

Minutes of the Regular Meeting of Barrington Municipal Council held in the Council Chambers, in the Administrative Centre, in Barrington, N.S., on Monday, May 28, 2012.

The meeting was called to order by the Warden at 6:30 p.m.

### ROLL CALL

The Clerk reported that all councillors representing all districts of the Municipality were present with the exception of Councillor Louise Halliday.

- Warden George El-Jakl
- Deputy Warden Donna LeBlanc-Messenger
- Councillor Murray Atkinson
- Councillor Louise Halliday (6:31 p.m.)
- Councillor Shaun Hatfield
- Councillor Cecil O'Donnell
- Councillor Cathy Stoddard
  
- Brian Holland, Municipal Clerk
- Lesa Rossetti, Deputy Clerk

### CLOSED SESSION OF COUNCIL

A Closed Session of Council was held to deal with a personnel matter and the former BMHS property.

At 7:00 p.m. the Regular Council Meeting was called back to order.

### REPORT ON CLOSED SESSION

During the Closed Session discussion took place regarding a personnel matter and the former BMHS property

#### Resolution C120530

**WHEREAS** the Municipality of Barrington wishes to act in the highest interest of public safety;

**AND WHEREAS** we will not expose the public treasury of the Municipality of Barrington to liability;

**Moved** by S. Hatfield and seconded by M. Atkinson that a letter be sent to the owner of the former BMHS property giving notice that the Municipal well to which that facility is hooked up to will be disconnected in thirty (30) days.

Motion carried unanimously.

Resolution C120531

**Moved** by S. Hatfield and seconded by C. O'Donnell that a letter be hand delivered to the tenants of the former BMHS property informing them of this thirty (30) day notice, and that a "Boil Water Order" will be in effect until that time.

Motion carried unanimously.

DECLARATION OF CONFLICT OF INTEREST

Warden George El-Jakl informed members that he will be declaring conflict of interest when dealing with the letter from Bay Side Home regarding the air cooling system as he is Chair of the Bay Side Home Board of Directors.

APPROVAL OF MINUTES

**Moved** by C. Stoddard and seconded by D. Messenger that the minutes of the last meeting of Council held May 14, 2012 be approved as circulated.

Motion carried unanimously.

MATTERS ARISING FROM THE MINUTES

There were no matter arising from the minutes.

PROCLAMATION - CLEAN ACROSS NOVA SCOTIA - JUNE 8 & 9, 2012

The proclamation received from Clean Nova Scotia was read by the Warden:

**WHEREAS** Clean Across Nova Scotia is facilitating the biggest volunteer-driven cleanup action in Nova Scotia history.

A goal of 25,000 participants has been set for this act of community pride and stewardship.

This action is also part of the global 'Let's do it!: World Cleanup 2012' movement, which aims to engage approximately five per cent of the Earth's population (300 million people) through community-led cleanups in their respective countries by September 2012.

Nova Scotia holds the singular privilege of being the first Canadian province to represent Canada in this move.

**BE IT RESOLVED THAT** the undersigned will make every reasonable effort to promote and participate in this community-led cleanup initiative, following the example of millions of communities across the globe.

**THEREFORE**, I Warden George El-Jakl on behalf of the Municipality of Barrington, invite all citizens to join this initiative as it befits them, and help promote the ideals of community, stewardship and action through participation.

Having received no objection, the Warden signed the proclamation.

### CORRESPONDENCE

#### Letter from Debbie Atkinson

The Clerk informed members that a note has been received from Debbie Atkinson of Stoney Island expressing concern regarding the unsightly condition of the sign which has been smashed out in front of Shoppers Drug Mart, and the "ugly" back of the strip mall that JB's is in now. She is suggesting that maybe some art students from BMHS could do a mural on the back of the strip mall.

The Clerk also informed members that Mrs. Atkinson is also questioning whether any more thought has been given to an emergency access road from the Business Park to the Wireless Road. The Clerk made reference to a motion of Council on June 19, 2006. At that time it was felt by Council that with the installation of traffic lights at the Causeway in Barrington Passage, and the relocation of the Barrington Municipal High School, that the traffic situation would be eased. As a result no further development of alternative traffic routes in the Barrington Passage area were pursued.

During discussion of the sign in front of the Shoppers Drug Mart it was noted that correspondence had been sent to the Manager, previously, regarding this matter.

A brief discussion took place regarding the strip mall and it was agreed that the unsightly condition of the back of the strip mall could be investigated by the By-Law Enforcement Officer. It was noted that since the property is private property that Mrs. Atkinson could discuss her suggestions to have BMHS art students paint a mural on the back of the building with the property owner.

#### Resolution C120532

**Moved** by S. Hatfield and seconded by C. Stoddard that Mrs. Debbie Atkinson be contacted and advised that the By-Law Enforcement Officer will be investigating the sign in front of Shoppers Drug Mart, and will also be investigating the unsightly condition of the strip mall. Since the strip mall is private property, it was agreed that it would be best for Mrs. Atkinson to take her suggestion of a mural to the property owner.

Motion carried unanimously.

#### Letter from Bay Side Home Re: Air Cooling System

#### Conflict of Interest

Warden George El-Jakl declared conflict of interest, vacated his seat and proceeded to the spectator area.

Warden George El-Jakl is the Chair of the Bay Side Home Board of Directors.

Deputy Warden Donna LeBlanc-Messenger chaired the meeting in his absence.

In advance to the meeting each member was provided with a copy of a letter received from the Board of Directors of Bay Side Home asking the Municipality to honor their grant of \$250,000.00 to be utilized towards an air cooling system as required to be installed by the Department of Labour.

Resolution C120533

**WHEREAS** the Department of Health or Project Management did not comply with Nova Scotia Labour Board Standards by constructing the Bay Side Home Expansion with an air cooling system;

**AND WHEREAS** it would now be wrong to use \$250,000.00 of Municipal taxpayers money to pay for the Department of Health and Project Managers negligence or noncompliance with Department of Labour Standards in the matter of installing an air cooling system at Bay Side Home;

**Moved** by S. Hatfield and seconded by C. O'Donnell that a letter be written to Bay Side Home Board of Directors denying the request for \$250,000.00 for an air cooling system, and informing them that this is a matter to be resolved between the Department of Health, the Project Management and the Department of Labour.

Motion carried unanimously.

Resolution C120534

**Moved** by S. Hatfield and seconded by L. Halliday that the \$250,000.00 Bay Side Home grant be added to the next Committee of the Whole Council agenda for further discussion.

Motion carried unanimously.

Deputy Warden Donna LeBlanc-Messenger vacated the Warden's seat.

Warden George El-Jakl then resumed the Chair.

REPORT OF WARDEN

The Warden gave a brief report on his activities since the last meeting of Council.

REPORT OF COUNCILLORS

Councillor Cathy Stoddard

Councillor Stoddard gave a brief report on her activities since the last meeting of Council.

Councillor Stoddard also reported on recommendations from the Committee of the Whole Council.

Communities in Bloom

Resolution C120535

**Moved** by C. Stoddard and seconded by D. Messenger that information on *Communities in Bloom* be sent to the Barrington Municipal High School Environment Club to determine if they may be interested in participating in this program for the following year.

Motion carried unanimously.

LED Street Lights Project

Resolution C120536

**Moved** by C. O'Donnell and seconded by D. Messenger that the Municipality participate in NSPI Pilot Project for LED street lights.

**AFFIRMATIVE**

Murray Atkinson  
George El-Jakl  
Louise Halliday  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cecil O'Donnell

**NEGATIVE**

Cathy Stoddard

Motion carried.

Surplus Municipal Properties

It is the recommendation of the Committee of the Whole Council that the following surplus Municipal properties be offered for sale:

<b>Assessment Account No.</b>	<b>Description/Location</b>	<b>Formerly Owned by</b>
00731536	6338 Highway 3 Lower Woods Harbour Land Warehouse	Leslie Chetwynd
04455363	Lower Woods Harbour Land	Evelyn Brannen
00023531	6680 Highway 3 Lower Woods Harbour Land	Frances Brannen
08428654	No. 3 Highway Lower Woods Harbour Land	Elizabeth A. Nickerson
03513998	1218 Centreville/South Side Rd	Lesa Perry
03733599	339 Baccaro Road West Baccaro Land	Franklyn K & Lisa D. Chetwynd

Resolution C120537

**Moved** by C. Stoddard and seconded by M. Atkinson that the Municipality advertise for sale the six (6) identified surplus municipal properties pursuant to Policy 12 "Sale of Municipal Property". Paragraph 6 indicates that the sale of Municipal property can be accomplished by public invitation by tender, or Request for Proposal by advertising in the local newspaper. It is proposed that these properties be sold by advertising in the local newspaper as soon as possible.

Motion carried unanimously.

Tax Reduction Application

Mr. Jody Newell has made an application under municipal policy for the reduction of taxes on his property at 161 Highway 103, Clyde River. The property was destroyed by fire on December 1, 2011. Mr. Newell has made application for a reduction in taxes for the year ending March 31, 2012.

Resolution C120538

**Moved** by C. O'Donnell and seconded by S. Hatfield that the Municipality reduce the taxes of Jody Newell for the 2012 taxation year. The amount of the reduction will be \$152.07.

Motion carried unanimously.

Library Reading Club

Resolution C120539

**Moved** by D. Messenger and seconded by C. Stoddard that the Municipality approve the request of the Western Counties Regional Library for 10 pairs of swimming passes.

Motion carried unanimously.

Old Barrington West School

A request has been received from Mr. Richard Crowell concerning the former Barrington West School located at 2645, Highway #3, Barrington. Mr. Crowell is requesting that the Municipality consider the possibility of relocating this old school to a site behind the Old Meeting House and provide the consent to proceed, at least in principle.

Resolution C120540

**Moved** by S. Hatfield and seconded by D. Messenger that a response be forwarded to Mr. Richard Crowell concerning his request, providing him with the information that may be obtained concerning his request, and directing him to communicate with the Nova Scotia Museum which is the Provincial body that owns the Old Meeting House property.

Motion carried unanimously.

West River Road

Resolution C120541

**Moved** by C. O'Donnell and seconded by M. Atkinson that correspondence be sent to the local Department of Transportation Office requesting the brush along the West River Road be cut back.

Motion carried unanimously.

Lighthouse Road in Baccaro

Resolution C120542

**Moved** by C. O'Donnell and seconded by C. Stoddard that the Department of Transportation be contacted regarding repairs to the Lighthouse Road in Baccaro, and be asked for a written response to this request.

Motion carried unanimously.

NEW BUSINESS

Dangerous & Unsightly Order Re: Pearl Nickerson Property

It was reported that Pearl Nickerson's property located at 900 Oak Park Road is in a dangerous and unsightly condition. An old house has been demolished and all debris has been left on the property. Numerous attempts have been made to have the property owner address the dangerous and unsightly condition of the property, without success. Council is now being asked to issue an Order to have the dangerous and unsightly condition of her property addressed and the cost to do so be added to the tax account for the property.

Resolution C120543

**Moved** by L. Halliday and seconded by C. O'Donnell that Council issue an Order requiring the assessed property owner to address the dangerous and unsightly condition of the property located at 900 Oak Park Road, within thirty (30) days from date of the Order, by removing construction debris from the property and cleaning up the property, and failure to do so may result in the Municipality having the work carried out and the cost to do so being added to the Tax Account for the property.

Motion carried unanimously.

CONTINUATION OF RECOMMENDATIONS FROM THE COMMITTEE OF THE WHOLE COUNCIL

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Councillor Stoddard continued to report on recommendations.

Grant Request

Resolution C120544

**Moved** by L. Halliday and seconded by C. Stoddard that correspondence be sent to the New Horizons Seniors Group in Wood's Harbour indicating that the Municipality cannot at the present time entertain their request to fund improvements to the Community Hall as the Seniors Group does not own this facility, and that a grant for this purpose can only be considered when the property is owned by the organization.

**AFFIRMATIVE**

Murray Atkinson  
Louise Halliday  
Shaun Hatfield  
Donna LeBlanc-Messenger  
Cecil O'Donnell  
Cathy Stoddard

**NEGATIVE**

George El-Jakl

Motion carried.

Transfers

**Moved** by C. Stoddard and seconded by C. O'Donnell that \$45,000.0 be transferred from the General Revenue Funds Surplus to the Special Reserve Fund Capital to be placed in the Fire Services Fund for future capital purchases for Fire Services, and also that \$205,000.00 be transferred from the General Revenue Fund Surplus for the 2011/2012 fiscal year to the Special Reserve Fund Operating for future use of the Municipality.

**Moved** by L. Halliday and seconded by D. Messenger that the above motion be amended inserting the words "up to" before "\$205,000.00".

Motion carried unanimously.

The amended motion now reads as follows:

Resolution C120545

"...that \$45,000.00 be transferred from the General Revenue Funds Surplus to the Special Reserve Fund Capital to be placed in the Fire Services Fund for future capital purchases for Fire Services, and also that up to \$205,000.00 be transferred from the General Revenue Fund Surplus for the 2011/2012 fiscal year to the Special Reserve Fund Operating for future use of the Municipality."

Deputy Warden Donna LeBlanc-Messenger

Deputy Warden Messenger gave a brief report on her activities since the last meeting of Council.

Councillor Louise Halliday

Councillor Halliday gave a brief report on her activities since the last meeting of Council.

Councillor Murray Atkinson

Councillor Atkinson gave a brief report on his activities since the last meeting of Council.

Councillor Cecil O'Donnell

Councillor O'Donnell gave a brief report on his activities since the last meeting of Council.

Councillor Shaun Hatfield

Councillor Hatfield gave a brief report on his activities since the last meeting of Council.

D.O.T. Matter

Councillor Hatfield informed members that constituents have raised concern regarding the low shoulder of the highway in the North East Point area. The area in question is from Civic #354, Cape Sable Ice 1985 Limited, to Civic #396, Lydia Ross.

Resolution C120546

**Moved** by S. Hatfield and seconded by C. Stoddard that the Department of Transportation be requested to add gravel to the shoulder of the highway in North East Point from Civic #354 to Civic #396.

Motion carried unanimously.

REPORT OF CLERK-TREASURER

The Municipal Clerk gave a brief report on his activities during the month of April.

Island & Barrington Passage Volunteer Fire Department Loan Guarantee

The Clerk informed members that it is necessary to change the amount on the Loan Guarantee provided to the Island & Barrington Passage Volunteer Fire Department. The Loan Guarantee approved by Council was in the amount of \$349,946.00. Part of this should be guaranteed by the Town of Clark's Harbour, and therefore the Loan Guarantee to be provided by the Municipality will only be \$290,176.00.

Resolution C120547

**Moved** by L. Halliday and seconded by D. Messenger that Resolution No. C120313, dated April 10, 2012 be rescinded.

Motion carried unanimously

**Moved** by L. Halliday and seconded by C. Stoddard and carried:

Resolution C120548

**WHEREAS** the Island/Barrington Passage Volunteer Fire Department is registered with the Municipality of the District of Barrington;

**AND WHEREAS** the Island/Barrington Passage Volunteer Fire Department has determined to borrow the aggregate principal amount of Two Hundred Ninety Thousand One Hundred Seventy-Six Dollars (\$290,176) for the purpose of purchasing a pumper, tanker and a chasis for a rescue vehicle;

**AND WHEREAS** the Island/Barrington Passage Volunteer Fire Department has requested a municipality to guarantee the said borrowing;

**AND WHEREAS** Section 294(6) of the Municipal Government Act provides that a municipality may grant or lend money to, or guarantee a loan for, a registered fire department for operating or capital purposes;

**AND WHEREAS** Section 88(3) of the Municipal Government Act provides that no guarantee of a borrowing by a municipality shall have effect unless the Minister of Service Nova Scotia and Municipal Relations has approved of the proposed borrowing or debenture and of the proposed guarantee;

**BE IT THEREFORE RESOLVED**

**THAT** the Municipality of the District of Barrington does hereby approve the borrowing by the Island/Barrington Passage Volunteer Fire Department of Two Hundred Ninety Thousand One Hundred Seventy-Six Dollars (\$290,176) for the purpose set out above;

**THAT** subject to the approval of the Minister of Service Nova Scotia and Municipal Relations of the guarantee, the Municipality unconditionally guarantee repayment of the principal and interest of the borrowing so made;

**THAT** upon the issue of the debentures, the Warden and Clerk of the Municipality do sign the guarantee attached to each of the debentures and affix thereto the corporate seal of the Municipality.

Motion carried unanimously.

#### CONTINUATION OF NEW BUSINESS

##### Notice of Consideration - Draft Sun Safety Policy

The Clerk informed members that notice is given this evening that Council will consider the adoption of the Sun Safety Policy at their next meeting.

##### Notice of Consideration - Revised Community Grants Policy No. 42

The Clerk informed members that notice is given tonight that Council will consider amendments to the Community Grants Policy No 42 at their next meeting.

The revisions will change the policy title to "Municipal Grants Policy", and will combine the Community Grants Policy and the Grants to Organizations Policy, No. 49.

##### Notice of Consideration - Policy 49 "Grants to Organizations"

The Clerk informed members that notice is given tonight that Council will consider repealing Policy No. 49 "Grants to Organizations" at the next meeting of Council, subject to Council proceeding with proposed revisions to the Community Grants Policy, No. 42.

##### First Reading - By-law No. 9 "Peace, Order, Mischief & Nuisances"

In advance to the meeting members were provided with proposed changes to By-Law No. 9, "Peace, Order, Mischief & Nuisances". Proposed amendments to this by-law are being brought forward this evening for first reading.

##### Resolution C120549

**Moved** by C. Stoddard and seconded by D. Messenger that proposed amendments to By-Law No. 9, "Peace, Order, Mischief & Nuisances" be approved in first reading.

Motion carried unanimously.

Report on Summer Staff

The Clerk informed members that the following summer staff has been hired:

- Meghan Leary, Aquatic Coordinator
- Emily Rose, Aquatic Instructor/Lifeguard
- Jacey Nickerson, Aquatic Instructor/Lifeguard
- Dana Huskins, Aquatic Instructor/Lifeguard
- Emily Perry, Program Coordinator
- Jillian Thurber, Day Camp Counselor
- Paige Symonds, Day Camp Counselor
- Tineah Symonds, Day Camp Counselor
- Kattie Symonds, Day Camp Counselor
- Keith Nickerson, Property Services Department
- Ryan Nickerson, Property Services Department
- Zachary Crowell, Visitor Information Centre

Lieutenant Governor's Awards

Resolution C120550

**Moved** by D. Messenger and seconded by C. Stoddard that a letter of congratulations be sent to Richard Christie and Lauren Atkinson who will be receiving the Lieutenant Governor's Medals for Grade 11 students at Barrington Municipal High School.

Motion carried unanimously.

2012 Spring Cleanup

In advance to the meeting each member was provided with a summary of spring and fall cleanups. The summary showed that during the 2012 spring cleanup, 108.56 tons of waste was collected.

The Clerk also informed members that during the 2012 Community Litter Cleanup waste was collected from the ditches totaling 10,890 kgs.

ADJOURNMENT

**Moved** by M. Atkinson that the meeting adjourn.

The meeting was adjourned at 8:25 p.m.

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Warden

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Clerk

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Secretary for the Meeting

**On website May 29, 2012.**

