heritage Project Team. **MOTION CARRIED UNANIMOUSLY.**

ON MOTION of Councillors Joan Pryde and Anne Cosgrove, it was moved that the Heritage Project Team be advised that any material or artifacts remain in the Town of Bedford. **MOTION APPROVED UNANIMOUSLY.**

11. ADJOURNMENT

As there was no further business, the meeting adjourned.

MAYOR



ACTING CHIEF ADMINISTRATIVE OFFICER

MEETING #35

TOWN OF BEDFORD
REGULAR SESSION
TUESDAY, DECEMBER 12, 1995 - 8:00 P.M.

A Regular Session of the Town Council of the Town of Bedford took place Tuesday, December 12, 1995 - 8:00 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, 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 Peter Christie and Councillors Joan Pryde, Len Goucher and Marvin Silver.

Absent with regrets was Councillors Anne Cosgrove and Stephen Oickle.

Staff members in attendance included Rick Paynter, Acting Chief Administrative Officer; Francis MacKenzie, Director of Economic Development; Donna Davis-Lohnes, Director of Planning and Development; Wayne Legere, Acting Director of Engineering and Works; Neville Wheaton, Fire Chief and Jane Nauss, Recording Secretary.

3. **APPROVAL OF MINUTES**

3.1 **#33 - Regular Session - November 14, 1995**

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, the minutes of November 14, 1995 - #33 - were approved. **MOTION APPROVED UNANIMOUSLY.**

3.2 **#34 - Special Session - December 5, 1995**

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, the minutes of December 5, 1995 - #34 - were approved. **MOTION APPROVED UNANIMOUSLY.**

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

Mayor Peter Kelly enquired if the following item could be added as item 10.8 and subsequently renumbered as 6.0:

"Union St. Update."

5. **APPROVAL OF ORDER OF BUSINESS**

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, the Order of Business, as amended, was approved. **MOTION CARRIED UNANIMOUSLY.**

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

6.0 **Union Street Update**

Mr. Wayne Legere addressed Council noting he had witnessed a flooding incident in the area of Union Street on December 10, 1995. Mr. Legere advised it was difficult to determine the cause of the flood, however, it was staff's recommendation that a hydrogeologist be engaged to examine the flooding situation of Union Street.

A brief discussion ensued on possible causes of flooding occurrences in this area.

ON MOTION of Councillors Marvin Silver and Len Goucher, it was moved to engage the services of a hydrogeologist to examine the flooding situation of Union Street. **MOTION CARRIED UNANIMOUSLY.**

6.1 **Consideration - Proposed Amendment - Burning By-Law**

Chief Neville Wheaton addressed Council noting the Town's current Burning By-Law had been referred by Council to the By-Law/Policy Advisory Committee for comment in that there were problems within the current legislation in the Town's ability to better control problems caused by residential burning. The meeting was advised that subsequent to the Committee meeting, a legal opinion on the matter had been received, however, same did not deal with the issues which had been discussed during the September 28, 1995 Committee meeting.

ON MOTION of Councillors Marvin Silver and Len Goucher, it was moved to refer this matter back to the By-Law/Policy Advisory Committee once again to review the issues, as well as the legal opinion. **MOTION CARRIED UNANIMOUSLY.**

6.2 **Update - Proposed Sidewalks - Bedford Hills Road; Camden Street Flooding Corrective Work; Bedford Highway Signalization/Hatchery Lane/Union St; Land Purchase-Lots Adjacent to Scott Manor House**

Mayor Peter Kelly addressed the meeting noting that he and Mr. Rick Paynter had met with the Deputy Minister of Municipal Affairs and Mr. Bill Hayward, Amalgamation Co-Ordinator, earlier this morning to discuss the possibility of borrowing funds to complete the above-noted projects. The Town has been advised that this matter should be dealt with by the new Regional

Council. Accordingly, Mr. Rick Paynter advised that the above-noted projects should be listed as priority projects for the new Council. With respect to the proposed Tolson land purchase, Mr. Paynter advised that a staff report justifying the Town's rationale for purchasing the lots will be required.

With regards to the matter of the Employee Sick Leave and Retirement Allowance, Mr. Paynter hoped this matter would be put to rest following receipt of a legal opinion which had been delivered to the Town offices late this afternoon. Further, he hoped Council would formalize same in a Motion under agenda item 10.1, however, it was noted that discussions on the legal opinion would have to take place between the Town and Mr. Bill Hayward.

Deputy Mayor Peter Christie suggested the proposed Tolson land purchase could be dealt with by this Council. Mayor Kelly agreed, as long as a staff report was made available.

A brief discussion ensued on the possibility of the Town funding a number of Capital from Operating Capital Works Projects from the Capital Reserve Account.

Deputy Mayor Peter Christie advised he would serve a Notice of Motion during a future Council Meeting respecting the implementation of a traffic study to be carried out on Union St. and Fish Hatchery Lane. He was concerned this matter could be passed onto the new Council.

8. PETITIONS AND DELEGATIONS

8.1 Lower Portion of Crestview CCDD - George Armoyan

Mr. Armoyan addressed Council seeking clarification on Council's definition of a "seniors complex."

At the request of Mayor Peter Kelly, Ms. Donna Davis-Lohnes advised the meeting that an application has been received by staff for a 36 unit seniors' complex on the lower portion of the Crestview CCDD site. Ms. Davis advised that Mr. Armoyan is seeking flexibility within the Development Agreement Application so as to have the ability to rent to others, should the seniors market not prove viable.

A brief discussion ensued on the amenities which should be included in a seniors' complex such as a cafeteria, recreational room, room for a visiting doctor, and a large storage area.

Mr. Armoyan noted he would like to obtain approval for the project prior to April 1, 1996; further he was simply seeking Council's concurrence as to a definition of a seniors' complex and that both he and Council were agreeable on same.

Ms. Davis-Lohnes noted that Mr. Armoyan was interested in having this Application dealt with by this Council. Further, she advised that a Public Information Meeting date would be scheduled and that a special BPAC meeting would be held, if necessary, to deal specifically with this issue. Lastly, she anticipated completion of this project meeting the April 1, 1996 deadline.

10. **NEW BUSINESS**

10.1 **Consideration - Resolution of Council - Employee Sick Leave and Retirement Allowance**

It was the consensus of Council to defer this matter pending a review of the legal opinion which was received late today. Further, that same would be discussed on December 19, 1995 during a Special Session of Council.

10.2 **Consideration - Appointment of Mr. Robert Kerr to Waters Advisory Committee**

ON MOTION of Councillors Len Goucher and Joan Pryde, it was moved to appoint Mr. Robert Kerr to the Waters Advisory Committee for a term which is to commence immediately, expiring March 31, 1996. **MOTION CARRIED UNANIMOUSLY.**

10.3 **Consideration - Non-Substantial Amendment - James Winfield Lane**

Ms. Donna Davis-Lohnes advised that staff has received a request from Cresco Home Construction Ltd. to process a non-substantial amendment to Development Agreement #93-02 relating to lots 28 - 30 and lots 50 - 55 on James Winfield Lane. The meeting was advised that originally these lots had been approved as standard size single unit lots, however, Council approved conversion of lots 50 - 55 to eight small lots in March of this year. Also, the previous owner had requested that lots 28 - 30 be converted to five small lots, however, Council did not approve of same as laterals would have to be installed to the additional lots.

The current land owner wishes to construct standard size homes on lots 50 - 55 instead of re-subdividing the lots to eight standard size lots.

It is staff's recommendation to approve the non-substantial amendment request by Cresco to develop lots 50 - 55 on James Winfield Lane as standard size lots rather than converting the lots to eight small lots as approved by Council in March, 1995.

ON MOTION of Councillors Joan Pryde and Len Goucher, it was moved to approve the non-substantial amendment request by Cresco Home Construction Ltd. to develop lots 50 - 55 on James Winfield Lane as standard size lots rather than converting the lots to eight small lots as approved by Council in March, 1995.

In speaking to the Motion, Deputy Mayor Christie enquired as to how a homeowner would be made aware what was happening this regard. Further, he expressed concern this could prove to be a problem for the developer as well.

In response, Ms. Davis-Lohnes advised that this would be recorded at the Registry of Deeds and therefore, this information would be revealed through a title search.

MOTION CARRIED UNANIMOUSLY.

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to not approve the request by Cresco Home Construction Ltd. to convert lots 28 - 30 on James Winfield Lane to five small lots. **MOTION CARRIED UNANIMOUSLY.**

10.4 Consideration - Appointment of Town Staff as Building Inspectors

Ms. Davis-Lohnes advised that a housekeeping item, that being to appoint John Robertson, Jim Donovan and Glen LeLacheur, as Inspectors, in accordance with Section 5(2) of the Building Code Act, was in order.

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to appoint John Robertson, Chief Building Inspector; Jim Donovan and Glen LeLacheur, as Inspectors, pursuant to Section 5(2) of the Building Code Act. **MOTION CARRIED UNANIMOUSLY.**

10.5 Consideration - Resolution - Mill Cove Sewage Treatment Plant

Mr. Rick Paynter reviewed a staff report and draft Resolution which would authorize the expenditure of a Trust Fund in the amount of \$127,081.76 plus interest, for the purposes of Capital Expenditures in connection with the expansion and renovation of the Mill Cove Sewage Treatment Plant.

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to authorize the expenditure of a Trust Fund in the amount of \$127,081.76 plus interest, for the purposes of Capital Expenditures in connection with the expansion and renovation of the Mill Cove Sewage Treatment Plant.

Deputy Mayor Peter Christie expressed concern with the wording of the last paragraph of the draft Resolution which states "subject to the approval of the Council of the County..."

Following a brief discussion, Council agreed to amend the Motion to approve the Resolution, subject to the inclusion of "... and the Council of the Town of Bedford..." following ""approval

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of the Council of the County ..."

The amended Motion now reads:

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to authorize the expenditure of a Trust Fund in the amount of \$127,081.76 plus interest, for the purposes of Capital Expenditures related to the expansion and renovation of the Mill Cove Sewage Treatment Plant, subject to the approval of both the Council of the County and the Council of the Town of Bedford. **MOTION CARRIED UNANIMOUSLY.**

15. **NOTICES OF MOTION**

15.1 **Councillor Marvin Silver - November 14, 1995 - Waste Management Strategy**

Councillor Marvin Silver moved the first of three Motions of which he served Notice, during the November 14, 1995 Council Meeting:

"that Bedford Town Council recommend that the Minister of the Environment be requested to hold a full public hearing and environmental assessment of the proposed facility, including the landfill."

Deputy Mayor Peter Christie seconded the Motion.

In speaking to the Motion, Mr. Rick Paynter advised that subsequent to last discussions and information received from Mayor Ball, Halifax County and the MIRROR group have offered to meet with Bedford Town Council to discuss the implementation plan. Accordingly, Mr. Paynter suggested the Motion on the floor and the other two Motions should be held in abeyance pending a meeting with representatives from Halifax County and the MIRROR Group which could take place Tuesday, December 19, 1995.

Mayor Peter Kelly addressed Council noting the contract was being released on Thursday, December 14, 1995 for public review following which there would be a thirty-day time frame for critiquing of the contract.

Deputy Mayor Peter Christie advised he had perused the Stakeholders Report and that he felt comfortable in meeting with representatives from the County.

Councillor Len Goucher advised he could not support the Motion as Bedford Town Council had studied the landfill issue and handed the responsibility for same over to Halifax County. Accordingly, the matter lies with the County.

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Mayor Peter Kelly addressed Council advising he had three concerns which were not addressed in the MIRROR report:

- a. waste should be on a per tonnage basis;
- b. there should not be any guaranteed waste flow;
- c. transportation is a key cost of this landfill - we have a unique opportunity to establish a rail link directly to this operation.

ON MOTION of Councillors Len Goucher and Joan Pryde, it was moved to defer any further discussions or actions in this regard, pending a meeting with representatives from Halifax County and the MIRROR Group. **MOTION CARRIED. Councillor Marvin Silver opposed.**

16. **DEPARTMENTAL REPORTS**

16.1 **Chief Building Inspector's Report - Month of October, 1995**

The Chief Building Inspector's Report for the month of October, 1995 was approved as circulated.

In response to an enquiry from Mayor Peter Kelly as to why total the permit revenue was down yet total construction was up, Ms. Davis-Lohnes advised the upgrade of the sewage treatment plant made the difference (\$5 million).

17. **QUESTIONS**

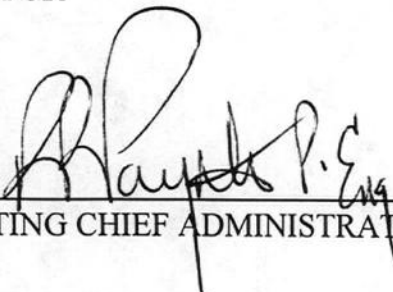
17.1 **Status Sheet**

The Status Sheet was received for information.

19. **ADJOURNMENT**

As there was no further business, the meeting adjourned at approximately 9:30 p.m.

MAYOR



ACTING CHIEF ADMINISTRATIVE OFFICER

MEETING #36

TOWN OF BEDFORD
SPECIAL SESSION
TUESDAY, DECEMBER 19, 1995 - 7:00 P.M.

A Special Session of the Town Council of the Town of Bedford took place Tuesday, December 19, 1995 - 7:00 p.m. - in the Council Chambers, Mezzanine Level, Sunnyside Mall, 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 Peter Christie and Councillors Joan Pryde, Stephen Oickle, Marvin Silver and Anne Cosgrove.

Absent with regrets was Councillor Len Goucher.

Staff members in attendance included Rick Paynter, Acting Chief Administrative Officer; Wayne Legere, Acting Director of Engineering and Works and Jane Nauss, Recording Secretary.

3. **APPROVAL OF MINUTES**

3.1 **Regular Meeting #35 - December 12, 1995**

ON MOTION of Deputy Mayor Peter Christie and Councillor Anne Cosgrove, the minutes of December 12, 1995 - #35 - were approved as circulated. **MOTION CARRIED UNANIMOUSLY.**

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

Mayor Peter Kelly requested the following:

- that item 6.2 - "Consideration - Resolution of Council Employee Sick Leave and Retirement Allowance" be deferred

- that 10.1 be added - "Consideration - Withdrawal from Special Reserve Fund"

5. **APPROVAL OF ORDER OF BUSINESS**

ON MOTION of Councillors Joan Pryde and Anne Cosgrove, it was moved that the Order of Business, as amended, be approved. **MOTION CARRIED UNANIMOUSLY.**

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

6.1 **Union Street - Award of Consultant Services**

Mr. Wayne Legere, Acting Director of Engineering and Works, addressed Council noting staff had prepared a call for proposals for a groundwater investigation and remedial measures study to be undertaken on Union Street, particularly in the area which has been greatly affected by rainfall. Although all proposals received were strong, it was staff's recommendation the study be awarded to ADI Nolan Davis in the amount of \$8550.00 (GST included) to be funded under the Union Street Capital Improvement Project.

ON MOTION of Councillors Marvin Silver and Anne Cosgrove, it was moved to award the groundwater investigation and remedial measures study to ADI Nolan Davis in the amount of \$8550 (GST included) to be funded under the Union Street Capital Improvement Project.

In speaking to the Motion, Mr. Legere advised that the consultant would be conversing with affected residents.

MOTION CARRIED UNANIMOUSLY.

At the request of Councillor Marvin Silver, items 8.1, 8.2 and 8.3 were to be brought forward on the agenda and discussed at this point in time.

8. **PETITIONS AND DELEGATIONS**

8.1 **Waste Management Strategy - Mr. Ken Donnelly, LURA Group and Mr. Jim Donovan, Halifax County Municipality**

Mr. Donnelly addressed Council expressing his appreciation for being permitted to attend this evening's meeting.

In reviewing the matter, Mr. Donnelly advised that fourteen months ago, Halifax County was given the mandate to develop a waste management system and to locate a landfill. As a result, a stakeholder's committee was formed and a strategy was forwarded to each Council which was given approval in principle. Halifax County was then given the authorization to deal with the landfill site issue. A draft contract had been tabled with Halifax County Council last Thursday and the public is permitted thirty-eight days to review same and provide input. However, Halifax County has now advised they will not continue with deliberations on this matter without the support of the Council of the Halifax Regional Municipality (HRM).

Mayor Peter Kelly expressed concern there was no incentive included in the contract to reduce

waste flow.

In response, Mr. Donnolly advised that the collection of revenue was an implementation issue to be dealt with by HRM.

Mayor Kelly enquired why the MIRROR Group and Halifax County do not request each District of HRM to pay accordingly?

Mr. Donnolly reiterated his response that this would have to be dealt with by HRM.

Mayor Kelly noted that under Bill 3, the Province gave the County the go ahead with this matter, however, he is concerned that we are now being penalized. Further, he expressed concern the haulers would be guaranteed an income.

In response, Mr. Donnolly advised he could not respond, as this was a legal issue.

Mr. Donnolly advised that flow control was a controversial issue and difficult to deal with. Accordingly, he would be willing to make arrangements for the Town's legal counsel to meet with their solicitors in this regard.

Mayor Peter Kelly expressed concern on the issue of transportation costs and the possibility of utilizing the rail system.

In response, Mr. Donnolly advised that the mode of transportation which had been discussed to date was by truck.

In response to an enquiry from Mayor Kelly if Mr. Donnolly would be willing to consider the concept of using a rail system if the costs involved proved substantially less than trucking, Mr. Donnolly advised in the affirmative.

Deputy Mayor Peter Christie addressed Mr. Donnolly with the following questions:

1. Page 3 item #10 of the contract - Why was there no date indicated?

Mr. Donnolly advised that under the legislation, there is a requirement for Halifax County to approve a strategy for HRM. Further, that this has not been approved as yet.

2. Who were the authors of the contract?

Mr. Donnolly advised by contract was authored by the two negotiating teams - the MIRROR Group and Halifax County Municipality.

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3. Who was Mr. Donnolly employed by?

Mr. Donnolly advised he was working for Halifax County through the LURA Group.

4. On Page 13 - item #3.04 of the contract - has a site been identified?

Mr. Donnolly advised that Site A, as approved on November 7, 1995, is the identified location for a landfill.

5. Page 27 - item 11.04 of the contract - it would appear that the MIRROR Group has a great deal of responsibility in this regard.

Mr. Donovan responded to this question and advised this involved the FEP (front end processing) which was within the mandate of the MIRROR Group, to be funded, designed and constructed by the MIRROR Group. The FEP is very critical to the whole process. Further, Mr. Donovan advised that should it be more economical to transfer waste to the site by rail, then this will be addressed. Also, Mr. Donovan noted that private interests (industrial, commercial and institutional) will not be included in this regard.

6. Page 21 - item 9.03 of the contract - if other options are selected, how will the matter of work already commenced be dealt with?

Mr. Donovan advised that the MIRROR Group prepared an FEP implementation plan. The Agreement was that they would do no more than was necessary in case this deal did not go forward. If work has already been paid for, the County will have to look after this. Further, it was noted that how a user pay system was to be determined would be up to the HRM.

7. Page 31 - item 11.11 of the contract - please clarify.

Mr. Donovan advised it is the MIRROR Group's responsibility to reach the 56% diversion by December 31, 1997.

Mr. Donovan advised this contract had been negotiated between two parties, Halifax County and the MIRROR Group. The County took the opportunity to obtain an evaluation of capital costs and a fairness assessment of return of investments. This is being handled independently and anticipates results prior to approval of the draft contract. This information, once received, will be distributed to Members of Town Council.

Mr. Donnolly advised their legal counsel, Mr. David Mann of Cox Downie, would be willing to meet with the Town's legal counsel to review the draft contract.

Mayor Peter Kelly thanked Mr. Donnolly and Mr. Donovan for taking the time to address

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Council this evening.

8.2 **Waste Management Strategy - Mr. Steven Taylor**

Mr. Taylor addressed Council noting he represents Metro Independent Waste Haulers and that his concerns pertain to two items (a) costs and (b) potential monopoly. Further, Mr. Taylor advised there was background material which should have been attached to the draft contract.

It was Mr. Taylor's desire to have a qualified independent review of this contract undertaken. Further, he was concerned that:

- BFI was not hired through a tendering process;
- BFI was a parent company of the MIRROR Group;
- stakeholders have not been involved;
- hours of operation - 7 a.m. - 6 p.m. - smaller companies will not be able to function within these parameters and would have to forfeit their larger accounts;
- hopes that a monopoly can be eliminated;
- smaller businesses cannot be protected from the larger competitors;
- only a brief time span left to review the draft contract.

In response to an enquiry from Deputy Mayor Peter Christie if an independent analysis of the draft contract would help, Mr. Taylor advised that he anticipated the dollar factor would be brought to a head and that the matter of a monopoly be dealt with.

In response to an enquiry from Deputy Mayor Peter Christie if the County's latest decision to forward this entire matter to HRM was valid, Mr. Taylor advised in the affirmative.

In response to an enquiry from Deputy Mayor Christie if backup information to the contract was constantly changing, Mr. Taylor advised in the affirmative. Further, he noted that his group was unable to hire a lawyer due to costs involved. He did note, however, that his group was checking into this matter on a federal level.

Mayor Peter Kelly thanked Mr. Taylor for taking the time to make a presentation to Council this evening.

8.3 **Waste Management Strategy - Mr. Mike Lamplugh**

Mr. Lamplugh addressed Council noting he represented PROBE.

Mr. Lamplugh advised he was concerned with the fact that ads pertaining to public input of the draft contract were only placed in the Daily News and that as far as he knew, no ads had been placed in the Mail Star/Chronicle Herald.

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His other concern was that no document has been prepared as yet by the LURA Group of all the submissions received on the draft contract. He was particularly concerned that only selected material was being made available to the public.

Mr. Lamplugh expressed concern that Mr. Donnolly did not speak on the intent of the contract. Further, he was concerned that BFI was to "run the show" and compete at the same time and that there was no Community Stakeholders Committee (CSC) involvement.

The City of Halifax is looking at a third party independent review and one company has advised they could do a review by the end of January, 1996. With the City of Dartmouth meeting on this issue this evening as well, he suggested that the Town of Bedford should considering cost-sharing with Dartmouth and Halifax on an independent review in this regard.

In response to an enquiry from Deputy Mayor Peter Christie if there had been an analysis on costs to date, Mr. Lamplugh advised as of October 26, 1995 costs totalled \$1.5 million and that he found this very disturbing.

In response to an enquiry from Deputy Mayor Peter Christie as to who would have all the information required on this waste management strategy, Mr. Lamplugh advised there was a resource centre in the County building and one in the area of Lakeside, however, he reiterated his comments that only specified material was being made public.

In response to several questions from Deputy Mayor Christie:

1. do you feel this review can be carried out in this time frame?
2. would you like to delay this process?

Mr. Lamplugh advised if all goes well, they may be ready by the end of January. Further, he hopes that the HRM will not make any hasty decisions.

Mayor Peter Kelly thanked Mr. Lamplugh for his presentation.

Councillor Stephen Oickle advised he was very impressed with Mr. Stephen Taylor's presentation. He enquired if there was a Provincial body who could provide assistance on this issue at hand.

In response, Mayor Kelly advised he would seek information from the Province tomorrow.

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

6.3. **Notice of Motion - Councillor Marvin Silver**

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Mayor Peter Kelly advised this matter would be deferred pending a meeting with the MIRROR Group.

10. **NEW BUSINESS**

10.1 **Consideration - Withdrawal from Special Reserve Funds**

Mayor Kelly advised he had met with Mr. Bill Hayward, Amalgamation Co-ordinator and the Deputy Minister of Municipal Affairs regarding a withdrawal of reserves. They both concurred with this however a formal Resolution of Town Council was now required.

ON MOTION of Deputy Mayor Peter Christie and Councillor Anne Cosgrove, it was moved to withdraw \$216,000 from the Special Reserve Fund for the following projects:

Bluewater Road Upgrading	\$ 39,000
Arterial Road Crosswalk Upgrading	28,000
LeBrun Centre Improvements	87,000
Ridgevale Parkland Works	25,000
Playground Equipment Replacement	21,000
Retaining Wall Reconstruction	<u>16,000</u>
 TOTAL	 <u>\$216,000</u>

In speaking to the Motion, Deputy Mayor Peter Christie enquired if this would increase the Town's debt level. He was particularly concerned that there is no other impediments that the Department of Municipal Affairs could put in the Town's way.

In response, Mayor Peter Kelly advised that the Town, by this Motion, would be closing its capital reserve account with equivalent funding moving to its general operating reserve. Further, the Town was not increasing its debt load by this action.

In response to Deputy Mayor Peter Christie's concern once again on ensuring there was no unwritten game plan, Mayor Peter Kelly advised that to his knowledge, there are no restrictions and that the Town is simply moving funds from one account to another.

MOTION CARRIED UNANIMOUSLY.

Prior to adjourning, Mayor Kelly wished all Members of Council and their families a safe and joyous Christmas and a Happy New Year.

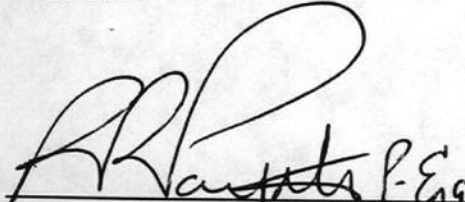
19. **ADJOURNMENT**

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8

As there was no further business, the meeting adjourned at approximately 8:20 p.m.

MAYOR



ACTING CHIEF ADMINISTRATIVE OFFICER

MEETING #37

TOWN OF BEDFORD
SPECIAL SESSION
MONDAY, JANUARY 8, 1996 - 8:20 A.M.

A Special Session of the Town Council of the Town of Bedford took place Monday, January 8, 1996 - 8:20 a.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, Nova Scotia.

Those in attendance included Mayor Peter Kelly; Deputy Mayor Peter Christie and Councillors Joan Pryde, Len Goucher, Marvin Silver and Anne Cosgrove.

Councillor Stephen Oickle was absent with regrets.

Staff members in attendance included Rick Paynter, P. Eng.; Donna Davis-Lohnes, Director of Planning and Development; Neville Wheaton, Fire Chief and Jane Nauss, Recording Secretary.

1. **DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES**
- 1.1 **Consideration - Resolution of Council Employee Sick Leave and Retirement Allowance**

Two legal opinions, dated December 12, 1995 and December 19, 1995 on the matter at hand, had been discussed by Council in an In Camera meeting scheduled earlier in the day.

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, it was moved to agree, in principle, the paying out of accrued benefits pursuant to Sections 10.8 and 17.1 of the Town's Personnel Policy; further that the Town's Solicitor be requested to draft an appropriate Resolution and that this matter be dealt with by Council during the January 16, 1996 Council Meeting. MOTION APPROVED UNANIMOUSLY.

2. **ADJOURNMENT**

As there was no further business, the meeting adjourned at approximately 8:30 a.m.

MAYOR



ACTING CHIEF ADMINISTRATIVE OFFICER

MEETING #38

TOWN OF BEDFORD
PUBLIC HEARING #96-08
TUESDAY, JANUARY 16, 1996 - 7:00 P.M.

Public Hearing #96-08 took place Tuesday, January 16, 1996 - 7:00 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, Nova Scotia.

The purpose of the Hearing was to receive both written and verbal submissions on a proposed amendment to Development Agreement #86-05 respecting a Nelson's Landing Development Project parcel of land known as Lot 1F-1.

Those in attendance at the commencement of the Session included Mayor Peter Kelly; Deputy Mayor Peter Christie and Councillors Joan Pryde, Stephen Oickle, Len Goucher, Marvin Silver and Anne Cosgrove.

Staff members in attendance included Mr. Rick Paynter, P. Eng., Acting Chief Administrative Officer; Donna Davis-Lohnes, Director of Planning and Development, and Jane Nauss, Recording Secretary.

Mr. Barry Zwicker, Wallace, MacDonald & Lively, consultant for the developer, was also in attendance.

Ms. Donna Davis-Lohnes advised this Public Hearing had been duly advertised in the local newspapers in accordance with the Planning Act.

An earlier application to amend Development Agreement #86-05 had been turned down by Council on February 28, 1995. This re-application was discussed during a Public Information Meeting held November 10, 1995. The positive recommendation of the Bedford Planning Advisory Committee was included in the information packages.

The original amendment was for twenty-four (24) small lot single detached units with seven of the units having direct access off Nelson's Landing Boulevard. The remaining seventeen (17) units will be accessed by a private laneway off Nelson's Landing Boulevard. Further, approximately .35 acres of private common open space is to be provided for the homeowners.

In response to Council's concerns to the earlier application, the developer has agreed to the following:

1. the private laneway is now proposed to be twenty-six (26) feet in width;
2. prepare the private recreation site and provide a \$5,000 cash contribution to the Town for the purchase and installation of recreation apparatus; and
3. reduce the number of units by one, for a total of twenty-three units.

PUBLIC HEARING 96-08
JANUARY 16, 1996

These changes are reflected in the current application.

It was staff's recommendation that Council approve the entering into of the proposed Development Agreement with Bedford Basin Estates.

A brief discussion ensued on the recreation site to be used as a private, not public recreation area.

In response to an enquiry from Deputy Mayor Peter Christie as to why two front facades would be required for nine units, Ms. Davis-Lohnes advised these units would be facing both a private laneway and Nelson's Landing Boulevard, therefore, they would be designed with two front facades as required for the Lot 1A townhouses on Nelson's Landing Blvd.

In response to an enquiry from Deputy Mayor Peter Christie as to how the street address would be determined, Ms. Davis-Lohnes advised that civic numbers would be required for the purpose of emergency services.

In response to an enquiry from Deputy Mayor Peter Christie as to the \$300 per unit to be donated by the developer to the Town as its contribution to the Infiltration Reduction Program and if this was consistent with other developments, Ms. Davis-Lohnes advised in the affirmative.

In response to an enquiry from Deputy Mayor Peter Christie regarding clause 11(2) of the Development Agreement as to how long the roads and walkways need to be kept in good repair and free from ice and snow, Ms. Davis-Lohnes advised this was a standard clause and was included to provide clarity that the Town will not be responsible for maintenance of the private land. This responsibility is always intended to rest with the residents.

In response to an enquiry from Councillor Anne Cosgrove as to clarification on clause 5 of the Development Agreement, Ms. Davis-Lohnes advised the Town feels the issue remains with the Water Utility, therefore, the inclusion of this clause.

At the invitation of Mayor Peter Kelly, Mr. Barry Zwicker, consultant for the developer, addressed the meeting.

Mr. Zwicker advised this is a site that is approved for a 188 unit hotel, however, this is now not a reasonable use. Accordingly, modifications to the plan have enhanced the proposal.

Mr. Zwicker advised there was concern with respect to the noted "registered architect" in clause 4(4) because of the cost associated with requiring architectural design of the single units. Ms. Davis-Lohnes advised that Clause 4 (4) could be removed from the Development Agreement, however, those units requiring two facades should be designed by a registered architect.

PUBLIC HEARING 96-08
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With respect to the landscaping noted on schedule C - Page 2 (b), Mr. Zwicker noted this could be a concern, in that a cost control over the price of the trees should be required. He noted the developer is looking for a Development Agreement that will last beyond the amalgamation of the metro units (April 1, 1996) and as to how the Development Agreement will be interpreted. Accordingly, this clause should be changed.

Ms. Davis-Lohnes advised that staff are adamant regarding the need for articulating standards regarding street trees, however, staff have no problem with implementing a ceiling on the price of trees to be planted, in the vicinity of \$350.

Mr. Zwicker advised that with respect to addresses, supermail boxes will probably be installed but that their civic addresses will likely be off the private laneway.

Following three calls for comments from the public, the public portion of the Hearing was closed.

As there were no further comments from Council, the Public Hearing adjourned at approximately 7:30 p.m.

MAYOR

ACTING CHIEF ADMINISTRATIVE OFFICER

MEETING 39

TOWN OF BEDFORD
REGULAR SESSION
TUESDAY, JANUARY 16, 1996 - 7:30 P.M.

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, January 16, 1996 - 7:30 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, 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 Peter Christie and Councillors Joan Pryde, Stephen Oickle, Len Goucher, Marvin Silver and Anne Cosgrove.

Staff members in attendance included Rick Paynter, P. Eng., Acting Chief Administrative Officer; Francis MacKenzie, Director of Economic Development; Donna Davis-Lohnes, Director of Planning and Development Control; Neville Wheaton, Fire Chief, and Jane Nauss, Recording Secretary.

3. **APPROVAL OF MINUTES**

3.1 **#36 - Special Session - December 19, 1995**

ON MOTION of Deputy Mayor Peter Christie and Councillor Joan Pryde, the minutes of December 19, 1995 - #36 - were approved. **MOTION CARRIED UNANIMOUSLY.**

3.2 **#37 - Special Session - January 8, 1996**

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, the minutes of January 8, 1996 - #37 - were approved. **MOTION CARRIED UNANIMOUSLY.**

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

Mayor Peter Kelly requested:

- item 6.5 - Consideration of Council - Employee Sick Leave and Retirement Allowance - be deleted from the public meeting and placed on the Committee of the Whole Agenda

- addition of "Serving of Notice of Motion - Deputy Mayor Peter Christie" as item 15.1

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- defer item 8.1 - Solid Waste Management Strategy - MIRROR Group - to January 30, 1996

- addition of "Consideration - Amendment to Development Agreement #86-05" as item 7.1

5. **APPROVAL OF ORDER OF BUSINESS**

ON MOTION of Deputy Mayor Peter Christie and Councillor Joan Pryde, it was moved to approve the Order of Business, as amended. **MOTION CARRIED UNANIMOUSLY.**

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

6.1 **Special Event - Bedford Citizens - Mayor Peter Kelly**

Mayor Peter Kelly addressed the meeting noting that Sunnyside Mall has been offered to the Town for a "Dis-Incorporation" Dance scheduled for Saturday, March 30, 1996.

ON MOTION of Councillor Joan Pryde and Deputy Mayor Peter Christie, it was moved that the Town of Bedford host a "Dis-Incorporation" Dance for the citizens of Bedford at Sunnyside Mall, on March 30, 1996.

In speaking to the Motion, Councillor Stephen Oickle enquired as to where the funds will be derived to host this event. Further, he noted he would not be supporting this Motion.

Deputy Mayor Peter Christie felt some form of event should be held for the residents, whether it is a dance, fireworks, ceremony at the Scott Manor House, etc.

In response to an enquiry from Councillor Len Goucher as to the structure of the organizing committee, Mayor Peter Kelly advised he will speak to the former Bedford Days Committee and the Lions Club plus other community groups.

MOTION CARRIED. Councillor Stephen Oickle voted in the negative.

6.2 **Consideration - Memorandum of Agreement - Basinview Community School Joint Use Agreement**

A draft Memorandum of Agreement to amend the Joint Use Agreement for the Basinview Community School had been distributed to Council:

"Section 3 There shall be established as soon as possible after the execution of this Agreement, a Facility Management Committee (hereinafter called the "Committee") composed of eight representatives; one representative being the Chief Education Officer (Superintendent of Schools) of the School Board, or

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designate; one representative being the Director of Parks and Recreation of the Town, or designate; one representative being a member of Town Council; one representative being a member of the School Board; and four resident representatives at large as per the following:

1. one resident of Bedford outside of the Basinview Drive Community School and its feeder schools, to be appointed by the School Board;
2. one parent of a student attending Basinview Drive Community School, to be appointed by the Town; and
3. two residents at large, appointed by the Town.

A brief discussion ensued on this matter and it was Council's position this clause 1 above, be amended to read "one resident of Bedford outside of the Basinview Drive Community School and its feeder schools, to be appointed by the Facility Management Committee."

ON MOTION of Deputy Mayor Peter Christie and Councillor Anne Cosgrove, it was moved to defer this matter pending further clarification from the Board, particularly as it pertains to the School Board appointing the resident of Bedford outside of the Basinview Drive Community School and its feeder schools. Further, that Council takes the position that this decision should be the responsibility of the Facility Management Committee. **MOTION CARRIED UNANIMOUSLY.**

6.3 Consideration - Proposed Amendment to By-Law Respecting Discharge of Firearms

Mr. Rick Paynter addressed the meeting noting this matter had been referred to the By-Law/Policy Advisory Committee for review and comment. During a By-Law meeting held January 12, 1996, the Committee supported an amendment to the existing By-Law Respecting Discharge of Firearms, to permit the implementation of a recreational air pistol program within the Town of Bedford.

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved to amend the By-Law Respecting the Discharge of Firearms by the insertion of the following clause:

"4(e) Any person discharging an airgun at a recreational airgun program being supervised by a Shooting Federation of Canada Level 1 Coach or higher, in facilities approved by the Police Department, within the Town of Bedford."

In speaking to the Motion, Councillor Anne Cosgrove advised Mr. Burt Harris and his guests were in attendance should Council wish a presentation.