

A regular monthly meeting of Middleton Town Council was held at the Town Hall on Monday, May 3, 2010, starting at 7:00 p.m.

PRESENT

Chairing the meeting, Mayor Calvin Eddy; Deputy Mayor Vera Errington; Councillors Lorne Brown, Dan Smith, Darren Boates, Melinda den Haan, and Marc Britney; Chief Administrative Officer, Clayton MacMurtry; and Director of Finance, Marianne Daine.

Town Solicitor Bruce Gillis arrived at 7:00 p.m. and left the meeting at 7:28 p.m.

PROCLAMATIONS

.01 Emergency Preparedness Week

Mayor Eddy declared the week of May 2 – May 8, 2010 *Emergency Preparedness Week* in the Town of Middleton.

10.05.01 CHANGES TO THE AGENDA

CAO MacMurtry advised that the following items are to be deleted from the agenda:

10.05.06 NEW BUSINESS

Action Items – .07 Request for Permission to Remove Street-line Tree

Information/Discussion Items – .01 Services – North Street

The CAO also advised that the following item is to be added to the agenda:

10.05.06 NEW BUSINESS

Action Items – .08 Request from Rotary Club – Plaque for Centennial Park

10.05.02 SOLICITOR

It was **moved by den Haan, seconded by Boates that the Council adjourn to in camera at 7:02 p.m. to obtain legal advice on a proposed land agreement. The motion was carried.**

Mayor Eddy declared a conflict of interest on this item and Deputy Mayor Errington assumed the Chair.

It was **moved by Brown, seconded by Smith that the Council return to regular session at 7:27 p.m. The motion was carried.**

Mayor Eddy resumed the Chair.

10.05.03 MINUTES

It was **moved by Brown, seconded by Smith that the minutes of the regular Council meeting of April 6, 2010 be approved as circulated. The motion was carried.**

10.05.04 PRESENTATIONS BY PUBLIC

.01 Annapolis Digby Economic Development Agency – Mike Gushue, Managing Director

Mike Gushue, Managing Director, Annapolis Digby Economic Development Agency (ADED), was present to update the Council on the operations and projects of ADED. Mr. Gushue advised that a copy of the Agency's 2010/11 Business Plan was previously circulated to Council and that the focus of the Business Plan is job creation and business attraction.

Mr. Gushue's power point presentation included a review of the Business Retention and Expansion Plan (BRE). He noted that the Agency has been working with Kings Produce Processing and the Middleton and area Business Association.

Other projects reviewed included the I-3 Technology Start-up Competition; the Biomass Advisory group, with forty members to date; the Wind Energy project; the Tidal Energy Project; and the Roger Brooks Tourism Assessment Report.

Mr. Gushue advised that he has travelled to Scotland, Calgary, and New Brunswick to obtain information and investigate business development programs.

Mr. Gushue reviewed the Agency's five-year investment plan, specifically the assets and objectives of the Plan and projects in the works, noting that input and assistance from municipalities is very valuable. Mr. Gushue reviewed the Middleton initiatives on which ADEDA is working, noting that the relationship between the Town and the Agency is growing stronger and things are progressing.

Mr. Gushue addressed a number of questions from Councillors concerning the Customs Office in Yarmouth, Health care education concerns, bus tours, and the Princess of Acadia Ferry service.

Mayor Eddy thanked Mr. Gushue for his presentation and information.

10.05.05 BUSINESS ARISING FROM THE MINUTES

.01 Request from Anglican Church – Waiver of Fees

CAO MacMurtry explained that the Parish of Wilmot submitted a request to have a policy adopted to waive the fees for non-profit organizations submitting planning applications.

The CAO advised that the Annapolis District Planning Commission Board discussed the request at its monthly meeting in April and that it was the decision of the Board that the policy on planning application fees not be amended.

It was the consensus of the Council that the CAO advise the Parish of Wilmot of the Board's decision.

10.05.06 NEW BUSINESS

ACTION ITEMS

.01 Curb and Storm Sewer – North Street

It was moved by Boates, seconded by den Haan that, on recommendation from the Committee of the Whole, the Council approve to install concrete curbing instead of asphalt on the North Street Project for an additional cost of \$21,060. The motion was carried.

.02 Application for Withdrawal from Bursary Fund

It was moved by Britney, seconded by Errington that, on recommendation from the Committee of the Whole, the Council approve the request for withdrawal of \$65.00 from the Recreation Bursary Fund to cover the cost of soccer registration. The motion was carried.

.03 LED Street Lighting Program Proposal

It was moved by Smith, seconded by Errington that, on recommendation from the Committee of the Whole, the Council approve for the Town to provide \$800 to fund the grant application to Nova Scotia Power – C & I Program to do an energy assessment on the Town's street lights. The motion was carried.

.04 Bills

It was moved by den Haan, seconded by Boates that Council approve the payment of bills in the amount of \$505,246.97. The motion was carried.

.05 Application for an Amendment to Development Agreement – Glen Lane

It was moved by Errington, seconded by Britney that, on recommendation from the Planning Services Advisory Panel, the Council hold a public hearing for submissions on the Town entering into an amendment to the August 22, 2006 Development Agreement with Pine Glen Investments Limited to enable the development of a fifteen (15) unit grouped residential dwelling in addition to the existing residential development at Glen Lane (PID# 05077524), and that the date for the public hearing be set for June 7, 2010 at 7:00 p.m., subject to the provision of a revised detailed site plan which provides for building setbacks, building separation distances, landscaping and buffering details, and a storm drainage management plan. The motion was carried.

.06 Application to Rezone Lands of the Parish of Wilmot and Lawrence Aldred

It was moved by Errington, seconded by Smith that, on recommendation from the Planning Services Advisory Panel, the Council hold a public hearing for submissions on the proposed rezoning of lands of the Parish of Wilmot located at 45 Main Street (PID# 05077656) and lands of Lawrence A. Aldred (PID# 05077672), generally located immediately north of 45 Main Street, from Recreation (REC) and Residential (R) to Institutional (I), and that the date for the public hearing be set for June 7, 2010 at 7:00 p.m. The motion was carried.

.07 Request for Permission to Remove Street-line Tree

This item was deleted from the agenda.

.08 Request from Rotary Club – Plaque for Centennial Park

CAO MacMurtry advised that he has received a request from the Middleton Rotary Club to mount a plaque on the pergola at the Centennial Park, in recognition of the Club's donation of the pergola.

It was moved by den Haan, seconded by Britney that the Council grant permission to the Middleton Rotary Club for the installation of a plaque on the pergola at the Centennial Park in recognition of the pergola having been donated by the Club, subject to approval by the Chief Administrative Officer of an appropriate plaque. The motion was carried.

INFORMATION/DISCUSSION ITEMS

.01 Services – North Street

This item was deleted from the agenda.

.02 Tax Payment Arrangement

CAO MacMurtry explained that this item was brought to the April 19th Committee of the Whole meeting and advised that the property owner discussed has since paid his property tax, however, another owner of a property, currently on the tax sale list, is requesting a payment arrangement.

It was moved by Britney, seconded by Boates that the Council approve for the CAO to advise the owner of properties PID #03898857 and PID #03898873 that the payment arrangement put forward will be accepted and that, if the taxpayer defaults on one payment, the property will be placed back on the tax sale list. The motion was carried.

10.05.07 REPORTS

.01 Committee of the Whole

All items from the Committee of the Whole meeting of April 19, 2010 have been dealt with earlier in the meeting.

.02 Mayor

Mayor Eddy tabled his report for the month of April. A copy of the report will be circulated with these minutes.

.03 Managers

The Management reports have been circulated to all members of Council.

.04 Development Officer/Building Inspector/Fire Inspector

Copies of the reports for the month of April have been circulated to all Council members. There were no comments on the reports.

.06 RCMP

A copy of the report for the month of March has been circulated to all Council members.

10.05.08 CORRESPONDENCE

A list of correspondence for the month has been circulated to all members of Council. There were no questions or comments on the list. A copy of the list will be circulated with these minutes.

10.05.09 ANYTHING BY MEMBERS

Councillor Britney circulated an update to Council on the Ambassador Program. The update explained the scholarship funding, promotion of the program at the High School, the selection process, and time lines for the various aspects of the program. Councillor Britney's update also advised that the mandate of the Program is not to organize events or construct and operate a Town float.

Deputy Mayor Errington advised that she attended the Valley Waste Authority meeting last Wednesday and that the Authority will be ending its year with a surplus.

On question from Mayor Eddy, CAO MacMurtry advised that the Sewage Treatment Plant Project meeting minutes were to be copied to Council, however, there is an amended time table and, once this is updated, the minutes will be circulated.

Mayor Eddy advised that there will be a Legion ceremony held on Saturday, May 8th, 10:30 a.m. at Soldiers Memorial Hospital in recognition of the 65th anniversary of the end of World War II.

There being no further business, it was **moved by Brown, seconded by Smith that the Council adjourn at 8:15 p.m. The motion was carried.**

MAYOR

SECRETARY