



**COMMITTEE OF THE WHOLE
Town Hall – Council Chambers
Monday, November 16, 2015
7:00 pm**

AGENDA

1. Call to Order
2. Approval of the Agenda
3. Presentation
 - 3.1 Soldiers' Memorial Hospital Update – Jeanne Saulnier
 - 3.2 Provincial Tobacco Legislation – Lisa Salley, Soldiers' Memorial Hospital
4. Approval of the Minutes
5. Action Items
 - 5.1 RFD 023-2015: Whistle Blower Policy
 - 5.2 Appointment of Building and Fire Inspectors
 - 5.3 Cancellation of December Committee of the Whole Meeting
 - 5.4 UNSM Annual Conference Report
6. Information/Discussion Items
 - 6.1. Management Reports
 - 6.2. Planning Services Reports – October 2015
 - 6.3. Accounting Activities Report – October 2015
7. Anything by Members
8. Adjournment



REQUEST FOR DECISION
Whistle Blower Policy
#023-2015

Date: 10 November 2015	Subject: Whistle Blower Policy
Proposal Attached: Yes	Submitted by: Rachel Turner, Chief Administrative Officer

Proposal:	To approve a Whistle Blower Policy for the Town of Middleton
Background:	<p>In the past several years, there have been incidents of financial misconduct in municipal units, both in Nova Scotia and across North America, which have led to criminal charges for municipal employees as well as financial difficulties for the affected municipal unit. This is not a common occurrence but one that has made the news and hit the radar of municipal officials, municipal auditors, and the public.</p> <p>Through the Town's most recent financial audit, the Town's Auditor suggested that the implementation of a Whistle Blower Policy would be beneficial to ensure that there is a clear process in place that would allow for the reporting of any wrongdoing. This is a proactive response to ensure that a process is clarified, for all members of staff and Council, should any problems arise in the future. Specifically, it is in place for the following reasons:</p> <ul style="list-style-type: none"> • prevent retaliation against employees for expressing concerns about perceived wrongdoing (the legal imperative); • prevent public disclosures of alleged organizational wrongdoing (the practical imperative); and • create a more just workplace (the ethical imperative). <p>Within a good policy, the following should be included:</p> <ul style="list-style-type: none"> • a clear statement that employees who are aware of possible wrongdoing within the organization have a responsibility to disclose that information to appropriate parties inside the organization; • the designation of specific individuals or groups outside the chain of command as complaint recipients; • a guarantee that employees who, in good faith, disclose perceived wrongdoing to the designated parties inside the organization will be protected from adverse employment consequences; and

	<ul style="list-style-type: none"> the establishment of a fair and impartial investigative process.
Benefits:	Having a clear process in place that is communicated to employees and Council in case of wrongdoing is important for clarity around an issue that can have significant negative consequences, both for the accused and the accuser.
Disadvantages:	None foreseen.
Options:	
Required Resources:	
Source of Funding:	
Sustainability Implications: (Environmental, Social, Economic and Cultural)	Creates and sustains an ethical and legally compliant workplace, ensuring the appropriate use of public funds.
Staff Comments/ Recommendations:	
CAO's Review/ Comments:	This policy has been reviewed by both the Town's auditor and solicitor. Staff is recommending approval of the draft policy at the December Council meeting.

CAO Initials: RLT

Target Decision Date: 7 December 2015

Town of Middleton

Whistle Blower Policy – Draft

This Policy, which has been approved and issued by Council, is a statement by the Town of Middleton that improper, unethical or inappropriate behaviour in the conduct of the business of the Town is unacceptable. All cases of suspected wrongdoing are to be reported and managed in a timely and appropriate manner.

1. Statement of Principles

The Town of Middleton is committed to safeguarding elected officials, the CAO, employees, and the public from harm or loss arising from illegal or irregular conduct by persons acting on behalf of the Town. The Town of Middleton is also committed to safeguarding public assets from loss or damage arising from such acts as vandalism, theft or an attempt by anyone to gain, by deceit, any benefit they are not entitled to in the discharge of municipal responsibilities.

The Town of Middleton is committed to responding to allegations of wrongdoing in an appropriate manner following an examination into the allegation of illegal and/or irregular activities.

The success of this policy depends on each and every individual working in and for the Town of Middleton being committed to adhere to this policy at all times in the conduct of the business of the Town.

In order to foster adherence, this policy is designed to encourage employees to come forward with allegations of wrongdoing without concern of reprisal.

2. Definitions

- a. Whistle Blower – anyone who speaks out in the name of public good from within an organization;
- b. Whistle Blowing - the act of disclosing information about a ‘wrong doing’ to someone who can help ensure the wrongdoing ceases and that its perpetrator is held accountable for his or her action(s). Whistle Blowing offers a mechanism for protecting the public interest.

3. When should I speak up?

This policy is designed to deal with concerns raised in relation to specific issues which are in the public interest and detailed below. Only genuine concerns should be reported.

Whistle Blowing means a disclosure of information made by an employee or contractor, an external person or body where they reasonably believe that one or more of the following matters is happening now, took place in the past or is likely to happen in the future. This is a non-exhaustive list of examples:

- a criminal offence;
- fraud;

- a failure to comply with a legal obligation (e.g. breach of a contractual or other common law obligation, statutory duty or requirement or administrative requirement, including suspected fraud, or breach of the Town's Code of Ethics);
- a miscarriage of justice;
- a danger to the health and safety of any individual;
- damage to the environment; and
- a deliberate concealment of information tending to show any of the above.

4. Reporting in Good Faith

If you make an allegation in good faith, but it is not confirmed by investigation, no action will be taken against you. If, however, you make allegations that are malicious or simply to cause anger, irritation or distress, disciplinary action may be taken against you.

5. Whistle Blower Protection

- a. No Town of Middleton representative or person acting on behalf of the Town shall:
 - i. dismiss or threaten to dismiss an employee;
 - ii. discipline or suspend or threaten to discipline or suspend an employee;
 - iii. impose any penalty upon an employee;
 - iv. intimidate, harass or coerce an employee;
 - v. take non-disciplinary actions contrary to the wishes of the employee, i.e. lateral transfer;

because the employee has come forward and made an allegation of wrongdoing.

- b. No member of Town Council or an employee of the Town of Middleton, Agency, Board or Commission over which Council has authority shall:
 - i. intimidate, harass or coerce another employee;

because the employee has come forward and made an allegation of wrongdoing.

- c. An employee who violates this policy may be subject to discipline up to and including dismissal of the Town of Middleton representative, person acting on behalf of the Town of Middleton representative, or employee.
- d. Any person found to have made a false allegation of wrongdoing is subject to discipline up to and including dismissal.

6. Reporting Protocol

- a. Employees are required to report any allegations of wrongdoing to their immediate supervisor, unless the allegation directly involves the immediate supervisor.
- b. If the allegation involves the employee's immediate supervisor, employees shall report the wrongdoing to their Director, or to the Chief Administration Officer (CAO) if the allegation directly involves their Director.

- c. In cases where the allegation directly involves the Chief Administrative Officer, the employee shall report the wrongdoing to the Mayor or Deputy Mayor if the Mayor is not available. If the allegation involves municipal funds, the Municipal Auditor shall also be advised.
- d. In cases where the allegation involves a member of Town Council, the allegation should be reported to the Chief Administrative Officer who shall report the matter to the Mayor or Deputy Mayor.

7. How do I speak up and what information should I provide?

You can raise your concerns by email, orally or in writing, stating that you are using the Whistle Blowing Policy.

We request that, where possible, you include the information below:

- an outline of the known or suspected wrongdoing;
- details, to the best of your knowledge, about when, where and how it occurred;
- a list of the names of those suspected of being involved (both within the Town administrative structure and externally);
- a list of the names of anyone who may have relevant information;
- details of how you came to know about the suspected activities;
- what, if any, do you estimate to be the value of the loss to the Town or other parties;
- what, if any, breaches of internal controls, policy, procedure or other requirements you believe took place;
- any specific recommendations you have for actions;
- the names of anyone who you have discussed or reported this incident to;
- your name and contact details. Please note – these will be kept confidential as far as is reasonably practicable; and
- the date and time of making the report.

You will not be expected to prove the wrongdoing that you believe you have witnessed or suspect.

8. What happens following speaking up?

The person you contact will acknowledge receipt of your concern within three (3) working days and reply to discuss the next steps with you. If you attend any meetings as part of this process, you may choose to be accompanied to this meeting by a work colleague, union representative or a lawyer.

9. Duty to Respond

- a. Upon receiving an allegation of wrongdoing, the Chief Administrative Officer, or designate, shall undertake an examination into the circumstances, ensuring the safeguarding of any pertinent notes, records or documents relating to the allegation.
- b. Following an examination which indicates inappropriate activity has occurred, the CAO, upon consultation with the Municipal Solicitor, will take action appropriate to the circumstances, which may include suspension, re-assignment or termination.

- c. Following an examination which indicates illegal activity may have occurred, the CAO shall report the findings to Council and refer the matter to an appropriate policing agency.
- d. Except as compelled by law, no employee, Town of Middleton representative or member of Town Council will reveal or confirm the identity of any Whistle Blower.



MIDDLETON FIRE DEPARTMENT

Monthly Report

August 1, 2015 to August 31, 2015

Submitted by – Chief Mike Toole

Date Printed
Nov 4 15

Middleton Fire Department
Fire Chief :Mike Toole
49 Church St, PO Box # 1366 Middleton NS B0S 1P0
PH : 902-825-3246 FAX : 902-825-6334

Page 1 of 1

Incidents

Number	Date	Alarm Time	Response Type Description	Address
15-050	Aug 27 15	20:15:57	• FIRES	
15-049	Aug 22 15	17:40:52	Alarm Equipment - C...	Town 3
15-047	Aug 10 15	14:15:52	Vehicle Accident	
15-046	Aug 8 15	12:23:52	• FIRES	County 1

4 Records Printed

Totals by Type

From Aug 1 15 to Aug 31 15





MIDDLETON FIRE DEPARTMENT

Monthly Report

September 1, 2015 to September 30, 2015

Submitted by – Chief Mike Toole

Date Printed
Nov 4 15

Middleton Fire Department
Fire Chief :Mike Toole
49 Church St, PO Box # 1366 Middleton NS B0S 1P0
PH : 902-825-3246 FAX : 902-825-6334

Page 1 of 1

Incidents

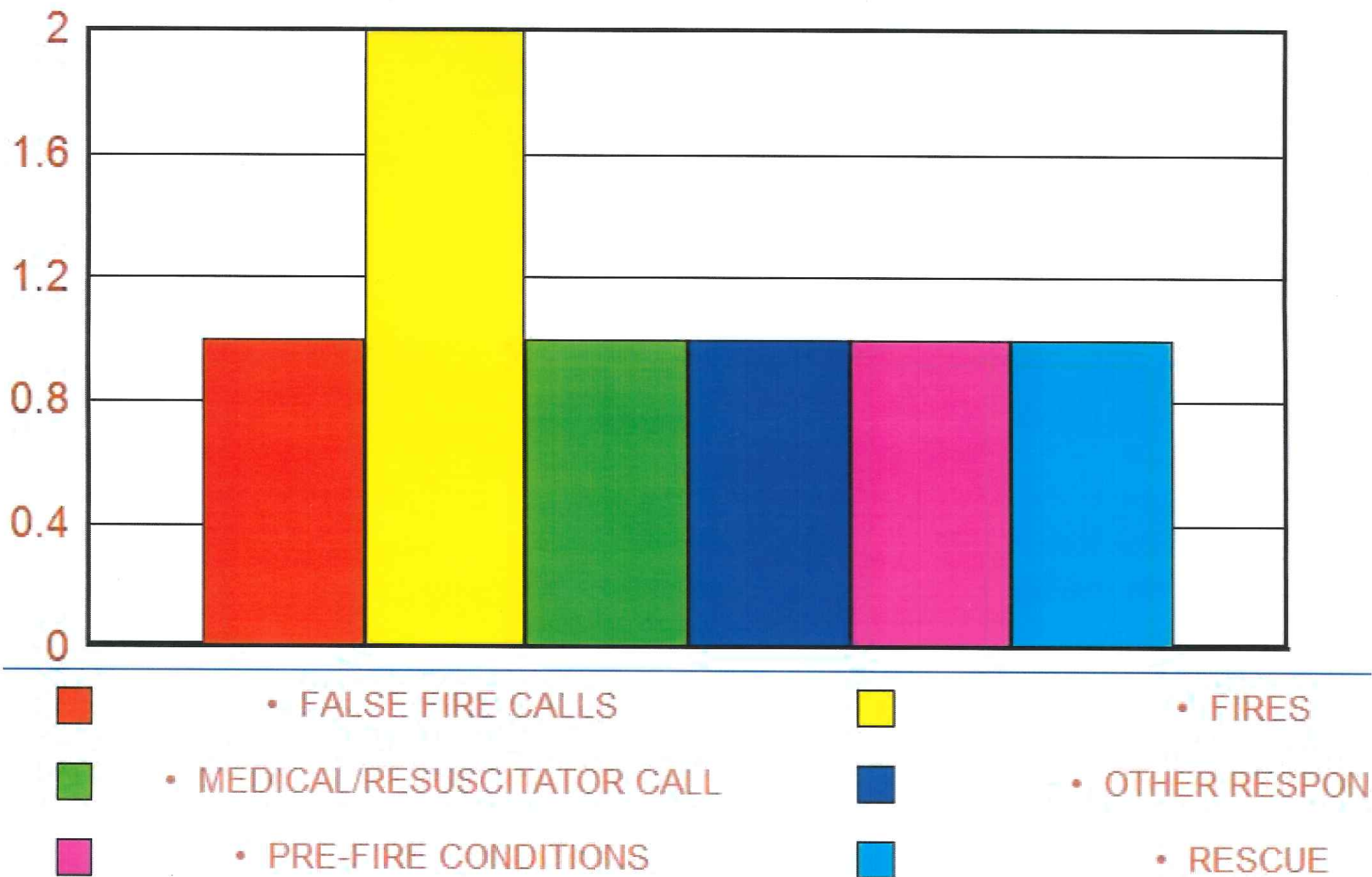
Number	Date	Alarm Time	Response Type Description	Address
15-058	Sep 29 15	20:58:55	Structure	
15-057	Sep 29 15	11:41:21	Vehicle	
15-056	Sep 14 15	10:32:24	Smoke Condition	
15-054	Sep 11 15	18:49:25	Other Public Service	
15-053	Sep 8 15	20:30:40	Authorized Controll...	
15-052	Sep 6 15	01:33:32	Vehicle Accident	
15-051	Sep 1 15	07:57:17	Cardiac Arrest	

Town - 4
County - 3

7 Records Printed

Totals by Type (grouped)

From Sep 1 15 to Sep 30 15





MIDDLETON FIRE DEPARTMENT

Monthly Report

October 1, 2015 to October 31, 2015

Submitted by – Chief Mike Toole

Date Printed
Nov 4 15

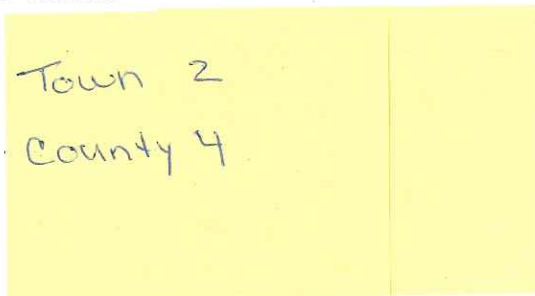
Middleton Fire Department
Fire Chief :Mike Toole
49 Church St, PO Box # 1366 Middleton NS B0S 1P0
PH : 902-825-3246 FAX : 902-825-6334

Page 1 of 1

Incidents

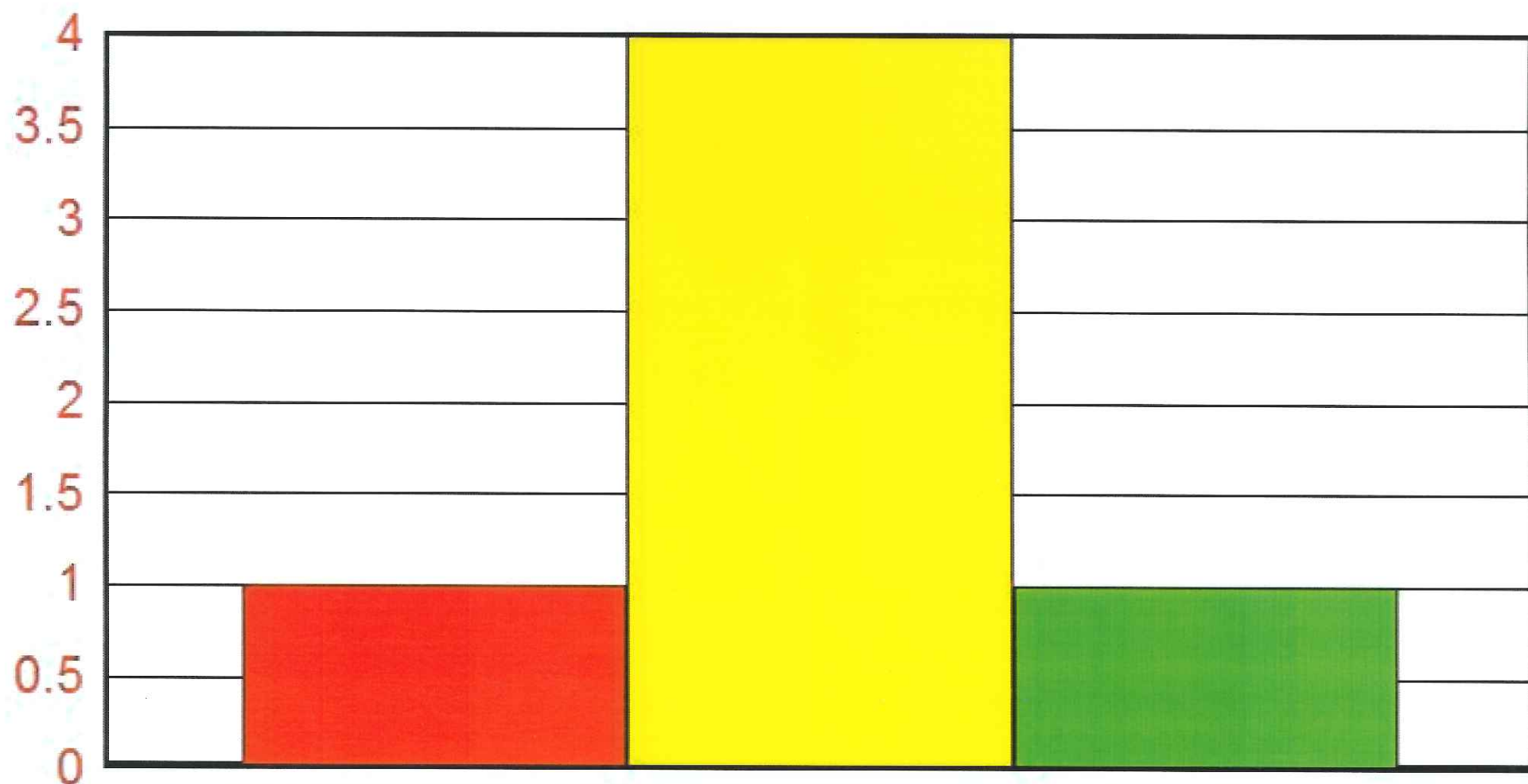
Number	Date	Alarm Time	Response Type Description	Address
15-064	Oct 24 15	14:41:11	Structure	
15-063	Oct 22 15	06:00:35	Structure	
15-062	Oct 21 15	19:41:30	Structure	
15-061	Oct 16 15	20:06:08	Alarm Equipment - R...	
15-060	Oct 9 15	20:22:42	Structure	
15-059	Oct 2 15	15:56:29	Smoke Condition	

6 Records Printed



Totals by Type (grouped)

From Oct 1 15 to Oct 31 15



• FALSE FIRE CALLS



• FIRES



• PRE-FIRE CONDITIONS



*Office of the
Director of Public Works
John Pearson
Phone: (902) 824-0771
Fax: (902) 825-6460
pwdirector@town.middleton.ns.ca*

DIRECTOR OF PUBLIC WORKS REPORT November 16, 2015

WATER DISTRIBUTION

- There were two curb stops replaced. One in front of Cinnamon Creek on Commercial Street and the other at the rear of Home Hardware Furniture on School Street.
- The splash pad was winterized. This entailed; blowing out all plumbing lines, then pumping non-toxic glycol into the splash pad's watering system, the spray nozzles were removed and capped, and a secure safety fence was installed around the total perimeter.
- A new 3/4 inch water line was installed from the Big Scoop Restaurant to the chlorination testing facility located behind the Big Scoop Restaurant
- Discussions with CBCL Engineering have been underway and they are currently working on a tender package for the water reservoir.
- The chlorination quill in the hospital chlorination facility is being replaced by Public Works.
- Beginning the stages of processing possible leak detection servicemen for the water distribution system.
- CBCL has finished the layering plan for the water distribution system. This is a plan of all water mains.
- The NSCC Energy Sustainability Engineering Technology students are working on a water turbine for the reservoir lake water as a class project. Students have expressed interest in presenting their findings to Council.

SEWER MAINS AND TREATMENT PLANT

- The landscaping at the Sewer Main on Hollow Drive was completed. This included levelling, seeding and fencing.
- The sewer treatment plant (STP) roof was shingled where necessary and the ultraviolet lights were cleaned and lubricated and the grit chamber are scheduled to be pumped. Additionally, the high level and low level lift station pumps were pulled and serviced and reinforcement of the Brook bank near the STP is ongoing.
- Investigation on the main sewer line located on Main Street, Commercial Street, Queen Street, Maple Street and School Street has been conducted. An idea that has arisen from discussions with a piping engineer are; put a new pipe inside of the existing sewer main by using a company in Detroit specializing in pipe bursting and lining.

- The pumps for the lift station on Freeman Street have been pre-purchased for the ongoing installation, the new stairs and rails have been installed and the new control panel has arrived and is awaiting installation.

ROAD REPAIR

- Line painting on all roads has been completed for this year.
- Storm drains and gutters have been cleaned.
- The drainage ditch on the North side of the houses on George Street has been cleaned.
- The time on the crosswalk at Main and Commercial was extended to give pedestrians more time to cross the road.
- Tree stumps and rough sections of sidewalk have been replaced on Commercial and Main.

GENERAL MAINTENANCE

- Vehicles have been prepped for winter use.
- Salt and sand have been stored.
- Leaf clean-up is underway.
- The Town Dump has been cleaned and organized. All brush and leaves were separated.
- Christmas trees will be installed the week of November 13th.
- The library walkway and ramp has been reinforced with concrete due to erosion.
- New trackless has been ordered from Saunders Equipment based out of Fredericton, NB.

OH & S

- COR Evaluation has been completed and the report will be sent to Public Works for distribution.
- Ongoing "Toolbox" meetings every Friday at 8:00am
- JOSH (Joint Occupational Safety and Health) meetings are held at 10:30am on the last Monday of every month.

DIRECTOR OF PUBLIC WORKS' PROJECTS

- The NSCC students have started their sustainable energy audits throughout the Town as part of a project. There are three separate projects: First, the library for PV panels on the roof for a power source; Second, the skating rink and pool buildings have been audited for heating of potable water via solar energy; Third, reuse of grey water at the splash pad and PV electrical panels for powering the changing room and storage area
- Salting and ploughing routes have been designed.
- Shovel ready projects for water sewage and storm drain are ongoing.
- A piping seminar for Public Works employees is being developed for this winter. This will aid with their work involving use of pipes, sizing of pipes, and installation practices.

John Pearson

Director of Public Works

**Regional Emergency Management Coordinator
Monthly Report
November 2015**

October	27	Exercise Handshake (from home)
	29	Exercise at The Meadows ARC, Bridgetown
November	02	Annapolis Valley Emergency Management Committee (NSHA) Meeting in Kentville.
	06	Western Zone meeting, Middleton

Respectfully submitted,

David McCoubrey
Regional Emergency Management Coordinator
Annapolis County

TOWN OF MIDDLETON

PLANNING SERVICES



OCTOBER

2015

TOWN OF MIDDLETON

BUILDING PERMIT REPORT

Figures based on Fiscal Year April to March

Municipal Unit: **Town of Middleton**

Month: **October 2015**

	Number of Building Permits	Building Value
Month: October	1	\$10,000.00
Year To Date 2015-2016:	16	\$657,890.00
Year To Date 2014-2015:	14	\$370,800.00
Year To Date 2013-2014:	11	\$564,188.00

Total Estimated Value Oct. 2015:	\$10,000.00	Total permits for Oct. 2015:	1	Total Estimated Value YTD 2014-2015:	\$657,890.00	Permit Fees Oct. 2015:	\$135.00
Total Estimated Value Oct. 2014:	\$5,000.00	Total permits for Oct. 2014:	1	Total Estimated Value YTD 2013-2014:	\$370,800.00	Permit Fees YTD 15-16:	\$5,851.79
Total Estimated Value Oct. 2013:	\$20,000.00	Total permits for Oct. 2013:	1	Total Estimated Value YTD 2012-2013:	\$564,188.00		

File #	Name	Applicant Address	Location	Construction	Date Building Permit Issued	Permit Fee	Estimated Value
M15-027	Middleton & District Rink Commission	Middleton	31 Gates Ave.	insulation	October 16, 2015	\$35.00	\$10,000.00

Dev. Permits Only	2 permits	\$100.00
Renewed Permits	0 permits	\$0.00
Total October:		\$135.00

Total Active Permits: 33

\$10,000.00



Town of Middleton LIU/GIS
 GIS & Planning Technical Support Services
 Period : September 1 to September 30

Submitted by: Trevor Robar

Date: November 8 2015

September			
Task	Category	Date	Hrs
Prepared MPS mapping information for 4 Site Group	OTHER	September 9 2015	7.00
Form and Database design for work order/repair sheet to track PW repairs	PW	September 28 2015	2.00
			Hrs
			9.00

Note: OTHER item is for the MPS Review work for 4Site Group

Category Description: **PW** = Public Works **PLAN** = Planning **REC** = Recreation
OTHER = Meetings, Printing etc...



Town of Middleton LIU/GIS
 GIS & Planning Technical Support Services
 Period : October 1 to October 31

Submitted by: Trevor Robar

Date: November 8 2015

October			
Task	Category	Date	Hrs
GIS and map design for the new Schedule 'A' Zoning Map for MPS Review	OTHER	October 5 2015	2.00
Update building footprint information from Provincial File	PLAN	October 23 2015	1.00
Re locate Street Light Poles GIS data from Black & MacDonald	PW	October 23 2015	1.00
			Hrs
			4.00

Note: OTHER item is for the MPS Review work for 4Site Group

Category Description: **PW** = Public Works **PLAN** = Planning **REC** = Recreation
OTHER = Meetings, Printing etc...