

**DIGBY TOWN COUNCIL  
REGULAR MEETING  
MARCH 2, 2009**

**MEMBERS PRESENT:** Mayor Ben Cleveland  
Councillor Jean Brittain  
Councillor Danny Harvieux  
Councillor Brian Manzer  
Councillor Ron Matsusaki  
Councillor Peter Turnbull

**STAFF PRESENT:** Tom Ossinger, Town Clerk  
Matthew Raymond, Deputy Clerk  
Bonnie Duncan, Recording Secretary

**REGRETS:** Deputy Mayor Mike Bartlett

**A. CALL TO ORDER**

Mayor Cleveland called the meeting to order at 7:00 PM.

**B. AGENDA**

**B.1 Additions/Deletions**

There were additions under new business E.1-Rezoning 34 Third Ave. E.2-Scallop Days. Additions under correspondence G.6-Property Valuation G.7-Destination Southwest Nova Association

**B.2 Approval of the agenda**

a) March 2, 2009

Moved by: Councillor Turnbull

Seconded by: Councillor Harvieux

That the agenda of March 2, 2009, be approved as presented with the additions under new business and correspondence.

MOTION CARRIED.

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**C. DELEGATION**

**C.1 Duncan Casey- Casey's –Maiden Lane**

Mr. Casey gave a brief history on the "Iron Duke" property. Mr. Casey stated that the property was less valuable with the Maiden Lane extension running through the middle of it to provide a boat launch ramp. Other possible areas that could possibly be used for a boat launch ramp were also mentioned.

There was discussion about the correspondence between Casey's and the town in previous years regarding development of the property in question. The possibility of a sale or swap of property was also discussed. Mr. Casey stated that with the uncertainty of the Maiden Lane extension through the property it is hard to know what type of development would be possible as they are not sure if they have one large property or two smaller ones. Discussion ensued regarding the future of the property and it was decided that Mr. Casey and Town Clerk Ossinger would meet to discuss a possible proposal that would be agreeable to all parties. The matter will be taken to the Streets, Sewer and Public Property meeting on March 16<sup>th</sup>, 2009.

**C.2 Crystal Harris- MOPS- Mums on Playground Society**

Mrs. Harris gave a presentation to council explain that the Mums on Playground Society are a non-profit group that has identified the need for a safe accessible playground for young children and toddlers in the town.

The park will be located in the corner of Shreve Street and Victoria Street.

Mrs. Harris explained much fundraising has been done and the society hopes to erect a pavilion and they also require a public washroom. They would like to have a donation from the town either financial or in-kind. Discussion ensued. Maintenance of the area was discussed. Councillor Harvieux stated that DARC employees would help with maintenance of the park area as an in-kind donation.

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**C.3 John Roswell- Suicide Prevention**

Mr. Roswell made a presentation to council requesting partial funding for two projects. The first project is Training for Trainers project that would involve sending two people for this training in suicide intervention. They will in turn be able to come back and train others.

The second project is Mental Health First Aid which will be undertaken as a partnership between the Digby Clare Mental Health Volunteers and the Nova Scotia Department of Health.

He is requesting 1/3 of the total cost of both projects from the town and will be requesting same amounts from Municipal Council and Clare Municipal Council as well. Discussion ensued regarding the expected outcome of these projects as well as the financial expectations. Mayor Cleveland informed Mr. Roswell that the matter would have to be taken to the Finance Committee before any decisions were made. It will then be taken to April 6<sup>th</sup>, 2009 Council meeting.

**C.4 Richard Treleaven- Digby Ferry**

Mr. Treleaven thanked council for the opportunity to express his concerns for the future of the Saint John Ferry. Mr. Treleaven proceeded to share the findings of his research with council members regarding the future of the Saint John Ferry. The loss of the ferry would have a huge impact on the town's economy. Some of the things that were mentioned were community commitment, improved cost control, and community management as well as a committed working group.

Mayor Cleveland said that he would be going to Saint John in the near future to meet with their mayor concerning the Ferry service as they benefit from its operation as well. He also stated Warden Thurber is very concerned about the future of the ferry. Mayor Cleveland invited Mr. Treleaven to attend a new ferry committee to try and address some of the concerns and issues.

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**C.5 Nicole Oliver- Naturalizing the Salt Marsh**

Ms. Oliver made a presentation to council explaining that The Clean Annapolis River Project is a charitable, community-based, non-governmental organization working to promote awareness about, and to foster the conservation, restoration and sustainable use of the marine and freshwater ecosystems. With the endorsement and support of the Town Council they will be able to pursue this endeavour.

The pond at the corner of Victoria Street and Raquette Road is one of the areas of concern. As there has been waterfowl using this area in the past, Ms. Oliver stated that they would like to plant native species, trees and shrubs as well as herbaceous plants, to help create a more suitable habitat for wild life and reduce maintenance to the site. The possibility of a walking trail as well as interpretive signs was also mentioned as possible uses for the area. Ms. Oliver stated that they had applied for the Wal-Mart Evergreen Grant that would provide up to 50%(up to \$10,000 maximum) in funding for local groups working on urban naturalization.

Discussion ensued regarding the pond. Mayor Cleveland stated that it was not a natural pond, it used to be a tidal brook and a dam was put in to create the pond that is there now.

Councillor Harvieux will take this matter back to DARC regarding help with this project and maintenance of the area once the initial work is done.

Moved By: Councillor Brittain  
Seconded By: Councillor Harvieux

That council will give support in principal and initiative with Clean Annapolis River Project Raquette pond endeavour.

MOTION CARRIED

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**D. MINUTES OF PREVIOUS MEETING  
D.1 FEBRUARY 2, 2009**

Moved By: Councillor Brittain  
Seconded By: Councillor Harvieux

That the minutes of February 2, 2009, be approved as presented.

MOTION CARRIED.

**E. BUSINESS ARISING FROM THE MINUTES  
E.1 Rezoning of 34 Third Ave.**

Mr. VanTassell's request for rezoning 34 Third Avenue from R1 to R2 was discussed at length. Councillor Manzer stated that the proposed zoning changes do not meet the requirements necessary to rezone the property. There are various other problems and complaints from residents in the immediate area which Mr. VanTassell has agreed to correct. Councillor Brittain said that she understands the concerns of the rezoning but based on the information provided by Chris Millier, Town Planner (4 Site Group) regarding the requirements of rezoning, his purpose is to help make these decisions easier.

Tom Ossinger, Development Officer that council can overrule the Development Officer should they feel the need. The Development Officer stated that if rezoning is approved by council, a site plan would have to be approved which would entail more meetings with Mr. VanTassell to ensure that all requirements are met. Once a site plan was approved by the development officer all property owners within 30 meters of 34 Third Ave. are required to be notified of the approval of the site plan and their right to appeal the site plan approval to Council

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within 14 days. After further discussion Mayor Cleveland called for a vote.

Councillor Matsusaki was unable to vote as he was not in attendance of the public hearing held earlier in the evening.

Moved By: Councillor Harvieux  
Seconded By: Councillor Turnbull

That the zoning of 34 Third Avenue be changed from R1 to R2 as recommended.

**MOTION CARRIED**

YEAH

Councillor Jean Brittain  
Councillor Danny Harvieux  
Councillor Peter Turnbull  
Mayor Cleveland

NAY

Councillor Brian Manzer

**E.2 Scallop Day Request**

Town Clerk Ossinger explained that the Scallop Says Committee is requesting support in the amount of \$4500.00 for this year's festival.

Moved By: Councillor Harvieux  
Seconded By: Councillor Turnbull

That the Scallop Day Committee receives the amount requested as this is the amount given every year.

**MOTION CARRIED**

**F. REPORTS**

**F.1 FINANCE COMMITTEE/ADMINISTRATION  
COMMITTEE**

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Report for February 2009 was reviewed and accepted as presented.

Moved By: Councillor Brittain  
Seconded By: Councillor Manzer

That accounts payable in the amount of \$280,142.91 be approved for payment for the month of February.

MOTION CARRIED

**F.2 FIRE, POLICE, AND LICENSE COMMITTEE**

Fire, Police, and License meeting was cancelled due to conflict with Flag Day.

**F.3 STREETS, SEWER, AND PUBLIC PROPERTY COMMITTEE**

Report for February 2009 was reviewed and accepted as presented. Discussion ensued regarding the hiring of Scotia Surveyors to do the survey work at the corner of Queen Street and Warwick Street.

Moved By: Councillor Turnbull  
Seconded By: Councillor Manzer

That Scotia Survey be hired to conduct the required survey at the corner of Queen and Warwick Streets.

MOTION CARRIED

**F.4 TOURISM COMMITTEE**

No Report.

**F.5 TIDEVIEW TERRACE**

Mayor Cleveland told council that there will be an orientation meeting for new members. Geo-Thermal heating source was also discussed. It is estimated that geo-thermal heating will save ½ of the amount oil would cost in a 25 year period.

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Tendering will begin in May and construction should begin in June or July of 2009.

**F.6 DIGBY AND AREA RECREATION COMMISSION**

Report for February 2009 was reviewed and accepted as presented. This year's curling event was very successful.

**F.7 LIBRARY BOARD**

No meeting. Councillor Brittain stated that flyers were distributed and an orientation for new members will be held in early April.

**F.8 WASTE CHECK**

No Report.

**F.9 PLANNING ADVISORY COMMITTEE**

Report for February 2009 was reviewed and accepted as presented.

Councillor Brittain told council that a list of possible stakeholders was identified at the last Planning Advisory meeting and it is important that community becomes involved in this process. She also said that the Planning Advisory Committee would like some input from other council members regarding the mission statement.

**F.10 EMERGENCY MEASURES ORGANIZATION**

No Report. Town Clerk Ossinger said that Nova Scotia Power gave a very informative presentation.

Mr. Mason VanTassel was appointed the Fire Association representation for the EMO.

Jepp grants were applied for to acquire a new Fire Department/EMO rescue vehicle. The application went well and response should be forthcoming in April.

There will be a seminar for newly elected members and a date in either late March or April needs to be decided by council. The seminar takes about two hours.

**F.11 WATER COMMISSION**

No report. Town Clerk Ossinger told council that tenders had been sent out for the transmission line project and the



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generator. There has been a fair response from contractors. Funding is in place for the transmission line project and the URB has also given their approval. Town Clerk Ossinger has also sent for applications for the necessary permits.

**F.12 INDUSTRIAL COMMISSION**

Mayor Cleveland informed council that councillor Manzer gave a presentation to the committee regarding strategic planning. There was also discussion on the promotion of the industrial park, regarding the vision of the plan. There will be a meeting on April 8<sup>th</sup>, 2009 to discuss this issue further.

**F.13 DIGBY AREA LEARNING ASSOCIATION**

Report for February 2009 was reviewed and accepted as presented.

**F.14 SENIOR SAFETY BOARD**

Report for February 2009 was reviewed and accepted as presented. Councillor Harvieux informed council that they the Senior Safety Program would be requesting a reduced amount this year as they have received a substantial amount in government grants.

**F.15 PESTICIDE COMMITTEE**

No meeting. A new member is needed to complete the pesticide committee.

**F.16 ANNAPOLIS/DIGBY ECONOMIC DEVELOPMENT AGENCY**

Mayor Cleveland informed council that he would be sending them the business plan.

**F.17 CLERK TREASURER'S REPORT**

Report for February, 2009 was reviewed and accepted as presented.

**F.18 POLICE ADVISORY BOARD REPORT**

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No meeting. A new citizen representative is required. A notice is being sent to the Clare Shopper and the Digby Courier requesting interested parties to submit their names.

**F.19 AIRPORT COMMITTEE**

Report for February 2009 was reviewed and accepted as presented. Councillor Manzer stated that the committee held a meeting and the MPS and LUB will be taken to municipal council for the first reading.

**F.20 MAYORS REPORT**

Mayor Cleveland stated that he has attended many functions during the month of February and found them very enlightening.

**G. CORRESPONDENCE**

**G.1 DARC-RE: MOPS. Preschool Play Space**

A letter from Recreation Manager Bob Powell was sent to Town Clerk Ossinger regarding the MOPS Pre-school play space. Mr. Powell and Town Clerk Ossinger met at an earlier date regarding this matter and would like council to support this project.

Moved by: Councillor Brittain  
Seconded by: Councillor Turnbull

That Council support the MOPS project by allowing the use of the property located on the corner of Shreve Street and Victoria Street for a period of ten years. An agreement will be drawn up stating the terms of use for this period of time.

MOTION CARRIED

**G.2 Hon. John Baird- RE: Digby, Saint John Ferry Service**

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Eveyn Burnham forwarded a copy of a letter written to the Honorable John Baird regarding the need for a ferry from Saint John to Digby.

**G.3 Mr. Ronald M. Chisholm-  
Letter to Mr. Harold Theriault (jr.) MLA RE: Shellfish  
Harvesting/Wastewater issue.**

Mr. Chisholm would like to see some of the issues regarding the shellfish/waste water issues affecting the shell fish industry.

**G.4 Mr. David Morse, Minister- Emergency Management  
Office.**

In the coming weeks the Emergency Management Office is implementing a new public safety initiative called the "Sign up for Safety". This program will highlight the importance of having a clearly posted civic number in front of every home or business in Nova Scotia.

After lengthy discussion regarding this matter Council decided that the committee for civic addresses and numbers would need to be activated. The by-law for this matter will also be looked at.

Councillor Harvieux, Councillor Turnbull, and Councillor Bartlett will be forming this committee. Councillor Manzer is also willing to be on this committee should he be needed.

**G.5 Emergency Management Office-EMO Self Evaluation**

There was discussion regarding the EMO self evaluation. Town Clerk Ossinger stated that the evaluation reinforces the REMO concept, as it eliminates the confusion of too many people in the same roll. It also eliminates the need for so many people to fill the same positions.

**H. NEW BUSINESS**

**H.1 Amendment to 2008/2009 Capital Budget**

Town Clerk Ossinger informed Council that there was a fair amount for upgrades at the WWTP. A SKEDA system needs to be installed but flow meters are not required which

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caused a surplus. Backup power is required. Housing and installation is less than total approved budget. All changes have been approved by the Province. Town Clerk Ossinger requested approval from Council for the amended budget (see attached) to \$320, 92.00 instead of \$ 391,726.00, there will be a surplus amount.

Moved By: Councillor Brittain  
Seconded By: Councillor Harvieux

That the amendment to the budget be approved as presented.

MOTION CARRIED

**H.2 Inter-Municipal Agreement- REMO**

A copy of the new Inter-municipal emergency services agreement (see attached) was given to Council members. Town Clerk Ossinger stated that the self-evaluation by EMO reinforces the REMO concept. If there are any concerns or questions they need to be addressed before the April 23<sup>rd</sup> meeting. Municipal Council has also received a copy of the agreement.

**H.3 Digby Harbour Port Association- Voting Board Member**

The Digby Harbour Port Association has submitted a request for a voting board member. As Mayor Cleveland is familiar with the organization and has attended previous meeting it was decided that he would be the voting board member. He will submit reports to Council on a regular basis.

Moved By: Councillor Brittain  
Seconded By: Councillor Turnbull

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That Mayor Cleveland represents Council as a voting board member for the Digby Harbour Port Association.

MOTION CARRIED\

**H.4 Destination Southwest Nova Scotia**  
Information purposes.

**H.5 Property Valuation Services Corporation- HST Issue**  
Update on the ongoing HST issue.

**I. QUESTION PERIOD**  
None.

**J. ADJOURNMENT**

There being no further business the meeting adjourned on motion of Councillor Brittain and Councillor Turnbull.  
TIME: 9:10 p.m.

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MAYOR

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TOWN CLERK