

I would ask that you take a proposal to Council for their approval of their share of the cost for sidewalk construction." ...

In response to questioning regarding the cost-sharing of this proposal, Mr. Meech advised that traditionally cost-sharing for sidewalk construction is 78% Provincial and 22% Municipal; however, in the newspaper Mr. Giffin had been quoted as saying 50% Provincial and 50% Municipal.

It was moved by Councillor Snow, seconded by Councillor McInroy:

"THAT a Staff Report be brought to the Management Committee regarding the cost-sharing for sidewalk construction."
Motion Carried.

Letters From the Musquodoboit Valley Bicentennial Committee

Two letters had been received from the Musquodoboit Valley Bicentennial Committee, one inviting all Council Members to attend their annual New Year's Levee which will be held at the Elmsvale Hall on New Year's Day from 2-4 P.M., and one requesting a grant of \$4,000. to assist in the Bicentennial events and celebrations in 1983.

It was moved by Councillor Baker, seconded by Councillor McInroy:

"THAT the letter from the Musquodoboit Valley Bicentennial Committee requesting a grant in the amount of \$4,000., be referred to the Management Committee, to be discussed when the Grants for 1983 are discussed."
Motion Carried.

Councillor Deveaux requested that the Organization be informed of the above motion.

Mr. Kelly took this under advisement.

Letters From Minister of Education

It was agreed by Council that these letters had been adequately covered during the discussion of the Report From the Halifax County-Bedford District School Board.

APPOINTMENT OF NON-COUNCIL MEMBER - HALIFAX COUNTY BOARD OF HEALTH

It was moved by Councillor Walker, seconded by Councillor Poirier:

"THAT Mr. Brian Smith be nominated for a one-year appointment to the Halifax County Board of Health."

Councillor Walker spoke briefly on behalf of his nominee advising that he was the President of the Sheet Harbour Board of Trade, a member of the Lions Club and a successful Sheet Harbour businessman.

It was moved by Councillor Bayers, seconded by Councillor Gaetz:

"THAT Mrs. Erma Smith be nominated for a one-year appointment to the Halifax County Board of Health."

Councillor Bayers spoke briefly on behalf of his nominee advising that as an Ex-Council Member, Mrs. Smith has much experience in Health and other Council related matters.

It was moved by Councillor Snow, seconded by Councillor Wiseman:

"THAT Mr. Steve Given be nominated for a one-year appointment to the Halifax County Board of Health."

Councillor Wiseman also spoke briefly on behalf of her nominee.

It was moved by Councillor Gaetz, seconded by Deputy Warden Margeson:

"THAT Nominations Cease."
Motion Carried.

Subsequent to the above nominations ballots were distributed then collected in the ballot box; Councillors Walker, Bayers and Snow were then requested to come forward to oversee the counting of the ballots.

The counting of the ballots was as follows: Mrs. Erma Smith - 9, Mr. Steve Given - 8, Mr. Brian Smith - 4. Subsequently, it was required that another vote be taken, this time between Mrs. Erma Smith and Mr. Steve Given.

Councillors Snow and Bayers were required to come forward to oversee the counting of the ballots.

Subsequently, Mrs. Erma Smith was declared the new member of the Board of Health, winning over Steve Given with a vote of 13 to 8.

Councillor MacKay indicated his understanding that there were several other appointments to be made, for the Planning Advisory Committee and for the Rehabilitation Centre.

Mr. Meech advised that Mr. Kelly is researching this and if appointees are required, the appointments will be on the agenda of the following Regular Council Session.

TRANSFER OF SCHOOL CAPITAL PROJECTS

Mr. Meech advised that a letter had been received from the Minister of Education relative to the transfer of the following school capital projects to the jurisdiction of the Halifax County-Bedford District School Board:

1. Beaverbank Elementary School;
2. Dutch Settlement School.

It was moved by Deputy Warden Margeson, seconded by Councillor McInroy:

"THAT the letter from the Minister of Education relative to the transfer of school capital projects to the District School Board be deferred until the December 21st, 1982 Regular Council Session."

Motion Carried.

The above motion was carried in order that Staff may have an opportunity to review it before being further discussed by Municipal Council.

PLANNING ADVISORY REPORT

It was moved by Councillor DeRoche, seconded by Councillor Eisenhauer:

"THAT the Planning Advisory Committee Report be received."

Motion Carried.

Rezoning Application, No. RA-24-17-82-14.

The Planning Advisory Committee Report advised that the Planning Advisory Committee had discussed at its November 22, 1982 meeting, a rezoning application by Mr. Percy Baker, for the purposes of permitting an existing motor vehicle repair and inspection shop. During the meeting it was determined that the operation is an illegal non-conforming use and planning staff recommended rejection of the application.

However, it was the recommendation of the Planning Advisory Committee, that Council hold a public hearing on Mr. Baker's application on the basis that the recommendation of staff on the existing R-1 Zoning is not a good enough reason for not giving the C-1 Zoning.

It was moved by Councillor Lichter, seconded by Councillor Larsen:

"THAT a Public Hearing be held on the Rezoning Application No. RA-24-17-82-14, for Mr. Percy Baker to rezone Lot C of the lands of A.C. West, Located on the Cobequid Road near Windsor Junction, Halifax County, District 14 from R-1 (Residential Single Family Dwelling) Zone to C-1 (Commercial Local Business) Zone, on January 10, 1983."

Motion Carried.

Rezoning Application No. RA-24-19-82-04

Application No. RA-24-19-82-04 was reviewed at the November 29, 1982 Planning Advisory Committee Meeting. It was the recommendation of Staff that this application by Mr. John Holt to rezone the corner lot of the Butler subdivision located at the junction of the Brookside Road, Highway No. 333 at Brookside be approved.

The Planning Advisory Committee also agreed with the staff recommendation and moved that a Public Hearing be held to consider this application.

It was moved by Councillor Gaudet, seconded by Councillor Baker:

"THAT a Public Hearing be held on the Rezoning Application No. RA-24-19-82-04 by Mr. John Holt to rezone the corner lot of the Butler Subdivision located at the junction of the Brookside Road, on January 10, 1983 at 7:00 P.M."
Motion Carried.

Addition to Agenda - Councillor Baker

Councillor Baker questioned whether he could include another application at this point in order to avoid delay. The applicant was Mrs. Mildred Jollimore, Terence Bay and final approval was requested for Lot MJ-1 under the undersized lot legislation.

The Councillor advised that this lot was discussed at the November 1, 1982 Planning Advisory Committee Meeting at which time staff recommended approval of Lot MJ-1 with a reduced frontage of 25 feet on the Sandy Cove Road.

Mr. Birch advised the Councillor that this application would normally be dealt with at a Regular Council Session and recommended that it be dealt with at the January 4, 1983 Regular Council Session; this would allow ample time for advertising the Hearing.

It was moved by Councillor Baker, seconded by Councillor Gaudet:

"THAT a Public Hearing be held on January 4, 1983 at the beginning of the Regular Council Session to deal with application for final approval of Lot MJ-1, on the Sandy Cove Road, lands of Mildred Jollimore, under the Undersized Lot Legislation of 1966."
Motion Carried.

Rezoning Application No. RA-24-11-82-9

Rezoning Application No. RA-24-11-82-9 was a request by Mr. Robert D. MacFarlane to zone approximately 100 acres of the Joseph and Alfred Bellefontaine Subdivision located off the West Porters Lake Road, at Middle Porters Lake, District 9 for the purpose of locating approximately 100 trailer camping sites with the intent of expansion in later years. Each site is approximately 50' X 100' and is serviced with water and sewer and electrical hook-ups. It was the recommendation of staff that this request be approved; subsequently the Planning Advisory Committee passed a resolution requesting that a Public Hearing be held.

It was moved by Councillor Gaetz, seconded by Councillor Lichter:

"THAT a Public Hearing be held January 17, 1983 at 7:00 P.M. to deal with Rezoning Application No. RA-24-11-82-9, a request by Mr. Robert D. MacFarlane to zone approximately 100 acres of the Joseph and Alfred Bellefontaine Subdivision located off the West Porters Lake Road at Middle Porters Lake."
Motion Carried.

Rezoning Application No. RA-24-14-82-08

Rezoning Application No. RA-24-14-82-08, a request by the residents of the Minesville Road and Dempster Crescent to rezone portions of the Minesville Road and Dempster Crescent near Lake Echo, District 08 from an unzoned status to R-1 Zone, was discussed at the November 22, 1982 Planning Advisory Committee Meeting. The reason for this request was for protection of property values as well as intrusion of incompatible land uses.

Planning Staff recommended approval of the request in principle; however, it is also recommended that the geographic boundaries for the zone change request be reduced for the following reasons:

1. the requested boundaries far exceed those which are needed to adequately protect property values;
2. if approved, these boundaries would have an effect in placing certain land uses in the Minesville area in a non-conforming capacity.

At the November 22nd meeting the Planning Advisory Committee requested that a letter be received from the residents indicating they had no objections to the reduced area. Such a letter was received at the November 29th Planning Advisory Committee Meeting.

It was therefore the recommendation of the Planning Advisory Committee that a Public Hearing be held to deal with Rezoning Application No. RA-24-14-82-08.

It was moved by Councillor Adams, seconded by Councillor Gaetz:

"THAT a Public Hearing be held January 17, 1983 at 7:00 P.M. to deal with rezoning application No. RA-24-14-82-08."
Motion Carried.

Foundation Canada Limited - Request to Enter Into Negotiations For A Contract

Mr. Keith Birch outlined this item to Council advising that at the November 15th, 1982 meeting of the Planning Advisory Committee, the Committee received a letter from Foundation Canada Limited requesting to enter into negotiations with the Municipality for a contract to establish a contracting business related to marine construction and service, i.e. bridges, etc.

Upon consideration of the proposal, the Committee requested by resolution to Council, that staff be permitted to enter into negotiations with Foundation Company of Canada Ltd. for a contract for purposes of establishing a marine services type contracting operation.

Subsequent to brief discussion:

It was moved by Councillor Deveaux, seconded by Councillor DeRoche:

"THAT Staff be permitted to enter into negotiations with Foundation Company of Canada Ltd. for a contract for purposes of establishing a marine services type contracting operation."
Motion Carried.

ADDITION OF ITEMS

Starting Time of Regular Council Sessions

It was moved by Councillor MacKay, seconded by Councillor DeRoche:

"THAT Regular Council Sessions the first and third Tuesdays of each month commence at 6:00 P.M. instead of 2:00 P.M."
Motion Carried.

The motion was carried subsequent to lengthy debate in which Councillor MacKay, Councillor Lichter, Councillor Deveaux, Councillor Mont, Councillor Reid and Warden MacKenzie made the following points in favour of the motion:

1. Residents will have the opportunity to attend Council Sessions more readily, (even if they do not attend at least they are not prohibited from doing so);
2. Council Representatives are getting younger - if there are more night meetings, this will enable more employed people to run for Council;
3. Many Councillors, under the present system, must sometimes neglect their employment positions in order to attend day-time Council Meetings.

Councillor Reid and Warden MacKenzie also felt that some time curfew should be placed on these Council meetings in deference to municipal employees who must attend the Council Sessions and still be present and alert early the next morning; and also because when meetings run late some issues may not be discussed properly due to tiredness and finally, for some Councillors there is a very long drive home.

Deputy Warden Margeson, Councillor Gaetz, Councillor Poirier and Councillor McInroy were opposed to the above motion on the basis of the following:

1. The 2:00 P.M. meetings were a happy medium between the 6:00 or 7:00 meetings and the previous 10:00 A.M. meetings, and would appear to be the most convenient time for Councillors, staff and the public;
2. If Residents were seriously interested in Council, it was felt that they could attend or if they had a casual interest they could attend after work or after supper;
3. It is the practice that when residents indicate an interest in any topic that topic is deferred until later in the agenda to accommodate their attendance;
4. In deference to Staff members who must stay late to attend Council Sessions.

Councillor McInroy was also opposed to a curfew on meetings, because uncompleted agendas would have to be finished at a specially called Council Session, possibly resulting in Council meetings every week.

However, as noted above the motion was passed and it was confirmed by Mr. Meech that to change the time of the meetings an amendment to the By-Law regarding Council Times would have to be signed by the Minister of Municipal Affairs. This should be completed within several weeks so that 6:00 Council Sessions could begin with the first January Session.

It was moved by Councillor DeRoche, seconded by Councillor MacKay:

"THAT in the interim while the Minister of Municipal Affairs is making a ruling on the time of the Regular Council Sessions, the Municipality adopt the above motion for meetings beginning at 6:00 p.m. as of the first January Session."
Motion Defeated.

Although the above motion had been defeated, Mr. Meech advised that the amendment to the By-Law would be submitted to the Minister immediately and would, in all probability, be signed in time for the first January 1983 Session of Council.

GARBAGE TENDERS

It was moved by Councillor Walker, seconded by Councillor Lichter:

"THAT the Garbage Tenders be received."
Motion Carried.

It was agreed by Council that the tenders would be dealt with area by area.

Mr. Ed Wdowiak joined Council at this time to give a preliminary presentation and to outline the tenders and the areas for which the tenders were called. In response to questioning from Council he advised that the Municipality is not obligated to award a tender to the lowest bidder.

This opinion was substantiated by Solicitor Cragg who advised that the Municipality was under no legal obligation to accept the lowest or any tender.

Mr. Wdowiak advised that the tenders were called for firm prices to be submitted for each of three years and are based on the present estimated homes and weight to be collected. The tenders are for the cost per month and include collection of Christmas Trees as well as Spring and Fall Clean-Up Weeks.

Area 8, District 8

Subsequent to information and discussion:

It was moved by Councillor Adams, seconded by Councillor DeRoche:

"THAT the garbage Contract for Area 8, District 8 be awarded to Diggs Sanitation in the amount of \$2,979. per month in 1983."
Motion Carried.

Area 1, District 1

Subsequent to information and discussion:

It was moved by Councillor Walker, seconded by Deputy Warden Margeson:

"THAT the Garbage Contract for Area 1, District 1, be awarded to James Marriott in the amount of \$3,488.10 per month in 1983."
Motion Carried.

Area 2, District 2

Subsequent to information and discussion:

It was moved by Councillor Poirier, seconded by Councillor Gaetz:

"THAT the Garbage Contract for Area 2, District 2, be awarded to Fred Marriot in the amount of \$3,418.50 per month in 1983."
Motion Carried.

Area 3, Portion of District 3

Subsequent to information and discussion:

It was moved by Councillor Larsen, seconded by Deputy Warden Margeson:

"THAT the Garbage Contract for Area 3, District 3 be awarded to Fred Marriott in the amount of \$1,275. per month in 1983."
Motion Carried.

Area 3A, Portion of District 3

Mr. Wdowiak advised that only one contractor, Fred Marriott submitted a tender of \$2,000.00 per month for this area. This tender was a 17% increase for the first year over 1982. However, Mr. Wdowiak recommended that the tender be awarded to Fred Marriott.

Subsequent to discussion:

It was moved by Councillor Larsen, seconded by Councillor Poirier:

"THAT Staff approach the Contractor and attempt to negotiate with him further, suggesting that 17% is a high increase especially in these present times of restraint."
Motion Carried.

Area 4, District 4

Subsequent to information and discussion:

It was moved by Councillor Poirier, seconded by Councillor DeRoche:

"THAT the Garbage Tender for Area 4, District 4, be awarded to Fred Marriott in the amount of \$4,900.80 per month in 1983."
Motion Carried.

Area 5, District 5

Mr. Wdowiak advised that two tenders were submitted for this area. The low tender of Fred Marriott with a tendered price of \$3,500.00 per month which is a 10% decrease for the first year over 1982. Mr. Wdowiak brought to Council's attention that the present contractor Glen Baker tendered the same price as for 1982 at \$3,897.72. He advised that it would appear that the low tenderer is prepared to take a loss in obtaining the contract. However, because of his past performance and demonstrated ability, it is recommended that the contract be awarded to Fred Marriott.

Councillor Baker requested that he be exempted from voting on this issue as it would represent a conflict of interest as Glen Baker was his son.

Based on Fred Marriott's previous tender for Area 3A which was 17% above the price for 1982, Councillor Bayers felt that this low tender may be an attempt to eliminate the competition.

It was moved by Councillor Bayers, seconded by Councillor Walker:

"THAT the Garbage Contract for Area 5, District 5, be awarded to Glen Baker in the amount of \$3,897.72 per month in 1983."
Motion Carried.

Area 6, District 6

Subsequent to information and discussion:

It was moved by Councillor Deveaux, seconded by Councillor DeRoche:

"THAT the Garbage Contract for Area 6, District 6 be awarded to Leo Beazley in the amount of \$5,773. per month in 1983."
Motion Carried.

Area 7, Districts 17A, 17B, 21A, 21B

Mr. Wdowiak advised that traditionally Area 7 and Area 7A are called separately and then combined. In area 7 alone, only one contractor placed a bid of \$10,944. per month. The contractor is the existing contractor, Leo Beazley.

Area 7A, District 7

Two tenders were submitted for this area. The low tender was Leo Beazley with a tendered amount of \$2,550.00 per month. The other tender was submitted by Digg's Sanitation with a tendered amount of \$3,852.00 per month.

Area 7 and 7A Combined, Districts 7,17A,17B, 21A, 21B

Mr. Wdowiak advised that only one contractor, the existing contractor, Leo Beazley, submitted a tender of \$13,288.00 which is slightly less than the amount submitted for the two areas individually. This amount represents a 4% increase for the first year over 1982 and it is recommended that the contract be awarded to Leo Beazley.

It was moved by Councillor DeRoche, seconded by Councillor McInroy:

"THAT the Garbage Contract for Areas 7 and 7A be awarded for the combined Districts, to Leo Beazley in the amount of \$13,288.00 per month in 1983."
Motion Carried.

Area 9, District 9

Subsequent to information and discussion:

It was moved by Councillor Gaetz, seconded by Councillor Deveaux:

"THAT the Garbage Tender for Area 9, District 9 be awarded to Dartmouth Refuse in the amount of \$5,410.65 per month in 1983."
Motion Carried.

Area 10, District 14

Mr. Wdowiak advised that six tenders were submitted for this area. The low tenderer is Lantz Leasing and Rentals Limited in the amount of \$3,745.00 per month. Of the six tenders submitted it can be seen that prices range from \$3,745.00 to \$11,457.00. Historically the low and high tenders are rejected, however further information was obtained for consideration. Four of the tenders were in the \$7,200.00 to \$8,000.00 range which would indicate that this is the reasonable range of costs.

With respect to Lantz Leasing, Mr. Wdowiak advised that the owner Mr. Cantfell is presently in the trucking business and if successful with his tender, he will purchase a used residential packer for the area. He had back-up equipment available and has provided staff with information on how the tender was estimated. Mr. Cantfell lives in the area and is familiar with the route. He has further stated that if the estimated tonnage figures are correct that he can provide the service adequately for the tendered price. Mr. Cantfell has further indicated he proposes to use two men for the service, a driver and a tailman. Two other contractors who use packers as vehicles were asked whether or not this work could be done with one tailman and both have indicated that it is possible but that they both use at least two tailman per truck in their operation. Lantz Leasing would have to apply for an amendment to their carrier's license.

Mr. Wdowiak advised that Mr. Cantfell has also asked that he be considered for Area 13, part of District 13 in which he has submitted a bid but not the low bid. If he is awarded the tender for Area 13, he intends to acquire two garbage packers which would provide additional backup equipment.

In regard to the second-lowest tender, Mr. Wdowiak advised that this tender, submitted by Richard Boyd of Windsor Junction, did not comply with the requirement of a firm price for 1983, 1984 and 1985. Therefore, the tender was rejected. Solicitor Cragg, he advised, confirmed that the tender should be rejected.

Mr. Wdowiak advised that the present contractor for the area, Wallace Amos, has submitted a price of \$7,559.55 per month which is the same price as 1982. Mr. Amos uses three plywood sided trucks with tarps and a four wheel drive vehicle for use on small private roads. He employs four people in addition to himself. Mr. Amos has been providing a collection for the Municipality for the past 18 years. This contractor has never charged for extra allowances for spring or fall clean-up.

Mr. Wdowiak also advised that the estimated tonages of 45 tons per week as appeared in the tender documents have been compiled from actual tonages received from the Landfill site. These tonages have decreased substantially from 1982 figures of 68 tons weekly. Further investigation revealed that Mr. Amos who operates a landfill site of his own actually disposes of some 20 to 25 tons per week in his own operation for which the Municipality is not charged disposal fees by the Metropolitan Authority. This is a savings to the Municipality of an estimated \$1,100 per month. Based on this information and on the Municipality's past experience with this contractor, who has provided the Municipality with disposal services during a strike which closed the present landfill site, and the satisfactory service provided to the District, it was the recommendation of Mr. Wdowiak that the Contract be awarded to Wallace Amos.

It was moved by Councillor Snow, seconded by Councillor Baker:

"THAT the Garbage Contract for Area 10, District 14, be awarded to Wallace Amos in the amount of \$7,559.55 per month in 1983."

Councillor Lichter questioned Mr. Wdowiak with regard to the reasoning behind the "historic rejection of the high and low bids".

Mr. Wdowiak advised that in the Construction Industry when there is a large spread between the high and low tenders, as there is in this case, the low tender is considered unreliable or unrealistic.

Councillor Lichter responded that Mr. Cantfell had sat down with Mr. Wdowiak and they had gone over the tender in detail relative to licensing, insurance, repair, salaries, cost of equipment, etc., and a 10% profit margin. He questioned whether Mr. Wdowiak had any reservations with regard to the tender subsequent to the review.

Mr. Wdowiak advised that he was apprehensive in regard to the salary quoted. The contractor had allowed \$22,876.57 per year for two employees for a job that takes four days a week. This would amount to less than \$12,000.00 per employee per year, which is not a reasonable salary.

Councillor Lichter indicated his opinion that in these days of high unemployment and heavy social assistance caseloads there are many people who would be glad to work for \$12,000.00 per year.

Councillor Lichter also advised that the Lantz Leasing tender works out to approximately \$147,000 over three years while Mr. Amos' tender works out to \$278,557 over three years - a differential of \$131,000 which would be picked up from the taxpayers of the entire Municipality on the general rate.

Mr. Meech indicated that since the tender call was based on approximately 45 tons of waste and there were about 68 tons, before Wallace Amos began taking waste to his own privately operated site, that there was an error in the specifications of the tender call.

He, therefore, felt it might be appropriate to re-tender the garbage contract for this area.

Councillor Lichter agreed that the tenders would not be accurate as they had been based on the tonage for which the Metropolitan Authority bills the Municipality, which was based on the garbage that Wallace Amos delivered there. Mr. Amos had been delivering 20 - 25 tons less than was actually picked up.

Solicitor Cragg agreed that based on this new information new tenders should be invited from all contractors who had bid in response to the first tender call.

Based on this new information Councillors Snow and Baker agreed to withdraw their motion.

It was moved by Councillor Larsen, seconded by Councillor Mont:

"THAT the specifications for the garbage contract for Area 10, District 14 be corrected and that all contractors who submitted a bid on the first tender call be invited to re-submit tenders."
Motion Carried.

Area 11, Districts 15, 16, 19, 20 and a Portion of 18

Subsequent to information and discussion:

It was moved by Councillor MacKay, seconded by Councillor DeRoche:

"THAT the Garbage Contract for Area 11, Districts 15, 16, 19, 20 and a Portion of 18 be awarded to Suburban Waste and Disposal in the amount of \$24,708.06 per month in 1983."
Motion Carried.

Area 12, Portion of District 18

Subsequent to information and discussion:

It was moved by Councillor Eisenhauer, seconded by Councillor DeRoche:

"THAT the Garbage Contract for Area 12, for a portion of District 18, be awarded to James Marriott in the amount of \$1,985.50 per month in 1983."

Motion Carried.

Area 13, District 13

Mr. Wdowiak advised that four tenders were submitted for this area; the low tender by Wallace Amos in the amount of \$1,088. the second lowest tender from Triple G. Enterprises in the amount of \$1,141.40; the third lowest from Lantz Leasing in the amount of \$1,265; and the highest from Enfield Paving in the amount of \$2,662.92.

It was moved by Councillor Lichter, seconded by Councillor Reid:

"THAT the Garbage Contract for Area 13, District 13, be awarded to Lantz Leasing and Rentals Limited in the amount of \$1,265.00 per month in 1983."

Motion Defeated.

Councillor Lichter based his motion on the fact that Mr. Cantfell's price was only \$177.00 per month higher than that of the low tenderer. However, as noted above the motion was defeated and the following motion placed on the floor.

It was moved by Councillor DeRoche, seconded by Councillor Larsen:

"THAT the Garbage Tender for Area 13, District 13, be retendered and included in the tender for Area 10, District 14, as one contract." Motion Carried.

Councillor Lichter agreed with the above motion as he too felt that both areas should have been included in one contract due to their proximity and the fact that District 14 takes four days to complete and District 13 only one day; one contract would result in one full week's work.

It was moved by Deputy Warden Margeson, seconded by Councillor Snow:

"THAT the Engineering and Works Department of the Municipality examine the Municipality's whole Garbage Issue and bring back a Report to the Management Committee."

Motion Carried.

NEW BUSINESSCharitable donation - Councillor DeRoche

It was moved by Councillor DeRoche, seconded by Councillor Larsen:

"THAT each member of the Council of the Municipality of the County of Halifax forfeit the payment for attendance at one Committee Meeting for contribution to the Nova Scotia Home for Coloured Children and the Christmas Daddies on an equal basis."
Motion Defeated.

Many Councillors spoke in opposition to the above motion. They commended Councillor DeRoche for the spirit in which his motion was made but advised that they all have their own preferred charities and some have even contributed to those charities named in his motion. They advised that they prefer to pick and choose to whom they wish to donate and how much; these Councillors also pointed out that a precedent would be set in which numerous Organizations would be requesting that Councillors forfeit their remuneration for charitable donations.

Residential Rehabilitation Assistance Program - Councillor DeRoche

Councillor DeRoche advised that Councillor Adams, who had to retire early this evening had requested him to introduce an item relative to the memorandum from Mr. Birch regarding a meeting to be held on December 13 respecting the County becoming the Delivery Agent for the RRAP.

Councillor Adams had wished to ensure that the Preston Area Housing Fund be retained as the Delivery Agent for the present program.

Mr. Meech advised that the meeting which is taking place on the 13th of December will be between the Warden, Mr. Birch, himself, and Mr. Pitt, the Atlantic Regional Manager in charge of the program and is relative to Council's resolution to pursue the Municipality becoming the Delivery Agent.

Mr. Pitt, had requested that if the Municipality had encountered any specific problems under the present system, these examples be brought before him at the meeting. This, he advised, was the reason why the memorandum was circulated to Councillors; so that they would relate their examples to Mr. Birch who could then pass them on to Mr. Pitt.

In addition to this information, Councillor MacKay advised that the Municipality was not concerned with the Preston Area Housing Fund which delivers to the Preston areas; the concern was with the Native and Rural Housing in Truro.

ADJOURNMENT

It was moved by Councillor Poirier, seconded by Councillor DeRoche:

"THAT the Regular Council Session adjourn."
Motion Carried.

Therefore, there being no further business, the Regular Council Session adjourned at 10:15 P.M.

REGULAR COUNCIL SESSION

DECEMBER 21, 1982

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Margeson
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor
Mr. John Markesino, Co-Ordinator of Recreation
Mr. Blair Blakeney - Recreation Department
Mr. Ed Wdowiak, Director of Engineering & Works

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Regular Council Session to order at 2:00 P.M. with The Lord's Prayer.

Subsequent to the Lord's Prayer, Council observed one moment of silence in honour of the late G. I. Smith, a former Premier of the Province of Nova Scotia.

ROLL CALL

Mr. Kelly then called the Roll.

ANNOUNCEMENTS

Warden MacKenzie advised Council that the Deputy Warden would be arriving late this afternoon as he was attending G. I. Smith's Funeral on behalf of the Council of the Municipality of the County of Halifax.

It was moved by Councillor Mont, seconded by Councillor Baker:

"Whereas Senator G. I. Smith was a distinguished Statesman whom all Nova Scotians respected, Be it Therefore Resolved That the Council of the Municipality of the County of Halifax by Resolution express its sympathy to Senator Smith's Family."
Motion Carried.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor DeRoche, seconded by Councillor McInroy:

"THAT Christine E. Simmons be appointed Recording Secretary."
Motion Carried.

At this time, Warden MacKenzie recognized members of the Correction Officer's Association of Nova Scotia in attendance in the Council Chambers, in protest of impending lay-offs in security personnel at the Halifax County Correction Centre located in Sackville.

PRESENTATION, RE: RECREATION SURVEY OF TEENAGERS IN HALIFAX COUNTY

Mr. John Markesino and Mr. Blair Blakeney came before Council at this time to make a presentation relative to recreation activities for teenagers in Halifax County.

Mr. Markesino introduced Blair Blakeney as a recent graduate of Recreation at Dalhousie University. He advised that Mr. Blakeney had been hired with federal grant money to undertake the Survey.

Copies of an In-Depth Report, prepared by Mr. Blakeney were tabled with Council. This Report indicated that there was a marked lack of recreational and social activities for teenagers in Halifax County Schools and Communities.

Mr. Blakeney summarized his activities with respect to the survey advising that he had distributed 1100 questionnaires to senior and junior high school students, between 12 and 19 years of age. This questionnaire had been distributed throughout the Eastern Shore, South Shore, Cole Harbour and Sackville areas of the Municipality.

Sixty Percent of the questionnaires were returned; of this number, 47 percent indicated that school recreation activities do not meet the requirements of the students, 25 percent indicated that community recreation activities do not meet their requirements. Many students commented that accessibility to recreational facilities was a major problem.

Another important observation from the survey was that community and school recreation activities often are duplicated. Mr. Blakeney also found through the survey, that there is greater participation in recreation and social activities in areas which have community schools. As well, it appears that in the more heavily populated Urban areas of the Municipality, Cole Harbour and Sackville the students are more satisfied with the Recreational services offered.

Mr. Blakeney advised that now the survey is completed, he will be working with specific problems in the communities, and in this respect, he urged Councillors to bring their individual problems to his attention. He encouraged Council to read the Report tabled with them this afternoon and come back to him with any questions or suggestions.

Subsequent to discussion of the survey, Warden MacKenzie thanked Mr. Markesino and Mr. Blakeney for their excellent presentation and advised that Council was looking forward to the results of the second phase of the survey.

At this time, Councillor Deveaux initiated brief discussion relative to the adhoc committee established to deal with the football stadium proposed for the Kearney Lake area. It was his opinion that Mr. Markesino should be a member of this Committee.

It was moved by Councillor Deveaux, seconded by Councillor Baker:

"THAT Mr. John Markesino, Co-ordinator of Recreation, be appointed a member of the Committee established to deal with the proposed Football Stadium."
Motion Carried.

Subsequently, Mr. Markesino and Mr. Blakeney retired from the Council Session.

LETTERS AND CORRESPONDENCE

It was moved by Councillor Poirier, seconded by Councillor Eisenhauer:

"THAT the letters and correspondence be received."
Motion Carried.

Letter From The Premier of the Province of Nova Scotia

The first letter from Premier John Buchanan was in response to the Municipality's letters of November 9 and 18 regarding the strike at the Scott Pulp and Paper Mill in Abercrombie and advised that he has brought Council's concerns to the attention of the Honourable J. A. MacIsaac, Minister of Labour and Manpower.

This letter was for Council's information only.

Letter From the Minister of Transportation

A letter had been received from the Minister of Transportation in regard to the Municipality's letter of November 1, 1982 which requested

that a study of the student traffic patterns at the Junction of Porter's Lake Station, Highway No. 7 and Highway No. 107 be undertaken, with a view to reduction of the speed limit at appropriate times of the day when the school is opening and closing.

The letter advised that Department of Transportation Staff will conduct this requested study subsequent to which he will again communicate with the Municipality.

This letter was also for Council's information.

However, Councillor Adams advised that this is not all the information he was interested in. He was interested in a study of the traffic patterns of all schools along Highway No. 7.

This request was taken under advisement by Staff who agreed to write another letter to the Minister in regard to this issue.

Letter From the Minister of Education

A letter received from the Minister of Education advised:

"Thank you for your letter of November 19, 1982 concerning the moratorium on school construction. As you are aware, school facility requirements for the Halifax County-Bedford District School Board has been the subject of intensive study and discussion during the past few months. As a result, the Cole Harbour Elementary School was approved to relieve an overcrowding situation there. As well, the Premier, the Honourable John M. Buchanan and I announced the approval of a Junior High School Facility to relieve overcrowding at the Junior High Level in the Sackville area, along with long range plans for an elementary facility in the Beaverbank area and the P & Q sections of the Sackville Land Development. I would suggest that this commitment on the part of the Government of Nova Scotia will improve considerably the school facility requirements in Halifax County."

In response to this letter, the following motion was made:

It was moved by Councillor Adams, seconded by Councillor MacDonald:

"THAT the Municipality of the County of Halifax request by letter, an up-date on the moratorium on school capital projects, to be received by the first of the New Year, 1983 particularly in regard to the Bell Park Elementary School."
Motion Carried.

APPOINTMENT OF NON-COUNCIL MEMBER - PLANNING ADVISORY COMMITTEE

It was moved by Councillor Walker, seconded by Councillor Poirier:

"THAT Mr. Rupert (Buck) Giffin be nominated for a two-year appointment to the Halifax County Planning Advisory Committee."

Councillor Walker spoke on behalf of his nominee advising that Mr. Giffin is on the Committee at the present time and is doing an excellent job.

It was moved by Councillor Deveaux, seconded by Councillor DeRoche:

"THAT Mrs. Elizabeth Kwindt be nominated for a two year appointment to the Halifax County Planning Advisory Committee."

Councillor Deveaux spoke briefly on behalf of his nominee advising that Mrs. Kwindt had been the Chairperson of the Cow Bay Public Participation Committee during the MDP process and that she had a good knowledge of Planning principles.

It was moved by Councillor Gaetz, seconded by Councillor Baker:

"THAT Nominations Cease."
Motion Carried.

Subsequent to the above, ballots were distributed then collected in the ballot box. Councillors Walker and Deveaux were requested to come before Council to oversee the counting of the ballots.

Upon completion of the counting of ballots, Mr. Rupert Giffin was elected to serve on the Planning Advisory Committee for a two year term with a win of 15 votes over Mrs. Kwindt's 5 votes.

APPOINTMENT OF TWO NON-COUNCIL MEMBERS TO THE BOARD OF MANAGEMENT OF THE HALIFAX COUNTY REHABILITATION CENTRE

It was moved by Councillor Poirier, seconded by Councillor MacKay:

"THAT Mr. Archie Fader be nominated for a one-year appointment to the Board of Management of the Halifax County Rehabilitation Centre."

Councillor Poirier spoke briefly on behalf of her nominee advising that Mr. Fader was a former member of Council, a concerned resident of the Municipality and that he had much to offer the Board of Management of the Rehabilitation Centre.

It was moved by Councillor Baker, seconded by Councillor Gaetz:

"THAT Mr. Harpell Power be nominated for a one-year appointment to the Board of Management of the Halifax County Rehabilitation Centre."

It was moved by Councillor Bayers, seconded by Councillor Deveaux:

"THAT Mrs. Erma Smith be nominated for a one-year appointment to the Management Board of the Halifax County Rehabilitation Centre."

It was moved by Councillor Baker, seconded by Councillor Gaetz:

"THAT Nominations Cease."
Motion Carried.

Subsequent to the above, ballots were distributed and gathered in the ballot box. Councillors Poirier, Baker and Bayers were then requested to come forward to oversee the counting of the ballots.

Upon completion of the counting of the ballots, the results were: Mr. Fader-18, Mr. Power-15 and Mrs. Smith-7.

Warden MacKenzie then declared Mr. Fader and Mr. Power appointed to the Board of Management of the Halifax County Rehabilitation Centre for a one-year term.

REPORT OF THE PLANNING ADVISORY COMMITTEE

It was moved by Councillor Lichter, seconded by Councillor Gaudet:

"THAT the Report of the Planning Advisory Committee be received."
Motion Carried.

Request For A Contract by Alderwood Trailer Village, Lakeside, District No. 2

Mr. Kelly outlined this item from the Planning Advisory Report, advising that at the December 13, 1982 meeting of the Planning Advisory Committee, Mr. Hanusiak of the Development Division outlined a request by Mr. Stan Havill (Owner of the Alderwood Trailer Village), to enter into a contract with the Municipality for the purposes of expanding the existing mobile home park. The proposal is possibly to be developed in two stages, creating approximately forty additional trailer spaces.

The Timberlea-Lakeside-Beechville Municipal Development Plan specifically addresses the possible expansion of the Alderwood Trailer Village in that the expansion may be permitted only by Development Agreement.

It was the recommendation of the Planning Advisory Committee, that Council permit staff to enter into negotiations with Mr. Havill for a contract to expand the existing mobile home park.

It was moved by Councillor Lichter, seconded by Councillor Poirier:

"THAT Council authorize Staff to enter into negotiations with Mr. Havill for a contract to expand the existing Alderwood Mobile Home Park, in Lakeside."
Motion Carried.

Request for a Contract to Establish a Manufacturing Fibreglass Company at East Preston, District No. 8

Mr. Kelly advised that Planning Staff had outlined to the Planning Advisory Committee a request to enter into a contract with either the East Preston Lions Club or the Halifax County Industrial Commission for the purposes of establishing a manufacturing fibreglass products company.

He also advised Council that since the matter of the title to the property is being questioned, staff requested permission to begin negotiations in order that there is no delay between now and the time the Municipal Solicitor advises that the property title matter has been resolved.

It was the recommendation of the Planning Advisory Committee that Council permit staff to enter into negotiations for a contract with either the East Preston Lions Club or the Halifax County Industrial Commission for the purposes of establishing a manufacturing fibreglass products company.

Councillor MacKay and Councillor McInroy expressed some concern regarding the negotiations in view of the title problems; however, Mr. Cragg assured both Councillors that there is no legal problem with proceeding with negotiations at this point.

It was moved by Councillor MacKay, seconded by Councillor DeRoche:

"THAT Council authorize Staff to enter into negotiations with either the East Preston Lions Club or the Halifax County Industrial Commission for the purposes of establishing a fibreglass manufacturing products company."
Motion Carried.

The Planning Act, A Working Paper in Legislative Form

Mr. Kelly advised that the Department of Municipal Affairs has produced a document entitled the The Planning Act, A Working Paper in Legislative Form. This document is based on amendments to the existing Nova Scotia Planning Act.

He further advised that this paper was received by the Planning Advisory Committee on November 29, 1982 along with a letter which stated that all submissions were to be made to the Department of Municipal Affairs, no later than December 31, 1982. A result of this was that the Committee met on several occasions including three special night meetings, to draft its recommendations and comments with respect to the document.

He further indicated the Committee's intention to bring a report including their comments and recommendations on the proposed Planning Act before Council in the near future so that Council can review the Committee's recommendations and possibly adopt the report as an overall submission to the Department of Municipal Affairs on behalf of the Municipality.

Copies of the proposed Planning Act had been tabled with all Councillors prior to the Council Session.

The following motion was made to accept the recommendation of the Planning Advisory Committee:

It was moved by Councillor Lichter, seconded by Councillor Gaetz:

"THAT Council hold a special Committee of the Whole Meeting on Thursday, December 29, 1982 at 2:00 P.M. to discuss the proposed new Planning Act."
Motion Carried.

Councillor Lichter advised that the Report of the Committee would be ready for distribution before this Council Session is adjourned.

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

It was agreed by Council that the Supplementary Report of the Planning Advisory Committee be received.

Cole Harbour Amusements Limited

Mr. Meech outlined this item to Council advising that Mr. Birch, the Chief of Planning and Development, reported to the Planning Advisory Committee on the writ action by Cole Harbour Amusements Ltd. for the issuance of a building permit. The outcome of the Hearing on December 14, 1982 resulted in the Judge ordering the County to issue a building permit to Cole Harbour Amusements Limited in accordance with by-laws which were deemed to exist at the time the building permit was applied for. Also costs for the Hearing were awarded against the Municipality.

It was the recommendation of the Committee that Council authorize the Solicitor to appeal the judgement of Cole Harbour Amusements Limited given on December 14, 1982.

It was moved by Councillor DeRoche, seconded by Councillor Lichter:

"THAT Council authorize the Solicitor to Appeal the judgement of Cole Harbour Amusements Limited given on December 14, 1982."
Motion Carried.

Councillor McInroy was concerned with the above motion from a legal point of view; he questioned the Solicitor as to whether the Municipality, in persuing this issue, would be taking too great a risk. However, Mr. Cragg advised that it would be prudent to do so.

REPORT OF THE DIRECTOR OF DEVELOPMENT

It was moved by Councillor Deveaux, seconded by Councillor Walker:

"THAT the Report of the Director of Development be received."
Motion Carried.

Subsequent to the passing of the motion, Councillor Gaetz expressed his opposition to the rejection of lot Block X1B, owned by Ronald Neiforth in Three Fathom Harbour. He described the situation and advised that the Department of Health was opposed to the approval of the Lot.

However, the Warden advised Councillor Gaetz that the Report of the Director of Development merely lists those lots approved and not approved and no action is expected in regard to it, except to receive

the Report. In regard to the application of Mr. Neiforth, the Warden advised Councillor Gaetz to advise the applicant to appeal to the Board of Health within a specific time limit.

REPORT OF THE BOARD OF HEALTH

Mr. Kelly outlined this item advising that at the September 7, 1982 Municipal Council Session, a report was tabled from the Chairman of the Halifax County Board of Health concerning a problem they encountered with malfunctioning sewage disposal systems at the two apartment buildings located at 130 and 132 Lockview Road, Fall River. The estimated cost of the repairs was in the vicinity of \$10,000 which expenditure was approved by Municipal Council.

Criteria for the remedial work was prepared by an engineer from the Department of Public Health and bids on the work were requested. The tenders were opened at a County Board of Health meeting held on October 7, 1982. The low tender was by Paddy Hilchie Excavating for \$12,400.00 as per the criteria for the work. The County Board of Health approved the tender and the work has now been completed.

As stated the price tendered was per the criteria supplied and as the work progressed additional costs were incurred that could not be foreseen. This additional work had to be done otherwise the proper corrections would not have been made. The final costs for the project is \$15,735.00.

It is requested that an additional sum of \$5,735.00 be approved. As stated in the September 7, 1982 report to council, this money can be recovered by the Municipality and the County Board of Health will proceed with this as quickly as possible.

Subsequent to brief discussion:

It was moved by Councillor Snow, seconded by Councillor Gaetz:

"THAT the additional sum of \$5,735.00 for the remedial works on the malfunctioning disposal systems for the Peuter Group Apartment Buildings located at 130 and 132 Lockview Road, Fall River be approved by Municipal Council."

Motion Carried.

MANAGEMENT COMMITTEE REPORT

It was moved by Councillor DeRoche, seconded by Councillor Deveaux:

"THAT the Management Committee Report be received."
Motion Carried.

Renewal of Lease Agreement - Robb Engineering

Mr. Meech outlined this item, advising that the Management Committee received a report from Bill Keenan, Property Management Supervisor, relative to a lease renewal with Robb Engineering. Subsequent to dis-

cussion of this Report it was the recommendation of the Management Committee, that Council approve the renewal of a lease agreement with Robb Engineering for the Elkins Barracks Property at Eastern Passage on the basis of a three-year agreement as follows: 1983 \$27,600; 1984 - \$31,750; 1985 - \$36,500.

It was moved by Councillor Deveaux, seconded by Councillor Baker:

"THAT Council approve the renewal of a lease agreement with Robb Engineering, Elkins Barracks Property at Eastern Passage on the basis of a three (3) year agreement as follows: 1983 - \$27,600; 1984 - \$31,750; 1985 - \$36,500."
Motion Carried.

REPORT, RE: GARBAGE COLLECTION CONTRACTS

Mr. Wdowiak joined the Council Session at this time to provide information regarding Garbage Contracts . He distributed to Council, a Report which read:

"As directed by Council, garbage collection for District 14 and part of District 13 which had previously been Tendered as two separate areas, was combined to form one area and re-Tendered. Revised estimates of weekly tonnage was computed using the total numbers of homes and establishments and the total estimated garbage weights for the remaining districts and averaged. The resulting estimates for the retender was 60 tons per week as opposed to the previous total of 49.5 tons.

Tenders were opened at the Management Committee on December 16 and by motion of the Management Committee are hereby tabled for Council.

Low tender was submitted by Lantz Leasing and Rentals Ltd. with a bid of \$5,902.38, \$6,256.52 and \$6,631.91 per month for each of years 1983, 1984 and 1985 respectively.

The next tender was submitted by the existing contractor, Wallace Amos, with a bid of \$7,971.00 per month for each of the three years.

Inquiries were made of each of the Contractors to determine if they would consider entering into a contract for collection only in each of the respective areas, and if affirmative, what amount of credit would be given to the Municipality from the tendered amount.

Mr. Cantfell of Lantz Leasing has stated that as the area was Tendered as a complete area, that he could not consider this request.

Mr. Amos has stated that he would be willing to undertake this arrangement, and offered a credit of \$1,088.00 per month for releasing the District 13 part of the area, which is the amount that he bid in the original tender.

It is noted that the bid for the combined area submitted by Lantz Leasing is \$895.00 higher than the original tender submitted. It is also noted that the bid for the combined area submitted by Wallace Amos is \$676.00 per month lower than the original Tender submitted."

It was moved by Councillor Lichter, seconded by Councillor Reid:

"THAT the low tender of Lantz Leasing and Rentals be accepted by the Municipality for the Garbage Contract in Area 10, District 14 and a Portion of District 13."

Councillor Deveaux questioned whether there would be any significant increase in the Common Area Rate for Garbage Collection if the higher tender of Wallace Amos was accepted; Mr. Wdowiak advised that the increase in the rate would be barely noticeable.

Councillor Snow spoke at length in opposition to the motion, advising Council that the Residents of District 14 were adamant that the present contractor be retained.

Councillor Walker was as well opposed to the motion based on the desire of District 14 residents to retain the present contractor. He also expressed some doubt that Lantz Leasing and Contracting could do a good job for such a low price, based on the fact that Wallace Amos has a lower than average price for the service and he has done a superior job for the Municipality over the past eighteen years.

Mr. Wdowiak agreed that Mr. Amos had done an excellent job for the Municipality. He also advised that when garbage is not put out, the contractor often goes to the door and helps to put it out; he goes down side streets, which he is not obligated to do under his contract and further that he serviced the Municipality during a strike at the landfill site and had previously saved the Municipality money by taking some of the refuse to his own government approved landfill site.

Councillor Lichter agreed that the present contractor did an excellent job in the 7 to 8 months that he worked in District 13, since the common rate was adopted. He advised that he had even telephoned the Councillor on a monthly basis to ensure that everything was satisfactory. However, Councillor Lichter indicated his opinion that if Council is in the business of protecting people who are doing a good service, "regardless of the cost", the tendering system may as well be done away with.

Councillor Lichter also advised that between the two tenders there was a differential of \$61,344.00 over the three year period. He advised that unless the Municipality wanted to make a mockery of the tendering system, the contract must be awarded to the low bidder.

Councillor Lichter also referred to Mr. Wdowiak's comments at the previous Council Session, when he had advised that if there had been only a \$2,000 difference between the tenders of Lantz Leasing and Wallace Amos, he would have been less cautious of the low tender. Councillor Lichter advised that the tenders of Mr. Cantfell and Mr. Amos were much closer this time, and he could see no reason why Staff was still questioning the credibility of the Low tenderer.

Councillor Mont questioned how much money the Municipality would save if Wallace Amos continues to take some of the garbage to his own land-

fill site; however, Mr. Wdowiak advised that when tenders were re-called, it was specified that all garbage must be dropped off at the Sackville Landfill Site.

Councillor Eisenhauer advised that he was in full support of the tendering system; however he was concerned with the credibility of the low tender by Lantz Leasing. He pointed out that Wallace Amos submitted the same price as in 1982 and also that Wallace Amos was the low bidder in District 13. He advised that it is the Municipality's mandate to collect the garbage efficiently and he felt there was an element of risk if the Municipality were to award to the low bidder. Based on the present contractor's 18 years of experience and excellent service he advised that he would support acceptance of the contract of Wallace Amos.

Councillor Reid then advised that Mr. Cantfell of Lantz Leasing has been in the trucking business for some 10 to 15 years and therefore, he must have a good knowledge of his overhead.

Councillor MacKay advised that the basic principle of the tendering system is to award to the low bidder unless there are reasonable grounds to question the contractor's ability to do the work. Since the Municipality was not sure that he cannot perform the job, the tender should be awarded to Lantz Leasing. He questioned Mr. Wdowiak as to whether the contract can be taken away from the contractor and awarded to someone else if he does not prove capable of carrying out the work satisfactorily.

Mr. Wdowiak advised that the Municipality does not have any deposits or performance bonds as other Municipalities do. This is in order to permit all contractors to bid without having to meet the financial requirements of bondability. The only recourse the Municipality would have would be to withhold the money paid to the contractor at the end of the month.

Councillor MacKay then advised that over the past six years in the construction business he has come into contact with Keith Cantfell and he advised that he has always performed satisfactorily at a lower price.

Councillor DeRoche advised that were the cost for the garbage contractors on an area rate, he could support the higher tender for District 14, if the residents desired it. However, since the cost is recovered on a common rate, he must support the low tender. Councillor DeRoche also felt it was significant that Mr. Cantfell was a County resident and taxpayer, offering a service in the Municipality and employing County people; this was not the case with Mr. Amos.

It was moved by Councillor Lichter, seconded by Councillor Reid:

"THAT a Recorded Vote be taken on the motion."
Motion Carried.

The question was then called on the previous motion:

It was moved by Councillor Lichter, seconded by Councillor Reid:

"As previously written."
Motion Carried.

Those In Favour

Councillor Poirier
Councillor Larsen
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Mont
Warden MacKenzie
Councillor Wiseman
Councillor MacDonald
Councillor McInroy
Councillor MacKay
Councillor Lichter
Councillor Reid

Those in Opposition

Councillor Walker
Councillor Gaudet
Councillor Baker
Councillor Eisenhauer
Councillor Snow

It was moved by Councillor Walker, seconded by Councillor Snow:

"THAT Districts 1 and 14 be withdrawn from the Common Rate for Garbage Collection and that these Districts be serviced on the basis of the former policy."
Motion Defeated.

This motion was defeated subsequent to lengthy debate in which the majority of Council indicated this would be a regressive step for the Municipality. As well, Solicitor Cragg, when asked for his opinion, commented that the common rate was implemented as a result of a policy decision of Council.

Councillor Eisenhauer was also opposed to the motion but advised that should the motion pass, he would request the same consideration for his District, as being the closest District to the landfill site, he would benefit most by an area rate for garbage collection.

Subsequent to the above, Deputy Warden Margeson arrived in Council from the funeral of G. I. Smith.

Area 3A, Portion of District 3

Mr. Wdowiak advised that only one tender had been received for this area; the tender was from the existing contractor in the amount of \$2,000 per month and represents a 17% increase over the existing contract price. Council had directed, at its last meeting, that this contract not be awarded and that staff renegotiate with the existing contractor.

In discussions held with this contractor, he had stated that he cannot reduce the price as this one day route is presently a non-profit route. He has submitted the bid as a fill in day to keep his crews working.

Mr. Wdowiak also advised that the 1982 costs of garbage collection in the whole of the Municipality averaged at approximately \$33.50 per ton per year. The bid price of \$2,000 per month for this route for 1983 averages \$26.00 per ton per year. He advised that this price is much lower than average and would support the contractor's claim that this is a non-profit route. It was, therefore, the recommendation of Mr. Wdowiak that the contract be awarded to Fred Marriott, the existing Contractor.

It was moved by Councillor Larsen, seconded by Councillor Poirier:

"THAT the Garbage Collection Contract for Area 3A, a Portion of District 3 be awarded to Fred Marriott in the amount of \$2,000 per month in 1983."
Motion Carried.

POLICY COMMITTEE REPORT

It was moved by Councillor McInroy, seconded by Councillor Gaetz:

"THAT the Policy Committee Report be received."
Motion Carried.

Proposed Policy, Re: Homes for Special Care Admission

Mr. Kelly outlined this item from the Policy Committee Report, advising that the committee had discussed with Mr. Mason, Director of Social Services, a proposed policy relating to admission of residents into homes for special care.

In accordance with the Committee's recommendation, the following motion was made:

It was moved by Councillor DeRoche, seconded by Councillor Gaetz:

"THAT it become the official policy of the Social Services Department to encourage applicants for admission into Homes for Special Care into our Municipal Home at Ocean View when that level of care is deemed appropriate. Placement in other Special Care Facilities may be approved by the Director of Social Services when (Ocean View) Manor placement would create severe hardship and strain on prospective residents and their families."
Motion Carried.

Swimming Pool By-Law

Mr. Meech advised that the Swimming Pool By-law, had been re-discussed by the Policy Committee upon the direction of Council.

The new proposed Draft Swimming Pool By-law, as prepared by the Municipal Solicitor was attached to the Agenda for Council's information and approval.

It was moved by Councillor Mont, seconded by Councillor MacKay:

"THAT the Swimming Pool By-Law, prepared by the Municipal Solicitor and ratified by the Policy Committee, be approved by Council and further that it be forwarded to the Department of Municipal Affairs for approval."
(See Motion to Amend).

Councillor Wiseman was concerned that the fencing requirement of 4 feet, applied to both In-Ground and Above-Ground Pools. She advised that the Above Ground Pool was an affordable alternative to the In-Ground Pool and she felt that this added restriction would elevate the cost so that people could not afford a pool at all.

This opinion was shared by Councillor Deveaux and Councillor Poirier.

Councillor Wiseman also questioned whether the By-Law applied to existing pools as well and was advised by the Solicitor that it would be applicable only to new construction.

However, Councillor Mont advised that the fencing requirement for both In-Ground and Above-Ground Pools had been considered by the Policy Committee as a safety precaution.

Councillors Reid and Lichter spoke at length in opposition to the By-Law for the Rural Communities, feeling it was another example of Government interference in the freedom of the individual. They felt there was no need for such a By-Law in the Rural Communities.

It was amended by Councillor Reid, seconded by Councillor Lichter:

"THAT Districts 12 and 13 be exempted from the Swimming Pool By-Law."
Amendment Defeated.

Subsequently the question was called on the original motion.

It was moved by Councillor Mont, seconded by Councillor MacKay:

"As previously written."
Motion Carried.

RESOLUTION, RE: CROSS WALK, COBEQUID ROAD

Warden MacKenzie advised that in accordance with the wishes of the Department of Transportation, Council recently approved a policy whereby all requests to the Department of Transportation from the Municipality for the establishment of crosswalks be accompanied by a Resolution of Council, formalizing the request.

A Report circulated to all Council advised that a written request for the provision of a crosswalk on Cobequid Road at Glendale Drive, Lower Sackville was signed by all five Councillors from the Sackville area,

has been submitted to the Engineering Department and the Accounting Office has confirmed that sufficient funds are available in the appropriate account for this purpose.

It was moved by Councillor MacKay, seconded by Councillor Eisenhower:

"Whereas by virtue of the Motor Vehicle Act, it is enacted that the Department of Transportation of the Province of Nova Scotia shall be responsible for the establishment of pedestrian and school crosswalks at those locations within the Province of Nova Scotia duly approved by the aforesaid Department for such a purpose; And Whereas The Department of Transportation of the Province of Nova Scotia requires that any requests made of the aforesaid Department to establish such a crosswalk within the County of Halifax, in the Province of Nova Scotia, be in the form of a Resolution duly passed by the Council of the Municipality of the County of Halifax; And Whereas it is deemed expedient by the Municipality to establish a pedestrian crosswalk at the intersection of the Cobequid Road at Glendale Drive in Lower Sackville, in the County of Halifax, in the Province of Nova Scotia; Be it Therefore Resolved that the Municipality of the County of Halifax do hereby request that the Department of Transportation of the Province of Nova Scotia establish, with all due speed and dispatch, a pedestrian crosswalk at the intersection of the Cobequid Road and Glendale Drive in Lower Sackville, in the County of Halifax, in the Province of Nova Scotia."
Motion Carried.

NEW YEAR'S LEVEE

Warden MacKenzie advised that the Municipality's New Year's Levee would be held between the hours of 12:30 and 1:30 on New Year's Day in the Council Chambers.

He requested that all members of Council make an attempt to attend the Levee.

MOTION OF RECONSIDERATION

Based on the fact that the existing contractor in District 14 and 13 has done a superior job in the garbage collection service and also based on the fact that his price per ton is considerably lower than the average tender price, the following motion of reconsideration was made.

It was moved by Deputy Warden Margeson, seconded by Councillor Eisenhower:

"THAT the motion regarding the award of the garbage contract in Districts 14 and 13 be reconsidered."
Motion Defeated.

The motion would have had to have been unanimous in order to pass.