

A regular monthly meeting of Middleton Town Council was held at the Town Hall on Monday, November 7, 2011 starting at 7 p.m.

PRESENT

Chairing the meeting, Mayor Calvin Eddy; Deputy Mayor Vera Errington; Councillors Dan Smith, Marc Britney, Melinda den Haan and Gail Smith; Chief Administrative Officer Clayton MacMurtry; Director of Finance, Marianne Daine; and Recording Secretary, Sharon McAuley. Also in attendance was Cpl. Pemberton, RCMP.

Regrets: Councillor Darren Boates.

Solicitor Gillis arrived at 7:01 p.m. and left the meeting at 7:22 p.m.

PROCLAMATION

Mayor Eddy proclaimed that the week of November 13 – November 20, 2011 as Restorative Justice Week in the Town of Middleton.

11.11.01 CHANGES TO THE AGENDA

There were no changes to the agenda for this meeting.

11.11.02 SOLICITOR

.01 Update on Litigation or Potential Litigation (In Camera)

It was **moved by Councillor D. Smith, seconded by Councillor den Haan, that the Council adjourn to in-camera at 7:02 p.m. to receive legal advice from Solicitor Gillis. Motion carried.**

It was **moved by Councillor D. Smith, seconded by Councillor G. Smith, that council return to regular session at 7:04 p.m. Motion carried.**

.02 False Alarms

CAO MacMurtry advised Council that there are currently two (2) outstanding invoices for false alarms: Dundee Wealth Management Inc. and Canada Post Corporation. After three (3) visits to Canada Post the Town was able to resubmit the invoice for payment. Solicitor Gillis will research if the False Alarm Bylaw is applicable to Federal Crown Corporations and Cpl. Pemberton will meet with CAO MacMurtry to review the outstanding invoices and determine what enforcement can be done.

.03 Mid Valley Motel Tax Sale

CAO MacMurtry advised Council that a letter is being sent to Solicitor Gillis asking him to conduct a title search on the property.

11.11.04 PRESENTATIONS BY PUBLIC

.01 RCMP & Solicitor Bruce Gillis

Mayor Eddy welcomed Cpl. Pemberton of the RCMP and Solicitor Gillis to the meeting and advised that the Town is hoping to come to some sort

of resolution on the parking ticket issue. The Town would like the RCMP to carry out ticketing as prescribed under the *Summary Proceedings Act* and that given these provisions police officers patrolling the Town would be able to take steps to ticket vehicles that are parked illegally.

Cpl. Pemberton will obtain the tickets. If unable to obtain the tickets through his department he will contact Solicitor Gillis for assistance.

Councillor D. Smith advised Cpl. Pemberton that he had received comments from citizens questioning police visibility and asking if the police are patrolling at night. Cpl. Pemberton advised that forty-eight (48) foot patrols were conducted during the month of September.

Solicitor Gillis and Cpl. Pemberton left the meeting at 7:22 p.m.

11.11.03

MINUTES

It was moved by Deputy Mayor Errington, seconded by Councillor D. Smith that the minutes of the regular Council meeting of October 3, 2011 be approved as circulated. Motion carried.

11.11.05

BUSINESS ARISING FROM THE MINUTES

.01 ABL – Lowering of UV Channel

CAO MacMurtry advised Council that he had contacted T. Austin of ABL Environmental Consultants Ltd. and advised him that the Town wanted the UV channel built to specifications and asked him to talk to his insurance company. T. Austin will contact his insurance company and has asked ACL for an estimate on the repair.

.02 Enforcement of Bylaw on Past False Alarms

This item was addressed under agenda item 11.11.02.02.

.03 Mid Valley Motel Tax Sale

This item was addressed under agenda item 11.11.02.03.

.04 Diamond Municipal Services Breakdown of Recommend Services

This item will be addressed under agenda item 11.11.06.03.

.05 Joint Letter with County on Condition of Junction Road

CAO MacMurtry advised Council that a joint letter with the County to NS Transportation and Infrastructure Renewal on the condition of Junction Road has been drafted and sent to the County for approval.

.06 Parking Ticket Issue

This item was addressed under agenda item 11.11.04.

11.11.06

NEW BUSINESS

Action Items

.01 Annual Appointments' List

It was moved by Councillor Britney, seconded by Councillor den Haan that, on recommendation from the Committee of the Whole, Council approve the annual appointment list as presented. Motion carried.

Mayor Eddy asked that if members of Council hear of anyone interested in the Pool Operating Committee or Annapolis Valley Mental Health to advise CAO MacMurty.

.02

Bylaw Amendment – Final Reading, Chapter 40–Partial Tax Exemption By-Law: Future View

It was moved by Councillor D. Smith, seconded by Councillor G. Smith, that Council approve the second reading and passing of the amendments to Partial Tax Exemption Bylaw, Chapter 40 of the By-laws of the Town of Middleton. Motion carried.

.03

Accounting Software Upgrade

It was moved by Councillor den Haan, seconded by Councillor Britney, that Council agree to the purchase of the Diamond Software package in the amount of \$127,655.00 including HST. Motion carried.

CAO MacMurty and Director of Finance Daine, on questions from Council, advised that:

- annual fees will be eleven thousand dollars (\$11,000.00) compared with the eight thousand dollars (\$8,000.00) the Town currently pays Procom;
- the Town will sign a contract that will guarantee that the program will be in place and operational by a certain date;
- the Town does have the hardware capability to handle the new software.

.04

UNSM-RCMP Contract Negotiations

Mayor Eddy advised Council that:

- the Federal Government wants a twenty (20) year contract with the Province and Municipalities for RCMP services;
- the current contract expires in 2014 and that if the province does not commit to the proposed federal contract, the RCMP would withdraw services in 2014;
- there is a concern about the new and added costs being placed on municipalities and province without adequate controls or accountability.

It was moved by Deputy Mayor Errington, seconded by Councillor D. Smith, that Council instruct the Chief Administrative Officer (CAO) to prepare a letter for the Mayor's signature to our Member of Parliament Greg Kerr outlining Council's concern of the increasing costs of the RCMP without any avenue for input into the control over costs and the accountability of service. Motion carried.

.05

Royal Canadian Legion False Alarms

It was moved by Deputy Mayor Errington, seconded by Councillor D. Smith, on recommendation from the Committee of the Whole, that Council approve the charge of two hundred dollars (\$200) for a false alarm at the Middleton Legion be written off due to the circumstances of the alarm activation and that a letter be sent to the Legion stating that there will not be any more write offs. Motion carried.

.06

Intermunicipal Tax Sharing Agreement - Extension

It was moved by Councillor D. Smith, seconded by Councillor Britney, on recommendation from the Committee of the Whole, that Council agree in principal to the extension of the current Intermunicipal Tax Sharing Agreement to include the area between Junction Road, Highway 101 and Commercial Street. Any extension of services would be at the cost of the developer. Motion carried.

.07 Bills

It was moved by Councillor G. Smith, seconded by Councillor den Haan, on recommendation of Committee of the Whole, that Council approve the payment of bills in the amount of \$331,976.24. Motion carried.

Information/Discussion Items

.03 Traffic Study Update

CAO MacMurtry advised Council that he had met with Loblaws last week with the following results:

- They have agreed to redesign the parking lot and the entrance into the parking lot.
- They have agreed to the easements required for the traffic lights.
- They will review the Town's request to fund fifty percent (50%) of the cost of the traffic lights and advise the Town of an answer by next week. Once the Town receives the letter from Loblaws, the tenders can be prepared, awarded in March with the actual physical work taking place in April or May.
- Loblaws is looking to open by March 31.

Deputy Mayor Errington has spent some time talking to residents of Spring Garden Road and to date they do not have any complaints on the development.

11.11.07

REPORTS

.01 Committee of the Whole

All items from the Committee of the Whole meeting of October 17, 2011 have been dealt with earlier in the meeting.

.02 Mayor

Mayor Eddy tabled his report for the month of October. 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

The reports for the month of October have been circulated to all members of Council.

.05 RCMP

The RCMP report for the month of October was circulated to all members of Council. CAO MacMurtry advised Council that there will be staff changes taking place: Cpl. Pemberton will be moving to Hamilton, Ontario and Sgt. Rocky Calhoun is now Ops NCO.

11.11.08

CORRESPONDENCE

A list of correspondence for the month of October has been circulated to all members of Council.

11.11.09

ANYTHING BY MEMBERS

Councillor G. Smith stated that she drove through Town very late one evening and that there were lots of kids hanging around.

Deputy Mayor Errington has been out knocking on doors for Neighbourhood Watch and the response has been very positive.

Councillor D. Smith stated that the Town is looking better and better every time he walks around. He wanted to pass onto public works that they are doing a good job and that the citizens are noticing.

Councillor Britney wanted to ensure that there is a good mechanism in place for the tracking of the time that is spent on Planning, Building and Fire Inspection Services with the other two (2) towns. CAO MacMurtry advised that staff are tracking their time and the other towns will be invoiced.

Mayor Eddy reminded Council of the Remembrance Day Services and stated that he and Deputy Mayor Errington had visited businesses on Halloween as part of a Halloween promotion. Nine (9) businesses participated in the promotion and next year the Town may be able to provide support by promotion of the event through the Town's newsletter.

CAO MacMurtry will talk to the owner of the Glass House Gallery & Restaurant regarding hosting of the Town's Christmas party.

CAO MacMurtry, Director of Finance Daine and Recording Secretary McAuley left the meeting at 8:05 p.m.

11.11.06

NEW BUSINESSInformation/Discussion Items

- .02 Personnel (In Camera)

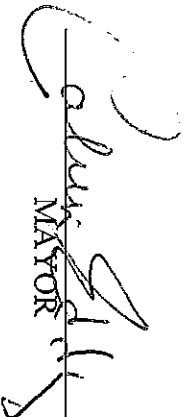
It was moved by Councillor D. Smith, seconded by Councillor Britney, that the Council adjourn to in-camera at 8:05 p.m. to discuss personal issues.


It was moved by Councillor D. Smith, seconded by Deputy Mayor Errington, that council return to regular session at 8:40 p.m.

11.11.10

ADJOURNMENT

There being no further business, it was moved by Councillor D. Smith, seconded by Councillor Britney that the Council adjourn as 8:41 p.m.


MAYOR


SECRETARY