

Mr. Kelly advised that the only changes being made are with respect to properties that have been taken over by the Municipality, or those that become privately owned.

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT  
Report - UNSM Dues Committee

Mr. Kelly outlined a report from the UNSM Dues Committee respecting various options with regard to UNSM dues structure. He advised that it has been reviewed by the Executive Committee and it is recommended that Halifax County accept option "C" for the future dues structure for UNSM.

It was moved by Councillor Fralick, seconded by Deputy Warden Sutherland:

"THAT Council accept Option "C" for the future dues structure for UNSM".  
MOTION CARRIED.

Mr. Meech advised that he provided information which was produced for the Dues Committee. He advised that a spreadsheet is provided outlining a number of options, including a base fee structure, ability to pay or uniform assessment, and a per capita population basis. Each of the options are based on one, two or three of the variables. On the spreadsheet, under current structure, he advised that this is the actual amount of union dues billed for each municipality for 1992. The Executive Committee supports that the dues be structured on the basis of a base rate and the average of the uniform assessment and per capita which is a balance of three inputs. On the spread sheet it would be option 3 and option 6.

The Executive Committee recommends that we encourage the Union to change its formula for establishing dues on the basis that it would in fact take into consideration a base rate and also the average of the uniform assessment, i.e, the ability to pay and population. At the moment the only thing it takes into consideration is a base rate and the rest is distributed on the basis of population. The major change would be factoring in the uniform assessment which would have a 50% weighting, combined with the population, which would also have a 50% weighting.

Councillor Boutilier asked if this was the best the Municipality could procure.

Mr. Meech advised he felt it was the most reasonable compromise because it does give some weight to the ability to pay as opposed to strictly population. He also advised that if this option was approved, our total fee would be less than what the City of Halifax would be paying.

Broom Lake Watershed

Correspondence was received from the Department of Fisheries and Oceans and the Department of Environment in response to concerns expressed respecting the potential effects of expansion of the Forest Hills Housing project on Broom Lake Watershed as a result of runoff. The recommendation is that the correspondence be forwarded to the Department of Housing informing them that it is their responsibility to ensure that adequate controls and monitoring is carried out in this regard.

It was moved by Deputy Warden Sutherland, seconded by Councillor Cooper:

"THAT Council instruct the Warden to write to the Department of Housing to request that they assume responsibility for ensuring that adequate controls and monitoring are continued after the initial development phase of the Forest Hills Housing project has been completed".  
MOTION CARRIED.

Councillor Cooper pointed out the importance of the environment and the necessity of protecting the water courses in the Municipality. He expressed that the Department of Environment must take the responsibility to ensure that steps are taken to keep the water runoff and erosion and damage to the environment to a minimum and that they are in fact responsible for that development.

COLE HARBOUR PLACE EXPANSION

Mr. Kelly made reference to a staff report attached to the agenda.

It was moved by Councillor Cooper, seconded by Councillor Richards:

"THAT Council approve the proposed capital program to expand Cole Harbour Place as outlined in the report dated March 2, 1992, subject to confirmation of funding sources, i.e. grants".

Councillor Ball asked how we stand financially out of the general rate with regard to the 1/6 funding.

Mr. Meech pointed out that Council is endorsing the project, but it is subject to confirmation of grants. He pointed out that a specific report will be brought forward at the next Session that deals with the 1/6 contribution under the recreational capital grant which also will provide the details on the status of the fund.

Councillor Fralick asked if this was an emergency item and asked if it could be brought back at the next session as he had just received it in the supplementary.

The Warden advised that the Executive Committee asked to have it brought to Council on the supplementary because it is essential that the applications for the funding from the Province be applied for and it is somewhat conditional on the Municipality's approval. It would assist the Cole Harbour/Westphal area if we pass it tonight.

Councillor Taylor asked if the expansion was for the weight room and squash and racket ball court.

Mr. Meech advised that it was for expansion of the weight training facility and also to make spacial allocation for squash courts and racketball court.

Councillor Cooper advised that it is essential to maintain the present clientele we have and it has been identified that the prime area we are lacking in is the size of the weight training facility.

Councillor Bayers asked Mr. Meech if it was necessary to approve it tonight before we know how much we have left in the 1/6 fund. He also asked if there would be any funds available for other projects if this is approved.

Mr. Meech clarified that in endorsing the project tonight, Council would not be given specific approval to the 1/6 grant because it must still come back to Council. The Municipality intends to submit a formal application to the Province for a 1/3 capital grant towards the facility and therefore we need to go ahead to proceed to make the applications. He stated that it is still subject to all the funding sources being put in place to make the project happen.

Councillor Bayers was worried about committing to something the County cannot afford or if it drains the complete 1/6 fund and leaves nothing for anybody else in the County. He stated he would support it if the funds are available and it does not add to the deficit.

Mr. Meech assured Councillor Bayers that no money will be expended until confirmation that all sources of funding are guaranteed. Mr. Meech also advised that approximately 1.2 million has been expended from the fund. He advised that there is a commitment of \$800,000 to the Charles L. MacDonald Sports Park, which may not be completed at this point in time.



He stated that it is the policy of the fund that it is always borrowed and will not go beyond a maximum of \$2 million and it is on a revolving basis. The Municipality pays it down so much each year and then borrows up to the maximum the next year, if there are applications under the program.

Mr. Meech advised that there is \$800,000 still available in the fund and there is presently 1.2 million borrowed.

Councillor Boutilier stated he supported the project. He stated that the facility will be more advantageous to the community of Cole Harbour/Westphal with the renovations and will hopefully continue to be in a profit situation.

Councillor MacDonald asked about Charles MacDonald Park.

Mr. Meech advised that we had committed originally \$1 million and to this date the County has allocated \$200,000 and there is no mechanism to have the money reimbursed. He advised that the money is applied to improvements on lands that are in public ownership, and therefore the site would still provide benefits to the public generally.

#### PAC REPORT

##### File No. CDD-SA-02-91-22-A4 - Amendments to the Armcrest CDD Agreement - Armoyan Group Limited, Lower Sackville

It was moved by Councillor Ball, seconded by Deputy Warden Sutherland:

"THAT the amendment to the agreement, as outlined in Appendix "A" of the staff report, be approved as a minor amendment."

MOTION CARRIED.

##### File No. PA-SA-53-91 - Amendments to the Sackville Municipal Planning Strategy which would preclude apartment buildings and local commercial uses from being considered in areas which are presently zoned and developed for R-1 (Single Unit Dwelling) Zone and R-2 (Two Unit Dwelling) Zone purposes

It was moved by Councillor Brill, seconded by Councillor Taylor:

"THAT the amendments to the Sackville Planning Strategy and Land Use By-law prepared pursuant to the direction of the Planning Advisory Committee, which are attached in Appendix "A" of this report, be approved by Council and that a date be set for a public hearing on March 30, 1992."

MOTION CARRIED.



File No. RA-PD5-16-91-05 - Application by Douglas Wambolt -  
Planning District 5

It was moved by Councillor Ball, seconded by Councillor Fralick:

"THAT the application by Douglas Wambolt to rezone approximately 85 acres of Crown Land located north of the Herring Cove Road, adjacent to the Halifax City limits from P-4 (Conservation) Zone to R-2 (Two Unit Dwelling) Zone be approved by Municipal Council and further that approximately 100 acres of land to be acquired by the Provincial Government located along MacIntosh Runs in Herring Cove be rezoned from R-6 (Rural Residential) Zone to P-4 (Conservation) Zone and a date be set for a public hearing on March 30, 1992".  
MOTION CARRIED.

File No. RA-24-13-91-04 - Application by Jack Coolen to rezone  
the property located at 1640 Prospect Bay Road

It was moved by Councillor Taylor, seconded by Councillor Holland:

"THAT Council approve an amendment to by-law #24 in order to permit small marinas on properties located within the F-1 (Fishing Industry) Zone as outlined in Appendix "A" be approved by Council and further that the application by Mr. J. Coolen to rezone the property at 1640 Prospect Bay Road in Prospect Village from F-1 (Fishing Industry) Zone to C-2 (General Business) Zone not be approved by Council and further, that a public hearing be held on March 30, 1992."  
MOTION CARRIED.

Resolution re Signing Officers - Ocean View Manor

It was moved by Councillor Cooper, seconded by Councillor Richards:

"THAT the resolution requesting signing officers for Ocean View Manor be approved by Council."  
MOTION CARRIED.

Date for Minor Variance Appeal - John and Dawn Cann

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

"THAT Tuesday, March 17th at 7:00 p.m. be approved as the date for a minor variance appeal."  
MOTION CARRIED.

Resolution re Committee of the Whole

It was moved by Councillor Richards, seconded by Councillor Smiley:

"THAT Council approve the Committee of the Whole's recommendation that support for strategy #5 regarding solid waste be re-affirmed".

MOTION CARRIED.

Refuse Collection Notice: a) Sackville and Beaverbank; b) Cole Harbour/Westphal

The Warden advised that this was for Council's information only. Mr. Meech indicated we need to have an indication as to whether Council is prepared to approve the proposed changes to the refuse collection system.

Deputy Warden Sutherland advised that we may be a little premature in supporting this. This was discussed on previous occasions and the proposal seems acceptable, however there is room for improvement as far as the notices are concerned. He suggested that the notices being sent out to the residences include a small map on the back indicating what will be picked up on the specific days to substantiate the written text, as opposed to using the terminology of North, South, East and West.

Councillor Harvey stated that the reorganization is predicated on the fact that the same contractor has both the Cole Harbour and Sackville routes and in three years time it may not be possible to tender this and receive a Company that will do this work the same way, unless they have both. He also advised that we did not establish who was paying the cost of publicizing this change to our residents. He suggested that we need more than ten (10) days to prepare residents for this in that if we go ahead with this it should be done the first week in April.

E. Wdowiak advised that the Company will be paying all the costs associated with the additional communications and advertisements. He also advised that the first week in April could be accommodated.

Councillor Boutilier expressed similar concerns as Councillor Harvey. Councillor Boutilier also suggested that staff should have been able to come up with this change on their own then we may have been able to put out a more successful tender.

Councillor Brill had no problem in supporting the change, but was concerned with the timing and the method in which the people are going to be advised of the change. He asked what type of advertising would be used.

E. Wdowiak advised that a flyer would be sent out in the mail to all the residences affected.

Councillor Brill suggested that he send out a sheet to the particular area, listing the specific streets involved. He advised this could be done through consultation with the post office.

Councillor Ball asked for clarification on the tendering process, specifically whether tenders are based on a route or on a package.

Mr. Meech advised that the Municipality develops specs that would indicate that this is the area that you would pick up on a specific day, i.e., you have x number of collections to pick up on Monday, etc.

Councillor McInroy had a number of concerns, one being the date. Also, he noticed that in a number of the streets attached to the Cole Harbour list there is no change in day, but there may be a change in the time of day. He suggested that not every homeowner should be advised that there will be a substantial change to the usual collection day because in some cases there will be no change. He also suggested that the time of day the garbage is collected maybe subject to change because things will have to be re-arranged. He stated that some people have had some difficulty since the contract was awarded with the time. Just as a courtesy, he suggested that people should be informed that there may be a change in time of collection. With regard to the efficiency that might be coming out of this, he mentioned that we should see some increased efficiency, however, we could see less competitiveness.

Councillor McInroy was also concerned about late collection. He stated that the contract states that everything should be picked up by 3:00 p.m., but this has not been the case since BFI took over. Councillor McInroy wanted to ensure that if they are going in there 2 days a week that they don't plan to start at 6:00 a.m. or go beyond 3:00 p.m.

Councillor Richards commented on the letter being distributed to Cole Harbour and mentioned that Inishowen Subdivision was missed. He also supported the map concept to make sure that people fully understand just what area they may be affected by and also to inform them with regard to the time change as well as day change. He was also concerned that BFI may have a complete monopoly on the system and that the smaller contractors may never be able to get the contract back because they just don't have the resources to compete with a large company such as BFI.



Warden Lichter asked Mr. Wdowiak if this was correct. Mr. Wdowiak responded that there was no reason why we could not receive tenders from other companies.

The Warden stated that what Councillor Richards is saying is that BFI have reorganized it in such an efficient manner, that next time they will be able to bid very low and only a big company would be able to organize it in that same manner and that would be the reason why we couldn't hope of getting anybody else bidding on it at that kind of price.

Mr. Wdowiak advised that the benefits to the Municipality and the ratepayers are substantial.

Councillor Fralick asked if any discussion has taken place at the Community Council level respecting this. He was advised that there had not been.

Councillor MacDonald pointed out that he would agree with the later date. He also pointed out that he was advised by someone that BFI tendered at a low rate on the premise that when they got it they would change the structure. Shortly after they got the tender, they decided to change the structure. He wondered if it was fair to the people who tendered originally.

Mr. Wdowiak stated that BFI came up with the proposal.

Warden Lichter asked Mr. Wdowiak if Cole Harbour/Westphal and Sackville are being served properly in garbage collection. Mr. Wdowiak responded that it is.

Warden Lichter asked if it was to our advantage to have this change come about and why.

Mr. Wdowiak responded that he believed it was and that the Engineering Department solicited the information from them because they could see something was wrong and could warrant a change. He stated that due to limited staff resources, it could not be done internally, so they solicited BFI to look at it.

Councillor Boutilier stated if staff asked BFI to reorganize or look at the structure and had given that opportunity to other contractors, they may have been able to win. He also stated that he has had many accolades for Lantz and no good comments since BFI had taken over. He stated there are problems with the times of collection in his area. He indicated that Lantz Leasing had given years of good service to the Municipality and they should have been given the opportunity to look at reorganizing the routes.

Councillor Cooper commented that the service to date has not been as good as it was previously. He stated that the present contractor, due to his staffing policies, has placed himself in a position where he has to scramble to achieve the level of service they had previously and it is our job to ensure that he does reach that level of service. He advised that we must allow this reorganization to take place so that we can get back to the level of service the residents had. He advised that there has been drastic changes in the garbage collection and the assurance that it be picked up by 3:30 p.m. in a number of areas of Cole Harbour has yet to be met since the contract was awarded to BFI.

Mr. Meech commented that there appears to be dissatisfaction with the level of service and if so, we should not agree with these changes. We should force them to honour their contract until such time as they satisfy us that they are prepared to fulfil the obligations under the contract. Mr. Meech asked Mr. Wdowiak if he was aware the complaints existed.

Mr. Wdowiak responded that there were a number of complaints at the start of the collection year, which he anticipated, but now he understands that the garbage is collected and off the streets by 3:30 p.m.

Mr. Meech advised that we should check on the adequacy of the present service and indicate that until such time as we are totally satisfied, that were not prepared to make the changes. If they can't fulfil the contract on the basis that they bid, that we shouldn't be respondent to making changes to allow them to become more efficient unless we are satisfied that are some benefits to us in the level of service.

Councillor Ball stated that as long as people's garbage is picked up and at a respectable time and if someone can find a more efficient way to pick it up, what is the problem? We are benefiting, the contractor is doing it more efficiently. He stated that we should accommodate the changes.

Councillor Harvey advised that the Councillors from Cole Harbour and Sackville had an initial meeting with Mr. Wdowiak and a representative of BFI Company and had made some constructive suggestions and agreed in principle to the change. They asked that once they had a chance to look at their constructive suggestions about how to publicize it, they would come back for a final endorsement, which is where we are now. To be fair to Mr. Wdowiak and the process we went through, he perhaps rightfully expects that we will endorse this tonight, with perhaps a few more changes we already made. He also advised that he did receive calls from his constituents in the first two weeks of the contract, but have not received any in six weeks.

He stated that we should proceed to publicize the change and bring it about for the week of April 6th.

Councillor McInroy pointed out that we just want to raise these concerns. We don't disagree with the reorganization, but that they want to ensure under the new arrangement that the level of service is up to what they had before.

It was moved by Councillor Harvey, seconded by Councillor Cooper:

"THAT Council approve the changes in refuse collection for Sackville and Beaverbank and Cole Harbour/Westphal, taking into consideration all of the suggestions that have been made".

MOTION CARRIED.

#### TRANSIT COMMITTEE REPORT

It was moved by Councillor Ball, seconded by Councillor Fralick:

"THAT the Transit Committee terms of reference, Section 10 be amended by striking out the words "that after an initial development period" be approved by Council".

MOTION CARRIED.

#### POLICE COMMITTEE REPORT

Councillor Richards, Chairman of the Police Committee report presented the committee structure and the terms of reference of the Police Committee.

Under the composition, the committee has attempted to meet the concerns of Council members and therefore under Section 2, they have added an additional member to the committee to represent the Musquodoboit Harbour detachment area.

It was moved by Councillor Richards, seconded by Councillor Cooper:

"THAT Council approve the police committee structure, as well as its purpose and terms of reference, as per the attached report".

MOTION CARRIED.

Councillor Peters asked who the resource person was on the Committee and was advised by Councillor Richards that it was Dale Reinhardt.



Councillor Richards explained that there are two members representing the western area of the Municipality, served by the Halifax Detachment, two members from the Lower Sackville detachment, two from the Cole Harbour detachment area and one from each of the following, Enfield, Sheet Harbour, Musquodoboit Harbour, totalling 9 council members. There is only one vacancy which is in the Musquodoboit Harbour area. Council has the option to appoint a member from that detachment area.

Councillor Peters asked who is the designated representative for the Enfield detachment and was advised Councillor Taylor. Councillor Richards advised originally it was put forward that two representatives would represent the eastern area, however, we didn't break it down by detachments in as much as the western side wasn't broken down by detachments either at that point. There is one detachment serving the majority with the exception of the Hubbards area, which comes in from the Chester detachment. It was broken down by areas, not detachments in the original motion.

Councillor Taylor clarified that district 12 is not served by the Musquodoboit Harbour detachment.

Warden Lichter advised that we must deal with the policy itself and the committee structure.

It was moved by Councillor Smiley, seconded by Councillor Holland:

"THAT Councillor Bayers be nominated to serve as a member on the Police Committee."  
MOTION CARRIED.

It was moved by Councillor Smiley, seconded by Councillor Holland:

"THAT nominations cease".  
MOTION CARRIED.

Councillor Bayers appointment as a member of the Police Committee was confirmed.

HERITAGE ADVISORY COMMITTEE REPORT

It was moved by Councillor Meade, seconded by Councillor Taylor:

"THAT Council approve for registration as a heritage property, property owned by Barbara Bell, Cole Harbour Road."

MOTION CARRIED.

COLE HARBOUR/WESTPHAL COMMUNITY COMMITTEE REPORT RE: CALDWELL ROAD

Councillor Cooper advised that this subject arose at the last Community Committee meeting and there was a substantial number of residents who backed up the obvious traffic problems to such a point that the residents are fearful of the lives of some of the children in the year. Thought it important enough to take it to Council this evening with a motion to request the Department of Transportation and Communications to put in place the necessary controls and restrictions to reduce the volume of traffic and truck traffic associated with Caldwell Road.

It was moved by Councillor Cooper, seconded by Councillor Richards:

"THAT a letter be forwarded to the Department of Transportation and Communications requesting that they put in place the necessary controls and restrictions to reduce the volume of traffic, including truck traffic, and the speed associated with this volume of traffic on Caldwell Road, from the intersection of Cole Harbour Road to Atholea Drive. Additionally, to request the installation of crosswalks and stop signs at the intersections within the defined area as part of the controls and restrictions required".

MOTION CARRIED.

PROCLAMATION - NATIONAL WILDLIFE WEEK

It was moved by Councillor MacDonald, seconded by Deputy Warden Sutherland:

"THAT Council designate the week of April 5-11, 1992 as National Wildlife Week".

MOTION CARRIED.

MEMORANDUM RE: MUNICIPAL BUILDING PERMITS

Mr. Meech advised that they have been informed through the Department of Government Services that the Province has made a policy decision that it will not make application for building permits for provincial projects. Mr. Meech noted they were concerned if this also meant that they were not going to apply for development permits and conform to our municipal planning strategies and associated by-laws. He advised that in the response from the Deputy Minister it is indicated that they intend to have discussions about it, but have not formally committed themselves to the fact that they are going to be required to achieve permits.

There was a concern about a double standard taking place. This change has occurred to cut departmental costs.

It was moved by Councillor Richards, seconded by Councillor Ball:

"THAT the Warden communicate with the Minister of Government Services that Council has concern with respect to this new policy and that a definitive response be received as to whether the Department will follow the practice of requiring development permits."

MOTION CARRIED.

EXECUTIVE COMMITTEE - COUNCILLOR FRALICK

Councillor Fralick indicated that he would like to suggest that any contracts, loans, etc. that deal with financial items be placed on the regular council agenda rather than on the supplementary agenda. It was indicated to Councillor Fralick that some of these items are of an urgent nature and must be put on the Supplementary.

Councillor Brill suggested that perhaps the supplementary could be put in their mail slots an hour or so before the Council Session.

It was agreed that Mr. Kelly would ensure that the Supplementary Agenda would be placed in the Councillor's boxes an hour or so before the Council Session to give the Councillors an opportunity to review it. A memo to all Councillors will be circulated in this regard.

SENIOR CITIZENS, HERRING COVE - COUNCILLOR BALL

Councillor Ball indicated to Council that the Margaret Latter Manor in Herring Cove does not have potable water.



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

"THAT Council request the Halifax County Regional Housing Authority to make every effort to rectify the problems with the water at the Margaret Latter Manor in Herring Cove".  
MOTION CARRIED.

COUNCIL COMMITTEE STRUCTURE - COUNCILLOR RANKIN

Councillor Rankin referred to the paper from the CAO, Mr. Meech on the Committee and Board structures. He stated that financial questions with respect to this should be discussed. He suggested that Council take the time to study it have an opportunity for individual input and council deliberations.

It was moved by Councillor Rankin, seconded by Councillor Meade:

"THAT the Council Committee structure be referred to the Committee of the Whole on March 28th".  
MOTION CARRIED.

RATIFICATION OF APPROVED DISTRICT CAPITAL GRANTS

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

"That Council ratify the approved district capital grants".  
MOTION CARRIED.

URGENT AGENDA ITEMS

Councillor Randall - Doyle Drive, Porter's Lake

It was moved by Councillor Randall, seconded by Councillor Smiley:

"THAT a letter and a copy of a petition be sent to the DOT asking that Doyle Drive, Porter's Lake be paved under the 15 year street paving program, with a copy to the MLA".  
MOTION CARRIED.

Councillor Peters - Ledwidge Lumber Rezoning

Councillor Peters outlined a problem respecting Ledwidge Lumber rezoning in district 14. Laurie Ledwidge's functional operating mill was mistakenly zoned residential. Councillor Peters advised Mr. Ledwidge had an opportunity last year to have an overseas contract, and was assured that the rezoning would take no longer than three (3) months to process before he could get his

development agreement. She advised that it took almost 9 months and he lost the contract. She asked that a staff report be provided outlining the reasons for this delay.

Warden Lichter advised that a year ago Mr. Ledwidge was before Council and expressed the same sentiment at that time about the undue delays and unfair treatment from staff. In defence of staff, they indicated at that time that information was not coming promptly forward from the applicant.

Councillor Peters had concern that Mr. Ledwidge was placed in this position in the first place.

Councillor Brill supported Councillor Peters approach in getting a staff report in determining where the problems lie.

Councillor Cooper advised that a request has gone to Jim Donovan, Acting Manager of the Planning Department for a report to be brought to PAC on an investigation on the original process and whether that property had been proposed as either resource or commercial and got changed administratively and also PAC will be addressing the question of the proposed further public session in the community. Councillor Cooper asked Councillor Peters to separate the two events because the public meeting she requested is specifically to do with the home business and livestock use and was afraid if she gets into the topic of the Ledwidge property it will detract from the purpose of the meeting.

Councillor Peters seen it as two separate issues.

It was moved by Councillor Peters, seconded by Councillor Brill:

"THAT a report be received from the Development Officer to explain the lengthy period required to process the rezoning application on the Laurie Ledwidge Mill site in Enfield".  
MOTION CARRIED.

#### ADDITION OF ITEMS TO THE MARCH 17, 1992 COUNCIL SESSION

Councillor Giffin - Transportation  
Councillor Fralick - Transportation  
Councillor Smiley - Per Diem Rate - Duncan MacMillan Nursing Home  
Councillor Peters - Transportation

It was moved by Councillor Harvey:

"THAT the meeting adjourn".  
MOTION CARRIED.

The meeting adjourned at 9:10 p.m.

COUNCIL SESSION

March 17, 1992

PRESENT WERE: Deputy Warden Sutherland (Chairman)  
Councillor Rankin  
Councillor Fralick  
Councillor Holland  
Councillor Deveaux  
Councillor Bates  
Councillor Adams  
Councillor Randall  
Councillor Bayers  
Councillor Smiley  
Councillor Taylor  
Councillor Peters  
Councillor Merrigan  
Councillor Brill  
Councillor Giffin  
Councillor MacDonald  
Councillor Richards  
Councillor McInroy  
Councillor Cooper

ALSO PRESENT: G. J. Kelly, Municipal Clerk  
K. R. Meech, Chief Administrative Officer  
F. P. Crooks, Municipal Solicitor

REGRETS: Warden Lichter  
Councillor Meade  
Councillor Ball  
Councillor Snow  
Councillor Boutilier  
Councillor Harvey

=====  
The meeting was called to order at 6:00 p.m. with the Lord's  
Prayer. Mr. Kelly called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING  
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

It was moved by Councillor Taylor, seconded by Councillor Brill:

"THAT THE MINUTES OF THE FEBRUARY 18, 1992 COUNCIL  
SESSION BE APPROVED"



MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from FCM regarding the review of the 1992 Federal budget communique. Also included was a copy of resolution from the city of Winnipeg.

It was moved by Councillor Giffin, seconded by Councillor Richards:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT THE RESOLUTION FROM THE CITY OF WINNIPEG BE SUPPORTED BY HALIFAX COUNTY"

MOTION CARRIED

2. Mr. Kelly outlined a letter from the secretary of the Halifax-East Hants Federation of Agriculture in which they outlined their activities for the past year and a request for a grant in the amount of \$1,000.

Mr. Kelly stated that the grant request would be submitted to the Grants Committee for consideration.

It was moved by Councillor Peters, seconded by Councillor Taylor:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Kelly outlined a letter from the Canadian Mental Health Association to thank Halifax County for its letter of support to the CEC regarding the proposed cut in funding to the outreach project and to provide a brief up date on the situation.

It was moved by Councillor Richards, seconded by Councillor Giffin:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Kelly outlined a letter from John Holm, MLA regarding implementation of the Children and Family Services Act. A news release from Robert Chisholm, MLA requesting that the Hon. Donald Cameron intervene to protect children. A copy of correspondence to Premier Cameron from Robert Chisholm, MLA on the same subject asking the Province to honour its commitment to the new Children

and Family Services Act. A copy of a letter from Robert Chisholm, MLA to the Hon. Marie Dechman.

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

"THAT THE FOUR ITEMS OF CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

5. Mr. Kelly outlined a letter from the Minister of Finance in response to Halifax County Council resolution with respect to the Goods and Services Tax.

It was moved by Councillor Richards, seconded by Councillor Giffin:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

6. Mr. Kelly outlined a letter from the Minister of Transport acknowledging receipt of Halifax County correspondence requesting runway storage space for storage of aircraft for Atlantic Canada Aviation Museum at the Halifax International Airport.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. Mr. Kelly outlined a letter from Don Farmer, Vice President Operations, Maritime Tel and Tel in response to County correspondence regarding telephone service in Mushaboom.

It was moved by Councillor Smiley, seconded by Councillor Taylor:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

8. Mr. Kelly outlined a letter from Elmer MacKay, MP, in response to a copy of resolution that was supported by Council concerning Federal Co-operative Housing Program (FCHP).

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

9. Mr. Kelly outlined a letter from Ken Streach, Minister,

Department of Transportation and Communications in response to Council's motion requesting paving of a number of streets in District 10. The Minister advised that the request has been brought to staff's attention for future consideration when programs are being developed.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

10. Mr. Kelly outlined a letter from Ken Streach, Minister, Department of Transportation and Communications in response to the County request for upgrading of the Conrad Beach Road. The Minister advised that the budget has yet to be determined and therefore is unable to give any commitment at this time.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

11. Mr. Kelly outlined a letter from the Minister of Education, Guy J. LeBlanc, in response to Halifax County correspondence requesting information on the status of Halifax County students attending J.L. Illsley High School and particularly with respect to the committee that was established in respect to this situation. The Minister advised the Committee has not completed its deliberations as of this date and information will be provided to the Municipal units as soon as it becomes available.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

12. Mr. Kelly outlined a letter from the Minister, Department of Natural Resources, in response to Halifax County correspondence requesting improvements to a bridge located at Seaforth on lands formerly owned by the C.N.R. and now located on lands owned by the Department of Natural Resources.

It was moved by Councillor Randall, seconded by Councillor Fralick:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Randall stated that it appears that they did not really



address what the County was asking for. He that he had spoken to Department officials and they consider the bridge an access way to get to the residences and they informed him they considered this as just one of many they have across the province.

13. Mr. Kelly outlined a letter from the Chairman of the Halifax County - Bedford District School Board in response to Halifax County correspondence requesting that the name of the Hammonds Plains Consolidated School be changed to the Phillip Eisenhauer Consolidated School. The Board chairman advised that the policy of the School Board with regards to the naming of schools does not permit schools be named after people.

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

"THAT THE LETTER BE RECEIVED"

Councillor Giffin stated that he did not feel this was right and he stated that he did not intend to drop the matter but to pursue it further.

Councillor Richards stated that he had taken time to read the minutes of the School Board where this item was discussed. He stated that according to the minutes it was treated as a routine item which was received and rejected. He stated that there are many schools that are named after individuals and this may be a recent policy change. He stated that he hoped that Councillor Giffin will receive the support of Council in whatever endeavours he wishes to make with regards to this issue.

Councillor MacDonald stated that the policy of the School Board came in a number of years ago and the reasoning given at that time was that street locations were easier to find. He stated that he did not see why they could not call the school the Hammonds Plains and Phillip Eisenhauer Memorial School.

Councillor Taylor stated that he had discussed the matter with former School Board chairman, Jim Reid, and he has indicated that he would be willing to help pursue this issue further.

MOTION CARRIED

14. Mr. Kelly outlined a letter from the Minister, Department of Municipal Affairs, in response to the Warden's correspondence concerning the Landfill Closeout Committee's Redress Report.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

15. Mr. Kelly outlined a copy of a memorandum to the chairman and members of the Metropolitan Authority from the Executive Director of the Metropolitan Authority respecting preparation for curbside recycling April 1, 1992.

It was moved by Councillor Bates, seconded by Councillor Fralick:

"THAT THE CORRESPONDENCE BE RECEIVED"

Councillor Fralick asked if the budget for this project was firm or an approximation.

Mr. Meech stated this was the budget that was allocated for that particular program. He stated that if this amount is not adequate or sufficient staff would go back to the Metropolitan Authority to get a supplementary approval for additional funds. He stated that it is an understanding that this has been costed out this is what the estimated cost of the program will be at this point.

MOTION CARRIED

16. Mr. Kelly outlined a copy of correspondence and a petition from the residents of Coleridge Estates, Dartmouth, petitioning Halifax County to request water service extension.

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

"THAT THE CORRESPONDENCE AND PETITION BE RECEIVED"

MOTION CARRIED

Councillor Cooper stated that the petition was bringing to a head concern of the Eastern area of District 25. He stated that the area in question is near the junction of Ross Road and Cole Harbour Road. He stated that this section of Cole Harbour Road represents an area that was not looped when some of the water was put into the area. He stated that Coleridge Estates suffers from severe mineral problems in the water and there is also an arsenic concern. He stated that this has been aggravated by the recent decision regarding delivery of water. He stated that most of these places run out of water in the summer. He stated that he feels it is necessary for Halifax County to consider means to provide the piped domestic water system which will alleviate the health concerns of the people in the area. He stated that other areas would be Roode Court and Bissett Lake Road which also have severe arsenic problems.

It was moved by Councillor Cooper, seconded by Councillor Richards:

"THAT THE PETITION BE FORWARDED TO THE EXECUTIVE COMMITTEE FOR INCLUSION IN THE CAPITAL BUDGET"

He stated that he will be tabling it at the next Community Committee for comment.

MOTION CARRIED

17. Mr. Kelly outlined seven (7) letters in response to Halifax County's letter to the Prime Minister about the constitutional renewal process.

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

"THAT THESE LETTERS BE RECEIVED"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a memorandum to the members of Council from the Warden with respect to the task force on local government.

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

"THAT THE MEMORANDUM BE RECEIVED"

MOTION CARRIED

Deputy Warden Sutherland stated that two dates had been put forward to hold a Special Council Session or a Committee of the Whole to deal with this issue. The proposed dates were Wednesday, March 25, 1992 or Wednesday, April 1, 1992.

It was moved by Councillor Rankin, seconded by Councillor Taylor:

"THAT WEDNESDAY, APRIL 1, 1992 AT 4:00 P.M BE APPROVED AS THE DATE CHOSEN FOR THE MEETING"

MOTION CARRIED

2. Mr. Kelly outlined a letter from G.E. Pottie, Enfield to Warden Lichter.

It was moved by Councillor Giffin, seconded by Councillor Peters:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Peters stated that she had contacted and spoken to Mr. Pottie about his concerns. She stated that she will take appropriate steps by contacting the Provincial government and advising them of his concerns.



PLANNING ADVISORY REPORT

1. File No. CDD-SA-01-91-22-A3 - Addendum - Request by Armoyan Group Limited to amend the Armcrest CDD to increase the maximum permitted floor area of the CDD's commercial land use component
2. File No. RA-SA-01-92-16 - Application by 500 Ventures Limited to rezone property at 169 Kave Street, Lower Sackville

It was moved by Councillor Brill, seconded by Councillor Giffin:

"THAT APRIL 13, 1992 AT 7:00 P.M. BE SET AS THE PUBLIC HEARING DATE FOR THE ABOVE TWO ITEMS AND THAT THE MEETING BE HELD IN SACKVILLE".

MOTION CARRIED.

Deputy Warden Sutherland asked Councillor Brill who would be responsible for the meeting facility arrangements. Mr. Meech stated that staff could look after the organization but asked where the meeting would be located. It was agreed that the new Fire Hall would be acceptable and that staff would look after the arrangements.

EXECUTIVE COMMITTEE REPORT

Request for Grant

It was moved by Councillor Rankin, seconded by Councillor Holland:

"THAT A DISTRICT CAPITAL GRANT, DISTRICTS 1, 2, 3, 4 AND 18 IN THE AMOUNT OF \$4,000 FOR THE TIMBERLEA AREA SPORTS ASSOCIATION BE APPROVED".

MOTION CARRIED.

Write-Off Accounts

Mr. Kelly advised that Executive Committee received reports respecting uncollectible stop dated accounts, taxes and betterment charges levied on properties assessed to the provincial government and closed business occupancy accounts.

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

"THAT WRITE OFF OF ACCOUNTS BE APPROVED AS FOLLOWS:

STOP DATED ACCOUNTS	\$117,108.27
TAXES AND BETTERMENT CHARGES LEVIED ON PROPERTIES ASSESSED TO THE PROVINCIAL GOVERNMENT: TAXES	\$ 22,105.18

BETTERMENT CHARGES	\$ 31,394.49
CLOSED BUSINESS OCCUPANCY ACCOUNTS	\$ 63,177.91

MOTION CARRIED.

Capital Grants re Cultural and Recreational Facilities

It was moved by Councillor Merrigan, seconded by Councillor Richards:

"THAT CAPITAL GRANTS RE CULTURAL AND RECREATIONAL FACILITIES BE APPROVED AS FOLLOWS:

BEAVERBANK/KINSAC RECREATION ASSOCIATION	\$ 9,670
COLE HARBOUR PLACE	\$217,000

MOTION CARRIED.

Borrowing Resolution

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

"THAT BORROWING RESOLUTION FOR THE MUNICIPAL OPERATING FUND IN THE AMOUNT OF \$10,000,000 FOR 1992/93 FISCAL YEAR BE APPROVED".

MOTION CARRIED.

Amendments - By-law Respecting Mischiefs and Nuisances

Mr. Kelly advised that the Executive Committee reviewed draft amendments to the Mischiefs and Nuisances By-law respecting noise control prepared by the Municipal Solicitor. The amendments resulted from recommendations from Noise Control Committee appointed to examine this issue. Mr. Kelly said the Executive Committee had requested that the amendments would include a provision that the By-law would be optional.

At the request of Deputy Warden Sutherland, Mr. Crooks gave an overview of what was being proposed. He said that before Council were amendments to the Mischiefs and Nuisances By-law which, if adopted, ultimately would extend in a limited way, the regulatory authority of the Municipality with respect to noise control. He indicated that Council had received in its Agenda the existing Mischiefs and Nuisances By-law marked up to indicate what the changes would be. He said there were presently several provisions in the By-law with respect to noise and its control. He said he did not wish to speak on behalf of the Noise Control Committee but offered comments on the Committee's objectives in approaching noise control in the way represented and suggested by the amendments. The Committee looked at two alternative approaches to noise control. One was to put in place a comprehensive scheme of noise

control which would involve very extensive regulation of all possible identifiable noise nuisances in the Municipality which would have required implementation on a zone-by-zone basis. The other approach which was considered and represented in the amendments was to, in a more limited way, attempt to identify those problems which were arising with any degree of frequency or regularity in the Municipality and to deal with those problems and not attempt to identify all noise nuisance problems which might occur. After the Committee settled on the second approach, Mr. Crooks advised he was instructed to prepare amendments which would be in keeping with that approach and that was the basis of the text before Council.

Mr. Crooks went through the main provisions of the amendments proposed and advised that it was the Committee's feeling that these amendments would address the main recurring noise nuisance kinds of problems which were being experienced and were regularly being experienced in the Municipality.

Mr. Crooks noted that Executive Committee had recommended that if Council was prepared to give approval in principle to the amendments, to add a provision which would enable the By-law to be made inapplicable in certain Districts if that was desired. A provision along those lines would be added before the final text went before Council.

Mr. Crooks answered questions posed by Councillors and offered to take the points raised and consider them in relation to the language in place. It may be that some further language would address the concerns. He also advised that the Noise Control Committee included a representative from a businessmen's organization and the text before Council represents some effort to balance the interests of residents against the needs of business. He noted that a Public Hearing held regarding noise were taken into account as the Committee got under way.

It was agreed that the amendment would be changed to include times of day in the 24-hour clock.

Councillor Brill asked how the general public would be made aware that there were changes in the By-law once they were approved. Mr. Meech stated that staff could prepare some type of summary notification to bring it to the attention of the residents.

Councillor Merrigan, Chairman of the Noise Control Committee, advised that his Committee had looked at a Noise By-law on its own but found that it would be very difficult to implement. The Committee decided that the proposed amendments before Council was the best way to go, realizing that By-laws were made to be changed. It gave latitude to staff to try to interpret the By-law itself.

It was moved by Councillor Fralick, seconded by Councillor Giffin:



"THAT THE PROPOSED AMENDMENTS BE REFERRED TO A SPECIAL COUNCIL SESSION OR COMMITTEE OF THE WHOLE SO THAT THE AMENDMENTS CAN BE EXAMINED SECTION BY SECTION AND FURTHER THAT THE MUNICIPAL SOLICITOR BE PRESENT".

Council agreed to table the motion on the floor until after the Minor Variance Appeal.

MINOR VARIANCE APPEAL

Request by Austin Contracting Ltd. for a reduction to the front yard requirement of the Land Use By-Law for Timberlea/Lakeside/Beechville in order to accommodate a semi-detached dwelling unit

Deputy Warden Sutherland stated that there was some indication from the residents group that they needed more time in preparing a case. He indicated that both the applicant and the resident's group were present.

Mr. Crooks stated that the matter was scheduled by Council for hearing at this session of Council and in his view it is open to Council to agree to a request to defer the hearing of the appeal and the disposition of it. He stated that there is no time limitation within which Council must conduct a hearing in respect of one of these appeals under the relevant provisions of the Planning Act. He stated that before Council would move to make a decision not to hold the hearing at the time previously identified both the appellants and the applicant should have an opportunity to make comments to Council concerning whether or not in fact deferral should be granted. He stated that if Council decides, having heard the comments, that the deferral is to be granted then this would end the matter but if Council decides it wishes to proceed then it would move to the merits of the matter at this session.

Mr. Derek Cann, resident, stated that he was appealing the decision of the granting of the Minor Variance. He stated that they are asking for a deferral until the next Council meeting because there was a delay in their group being notified and they do not have a Department of Transportation and Communications report which normally would be required before approval was given in this case.

He stated that they were informed on March 11, 1992 that they would have to present their case at this hearing but the developers were informed within 48 hours of the last Council meeting that this appeal would be heard at this session. He stated that the residents group did not have ample time to do a proper job of preparing a case and presentation.

Councillor Giffin asked Mr. Cann where his residence was located and what group he represented.

Mr. Cann stated that he lived on Lakehigh Crescent directly opposite the Minor Variance in question. He stated that he represented the residents that were notified as per the appeal procedure.

Councillor Richards asked Mr. Cann for confirmation that he was one of the signing person to a letter dated February 24, 1992 to the Municipality in which an opportunity was requested to appeal the decision at the "next sitting of Council".

Mr. Cann that he had the impression that there would be a more lengthy period of time before this would become an agenda item. He stated that it was on March 11, 1992 that they had any notification that on March 3, 1992 a motion was passed to hear the appeal at this Council Session.

Deputy Warden Sutherland requested Mr. Morgan to inform Council as to how the residents and applicant were advised.

Mr. Morgan stated that on February 17, 1992 a letter was sent to all the residents within 100 feet of this property notifying them of his decision to approve this minor variance. He stated they are given the plot plan showing what is going to be here. He stated that they are given the opportunity to appeal within 15 days and they did so. He stated that the notification letter of the appeal date went out on March 9, 1992. He stated that there had been a delay due to the LAN computer system being installed. He stated that the developers, the Armoian Group, was notified earlier as a result of one of the representatives of the Group coming into the office and asking what date had been set for the appeal and he was given the tentative date verbally.

Mr. Paul Sinclair, representative of the Armoian Group, stated that he had been in on business and had asked, at that time, if an appeal had been made. He stated that he had been informed that an appeal had been made. He stated that he has spoken to Frank Kenny, from the Department of Transportation and Communications, and was informed that Mr. Kenny will be visiting the site at the request of the County and Mr. Cann.

Councillor Bates stated that this is a serious matter and the residents group should have the opportunity to prepare a case.

It was moved by Councillor Rankin, seconded by Councillor Fralick:

"THAT THE MINOR VARIANCE APPEAL BE POSTPONED UNTIL THE  
APRIL 7, 1992 COUNCIL SESSION"

Deputy Warden Sutherland asked if there was a representative of Austin Contracting present and, if so, did he wish to speak.

The Austin Contracting representative stated that he did not wish

to speak at this time.

Councillor Cooper stated that he feels it would be inappropriate for Council to act on this matter until all items that Council would normally consider necessary to render a decision are available.

MOTION CARRIED

Councillor Deveaux stated that staff should inform the Department of Transportation and Communications that their answer should be forthcoming before April 7, 1992.

Mr. Morgan stated that he would be in contact with the Department of Transportation and Communications.

Councillor Cooper asked if the specific size of the lot on the inside of the curb in square footage could be provided and if the lot is intended to be in dual ownership on each side of the residence.

NOISE AND NUISANCE BY-LAW

Deputy Warden Sutherland stated that there is a motion on the floor that this issue be referred to a Special Session of Council.

Councillor Cooper stated that he has not objections to taking it to a Special Session of Council but he has specific requests that he would like to have answered at that session. He stated he would like clarification with regards to Article 3, deletion of Section 3 regarding ringing of bells, shouting, etc. He asked if this has actually been removed.

Mr. Crooks stated that it has not but it would be removed if the amendments were approved.

Councillor Cooper asked what would replace this.

Mr. Crooks stated that it was not intended that this would not be replaced by any provision. He stated that the conclusion was that this was a section that had outlived its usefulness or its necessity in a sense that there are few, if any, complaints received in respect of the kinds of activities that are prohibited by that section. He stated that if the desire is to have a suggested provision that would cover these matters then that could be done prior to the special session.

Councillor Cooper asked if this would preclude the possibility of laying charges or doing something about a street party that got out of hand.

Deputy Warden Sutherland asked the Solicitor to make note of this.



Councillor Cooper asked if the activities identified under Section 16, Subsection 1 as a noise nuisance also apply to Subsections 2, 3, 4 etc.

Mr. Crooks stated that what is prohibited by Section 16, and in particular by Subsection 2 are the activities that are set out under A, B and C.

Councillor Cooper asked if this meant that there was no recourse to apartment dwellers with regards to noise emanating from an adjoining apartment.

Mr. Crooks stated that this provision is specifically drafted so that it does not apply to noises that are coming through common walls.

Councillor Cooper stated that he felt that this was wrong and that protection has to be given to everybody.

Councillor Richards stated that he felt this issue should be dealt with at this Council Session.

MOTION CARRIED

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Tender - Recyclable Collection

A report respecting the collection of recyclables was presented to the Executive Committee on March 16, 1992. The Executive Committee recommend to Council that the Recyclable Collection contract be awarded to Lantz Leasing in the amount of \$15,379.28 per month.

Councillor Fralick has if the amount quoted is the final figure or will there be additional amounts added to this figure.

Mr. Meech stated that this is the figure to provide the contract as it was tendered. He stated that the only change will be that two areas of the Municipality were not covered in the tender call; District 10 and a section of District 11. He stated that after discussion with Mr. Wdowiak it is the intention to include all areas in the final contract and it will be consistent with the balance of the contract on a per collection basis. He stated that the collection will be broken up into four regions and it will be a once a month collection.

Councillor Fralick asked how the private sector was getting involved.

Mr. Meech stated that at this point in time the recycling will be dealing with residential collection.

Councillor Fralick asked if the recycling depots now in existence remain.

Mr. Meech stated that those would be closed out because the County and the Metropolitan Authority will no longer be financially supporting those.

Councillor Brill asked what the daily completion time would be.

Mr. Wdowiak stated that there was not a specified concluding time and Metropolitan Authority had informed the County that the recycling depot can be opened to accommodate whatever time the trucks come in. He stated that they should be completed at around 4:00 p.m.

Councillor Brill asked if a performance bond had been issued with regards to this tender.

Mr. Wdowiak stated that both a bid and performance bond had been called for initially and were advised by some of the smaller contractors that they could not submit tenders because bonding was inaccessible to them. He stated that in order to try to provide a wider range of participation and tenders the bonding was not requested. He stated that the collections will be running from Monday through Friday. He stated that the bid for overall collection by Lantz Leasing was lower than if the contract had been awarded by area to different contractors.

Councillor Peters stated that she would like to have a set pick up time established. She stated that she is concerned that since the contractor has bid such a large area will he come back, if unable to do it, with cost overrides.

Mr. Wdowiak stated that Lantz Leasing have provided garbage collection to Halifax County over a number of years, over large areas and the service provided was satisfactory. He stated that he does not foresee any problems.

Councillor MacDonald asked if it would be possible to get additional information with regards to the number of tenders received.

Mr. Wdowiak stated that this information could be made available to all members of Council.

Mr. Meech stated that of all the bids received Lantz Leasing was the only company who bid the entire contract and not just individual areas.

Councillor MacDonald stated that he felt that the bidders who bid on individual areas should have been awarded the contract in each area if they were the lowest bid for a region.

Mr. Meech stated that the contract is for one year and after that time it will be retendered and all the contractors will have another opportunity to retender at that time.

Councillor Brill asked Mr. Crooks if he considered that the tendering process was fair or could it be subject to Court action.

Mr. Crooks stated he could not provide a formal opinion because he had not reviewed the tender documents and associated materials; however, he said, based on what he had heard tonight, to the extent that prospective bidders were advised that they had any one of a number of options in terms of how to respond, he could not see on what basis there would be any recourse against the Municipality if one option was chosen and proven not to be successful as opposed to another. He said he had not heard anything that would suggest to him that there was any legal difficulty associated with what had been done. If an opinion was required, it would need review.

Councillor Brill asked how the residents would be advised of the start-up date and information regarding blue bags.

Mr. Meech replied that Councillors should refer to the communication included in the Council Agenda from Metropolitan Authority. Mr. Wdowiak clarified that a package with instructions and a number of blue bags would be going out from Metropolitan Authority to all residents before April 1, 1992. After the initial package, it will be necessary for homeowners to purchase blue bags.

Councillor Holland asked what was the lowest individual bid for any particular region.

Mr. Wdowiak replied that the lowest was for Area 2 - the only bid submitted - in the amount of \$3640 per month.

Councillor Taylor asked if it was safe to say that a company from another municipality was going to be collecting recyclables for Halifax County. He was told yes, there was no restriction.

It was moved by Councillor Holland, seconded by Councillor Bates:

"THAT COUNCIL APPROVE THE EXECUTIVE COMMITTEE RECOMMENDATION THAT LANTZ LEASING AND RENTALS LIMITED BE AWARDED THE RECYCLABLE COLLECTION CONTRACT FOR A ONCE-A-MONTH COLLECTION THROUGHOUT ALL COUNTY AREAS PRESENTLY RECEIVING REFUSE COLLECTION IN THE AMOUNT OF \$15,379.28 PER MONTH".

MOTION CARRIED.

Mainstreet Program - Cole Harbour/Westphal

A report respecting the possible participation of Cole