

# **COUNCIL MEETING AGENDA**

## **TOWN OF LUNENBURG**

Tuesday, February 14, 2023 at 6 pm

Council Chamber, 120 Townsend St. and Zoom Webinar/YouTube Live



### **1. Call to Order**

### **2. Acknowledgement of Mi'kma'ki the Ancestral and Unceded Territory of the Mi'kmaq People**

### **3. Approval of Agenda**

Draft motion: Moved and seconded that Council approve the agenda for the February 14, 2023 meeting as presented.

### **4. Approval of Minutes**

Draft motion: Moved and seconded that Council approve the minutes of the January 24, 2023 meeting as presented.

### **5. Public Hearings, Presentations and Questions**

### **6. Correspondence, Petitions and Proclamations Consideration**

6.1 Queen Elizabeth II Condolence Book – for information

### **7. Business Arising from the Minutes/Unfinished Business**

7.1 Water Treatment Plant Solar Array Engineering Design Budget Revision

Draft Motion: Moved and seconded that the WTP Solar Array Engineering Design Budget be increased by \$17,500 (from \$20,500 to \$38,000) with the additional funding to be sourced from the Water Utility's Depreciation Reserve.

### **8. Committee Meeting Minutes, Recommendations, Reports and Notices of Motion**

8.1 Repealing of Town Policies – Notice

Draft motion: Moved and seconded that Council give notice that at its next regular meeting on February 28, 2023, Council may consider repealing the following policies:

1. Distribution of Town Pins
2. Reproduction and Use of the Town's Flag and Logo
3. Legal Counsel for Lunenburg Council, Committee and Staff Members
4. Employment Related Sexual Harassment
5. Right to Refuse Work
6. Use of Seat Belts in Town Vehicles
7. Municipal Planning Strategy and Land Use By-Law Five (5) Year Review
8. Leaf Pick-Up and Disposal
9. Tree Limb and Brush Pick-Up and Disposal
10. Oil Spill Contingency and Waste Oil Disposal Policy (For Electric Utility)
11. Insertions with Electric Light Bills

- 12. Covid-19 Pandemic Property Tax Financing Program
- 13. Lunenburg War Memorial Community Centre Accounts Receivable Billing\Accounting Procedure
- 14. Staff Meeting Pay Procedure
- 15. Returned Cheques

**9. New Business**

9.1 Appointment of Heritage Officer

Draft motion: Moved and seconded that Council appoint Hilary Grant as a Heritage Officer for the Town of Lunenburg, as per Section 19 of the Heritage Property Act.

9.2 Additional Budget for Replacement Vehicle for the Water Utility

Draft motion: Moved and seconded that \$31,332 for a Water Utility Replacement Vehicle be added to the 22/23 Water Utility Capital Budget with \$25,000 in funding from the Water Utility's Depreciation Reserve to be added to the insurance proceeds.

**10. In Camera Meeting**

Draft Motion: Moved and seconded that Council meet in camera at \_\_\_\_\_ p.m. to consider the following matter pursuant to section 22 (2), Municipal Government Act:

- Acquisition, sale, lease and security of municipal property.

**11. Resumption of Council Meeting in Public Session**

Motion to consider any in camera meeting notices of motion and/or recommendations pursuant to section 22 (3), Municipal Government Act.

**12. Adjournment**

*Agenda items awaiting staff reports, etc. for further consideration*

Agenda Item	Assigned to	Council Meeting Assigned	Status	Anticipated Return Date

## COUNCIL MEETING MINUTES TOWN OF LUNENBURG

Tuesday, January 24, 2023 at 6 p.m.

Council Chamber, 120 Townsend St. and Zoom Webinar/YouTube Live




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Present	Mayor Matt Risser, Deputy Mayor Peter Mosher, Councillors Melissa Duggan, Stephen Ernst, Jenni Birtles and Susan Sanford
Absent	Councillor Ed Halverson
Also present	Jamie Doyle, Chief Administrative Officer Tyson Joyce, Director of Public Works Arthur MacDonald, Director of Community Development Heather McCallum, Public Engagement Specialist Michael Best, Communications Manager Kayla Byrne, Municipal Clerk Devin Casario, Economic Development and Funding Manager
Call to Order	The Mayor called the meeting to order at 6 p.m.
Land acknowledgment	The Mayor recognized Lunenburg's location on the unceded territory of the Mi'kmaq people.
Approval of Agenda	Moved and seconded that Council approve the agenda for the January 24, 2023 meeting as presented.
Approval of Minutes	Moved and seconded that Council approve the minutes of the January 10, 2022 meeting as presented.
Public Hearings, Presentations and Questions	None.
Regional Anti-Racism Task Force	Council received a letter from Bridgewater's Anti-Racism Task Force with respect to updates on the creation of a regional Anti Racism Task Force and the hiring of a regional Anti Racism Coordinator.
Renaming of Cornwallis Street, Public Washrooms, and Parking	Council received a letter from a resident with respect to various municipal items such as renaming Cornwallis Street, public washrooms and parking.
Wear Red Day Proclamation	To show support for the awareness of heart disease, the Mayor issued a proclamation stating that February 13, 2023 is Wear Red Day in the Town of Lunenburg.
Marine Vessel-to-Grid Systems Project	Moved and seconded that Council direct the CAO to send a letter of support for the Marine Vessel-to-Grid Systems Project. <b>Motion carried unanimously</b>

- Chief Administrative Officer Bylaw Moved and seconded that Council approve the Chief Administrative Officer Bylaw as presented in agenda item 7.1.  
**Motion carried unanimously**
- Policy Development and Review Policy Moved and seconded that Council approve the Policy Development and Review Policy as presented in agenda item 7.2.  
**Motion carried unanimously**
- LCAAC Appointment Moved and seconded that Council appoint Jeane Fay to the Lunenburg County Accessibility Advisory Committee for a three-year term.  
**Motion carried unanimously**
- Town of Lunenburg Economic Impact Study/Analysis Moved and seconded that Council approve the development of an economic impact study/analysis; and that Council approve including \$50,000 in the 2023/24 Draft Operating Budget for the economic impact study/analysis; and that the study not proceed until at least \$50,000 worth of matching funds are provided by non-town sources with at least \$10,000 coming from every partner of the study.  
**Motion carried unanimously**
- Adjournment There being no further business, the January 24, 2023 Council meeting adjourned at 6:13 p.m.

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Minutes were read and approved.



GOVERNMENT HOUSE

16<sup>th</sup> January 2023  
HALIFAX

The Town of Lunenburg  
His Worship Matt Riser  
P.O. Box 129  
119 Cumberland St  
Lunenburg, NS B0J 2C0

Your Worship,

The Lieutenant Governor asked me to thank you for sending along the Town of Lunenburg's condolence book in memory of Her Majesty Queen Elizabeth II. We removed the relevant pages, and these will be sent along with the Provincial Condolence Book to the Archives. Notice of the condolence books has also been sent to His Majesty The King.

Enclosed, please find your lovely leather book, which I am sure you will find a future use for. As a rule, Archives do not normally accept these sorts of binders due to space limitations.

Please accept the Lieutenant Governor's thanks to you and the Town of Lunenburg for taking the time to commemorate Queen Elizabeth II's remarkable service to Canada and the Commonwealth.

With all kind regards,

Yours sincerely,

Christopher McCreery, MVO

*P.S. I also enclosed a booklet  
from the Provincial service for  
Her Late Majesty.*

## MEMORANDUM

**TO: TOWN COUNCIL**

**FROM: TYSON JOYCE, TOWN ENGINEER**

**DATE: JANUARY 31, 2023**

**RE: WATER TREATMENT PLANT SOLAR ARRAY ENGINEERING DESIGN BUDGET REVISION**

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### **1. FACTS**

Staff issued a Request for Proposals (RFP) for the Engineering Design for the Solar Array at the Water Treatment Plant (WTP) Site based on the motion passed at the August 9, 2022 Council Meeting. This report includes a recommendation for Town Council to approve the award of this RFP with a revised budget.

### **2. ISSUES AND OPTIONS ANALYSIS**

On August 9, 2022, Town Council accepted a recommendation from Staff to approve an increase to the Water Utility budget in the amount of \$20,500 (including contingency and net HST) for the Engineering design for the solar array at the WTP Site. This value was based on cost estimates included in the Feasibility Study previously compiled by a Consultant (PES HV Limited).

The Engineering Design scope includes electrical, structural and geotechnical components for the combined ground and roof mounted solar array system recommended in the Feasibility Study.

#### RFP Results

The following is a summary of the Proposal pricing submitted for the WTP Solar Array Engineering Design, excluding HST.

<b>Company</b>	<b>Tender Price (excluding HST)</b>
CBCL Ltd	\$61,295.60
Charge Solar	\$33,032.50
CORBO Engineering/Architecture	\$70,000.00
Hysovent Ltd**	\$24,520.00
MRV Energy Consulting Inc**	\$17,820.00
Strum Engineering Associates Ltd	\$57,494.25
WSP Canada Inc	\$36,000.00

The two Proposals highlighted with \*\* in the Table removed important scope items to meet what they understood was the Town's budget based on the August 9, 2022 Council Meeting.

**3. FINANCIAL IMPACT**

The amount approved in the 2022/23 Water Utility Capital Budget for the WTP Solar Array Engineering design is \$20,500 (including net HST) funded with Water Utility's Depreciation Funds.

Based on the results of the RFP, the Budget for the WTP Solar Array Engineering Design needs to be increased to \$38,000 (including net HST). There is capacity within the Water Utility's Depreciation Fund to support the increased cost of this project. The Water Utility's Depreciation Reverse balance on March 31, 2023 is projected to be \$1.5M.

**4. STRATEGIC PLAN RELEVANCE**

Capital Construction Projects are part of the Servicing and Facilities Strategic Direction of the Town's Comprehensive Community Plan: A town that is ecologically diverse and climate resilient that has adapted to a changing climate while also reducing its overall footprint on the natural environment.

**5. RECOMMENDATION AND DRAFT MOTION**

It is recommended that Council approve the following motion:

Draft Motion:

Moved and seconded that the WTP Solar Array Engineering Design Budget be increased by \$17,500 (from \$20,500 to \$38,000) with the additional funding to be sourced from the Water Utility's Depreciation Reserve.

Acknowledged only by:

Jamie Doyle  
CAO

**MEMORANDUM**

**TO: COUNCIL**

**FROM: KAYLA BYRNE, MUNICIPAL CLERK**

**DATE: FEBRUARY 14, 2023**

**RE: REPEALING OF TOWN POLICIES**

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**1. FACTS**

Staff are in the process of reviewing all Town of Lunenburg policies.

Staff have identified the following 15 policies as ones that should be repealed. Staff have reviewed and confirmed these policies are outdated or no longer practical:

<b>Policy</b>	<b>Reason for removal</b>
<a href="#"><u>#2 Distribution of Town Pins</u></a>	This is not a common request and does not require a policy. The CAO may authorize the distribution of town pins at their discretion.
<a href="#"><u># 24 Reproduction and Use of the Town's Flag and Logo</u></a>	This is not a common request and does not require a policy. The CAO may authorize the reproduction and use of Town flags at their discretion.
<a href="#"><u>#57 Legal Counsel for Lunenburg Council, Committee and Staff Members</u></a>	Legal counsel services are defined in service agreements.
<a href="#"><u>#39 Employment Related Sexual Harassment</u></a>	This policy is outdated and not comprehensive to an overall respectful workplace. Both the Nova Scotia Human Rights Act and the Canadian Human Rights Act forbid workplace sexual harassment; these acts take precedence. The Town ensures all safe and respectful workplace practices are followed by all employees.
<a href="#"><u>#55 Right to Refuse Work</u></a>	An employee's Right to Refuse work is legislated by Occupational Health and Safety Act. This item does not require a stand-alone Council policy.

<a href="#">#34 Use of Seat Belts in Town Vehicles</a>	Everyone, 16 years of age and older, driver or passenger, riding in a motor vehicle in Nova Scotia is required to wear a seat belt, if a seating position with a seat belt is available to them. This item does not require a stand-alone Council policy.
<a href="#">#20 Municipal Planning Strategy and Land Use By-Law Five (5) Year Review (Effective 1991)</a>	Provisions for reviewing the MPS and LUB are outlined the current MPS. The Town also has an updated Planning Public Participation Program Policy that works in tandem with the Municipal Government Act and the Municipal Planning Strategy.
<a href="#">#63 Oil Spill Contingency and Waste Oil Disposal Policy (For Electric Utility)</a>	This is not municipal policy, but rather workplace protocols. All staff adhere to current safety protocols in their respective workplaces. The Town's Joint Occupation Healthy and Safety will be undergoing a review of all safety related policies to identify which should be a part of a safety manual/protocols and which should be a municipal policy.
<a href="#">#13 Insertions with Electric Light Bills</a>	The Town stopped this practice a few years ago. Town departments and outside organizations may request to be added to the Town's online community calendar on the <a href="#">municipal website</a> .
<a href="#">#97 Covid-19 Pandemic Property Tax Financing Program</a>	This program was only in place for 2020.
<a href="#">#23 Lunenburg War Memorial Community Centre Accounts Receivable Billing\Accounting Procedure</a>	The Lunenburg War Memorial Community Centre Commission no longer exists.
<a href="#">#37 Staff Meeting Pay Procedure</a>	Meeting pay is currently not offered to Town staff.  Determining meeting pay for staff is the responsibility of the CAO and does not require a Council policy.

<p style="text-align: center;"><a href="#">#7 Returned Cheques</a></p>	<p>This is outdated and is an administrative practice, which does not require a Council policy.</p>
<p style="text-align: center;"><a href="#">#11 Leaf Pick-Up and Disposal</a></p>	<p>This is an operational practice and does not need a policy of Council. This work will be communicated through usual means such as advertising in the local newspaper and on the Town's website and social media.</p>
<p style="text-align: center;"><a href="#">#12 Tree Limb and Brush Pick-Up and Disposal</a></p>	<p>This is an operational practice and does not need a policy of Council. This work will be communicated through usual means such as advertising in the local newspaper and on the Town's website and social media.</p>

Staff will continue to review existing policies. Other policies may be identified as ones that should be repealed or amended.

**2. ISSUES AND OPTIONS ANALYSIS**

- **Legislation**

In accordance with the Municipal Government Act, before a policy is passed, amended or repealed, Council must give at least seven days' notice to all Council members.

- **Alternative recommendations**

That Council direct Administration to make amendments to the list of policies to be repealed.

**3. FINANCIAL IMPACT**

There is no financial impact related to this request.

**4. STRATEGIC PLAN RELEVANCE**

- **Governance, G5:** Continue to build and maintain a system of municipal administration that can adapt to changing community needs and aspirations.
  - **Internal Operations:** Undertake a policy, procedure and bylaw review to enable implementation of CCP.

5. **RECOMMENDATION AND DRAFT MOTION**

That Council give notice that at its next regular meeting on February 28, 2023, Council may consider repealing the following policies:

1. Distribution of Town Pins
2. Reproduction and Use of the Town's Flag and Logo
3. Legal Counsel for Lunenburg Council, Committee and Staff Members
4. Employment Related Sexual Harassment
5. Right to Refuse Work
6. Use of Seat Belts in Town Vehicles
7. Municipal Planning Strategy and Land Use By-Law Five (5) Year Review
8. Leaf Pick-Up and Disposal
9. Tree Limb and Brush Pick-Up and Disposal
10. Oil Spill Contingency and Waste Oil Disposal Policy (For Electric Utility)
11. Insertions with Electric Light Bills
12. Covid-19 Pandemic Property Tax Financing Program
13. Lunenburg War Memorial Community Centre Accounts Receivable Billing\Accounting Procedure
14. Staff Meeting Pay Procedure
15. Returned Cheques

6. **ATTACHMENTS**

Links to all policies identified in this report are in the table above.

## MEMORANDUM

**TO: TOWN COUNCIL**

**FROM: ARTHUR MACDONALD, DIRECTOR OF COMMUNITY DEVELOPMENT**

**DATE: JANUARY 26, 2023**

**RE: APPOINTMENT OF HILARY GRANT AS HERITAGE OFFICER**

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### **1. FACTS**

The purpose of this report is to appoint Hilary Grant as the Town's Heritage Officer. Section 19 of the *Heritage Property Act* states that if Council adopts a conservation plan and by-law Council must designate a Heritage Officer who will be responsible for the conservation plan and by-law and the issuance of certificates of appropriateness thereunder.

We are in the process of building the new Department of Community Development. One step in this process is designating our Senior Planner, Hilary Grant, Heritage Officer, under the *Heritage Property Act*.

Hilary already holds the title of Senior Planner/Heritage Officer, and her job description includes the Heritage Officer duties. Hilary has a Master's in Heritage Studies from the University of Cambridge. She is a member of the International Council of Monuments and Sites and the Society for the Study of Architecture in Canada. As part of her employment, Hilary will pursue a professional planner accreditation.

Please note that the Director of Community Development, Arthur MacDonald, will remain appointed to act, from time to time, in the Heritage Officer's stead to cover, for example, vacations and sick leave.

### **2. ANALYSIS**

No analysis for this request is deemed necessary.

### **3. FINANCIAL IMPACT**

There is no financial impact related to Hilary Grant being appointed Heritage Officer.

Hilary was hired with the understanding that she would be delegated the Heritage Officer duties. Thus, there is no increase in salary associated with this appointment.

### **4. STRATEGIC PLAN RELEVANCE**

The re-organization of the Town's departments and the creation of the Department of Community Development is in keeping with the Town's Comprehensive Community Plan, in particular:

Governance: Direction to enhance internal and external relations through policies procedures, and resources.

**5. RECOMMENDATION**

It is recommended that Council appoint Hilary Grant as the Town's Heritage Officer.

**Motion:** That Council appoint Hilary Grant as a Heritage Officer for the Town of Lunenburg, as per Section 19 of the *Heritage Property Act*.

Acknowledged only by:

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Jamie Doyle  
CAO

## MEMORANDUM

**TO: TOWN COUNCIL**

**FROM: TYSON JOYCE, TOWN ENGINEER**

**DATE: FEBRUARY 8, 2023**

**RE: ADDITIONAL BUDGET FOR REPLACEMENT VEHICLE FOR THE WATER UTILITY**

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### **1. FACTS**

The half ton truck used by the Water Utility was involved in a motor vehicle collision on January 11 at the four way stop in Lilydale. Fortunately, there were no serious injuries sustained in the incident, but there was significant damage to the Water Utility's truck and it was later assessed by the Town's Insurance Company as a write off.

The Water Utility half ton truck lost in the accident was a 2005 Chevrolet Silverado with approximately 190,000 km on it. The Town had recently paid for some repairs, and we had recently renewed its Motor Vehicle Inspection until 2024. The vehicle was scheduled for full replacement fiscal 2024/25 according to the Public Works Vehicle Replacement Plan.

### **2. ISSUES AND OPTIONS ANALYSIS**

The Water Utility's infrastructure covers a relatively wide expanse, including the Water Treatment Plant on Northwest Road, the intake and pumphouse on Dares Lake, the standpipe in Garden Lots and the system servicing the Town, making a dedicated vehicle to suit these conditions a priority.

The value of the settlement received from the insurance company for the 2005 Chevrolet Silverado is \$6,332.00. In the current market conditions for used vehicles, it seems improbable to find a serviceable vehicle for this amount.

The lack of an available vehicle for the Water Utility directly impacts their operations, but also has flow on effects for other Town divisions such as the Wastewater Utility, Public Works and Recreation if vehicle sharing is required.

### **3. FINANCIAL IMPACT**

The amount received in the settlement for the written off 2005 Chevrolet Silverado was \$6,332.00.

Based on the current market conditions for used vehicles, Staff are recommending an additional \$25,000 (including net HST) be added to the 22/23 Water Utility Capital Budget, to provide a total of \$31,332.00 (including net HST) for the Water Utility vehicle replacement.

There is capacity within the Water Utility's Depreciation Fund to support this addition to the vehicle replacement budget.

### **4. STRATEGIC PLAN RELEVANCE**

The Replacement Vehicle for the Water Utility is part of the Servicing and Facilities Strategic Direction of the Town's Comprehensive Community Plan; a town where the long-term infrastructure needs of the community are met through strategic management and incremental, well-phased upgrades that are financially sustainable.

### **5. RECOMMENDATION AND DRAFT MOTION**

It is recommended that Council approve the following draft motion:

#### **Draft Motion:**

Moved and seconded that \$31,332 for a Water Utility Replacement Vehicle be added to the 22/23 Water Utility Capital Budget with \$25,000 in funding from the Water Utility's Depreciation Reserve to be added to the insurance proceeds.

Acknowledged only by:

Jamie Doyle  
CAO