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Mayor Peter Kelly noted that various options will be brought to Town Council as to how this account will be funded or if the matter should be left with the new unit to deal with.

With respect to the Financial Statements, Mayor Kelly noted that the Town of Bedford is one of a few communities in a surplus situation.

MOTION CARRIED UNANIMOUSLY.

10.8 Noise By-Law - Mayor Peter Kelly

Mayor Peter Kelly addressed Council noting he had received several telephone calls respecting refrigeration trucks located at Bedford Place Mall. He enquired as to how Council would like to deal with this matter.

ON MOTION of Councillors Len Goucher and Marvin Silver, it was moved to refer this matter to the By-Law/Policy Advisory Committee for review and comment with same to be brought back to Council in September. MOTION CARRIED UNANIMOUSLY.

10.9 Development Agreement Violation - 175 River Lane

Ms. Donna Davis-Lohnes addressed Council noting that two decks had been constructed illegally at the rear of the apartment building located at 175 River Lane. In 1993, the owner had applied for a non-substantial amendment to Development Agreement 86-01 for the construction of decks at the rear of the building, however, Council turned down the request.

It is recommended the Town proceed with legal action if the owner of 175 River Lane does not comply with the order to remove the decks by Friday, noon, August 11, 1995.

ON MOTION of Councillors Marvin Silver and Len Goucher, it was moved that the Town seek an injunction to have the two illegally constructed decks, located at the rear of the apartment located at 175 River Lane, removed by Friday, August 11, 1995 - 12 Noon. MOTION APPROVED UNANIMOUSLY.

10.10

Admiral DeWolf Park - Proposed Power Service Hookup

Councillor Len Goucher noted that Admiral DeWolf Park was utilized for a number of special events and that each event called for the use of a generator(s). He suggested that

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power be made available for future events.

ON MOTION of Councillors Len Goucher and Joan Pryde, it was moved that staff investigate the cost to supply a power hook up for the park with this matter to be brought back to Council for the September 12, 1995 meeting. MOTION APPROVED UNANIMOUSLY.

16. DEPARTMENTAL REPORTS

16.1 Fire Chief's Monthly Report - Month of July, 1995

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, it was moved that the Fire Chief's Monthly Report for July, 1995 be approved as circulated. MOTION APPROVED UNANIMOUSLY.

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

ON MOTION of Councillors Stephen Oickle and Len Goucher, it was moved that the Chief Building Inspector's Report for the month of July, 1995 be approved as circulated. MOTION APPROVED UNANIMOUSLY.

17. QUESTIONS

17.1 Status Sheet

The Status Sheet was received as circulated.

18. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

MEETING #23

TOWN OF BEDFORD
PUBLIC HEARING #95-04
THURSDAY, SEPTEMBER 7, 1995 - 7:00 P.M.

A Public Hearing of the Town Council of the Town of Bedford took place on Thursday, September 7, 1995 - 7:00 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, Nova Scotia.

The purpose of the Hearing was to seek both written and verbal submissions on an amendment to Development Agreement #86-05 as requested by Bedford Basin Estates Limited, affecting land located in the Nelson's Landing Development project known as Block 1A.

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

Councillors Stephen Oickle and Joan Pryde were absent with regrets.

Staff members in attendance included Jenifer Tsang, Planner and Jane Nauss, Recording Secretary.

Mayor Peter Kelly called on Ms. Tsang to provide an overview of the project.

Ms. Tsang noted that this Public Hearing had been duly advertised, in accordance with the Nova Scotia Planning Act and that an information package had been circulated to Members of Council. The meeting was advised that a previous request for an amendment affecting Lot 1A and Lot 1F1 was refused by Town Council on February 28, 1995, however, the developer has revised the proposal for Lot 1A which is before Council this evening.

The current proposal for Block 1A entails a two storey commercial facility (2,000 square feet on each level) to be located at the Bedford Highway/Nelson's Landing Boulevard. The proposal also calls for twenty-eight (28) townhouse units which will front on a private lane.

Ms. Tsang advised that the townhouse portion of the project was to include the following changes:

1. width of the private lane has been increased from 20 feet to 26 feet;
2. lane has been converted to a loop to accommodate emergency vehicles;
3. private open space/common parking area has been reduced from 12,654 square feet to approximately 10,500 square feet as a result of the private lane being converted to a loop configuration.

The meeting was advised of staff's two concerns with the latest proposal i.e.:

1. with respect to the reduction in size of the open space/common parking area to accommodate the looped configuration, it is recommended by staff that the end unit in Block 5 be eliminated and the open space parcel increased accordingly;
2. the developer is proposing to level and sod the private open space parcel of land. As Council has expressed concern with the density of the project and the lack of developed play space in the area, it is recommended by staff that the developer provide a play facility on the site.

Ms. Tsang advised that these two concerns have been addressed by the developer and are reflected in the draft Development Agreement. Ms. Tsang further noted that members of the Planning Advisory Committee have expressed concerns on the design of the buildings and that they be of varied designs; accordingly, same has been included in the Development Agreement. Two concerns not currently included in the Development Agreement, but which the developer has agreed to include:

1. that an architectural firm design the townhouse facades; and
2. that the 20 street trees to be planted on Nelson's Landing Blvd. be planted on both sides of the street (15 on one side and 5 on the other).

Further, Ms. Tsang noted that same will be included in a Council Report for the September 12, 1995 Regular Council Meeting.

In response to a query from Mayor Kelly on the play area, Ms. Tsang noted that the private open space is to be deeded to the Town until such time as a residents' association is formed. At that point in time, same will be deeded to the residents' association by the Town. Further, the developer will donate \$5,000 towards the costs of developing the park and that same will be carried out upon near completion of the project.

In response to a query from Mayor Kelly if a specific time frame could be included in the Development Agreement as to when the park should be developed, Ms. Tsang enquired she would look into the matter.

In response to an enquiry from Councillor Anne Cosgrove if a buffer will be created between the playground and the church, Ms. Tsang noted she would speak to the developer.

Mayor Peter Kelly called on the proponent, Mr. Barry Zwicker, Wallace MacDonald & Lively,

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to address Council.

Mr. Zwicker addressed Council making reference to the following points:

1. with respect to the slope between the playground and the church, there is a grade difference between the church and the play area, however, he understood that the bulk of the slope was included on the church property. Accordingly, he felt there was an onus on the church to maintain the slope;
2. with respect to the parkland development, he would not suggest installing the playground equipment too early as it may not be what future residents require. He would rather see the residents decide how the \$5,000 will be spent.
3. with respect to timing of the park ownership, he noted that when the block is first subdivided, it will be deeded to the Town.
4. with respect to the use of an architect, he noted that a repetition of facades creates a street scape which is not desirable. Further, he noted that these buildings will be designed by an architect to avoid a facade repetition.
5. with respect to the commercial building, he noted this is still a viable option and that same will be separated from the nearest townhouse unit by a fence and that the vegetation along the Bedford Highway will be maintained.
6. with respect to the width of the road which now loops, although it has been designed as a two-way street, people may treat it as a one-way street.

Closing comments by Mr. Zwicker included that the park will be developed once 60 - 70 percent of the residents have moved in; the road width will be 26 ft. in width; snow piling may be placed in the open space at the back of the project; that fencing-in of the parkland may occur in the future, depending on the design of the area.

Mayor Kelly thanked Mr. Zwicker for his comments and enquired if any residents had any comments on the proposal before Council this evening.

MR. LEO SAAB - NELSON'S LANDING BLVD.

In response to an enquiry from Mr. Saab respecting the total height of the buildings, Mr. Zwicker advised that although detailed designs were not complete, current viewplanes from the upper storeys of the Nelson's Landing condominium buildings would not be blocked.

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MS. KATHLEEN KINLEY - NELSON'S LANDING BLVD.

In response to an enquiry from Ms. Kinley as to how many storeys were involved, Mr. Zwicker advised there would be only two storeys plus a roof structure, to a maximum height of 35 ft.

In response to another enquiry as to the location of the commercial aspect of the project, Mr. Zwicker advised it would be located on the site where the trailer is now situated. Further, that the building will be a small neighbourhood operation, be approximately 2,000 square feet in size on each floor and be in the shape of a rectangle.

Mr. Zwicker advised that the developer is prepared to erect a fence to separate the play area from the parking lot.

HELEN BEAVER - WYATT ROAD

Ms. Beaver stated that the playground should be developed now for the children who live in her building.

In response, Mr. Zwicker advised that the intent of this open space is to provide parkland for this particular project. He further suggested that another parcel of land currently owned by the Town on Amin Street could be developed for the children in that particular area.

After three calls from Mayor Kelly for further comments from the floor, he enquired if Council had any additional comments on the proposal.

Councillor Marvin Silver advised this proposal was much improved over the original and that this was due to the cooperation between Town staff, the developer, Council, BPAC and public.

In response to an enquiry from Mayor Peter Kelly if the parkland would be utilized by others in the area, Mr. Zwicker noted this was private open space to be used by the residents of this particular project, further that the area would be managed by the residents' association.

As there were no further questions, the meeting adjourned at 7:30 p.m.

Mayor

MEETING #24

TOWN OF BEDFORD
REGULAR SESSION
TUESDAY, SEPTEMBER 12, 1995 - 7:00 P.M.

A Regular Meeting of the Town Council of the Town of Bedford was held Tuesday, September 12, 1995 - 7:00 p.m. - in the Town Council Chambers, Mezzanine Level, Sunnyside Mall, Bedford Highway, Bedford, Nova Scotia.

At the request of Mayor Kelly, Mr. Dan English, Chief Administrative Officer, read a proclamation with respect to Metro United Way Week - September 8 - 15, 1995.

1. **LORD'S PRAYER**

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

2. **ATTENDANCE**

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

Staff members in attendance included Dan R. English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Corporate Services; Bob Nauss, Director of Parks and Recreation; Donna Davis-Lohnes, Director of Planning and Development; Francis MacKenzie, Director of Economic Development; Wayne Legere, Operations Manager; Neville Wheaton, Fire Chief, and Jane Nauss, Recording Secretary.

3. **APPROVAL OF MINUTES**

3.1 **Regular Session - #22 - August 8/95**

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, the Regular minutes of August 8, 1995 were approved. MOTION CARRIED UNANIMOUSLY.

3.2 **Public Hearing - #23 - September 7/95**

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, the Public Hearing minutes of September 7, 1995 were approved. MOTION CARRIED UNANIMOUSLY.

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

Mayor Peter Kelly requested the following items be added to the agenda:

- Consideration - Award of Tender 95-21 - as item 10.12
- Consideration - Award of Tender 95-25 - as item 10.13
- Consideration - Award of Tender 95-29 - as item 10.14.

Councillor Len Goucher requested the following item be added to the agenda:

- Pathway System.

Mayor Peter Kelly requested that item 10.6 be brought forward on the agenda as item 6.0.

5. **APPROVAL OF ORDER OF BUSINESS**

ON MOTION of Councillors Len Goucher and Marvin Silver, the Order of Business, as amended, was approved. MOTION CARRIED UNANIMOUSLY.

6. **BUSINESS ARISING FROM THE MINUTES**

6.0 **Consideration - Proposal to Purchase Portion of Dartmouth Road Right of Way**

Mr. Rick Paynter, Director of Engineering and Works, addressed Council providing an overview of the above-noted matter.

Mr. Eldridge Densmore - owner of Civic #3 Dartmouth Road - would like to make application to purchase a strip of Town-owned land in front of his house. This particular parcel is approximately 1400 square feet in size. Although staff is not completely in agreement with disposing sections of arterial road right of ways, it is in agreement with submitting a request to Council for a motion of intent to close the subject portion of the Dartmouth Road.

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved to advise of Council's Intent to close a portion of the Dartmouth Road and to go forward with the Public Hearing process. MOTION CARRIED UNANIMOUSLY.

6.1 **Reconsideration - School Board Request - Additional Funding**

Mayor Peter Kelly advised that two School Board representatives, Mr. Don Trider, Chief Executive Officer, and Mr. Darrell Youden, Superintendent of Business & Finance, and Ms.

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Madeleine Dillon, Bedford School Board Representative were in attendance should Council have any inquiries on the Board's request for additional funds.

Mr. Don Trider thanked Council for reconsidering the Board's initial request of March 14, 1995. Prior to providing background information on the matter at hand, Mr. Trider noted that during a recent meeting of the Board, the Grade 6 music program was reinstated for one additional year. Further, at that meeting, a second motion was passed to investigate a business partnership to support the status quo for the current year, effective October 2, 1995.

With respect to the Board's request for additional funding, Mr. Youden addressed Council noting that three proposals were given to Council on March 14, 1995 noting that only one was relevant at this point in time; that being proposal #2 - a request of \$70,000 (this is equal to the wage restraint "clawback"). This "clawback" has created confusion, however, the Board would be remiss *not* to ask for \$70,000 in additional funding.

Mr. Youden noted that Halifax County Municipality has committed to the Board \$280,000 in additional funding.

In response to an enquiry from Deputy Mayor Peter Christie on clarification of the \$70,000 being requested, Mr. Youden advised that initially, the Board required mutual support from both Bedford Town Council and Halifax County Council, however, this proved to be an obstacle.

Mayor Peter Kelly requested clarification on the amount of \$70,000 noting that the formula, according to the agreement between the Town, Halifax County and School Board states that, "neither Halifax or Bedford shall be liable for any additional payments to the budget or operating expenses of the District School Board unless and until a quorum of each Council shall have met together and at least 80% of the members of both Councils present have approved such additional payments. Any additional payments by Halifax and Bedford shall be cost shared in proportion to each other calculated on the basis of the respective ratio of students in each area determined as at September 30th of the previous year."

In theory, therefore, if the County offered \$280,000 in additional funding, the Town's share would approximate \$22,600 (7.29%) not \$70,000.

In response, Mr. Youden advised that the Board felt the best approach was to meet with each Council separately in their request for additional funds, using the clawback (\$70,000 in Bedford's case) as the basis of discussion. Further, the Board had anticipated the \$70,000 and therefore, built a balanced budget on that particular figure.

A brief discussion ensued on whether Halifax County Council could authorize \$280,000 in additional funds to the School Board outside the Funding Agreement.

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In response, Mayor Kelly noted that the funds were authorized as a Grant and not as supplementary funding.

In response to an enquiry from Mr. Ron Singer, Director of Finance, to Mr. Trider if the \$280,000 from the County was contingent on their budget being in a surplus position, Mr. Trider noted that although nothing had been received in writing, he was confident that the commitment would be made.

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved to provide a Grant of \$22,600 to assist the School Board.

In speaking to the Motion, Councillor Anne Cosgrove enquired on the difference between a Grant and funding.

In response, Mayor Kelly noted that it was difficult to clearly define the difference although a grant was usually given to non-profit groups.

Deputy Mayor Peter Christie advised he could not support the Motion, particularly as to the wording of the Motion. During a joint meeting of Bedford and County Council, his recollection of the meeting noted a figure of \$35,000 rather than \$22,600.

In response to an enquiry from Councillor Anne Cosgrove as to where the funds will be derived, Mayor Kelly noted either through the Reserves or it could be dealt with as an over-expenditure.

Both Councillors Len Goucher and Anne Cosgrove agreed to withdraw their Motion.

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, it was moved to provide a Grant in the amount of \$35,000 to the Halifax County-Bedford District School Board for fiscal 95/96. **MOTION CARRIED UNANIMOUSLY.**

6.2 Electrical Supply Upgrade - Admiral DeWolf Park

Mr. Rick Paynter provided an overview of the matter, noting that staff had been directed to investigate a proposal to upgrade the power supply for special events, at DeWolf Park. Further, staff was not making a recommendation on the matter per se but was providing information as requested.

The current power supply for the park has proved inadequate to date. Following discussions with the Recreation Department, it was determined that a 100 amp or 200 amp, 208 volt three phase supply would provide ample power. Costs pertaining to same approximated \$23,000 for a 100 amp power supply and \$35,000 for a 200 amp power supply.

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ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to call tenders for a 100 amp, 208 volt three phase power supply for DeWolf Park.

In speaking to the Motion, Mayor Peter Kelly noted that Council will be in a better position with respect to the Capital Budget, during the October 10, 1995 Council Meeting however, this Motion simply authorizes staff to call for tenders.

ON MOTION of Councillor Anne Cosgrove, it was moved to defer this matter until October 10, 1995.

As there was no seconder, the Motion was lost.

MOTION CARRIED. Councillor Anne Cosgrove voted in the negative.

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

7.1 **Public Hearing #95-04 - Consideration - Amendment to Development Agreement 86-05 by Bedford Basin Estates Limited**

Ms. Donna Davis-Lohnes reviewed the above noting that four minor amendments to the draft Development Agreement were to reflect concerns raised during the Public Hearing which was held September 7, 1995:

1. provision of a fence between the parking lot and park space; further that the fence be constructed of wood and measure between 4 - 5 feet in height;
2. the open space site will be prepared as per the development agreement and deeded to the Town at the time of subdivision of the first townhouse block. The general space may be turned over to a residents' association at a later date. The \$5,000 contribution for play equipment also shall be paid at this time. The \$5,000 shall be used to purchase equipment for the open space site in conjunction with the residents of the project;
3. an architectural firm will design the townhouses;
4. the required street trees will be placed on both sides of Nelson's Landing Boulevard at the street entrance.

Ms. Davis-Lohnes closed her remarks by noting it was staff's recommendation that Council enter into this amended Development Agreement with the above-noted changes.

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ON MOTION of Councillors Marvin Silver and Len Goucher, it was moved to approve the recommendation of staff to enter into a Development Agreement with Bedford Basin Estates Limited, including the four changes as noted.

In speaking to the Motion, Councillor Len Goucher noted that this particular parkland is to be used for the residents who will be living in this project. He further noted there was another piece of parkland on Amin Street which could be developed as a playground for residents in that area. He suggested this matter be referred to BRAC for comment.

MOTION CARRIED UNANIMOUSLY.

ON MOTION of Councillors Len Goucher and Deputy Mayor Peter Christie, it was moved to refer to BRAC the concept of developing a playground on a parcel of parkland on Amin Street.
MOTION CARRIED UNANIMOUSLY.

8. **PETITIONS AND DELEGATIONS**

8.1 **Mr. Michael MacDonald, PH.D - Greater Halifax Economic Development Partnership**

Mr. Francis MacKenzie, Director of Economic Development, introduced Mr. Michael MacDonald to Members of Town Council, noting that he was the Interim Chairman of the Greater Halifax Economic Development Partnership.

Mr. MacDonald addressed Council noting the Partnership commenced work on June 1, 1995 and that the group was half-way through its mandate. Further, he noted this Partnership was the first of its kind in Canada.

Basically, the mandate of the Partnership was to promote greater Halifax immediately by preparing an economic strategy for Greater Halifax and a business plan on the manner in which both the private and public sector could work together to promote the area.

Some of the major events which had taken place to date included: KPMG created a report out of Vancouver noting that Halifax placed first out of 16 cities in being the ideal city to do business; in MacLean's Magazine, Greater Halifax was announced as "Canada's Best Place to be," and won the "Smart Cities" National Competition through the Globe and Mail (Francis MacKenzie had submitted the winning report).

By November 30, 1995, the following was expected to be accomplished: an action plan approximately 12 - 15 pages in size containing 4 or 5 achievables of the Partnership; an info/database for industrial recruitment; a business plan for partnership and a confidential

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marketing strategy.

Mayor Peter Kelly thanked Mr. MacDonald for his presentation and expressed his gratification to Francis MacKenzie on his contribution to the Partnership.

In response to an enquiry from Deputy Mayor Peter Christie on the Partnership's budget, Mr. MacDonald noted that all individuals involved were volunteers - a working group of business people on loan. Further, he noted that the private sector investment equalled the public funding.

In response to an enquiry from Deputy Mayor Peter Christie as to promotional material, Mr. MacDonald noted they are building on the data that the Partnership already had.

In response to an enquiry from Deputy Mayor Peter Christie if Mr. Ken Meech, CAO of the Halifax Regional Municipality and Mr. Bill Hayward, Amalgamation Co-Ordinator, were going to meet with the Partnership, Mr. MacDonald advised that Mr. Meech is committed to the concept and that Mr. Hayward was also on side. Further, he noted he would be speaking to the other three Mayors within the next ten day period.

Councillor Len Goucher noted that Council is very grateful for the work Mr. Francis MacKenzie has done to date with the Partnership.

9. **MOTIONS** - NIL

10. **NEW BUSINESS**

10.1 **Consideration - Awarding of Tender 95-22 - Bedford Highway Blvd. Project**

Mayor Peter Kelly addressed Council noting there are a few legal issues requiring clarification with respect to the awarding of Tender 95-22. Following a brief In Camera discussion, it was the decision of Town Council to award this tender to Dexter Construction Company Limited in the amount of \$343,577 based upon their tendered completion date of 60 days.

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, it was moved to award Tender 95-22 to Dexter Construction Company Limited in the amount of \$343,577.
MOTION CARRIED UNANIMOUSLY.

10.2 **Consideration - Awarding of Tender 95-23 - Sackville River Pedestrian Foot Bridge**

Mr. Bob Nauss addressed Council noting this project had been brought forward for Council's attention several times, the latest by Mr. Don Ambler, Chairman of the Sackville River Walkway Committee. Further, it was staff's recommendation that this tender be awarded to TAG

Construction Ltd. at a cost of \$70,000 (net) subject to Department of the Environment approval.

ON MOTION of Councillors Len Goucher and Marvin Silver, it was moved that Tender 95-23 be awarded to TAG Construction Ltd. at a cost of \$80,000 (net cost to the Town - \$70,000), subject to Department of the Environment approval. **MOTION CARRIED UNANIMOUSLY.**

10.3 **Consideration - Awarding of Tender 95-08 - Bluewater Road Improvements**

Mr. Rick Paynter addressed Council noting it was staff's recommendation that G. & R. Kelly Enterprises Limited be awarded Tender 95-08 for Bluewater Road Improvements, in the amount of \$40,000 plus \$3,000 contingency. Mr. Paynter noted that the scope of the work initially required had changed slightly in that a section of piping works was now not necessary.

ON MOTION of Councillors Marvin Silver and Anne Cosgrove, it was moved to award G. & R. Kelly Enterprises Limited Tender 95-08 for Bluewater Road Improvements at a cost of \$40,000 plus \$3,000 contingency. **MOTION CARRIED UNANIMOUSLY.**

10.4 **Consideration - Awarding of Tender 95-25 - Manhole Adjustments**

Mr. Rick Paynter addressed Council noting it was staff's recommendation that Tender 95-25 be awarded to G. & R. Kelly Enterprises Limited in the amount of \$40,472.75 (including GST) for manhole adjustments. Further, it was noted that the required funds would be available through the Engineering Department's 1995/96 Operating Budget.

ON MOTION of Deputy Mayor Peter Christie and Councillor Anne Cosgrove, it was moved to awarded Tender 95-25 - Manhole Adjustments - to G. & R. Kelly Enterprises Limited in the amount of \$40,472.75 (including GST). **MOTION CARRIED UNANIMOUSLY.**

10.5 **Consideration - Awarding of Contract - Snow Plow and Two-Way Dump Body**

Mr. Rick Paynter addressed Council noting it was staff's recommendation that the contract for the supply and installation of a snow plow and two-way dump body be awarded to Parts for Trucks in the amount of \$20,800 (GST extra).

ON MOTION of Councillors Marvin Silver and Len Goucher, it was moved that the contract for the supply and installation of a snow plow and two-way dump body be awarded to Parts for Trucks in the amount of \$20,800 (GST extra). **MOTION CARRIED UNANIMOUSLY.**

10.7 **Consideration - Unsightly and Dangerous Property - Civic #764 Bedford Highway**

Mr. John Robertson, Chief Building Inspector, circulated photographs of the dwelling in question

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noting that the owner is in possible contravention of the Towns Act respecting Unsightly and Dangerous Premises. Further, he noted that the process involved the owner being notified of the Town's intent to have the problem rectified.

A brief discussion ensued on the manner in which the owner had been advised of the problem.

ON MOTION of Deputy Mayor Peter Christie and Councillor Marvin Silver, it was moved to authorize the Chief Building Inspector, to act in the capacity of administrator under Section 154 of the Towns Act, and to carry out all actions necessary, including a possible court declaration, in order to force compliance under the aforementioned Act, of the property owners at 764 Bedford Highway. **MOTION CARRIED UNANIMOUSLY.**

10.8 **Consideration - Unsightly and Dangerous Property - Civic #822 B - Bedford Highway**

Mr. John Robertson, Chief Building Inspector circulated photographs of the dwelling in question noting that the owners is in possible contravention of the Towns Act respecting Unsightly and Dangerous Premises. The meeting was advised that the Bedford Fire Department had initially brought the matter to his attention. Further, he noted that the process involved the owner being notified of the Town's intent to have the problem rectified. Mr. Robertson also noted that to date, no response has been received from the owner.

A brief discussion ensued on the manner in which the owner had been advised of the problem.

ON MOTION of Deputy Mayor Peter Christie and Councillor Marvin Silver, it was moved to authorize the Chief Building Inspector to act in the capacity of administrator under Section 154 of the Towns Act, and to carry out all actions necessary, including a possible court declaration, in order to force compliance under the aforementioned Act, of the property owners at 822 B - Bedford Highway. **MOTION CARRIED UNANIMOUSLY.**

In response to an enquiry from Mr. Robertson if the notices should be served by a process server, rather than via regular mail, Mayor Kelly stated in the affirmative.

10.9 **UNSM Conference - Consideration - Resolution re Cape Breton Regional Municipality Voting Delegates**

Councillor Anne Cosgrove reviewed a memorandum from Warden Madeline Libbus, President, UNSM which requested all municipal units to consider permitting Cape Breton Regional Municipality to send 20 voting delegates to the upcoming UNSM Conference. It was noted that the original 8 units which were amalgamated to become one, would normally be entitled to send a total number of 40 voting delegates to the conference.

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Deputy Mayor Peter Christie noted that by agreeing to the new municipality sending 20 voting delegates to the conference, this could create inequality throughout the rest of the Province. Further, it was his opinion this matter should be debated on the conference floor prior to Council taking a position.

ON MOTION of Deputy Mayor Peter Christie and Councillor Len Goucher, it was moved to defer further discussion of this matter pending discussion by the Conference delegates and that a request for comments from the conference floor be forwarded to the UNSM. **MOTION CARRIED UNANIMOUSLY.**

10.10

Consideration - Extended Term - Town Committees, Commissions and Boards

Mr. English noted that under normal circumstances, both the community at large and Council membership on Town Committees, Commissions and Boards would expire November, 1995. With the pending amalgamation, however, he recommended that all terms be extended until March 31, 1995.

ON MOTION of Councillors Marvin Silver and Len Goucher, it was moved to extend all terms - both from the community at large and Council, on all Town Committees, Commissions and Boards, to March 31, 1996.

In speaking to the Motion, Councillor Len Goucher enquired if an emphasis on these committees could be included in the Transitional Report from Bedford Council to the Halifax Regional Municipality Council, so that they remain in some form.

Mayor Kelly noted that applications are on file which can be referred to, should any current members not be able to extend their terms.

MOTION CARRIED UNANIMOUSLY.

10.11

Consideration - Proposed Revision to By-Law Respecting Burning

Mayor Kelly noted he had received complaints with respect to residential backyard burning of materials such as plastic, etc. Further, he requested Council's agreement in referring this matter to the By-Law/Policy Advisory Committee for review and possible amendment to abolish any burning at all times.

ON MOTION of Councillor Len Goucher and Deputy Mayor Peter Christie, it was moved to refer the matter of a possible amendment to the Burning By-Law to prohibit any burning at all

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times, to the By-Law/Policy Advisory Committee.

In speaking to the Motion, Mayor Peter Kelly advised that a report was forthcoming from the Bedford Fire Department, on this matter, as well.

MOTION CARRIED UNANIMOUSLY.

10.12

Consideration - Award of Tender 95-21 - Union Street Upgrading

Mr. Rick Paynter addressed Council providing background information on the subject tender call.

As this project required the removal of the existing asphalt and road subbase, it was staff's decision to take the opportunity to use funds available through the Infiltration Reduction Program budget to undertake a replacement of the infiltration prone sanitary sewer main on Union Street. Mr. Paynter advised that the 1995 Capital Budget allocation for the street works was \$156,000 and staff had estimated an additional \$150,000 requirement to be made available from the Infiltration Reduction Program to implement the sanitary sewer replacement.

As a result of the extensive excavation works that would be required for this project, staff also initiated discussions with the Halifax County Water Utility regarding the replacement of the old cast iron waterline similar to an arrangement undertaken on Camden Street in 1990. It was indicated that the Water Utility would provide the materials at their cost and the Town would implement the installation at an approximate additional cost of \$80,000 to \$90,000.

Following the tender call and having reviewed the magnitude of the budget required to implement this combined project, it was staff's recommendation to Council not to proceed with this project as tendered and a recommendation was made that the project be re-tendered based upon its original scope, street construction works only.

Having made that recommendation and upon reflection, Mr. Paynter advised Council that perhaps this recommendation was made in haste and he was prepared to present to Council additional information if Council was agreeable as to how this project could be salvaged as originally tendered. Upon the approval of Council, the Director of Finance circulated a cost breakdown sheet which depicted the manner in which various funding sources could be re-directed towards this project to achieve its implementation. Part of this funding reallocation included the deferral of the Union Street Hatchery Lane signalization project. In addition to this information, Mr. Dan English, Chief Administrative Officer, circulated a Capital Budget status sheet to date in terms of budget allocation and actual expenditures but advised that this status sheet did not include the tenders that were being discussed this evening. He further noted that

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there were tenders to be brought back to Town Council on October 10, 1995 at which time a full overview on the status of the 1995 Capital Program could be presented.

Following further discussion, Town Council agreed to defer the Union Street Signalization project to another budget year.

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved to award Tender 95-21 - Union Street Upgrading - to Dexter Construction Company Ltd. at a total cost of \$582,679.20 plus an additional \$27,321 for a contingency allowance for a total projected cost of \$610,000.

In speaking to the Motion, Deputy Mayor Peter Christie enquired as to funds remaining through the Infiltration Reduction Program. In response, Mr. Rick Paynter noted there was approximately \$170,000 remaining in the Infiltration Reduction Program that would be allocated towards this project.

In response to an enquiry from Deputy Mayor Peter Christie as to the timeframe of this project, Mr. Rick Paynter advised he would like to see the project commence as soon as possible.

In response to an enquiry from Councillor Marvin Silver as to the traffic flow during the actual construction period, Mr. Rick Paynter advised that a temporary detour is proposed at the end of Union Street adjacent to River Lane. This will provide a reasonable route. Further, staff can barricade the north end detour when not needed. Mr. Paynter also noted that after meeting with mall officials, it is staff's intent to hold an information session with area residents.

A brief discussion took place on how this project ties in with the Redden lands. Ms. Davis-Lohnes, Director of Planning, advised that the executed Development Agreement for the Redden lands was not in place as yet.

In response to an enquiry from Mayor Kelly on storm drainage flow from the Union St. RCDD, Mr. Paynter noted that staff is attempting to clarify the initial surfacing works associated with the Union St. RCDD and how they might be coordinated with the Union St. upgrading works. Discussions are taking place with Wallace McDonald & Lively Ltd. however, details are not yet completed nor has there been some conclusion on the timing of the works and whether or not they can be incorporated as part of the Union St. upgrading project. **MOTION CARRIED UNANIMOUSLY.**

10.13

Consideration - Award of Tender - 95-25 - Concrete Curb & Gutter

Mr. Rick Paynter addressed Council noting it is staff's recommendation that Tender 95-25 -

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Concrete Curb & Gutter Replacement, be awarded to G. & R. Kelly Enterprises Limited in the amount of \$15,484.51. Further, it was noted this project would be funded through the Engineering Department's 1995/96 Operating Budget.

ON MOTION of Deputy Mayor Peter Christie and Councillor Marvin Silver, it was moved to award Tender 95-24 - Concrete Curb & Gutter Replacement, to G. & R. Kelly Enterprises Limited in the amount of \$15,484.51. **MOTION CARRIED UNANIMOUSLY.**

10.14

Consideration - Award of Tender 95-29 - Gabion Wall Construction - Campbell Drive Sanitary Sewer Easement

Mr. Rick Paynter addressed Council noting it was staff's recommendation that Tender 95-29, Gabion Wall Construction, be awarded to I- Rock Masonary Contracting in the amount of \$13,733.60. Further, that funds would be available through the Engineering Department's 1995/96 Operating Budget.

ON MOTION of Councillors Anne Cosgrove and Marvin Silver, it was moved to award Tender 95-29, Gabion Wall Construction, be awarded to I - Rock Masonary Contracting in the amount of \$13,733.60. **MOTION CARRIED UNANIMOUSLY.**

10.16

Pathway System

Councillor Len Goucher expressed concern with a portion of a pathway located between the end of Shore Drive and the Waterfront project, particularly with respect to a request from the Town to C.N. to use same.

Ms. Davis-Lohnes noted that the Town had received a response from C.N. that they would not give permission for the Town to use the area in question. Further, Ms. Davis-Lohnes advised she would approach C.N. once again and also contact the Boutilier's.

Councillor Goucher suggested that the Town contact Bedford's MP and MLA to solicit their support in this matter.

16. **DEPARTMENTAL REPORTS**

16.1 **Fire Chief's Monthly Report - Month of July, 1995**

ON MOTION of Deputy Mayor Peter Christie and Councillor Anne Cosgrove, the July, 1995 Monthly Report from the Fire Chief, was received for information. **MOTION CARRIED**

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UNANIMOUSLY.

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

ON MOTION of Deputy Mayor Peter Christie and Councillor Anne Cosgrove, the July, 1995 Monthly Report from the Chief Building Inspector, was received for information. **MOTION CARRIED UNANIMOUSLY.**

17. **QUESTIONS**

17.1 **Status Sheet**

Deputy Mayor Peter Christie enquired on the status of the plans for a "Special Event for Citizens" Day.

In response, Mayor Kelly noted that other plans may have to be made as the 1995 Bedford Days Committee was not able to organize this event. Further information will be available for an upcoming Council Meeting.

19. **ADJOURNMENT**

As there was no further business, the meeting adjourned at 9:50 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

MEETING #25

TOWN OF BEDFORD
SPECIAL SESSION
THURSDAY, SEPTEMBER 28, 1995 - 8:15 A.M.

A Special Meeting of the Town Council of the Town of Bedford was held Thursday, September 28, 1995 - 8:15 a.m. - in the Committee Room, Suite 300, 1597 Bedford Highway, Bedford, Nova Scotia.

1. **LORD'S PRAYER**

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

2. **ATTENDANCE**

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

Staff members in attendance included Dan R. English, Chief Administrative Officer; Chief Greg Murray, Police Department; Jeannine Theriault, Human Resource Officer and Jane Nauss, Recording Secretary.

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

4. **NEW BUSINESS**

4.1 **Consideration - Recommendation from the Bedford Board of Police Commissioners - Proposed Collective Agreement - Town of Bedford/PANS Local 239**

Mayor Peter Kelly advised that the draft Collective Agreement has been endorsed by the Board of Police Commissioners and has once again been reviewed by staff. Council consideration was now required.

Mr. Dan English advised that the negotiated cost of the Agreement compared on a year to year basis with the existing Working Agreement. Further, the meeting was advised that this Agreement would require the endorsement of the Public Sector Compensation Board as well as the Amalgamation Co-Ordinator.

ON MOTION of Councillors Len Goucher and Anne Cosgrove, it was moved that the Mayor and Chief Administrative Officer be authorized to execute, on behalf of the Town of Bedford, the proposed Collective Agreement as tabled and dated September 27, 1995 with PANS Local 239, subject to concurrence of Mr. Bill Hayward, Amalgamation Co-Ordinator, and the Public Sector Compensation Board.

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In speaking to the Motion, Councillor Len Goucher congratulated the Town's negotiating team on a job well done.

MOTION CARRIED UNANIMOUSLY.

Chief Murray advised this was a workable agreement, however, he was not sure how same would fit under a new structure.

Mayor Peter Kelly advised that Municipal Association of Police Personnel (MAPP) will be taking over the new union and that this Agreement may become redundant, however, it is hoped that portions of this Agreement will be utilized in the new Agreement with MAPP. Until the official Order is received from the Labour Board, the status of the Collective Agreement with PANS is uncertain.

A brief discussion ensued on the wage parity and the fact that wages were frozen until November, 1997.

5. **ADJOURNMENT**

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

MAYOR

CHIEF ADMINISTRATIVE OFFICER