



Minutes

**Village of Chester Commission
Regular Monthly Meeting
October 15, 2014**

Present: Brenda Mulrooney, Commissioner; Wynand Baerken, Commissioner; Bill Nauss, Commissioner; William Zinck, Chair; Michael Heisler, Vice Chair; Iris Tolliver, Clerk Treasurer; Dave Richardson, Fire Chief, Everett Hiltz, Deputy Fire Chief; Blake Corkum, Captain of Engine Company

Regrets: Morgan Stevens, Assistant Deputy Fire Chief

1.0 Call to Order

Chair Zinck called the monthly meeting to order at 7:02 pm.

2.0 Minutes from August 13, 2014

MOTION: Bill Nauss moved, Mike Heisler seconded, the acceptance of the September 10, 2014 minutes. Carried.

3.0 Additions to Agenda and Approval of Agenda

MOTION: Brenda Mulrooney moved, Wynand Baerken seconded, the acceptance of the agenda. Carried.

4.0 Business Arising from the Minutes

a) Fall Hall – Bill Nauss & Brenda Mulrooney

Lindsay's also inspected the roof; Iris read the report.

Iris Tolliver asked the Commission how they want to proceed, will there be renovations carried out before the roofing is done.

Discussion was held on metal roofing versus shingle roofing.

Iris Tolliver will call and see what the warranty is and what color the metal comes in.

Bill Nauss questioned if there is a conflict as one of the companies was his nephew. Iris Tolliver said it would not be a problem, as the Commission will not be deciding, she would make the decision.

Blake Corkum stated it would be much better if metal is installed, it would be better if one strip from top to bottom to allow for the building to shift and not leak in joints.

It was agreed that this issue will be tabled until the next meeting.

4.0 Business Arising from the Minutes (continued)

b) Wreaths

A motion is needed to approve the action of placing an ad for the supply of wreaths. Brenda Mulrooney stated that the office has pricing on larger wreaths and then would only be placed on every other pole.

A brief discussion was held.

MOTION: Bill Nauss moved, Brenda Mulrooney seconded, to place the wreath ad in the paper. Carried.

c) Decorative Lights (Water Street)

Iris Tolliver stated the decorative light that has been severely damaged will cost \$7,122.00 and is not covered by insurance. And then minor damage to the base of another decorative light pole which Iris estimates \$500-\$700 worth of damage. Iris Tolliver stated to cost could be taken out of the LED light budget, as due to the savings from LED, the budget may cover the repair. If that budget runs over then it can be reduced in 2015/16 budget.

Discussion was held.

MOTION: Wynand Baerken moved, Brenda Mulrooney seconded to repair both of the lights. Carried.

d) LED Speed Sign

Iris Tolliver stated that the speed sign was received. She left a message with the RCMP for where they would like to see it placed.

Iris Tolliver is hoping, if at all possible, she would like to have it set up before the next meeting, but that will depend on where the RCMP suggest it go. Wynand Baerken suggested putting the speed sign on **Duke Street to start with.**

e) Signage

Signage needs to be posted re the car charger. A press release will be done for the Car Charger as well. Wynand Baerken suggested calling Tatamagouche to see what they have in place. Iris Tolliver will immediately get the sign on the charger and then call Stevenson's in Tatamagouche.

MOTION: Bill Zinck moved, Brenda Mulrooney seconded, to put a sign at the car charger and then contact Tatamagouche to see what they have done for exterior signage outside of the area. Carried.

Iris Tolliver will talk with the Planning department to see what is needed from them.

5. Guest Speaker – Brad Armstrong, MODC - Councillor for District 3 -- Sewer Pump

Brad Armstrong wanted to bring the Commission up to date on a few things he has been working on over the summer months but before he does, he wanted to express his thanks for helping with the garbage pickup over the summer.

Brad Armstrong worked with Denise Peterson-Rafuse, MLA and Steve McIssac, Department of Transport, was to get the bushes cut in the village, which was carried out.

Brad Armstrong clarified that he wasn't here to talk about a sewer pump, but instead a **back-up generator.**

Our sewer treatment system does not have a back-up generator system, it never has had a generator. This summer, Hurricane Arthur took out the power, and when that happens the system takes a long time to recuperate to a healthy system. This summer a terrible smell was the result of the power outage and the system not working properly. Boaters in the front harbour noticed it, patrons at the Rope Loft, on the deck noticed the issue and it wasn't pleasant.

Brad Armstrong would like to avoid this again, but the only way would be to have a back-up generator. With the left over sewer tax money, this could be taken out of these monies. The engineers are coming up with a

5. **Guest Speaker – Brad Armstrong, MODC - Councillor for District 3 -- Sewer Pump**

(continued)

plan to put a generator over there, plus a building, and also possibly at a couple of pump-out stations. Like the pump-out in front of Jim Smith's Pottery shop. When the power is out the stations have to be pumped out, and to eliminate this expense, a small generator could be installed. If a small generator could be plugged in to effectively have the system running effectively during storm outages. It is an ongoing problem that has never been looked at so Brad Armstrong is trying to move this issue forward. 'It is in the infancy stage', but it is being looked at.

Another project that they are picking away at is the Downtown Village T area water supply, which is something that businesses would have water. They have talked to the Heritage Society, and they are willing to have a look at the issue and allow a well to be drilled. There are many possibilities. Twenty-five customers are needed, and a mail-out was sent and 12 people were interested. So Councillor Armstrong is knocking on doors to discuss this issue. He has gained some new customers and lost some as it will cost approximately a minimum of \$4000.00 per year per customer. The cost will be approximately \$700,000.00 expenditure. Build Canada fund money, and Economic Development will both probably be giving some for this. Councillor Armstrong suggested that maybe a fire hydrant can be installed for the fire department usage, and then the Village would be a customer as well. Armstrong is just suggesting this so it can be discussed by the Commission.

Commissioner Mulrooney asked when a decision would be made on the generator. Brad Armstrong said once the proposal is received it then has to go to Council, but he hopes soon.

Councillor Armstrong doesn't see it as a huge issue as the funds are there, but thinks it will be a good system for the downtown core. In the past some businesses have paid upwards of \$20,000.00 for water during the summer.

Councillor Armstrong asked the Commission if they would look into regulations and consider a fire hydrant in the Village.

Commissioner Mulrooney asked if the Fire Department and Commission felt the hydrant would be a good idea, would this affect other people on the system. Brad Armstrong felt this more of an emergency use.

Jo-Anne Grant asked if the well, when dug, would there be consideration given to having faucets at the well so people can go and get water. Councillor Armstrong stated that hadn't even been considered to this point. Blake Corkum said he had been to a meeting where a Highway representative spoke and said that there was allocated monies to drill wells through the Village and MODC because of wells being ruined from salt on the streets.

Joy Calkin asked to what extent are the folks who need water, are they using their grey water to flush toilets. Iris Tolliver stated that her property is on a natural spring, is it possible that tapping into the water source at Lordly Park, may interfere with their water source. Engineers would have to answer that, Councillor Armstrong can't.

Commissioner Baerken asked if decellination or other options could be looked into before digging a well.

Councillor Armstrong said the well is all that he has looked into at this point.

Councillor thanked the Commission for allowing him to speak at this time on the water issue.

6.0 **Reports**

a) **Fire Chief's Report**

Chief Richardson stated that since the last meeting, there have been 6 calls – consisting of 2 MVCs; 1 tree on a power pole; 1 medical call; 1 mutual aid call to Chester Basin, and the most exciting was the helicopter landing in the backyard at a home on Shaw's Island.

Truck #531 is coming along very nicely and will soon be fully equipped. We have some surplus equipment that we will be donating to the fire school. Now that the 2 Fords are gone, we are in the

6.0 Reports (continued)

a) Fire Chief's Report (continued)

process of doing some renovations in bay 3. The trucks are getting their winter service. Fire prevention was held at our fire station do to the weather.

A few issues that have been brought up by some of our members are, when is the siren going to be installed, the mould issue from the roof leaking and what is going to be done to the roof. The 2 out buildings are in desperate need of work.

The fire boat will soon be coming out of the water and be loaded on the new trailer. A number of our officers met with Mike Eddy and discussed our fire service and what we need to fill the position at the fire hall.

MOTION: Dave Richardson moved the adoption of the report. Bill Nauss seconded. Carried.

b) HR Report

Chair Zinck and Commissioner Mulrooney are part of the HR committee. We have looked at standing operating procedures and are just in preliminary discussions now to move with it.

Bill Nauss wanted to join in on this Committee. Commissioner Mulrooney felt that committees have been picked and maybe they should stand as they are for this year.

A brief discussion was held.

Commissioner Baerken asked what he wanted to come on the committee now. Commissioner Nauss said to learn more by being on the committees by learning more from the HR staff.

It was decided to add Commissioner Nauss to the HR Committee.

c) PAC – Eastlink Tower

PAC has given their endorsement and will go to Council October 16, and if Council agrees, then it will hold public meetings and a letter to the public to have an opportunity to erect or not erect the tower at the Fire Hall.

Commissioner Nauss asked if there is a known timeline. Iris Tolliver felt if it passes the public meeting, then it should only be three months till tower is erected.

d) Financial Reports

J Mason Contracting wanted to meet with the Commission re the outside concrete wall at Lido pool. The fiscal review report news release, from UNSM, has two recommendations; #13 - “no new Villages will be created and no new powers will be given to Villages beyond those that currently exist” and #14 – “all incorporated Villages in Nova Scotia should be phased out and existing Villages should be given the opportunity to apply for Town Status, merge with an adjacent Town, or dissolve into encompassing rural municipality as they see fit.” Questions for feedback should be received by December 15, 2014.

The wooden pole at the Fire Hall will be assessed by an Engineer to make sure that with guide wires it is safe and stable. Iris Tolliver will get the engineering report done.

MOTION: Bill Nauss moved, Michael Heisler seconded, to have the engineer assess and report done on the present pole. Carried.

Iris Tolliver stated that there was an In Camera meeting on October 9th, to discuss the job description for the Fire Department and other human resource matters.

Bill #51 states regulations and requirements of In Camera meetings and the list of eight matters that may be discussed at In Camera meetings. It also speaks to any Commissioner or employee of the Village who discloses any report submitted to, or details of matters discussed at a private meeting of the Village Commission, or its committees, as a result of which the Village has lost financially, or the Village Commissioners or employee gained financially, is liable to damages to the Villages for the

6.0 Reports (continued)

d) Financial Reports (continued)

amount of the loss or gain. So the spirit of that is that matters discussed at In Camera meetings are private and no decision can be made at a private meeting of the Commission except a decision concerning protocol matters or to give direction to staff or solicitors. And a record which is open to the public shall be made noting the fact that the Village Commission met in private, the type of matter that was discussed as set out in section #2 and the date, but no other information. And the information applies to Committee meetings, or parts there of that are not public.

On September 19th and 20th the Association of Nova Scotia Villages (ANSV) held its Annual General Meeting which was attended by Brenda Mulrooney, President of the Association, Iris Tolliver, Commissioners Zinck and Nauss.

One of the agenda items was a topic asked about and often misunderstood in local government. And that is the duties and responsibilities of Village Commissioners and the relationship with Clerk Treasurers. A brief overview of the presentation by Chris McNeill and Mark Beck, Municipal Advisors with NS Department of Municipal Affairs. Quoting from bulletin #47, which is a clarification, it says "A Village Commissioner as such has no individual authority. The authority of the Commissioners is exercised jointly by the Village Commission, speaking through the chair or a person delegated to perform a specific function such as the Clerk Treasurer. The Village Commission sets general policies, establishes the budget, passes by-laws and generally conducts the government of the Village. It employs staff to carry out its direction in accordance with established policies and the law."

So that is a matter of record.

"Finally, part of my responsibilities as Village Clerk is to provide information to the Commission to ensure they have what they need in the decision make process. Often that involves trying to present both sides of a topic. As such, I would like to speak to the fail motion of the September 10, 2014 meeting of the Village of Chester. I ask that you please save any questions and comments until I am finished. It is my sole purpose not to sway opinion but to be on public record that this information was made available to you. The notes I am referring to are from my conversation this morning with Ed Nix who expressed keen interest and concern over this direction. The matter concerns the attempt at halting of the ISO process. Once you know there is a risk, it is your legal responsibility to take the necessary steps to mitigate that risk. There was a decision to hire Larry Chisolm to implement an ISO certification program in the budget of 2013-14. We have spent the last 12-13 months implementing policy to cover the Village administration team. Now when it comes time to implement a similar program in the fire department, there is a reluctance to move forward. The sole function of the fire department is to provide fire service. That is all they do and that is all they should do. But the day to day functions of the fire department should be administered through the Clerk's office. The Village of Chester owns the assets and the taxes flow through the Commission who have the responsibility to control expenditures. We don't make policy driven by budgetary constraint in Chester, which would be defensible in court, nor should we make policy driven by personality that won't hold up in court. What if something happens to someone or something? How are you going to defend the reversal of your decision? If a member or a couple of children perish in a structure fire or we lose a couple of million dollar homes, what are you going to say? We spent the last year developing policy to address the administrative issues of the commission, and when something goes to court they are going to ask what were your policies and procedures. They will ask could this incident have been prevented and then they will discover we deliberately disregarded the risks. We cannot accomplish the same standards with by-laws or policy. Forget about ISO and go to the

6.0 Reports (continued)

d) Financial Reports (continued)

NFPA1500 standards. Those are the minimum standards that fire departments will eventually have to meet. You don't want to create policy that contradicts NFPA and why would you want to create other policy when NFPA is already there. You are better off creating a directive that states that the CVFD will follow or is in the process of following by 'such and such a date', that for training, administration, record keeping, we shall follow the NFPA1500 guidelines for volunteer fire departments. Bylaws will not protect you. If we do go to court they are going to look at the fact that you had a process of ISO started and for some reason you nixed it as unnecessary. After something happens is when people turn on each other."

"You adopted this initiative because you wanted to make sure we can prove to our residents and members of CVFD that we are doing our due diligence. You are then acting as a proper village commission. We are interested in the safety of our members primarily and our citizens. This is what you were trying to do so why are you trying to halt it, especially at this point? In order to reverse the decision made by the Commission, you need to provide a clear justification for your actions. You will also have to justify why you have completely disregarded what the rate payers have already paid because of this reversal of decision. It is about accountability and traceability."

Iris Tolliver reiterated 'that for public record, you have been told the other side and that moving ahead to dissolve the ISO work to date, could be risky.'

Discussion was held.

MOTION: Bill Zinck moved, Bill Nauss seconded, to invite Ed Nix here for a question period at the next month's public meeting. Carried.

Iris Tolliver distributed the financial statements for July and August to the Commissioners.

Iris Tolliver reviewed the statements. Next month, the Financial Statements will be emailed.

MOTION: Brenda Mulrooney moved, Bill Nauss seconded, to accept the Financial Reports. Carried.

7. New Business

a) Occupational Health & Safety

Iris Tolliver stated that an Occupational Health & Safety committee is needed for workplaces with 5 or more employees. That would only be in the summer but an OH&S committee would be a good sense to implement OH&S policies. Iris Tolliver has been working at the policies and reports. The Commission needs to strike an OH&S Committee.

In researching OH&S it was found that each committee needs to have the "purpose".

MOTION: Bill Zinck moved, Wynand Baerken seconded, to establish an OH&S committee. Carried.

Bill Nauss and Wynand Baerken volunteered to be on the OH&S Committee.

b) Crossing Guard Shelter

Chair Zinck said he often sees the Crossing Guards standing in the weather, and was wondering if a small shelter could be put there for the Crossing Guards to get in out of weather when no one is

7. New Business (continued)

b) Crossing Guard Shelter (continued)

crossing. Iris Tolliver stated that we are half way through the budget, but not halfway through the year. So it was decided to look at this next budget time.

Iris Tolliver noticed, when she was in Maine, that coming up to the crosswalks, there were signs giving notice that you would be coming up to someone in the street with stop signs. It was similar to DOT signs. Iris would like to have a cautionary sign that there is a crossing guard ahead.

8. **Any Other Business**

a) **Press Release**

Iris Tolliver would like a press release for the car charger and also for the new fire truck, when it is already.

Brenda Mulrooney questioned when the next newsletter will be going out. Iris Tolliver stated a newsletter will be going out in November – around the middle of the month.

b) **New Position at Fire Hall**

Iris Tolliver met with the Commissioners and Mike Eddy October 9th, and there is still some concern as to what exactly the position should be. Iris Tolliver has worked with Dave Richardson and would like to move ahead with the position. Get a job description, and then work with the HR company to fill this position. Grant & Thornton's quote was \$9000 and Diane, who has her own company to do this, her quote was \$750. Iris Tolliver would like to set up a meeting with Diane and the Commissioners and Dave and then move forward with this.

c) **Fire Boat Trailer**

Iris Tolliver stated that Danny Boutilier offered to take the price of the old trailer off the cost of the new trailer. So we have saved a considerable amount of money and time.

d) **Repair to wall of Lido Pool**

Iris Tolliver said the wall of the Lido pool needs repairs. Iris Tolliver explained the repairs needed and reviewed some quotes from J. Mason on the scope of work and prices. Commissioner Mulrooney asked if this work was something that could wait to be done and placed in budget. Iris Tolliver stated it should be completed as soon as possible. Bruce from J Mason Contracting wanted to come and talk about the scope of work needing to be done.

MOTION: Bill Nauss moved, Brenda Mulrooney seconded, to have Bruce from J. Mason Contracting come to the next meeting to talk about the Lido repairs needed. Carried.

9. **Correspondence:**

> Nova Scotia Municipal Finance - received annual report

> Government of Canada sent the cheque for the summer grant for Life Guard position - \$3120.00

> Nova Scotia Environment sent updated regulations for water course alterations

> J. Mason quotation and explanation to work needed. There is 'fresh' water, which is thought to be coming down from parking lot. It is stated that some of the work will need to be completed this year, and remainder can be done in stages.

> Bob Warren forwarded the Eastlink report (as was discussed earlier in meeting)

> The Attorney General's office acknowledged that they were contacted by the Village's Solicitor

> Dave Foley sent a letter requesting the Davis, MacIntire & Associates report on the Archeological Resource Impact Assessment on the Lido Pool and also he was wondering what the tenders for services specification or RFP. Iris Tolliver will email and respond to his request.

MOTION: Brenda Mulrooney moved, Bill Nauss seconded, the acceptance of the correspondence. Carried.

10. **Questions from Electors pertaining to this meeting's agenda:**

1) Dave Richardson, with regards to the ISO & NFPA, it is very clearly stated on the website and he will get a copy of the NFPA for the Commission.

2) Dave Richardson, with regards to the roof, what is the commission going to do with the roof. Brenda Mulrooney stated that pending the money available, it was considered raising the shed roof, so shingling it would be not appropriate until the roof is raised. So they are looking to see if part can be shingled/metal roofing now, and the other part after the roof may be raised over the shed area. There is a mould issue starting from the leaking.

10. Questions from Electors pertaining to this meeting's agenda (continued)

- 3) Brad Armstrong – questioned the price difference between metal and shingling of roof. Metal roofing is \$27,300 and shingles \$30,600.
- 4) Jo-Anne Grant, Pig Loop Road, questioned if someone speaking on ISO at next meeting or is there going to be a special meeting for ISO. Ed Nix is going to be asked to be at the next monthly meeting. Jo-Anne asked why would there not be a public meeting on this issue. Jo-Anne asked why continue with ISO when the Fire Department say they are following through with the NFPA. Commissioner Baerken stated that policies are not in place.
- 5) Joy Caulken, Victoria Street – how many employees at the Fire Department now? Chair Zinck said they are all volunteers now, no employees. Dave Richardson stated that there has never been a paid position in the fire department until now. And by putting the burden on the volunteers to implement the policies, he clearly stated to Larry that it would not get done by the volunteers at the Fire service.
- 6) Kerry asked if the car charger could be used yet. He suggested that the signage have only for car charging only, as cars are parking in the spot.
- 7) Dave Richardson stated that in Terry Reddon's last two reports was for an aerial truck. This issue was brought up at the Commission meeting too. Iris Tolliver stated that the aerial truck was also needed for the Municipality.

11. Adjournment

MOTION: Bill Nauss moved, Brenda Mulrooney seconded, the meeting adjourn at 9:00 pm.

William Zinck.
Commission Chair

Maxine Veinot
Administrative Assistant