

**COUNCIL MEETING AGENDA**  
**Tuesday, September 17, 2013 @ 7:30 pm**  
**Municipal Administration Centre**  
**(Council Chambers)**

**Call to Order - Chairman, Warden Russell Boucher**

**Approval of Agenda**

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1. Approval of Minutes:

- 1) June 18, 2013 Council Meeting
- 2) July 3, 2013 Special Meeting of Council
- 3) July 30, 2013 Special Meeting of Council

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2. Business Arising from the Minutes

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3. Presentation – Antigonish Community Transit Society

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4. Road Name Change, D-3 Road

.....  
5. Antigonish/Guysborough Municipalities Water Utilities Agreement

.....  
6. Operational Services Committee Report – September 10, 2013  
- Councillor Hughie Stewart, Chair

.....  
7. Finance Committee Report – September 17, 2013 (To be available at meeting)  
- Deputy Warden Owen McCarron, Chair

.....  
8. Committee of the Whole Report – September 17, 2013 (To be available at meeting)

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9. Reports from Individual Council Members on Outside Boards, Committees, and Commissions

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10. Adjournment  
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***MUNICIPALITY OF THE COUNTY OF ANTIGONISH***

**Council Chambers  
Municipal Building**

**Tuesday  
June 18, 2013**

A Meeting of Municipal Council for the Municipality of the County of Antigonish was held on Tuesday, June 18, 2013 at 8:30 p.m. in the Council Chambers of the Municipal Administration Centre, 285 Beech Hill Road, Antigonish, NS.

Present were: ***Warden Russell Boucher, Chair***

Deputy Warden Owen McCarron

Councillor Mary MacLellan

Councillor Hughie Stewart

Councillor Bill MacFarlane

Councillor Vaughan Chisholm

Councillor Rémi Deveau

Councillor Pierre Boucher

Regrets: Councillor Donnie MacDonald

Councillor Angus Bowie

Also present was: Alan J. Bond, Municipal Clerk/Treasurer

Debbie Cormier, Deputy Clerk

Jason Boudrout, Solicitor

Sr. Agnes Beaton, REA Group

David MacLean, REA Group

Corey LeBlanc, The Casket

Bill MacCuish, 98.9 XFM

Matt Draper, The Reporter

Greg Morrow, The Hawk

Gallery

The meeting was called to order by the Chair, Warden Russell Boucher.

**APPROVAL OF AGENDA**

Warden Boucher called for any additions or deletions to the agenda as presented. The following items were deleted from the Agenda:

#1 - Words of Congratulations to Aidan & Rebecca MacDonald

#8 - Request for Road Name Change – “Sandy Randals Road”

The following item was added to the Agenda:

-Petition for Sidewalks - Councillor Bill MacFarlane

***2013-074 (Approval of Agenda)***

***MOVED by Councillor Rémi Deveau, SECONDED by Deputy Warden Owen McCarron that the agenda be approved as amended. Motion carried.***

### **APPROVAL OF MINUTES**

The Warden called for any errors or omissions to the Minutes of May 21, 2013 meeting of Municipal Council three times. Hearing none, he called for approval of the Minutes as presented.

***2013-075 (Approval of Minutes – May 21, 2013)***  
***MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Mary MacLellan that the minutes of the May 21, 2013 Meeting of Municipal Council be approved as circulated. Motion carried.***

The Warden called for any errors or omissions to the Minutes of May 28, 2013 meeting of Municipal Council three times. Hearing none, he called for approval of the Minutes as presented.

***2013-076 (Approval of Minutes – May 28, 2013)***  
***MOVED by Councillor Hughie Stewart, SECONDED by Deputy Warden Owen McCarron that the minutes of the May 28, 2013 Meeting of Municipal Council be approved as circulated. Motion carried.***

### **BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the minutes.

### **PRESENTATION – Antigonish Detachment RCMP**

Staff Sergeant Tony Perry then appeared before Council to give an update on activities in the County over the past year. A copy of Staff Sergeant Perry's report is attached to the Minutes.

### **PRESENTAITOH – Responsible Energy Action Group**

David MacLean and Sister Agnes Beaton then appeared before Council to make a presentation on behalf of the Responsible Energy Action Group (REA). REA is a community group concerned with how we obtain and use energy. A copy of their report is attached to the Minutes.

### **REPEAL OF MUNICIPAL ANTENNA SITE PROCEDURE**

A Municipal Antenna Site Procedure was approved by all Municipal Units under the Eastern District Planning Commission when the Broadband initiative was put in place.

This industry is now regulated by the Federal Government and there are now federal regulations in place governing the various cell towers that are being erected. As a result, the County is being asked to repeal this procedure as the Commission continues to get inquiries regarding these regulations.

**2013-077 (Municipal Antenna Site Procedure)**

***MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Mary MacLellan that Municipal Council repeal the Municipal Antenna Site Procedure. Motion carried.***

**APPOINTMENT TO R.K. MACDONALD NURSING HOME BOARD**

**2013-078 (R.K. MacDonald Nursing Home Appointee)**

***MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Rémi Deveau that Councillor Hughie Stewart be appointed to serve on the R.K. MacDonald Nursing Home Board. Motion carried.***

**COMMITTEE REPORTS**

**Operational Services Committee Report – June 17, 2013**

**2013-079 (Water Utilities Agreement)**

***MOVED by Councillor Hughie Stewart, SECONDED by Councillor Bill MacFarlane that the County enter into a Water Utilities Agreement with the Antigonish/Guysborough Municipalities. Motion carried.***

**2013-080 (SCADA – Gaspereaux Lake)**

***MOVED by Councillor Hughie Stewart, SECONDED by Councillor Bill MacFarlane that the County purchase a SCADA system for the Gaspereaux Lake Water System. This is to come out of the Gas Tax monies. Motion carried.***

**2013- 081 (By-Law Respecting Charges for Local Improvements)**

***MOVED by Councillor Hughie Stewart, SECONDED by Deputy Warden Owen McCarron that the County confirm the approval of the By-Law Respecting Charges for Local Improvements. Motion carried.***

**2013-082 (Taxes on Exhibition Grounds)**

***MOVED by Councillor Hughie Stewart, SECONDED by Councillor Rémi Deveau that the outstanding taxes on the Exhibition Grounds be approved for payment. Motion carried.***

**2013-083 (Funding – Highland Games)**

***MOVED by Councillor Hughie Stewart, SECONDED by Councillor Vaughan Chisholm that the request for funding towards the Highland Games be approved in the amount of \$15,000.00 for the current year. Motion carried.***

**Recreation Committee Report – June 17, 2013**

**2013-084 (Grants to Community Groups & Organizations)**  
**MOVED by Councillor Angus Bowie, SECONDED by Councillor Mary MacLellan that the 2013/2014 Community Groups & Organizations Grant Program be approved as per the attached. Motion carried.**

**REPORTS FROM INDIVIDUAL COUNCIL MEMBERS ON OUTSIDE BOARDS, COMMITTEES AND COMMISSIONS**

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- Deputy Warden Owen McCarron reported that he attended the VON Annual Meeting where he presented a cheque for \$5,000.00 on behalf of the County.
- Councillor Rémi Deveau reported that he attended a Crime Prevention Meeting. He noted that the topic of a Youth Center was discussed for 12 – 18 year olds.
- Councillor Angus Bowie noted that he attended Public Meetings with respect to the Heatherton School.
- Councillor Mary MacLellan indicated that she attended the Pictou/Antigonish Regional Library Board Annual Meeting.
- Councillor Pierre Boucher indicated that he attended a meeting of the Eastern District Solid Waste Management Committee. They are still looking at options for diversion of materials from the Landfill.
- Warden Russell Boucher reported that he, along with other members of Council had attended the FCM Conference in Vancouver. He noted it was a good conference, however, he noted that cities seem to be taking over the agenda.

**CORRESPONDENCE**

A card of thanks was received from the retired Director of Public Works, Mike O’Leary.

Councillor Bill MacFarlane then presented Council with a Petition for Sidewalk Construction from the end of Grandview Drive to Williams Point. Councillor MacFarlane requested that this petition be put on file.

On motion of Deputy Warden Owen McCarron, meeting adjourn.

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*Warden Russell Boucher*

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*Alan J. Bond, Municipal Clerk/Treasurer*

***MUNICIPALITY OF THE COUNTY OF ANTIGONISH***

**Council Chambers  
Municipal Building**

**Thursday  
July 3, 2013**

A Special Meeting of Municipal Council for the Municipality of the County of Antigonish was held on Wednesday, July 3, 2013 at 7:00 p.m. in the Council Chambers of the Municipal Administration Centre, 285 Beech Hill Road, Antigonish, NS.

Present were: ***Warden Russell Boucher, Chair***

Deputy Warden Owen McCarron

Councillor Donnie MacDonald

Councillor Bill MacFarlane

Councillor Mary MacLellan

Councillor Hughie Stewart

Councillor Vaughan Chisholm

Councillor Pierre Boucher

Councillor Rémi Deveau

Councillor Angus Bowie

Also present were: Glenn Horne, Municipal Clerk/Treasurer  
Alan J. Bond, Former Municipal Clerk/Treasurer  
Debbie Cormier, Recording Secretary  
Adam Rogers, Municipal Solicitor  
Corey LeBlanc, The Casket  
Bill MacCuish, 98.9 XFM  
Gallery

The meeting was called to order by the Chair, Warden Russell Boucher.

Warden Boucher extended a special welcome to the new Municipal Clerk/Treasurer, Glenn Horne.

**APPROVAL OF AGENDA**

Warden Boucher called for any additions or deletions to the agenda.

Item #2 – Road Name Change was deleted

One addition – Recommendations from Committee of the Whole

***2013-085 (Approval of Agenda)***

***MOVED by Deputy Warden Owen McCarron, SECONDED by Councillor Mary MacLellan that the agenda be approved as amended. Motion carried.***

**DEVELOPMENT AGREEMENT – S.F. Smith Developments**

The first item on the agenda was the application for a Development Agreement by S.F. Smith Developments Ltd. to allow for the construction of an 85 Unit Townhouse and Semi-Detached

Development for Mount Cameron Estates Retirement Village on a portion of property PID #01234723 located in Antigonish Landing.

The Warden noted that there are no presentations to be made on the issue.

Council was given the opportunity to ask questions of the Planning Commission with respect to any particular concerns that were expressed at the Public Hearing.

Hearing no questions, the Warden indicated that the Chair would entertain a motion with respect to the Development Agreement by S.F. Smith Developments Limited.

***2013-086 (S.F. Smith Developments)  
MOVED by Councillor Hughie Stewart, SECONDED by Councillor Rémi Deveau that Municipal Council approve the application for a Development Agreement by S.F. Smith Development Ltd. to allow for the construction of an 85 Unit Townhouse and Semi-Detached Development for Mount Cameron Estates Retirement Village on a portion of PID #1234723 located at the Antigonish Landing. Motion carried.***

Due to the fact that Councillor Donnie MacDonald was unable to attend the Public Hearing held on June 18, 2013, he abstained from voting on the motion.

#### **RECOMMENDATIONS FROM COMMITTEE OF THE WHOLE**

***2013-087 (LED Streelights)  
Moved by Councillor Donnie MacDonald, SECONDED by Councillor Mary MacLellan that the Municipality continue with Nova Scotia Power Corporation for the conversion of LED street lighting in the Municipality. Motion carried.***

***2013-088 (St. F.X. Support Letter)  
Moved by Councillor Vaughan Chisholm, SECONDED by Councillor Angus Bowie that a Letter of Support be provided to St. Francis Xavier University in regards to the proposed combined heat and power plant facility on property located off Lochaber Road. Motion carried.***

***2013-089 (Port Hawkesbury Veteran's Memorial Park/Society)  
Moved by Councillor Hughie Stewart, SECONDED by Councillor Rémi Deveau that a \$1,500.00 contribution be made toward the Port Hawkesbury Veterans' Memorial Park/Memorial Society for the construction of a bronze monument. Motion carried.***

*On motion by Deputy Warden Owen McCarron that the meeting adjourn*

**MUNICIPALITY OF THE COUNTY OF ANTIGONISH**

**Council Chambers  
Municipal Building**

**Thursday  
July 30, 2013**

A Special Meeting of Municipal Council for the Municipality of the County of Antigonish was held on Wednesday, July 30, 2013 at 7:30 p.m. in the Council Chambers of the Municipal Administration Centre, 285 Beech Hill Road, Antigonish, NS.

Present were: **Warden Russell Boucher, Chairman**

Deputy Warden Owen McCarron	
Councillor Donnie MacDonald	Councillor Vaughan Chisholm
Councillor Bill MacFarlane	Councillor Pierre Boucher
Councillor Mary MacLellan	Councillor Angus Bowie
Councillor Hughie Stewart	

Regrets: Councillor Rémi Deveau

Also present were: Glenn Horne, Municipal Clerk/Treasurer  
Debbie Cormier, Recording Secretary  
Adam Rogers, Municipal Solicitor  
John Bain, Executive Director, EDPC  
Corey LeBlanc, The Casket  
Bill MacCuish, 98.9 XFM  
Greg Morrow, 101.5 The Hawk  
Anne Marie Long  
Gallery

The meeting was called to order by the Chair, Warden Russell Boucher.

**APPROVAL OF AGENDA**

Warden Boucher called for any additions or deletions to the agenda. The following item was added to the Agenda.

- 1) Recommendations from Committee of the Whole

<p><b>2013-090 (Approval of Agenda)</b> <b>MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Vaughan Chisholm</b> <b>that the agenda be approved as amended. Motion carried.</b></p>
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The first item on the agenda is the continuation of the Public Hearing. Warden Boucher indicated that he was declaring "Conflict of Interest" and turning the meeting over to Deputy Warden Owen McCarron to Chair. Councillor Pierre Boucher also declared "Conflict of Interest". Both Warden Boucher and Councillor Boucher removed themselves from the Council area.

Anne Marie Long noted that paragraph 6(1)(a) of the "Conflict of Interest" Guidelines require that a conflict be declared and no conflict has been declared. Further, Mrs. Long indicated that looking at the Conflict of Interest Guidelines neither Warden Boucher or Councillor Boucher is in conflict as there is no direct, indirect or deemed interest in this matter for them. Therefore, Mrs. Long asked both Warden Boucher and Councillor Boucher to participate this evening and declare what they think is their conflict and confirm for the residents that there truly is a conflict.

Deputy Warden McCarron noted that Council would have to defer to legal Council of this and ask for a brief recess to discuss this matter.

The Deputy Warden resumed the meeting and asked the County Solicitor, Adam Rodgers to give an explanation and this would be followed by a comment from the Warden and Councillor Boucher.

Mr. Rodgers noted that when you are dealing with conflicts of interest, there are technical requirements that are outlined in the Act and they relate to the Councillor or certain members of the Councillor's immediate family or people residing with the Councillor having an interest in the matter. In those situations, there is a line where the Councillor needs to declare a conflict of interest. Conflict of interest, whether it is Municipal Government, or anything else has a broader application and it is in cases where a perceived or possibility of a perceived conflict and if the Councillor feels that this is going to be an issue, then it is proper and right that the Councillor declare such a conflict.

It is required as part of the Act that you declare the general nature of what the conflict is then at a public meeting such as this, leave the Council Chair, however, the Council member would be permitted to stay in the room.

Warden Boucher then declared that he is a close relative to the applicant. Councillor Boucher indicated that he too is a close relative of the applicant. Both left their seats at the Council table.

Mr. Adams added, as well, that the fact that neither Warden Boucher or Councillor Boucher participated in the earlier Public Hearing, therefore, they wouldn't be able to vote on the matter in any event.

Deputy Warden McCarron noted, for the record, that Councillor MacDonald was not present at the beginning of the Public Hearing as well and therefore will not be eligible to vote on the decision.

Mrs. Long noted that, for the record, she wanted to state that she is also a cousin of all parties.

Deputy Warden McCarron then indicated that the Public Hearing would be resumed. He reviewed the ground rules with respect to the format for the meeting. Those being:

- Ask anyone who is in favor of the application who wish to speak to please give their name;
- Anyone opposed to the application who wishes to speak will be asked to indicate their name;
- Anyone who has spoken originally will not be given a second opportunity to speak;
- If there are questions, Council will ask any questions of the people who are present;
- There will be no questions asked of Council.

The Deputy Warden then opened the floor and asked three times for anyone who wished to speak in favor of the application. No one came forward to speak in favor of the application.

The Deputy Warden opened the floor for anyone who wished to speak against the application.

Anne Marie Long indicated that she wished to speak against the application.

Copies of Mrs. Long's notes are attached to the Minutes.

Mrs. Long wanted to know if the Planning Staff is available to answer questions. Deputy Warden McCarron indicated that for the Public Hearing tonight, the Executive Director of the Planning Commission, John Bain, was present. However, for the Public Hearing, questions are directed in the form of your presentation. These questions will be logged and Council, at its' discretion, will take a recess to go over those questions and if Council has any questions of the Presenters, Council will pose those questions.

Mrs. Long questioned if this is a recorded Hearing and Deputy Warden McCarron indicated that the Hearing is being recorded by the Recording Secretary.

Mrs. Long indicated, as well, that she is speaking on behalf of all of the residents present at the Public Hearing. A copy of Mrs. Long's speaking notes is attached to the Minutes.

After Mrs. Long's presentation, Deputy Warden McCarron called three more times for any other presentation against the proposal.

Hearing no other oppositions, he asked for a recess to permit Council to have a discussion in light of the presentation.

Before the Public Hearing was closed, Mrs. Long asked Council to reconsider the ruling that someone cannot speak again once they have spoken when additional information has been issued or a response to the original questions has been issued.

Deputy Warden McCarron then closed the Public Hearing.

Deputy Warden McCarron indicated that after a review of the submission tonight and previous submissions, the Chair would now entertain a motion on the issue.

**2013-091 (Mattie Farms)**

**MOVED by Councillor Hughie Stewart, SECONDED by Councillor Bill MacFarlane that the rezoning application submitted by Mattie Farms Ltd. to rezone from (R-1) Rural to (R-2) Residential Multi-Unit Zone on a portion of land at Tracadie, Nova Scotia be approved. Motion carried. 1 nay vote – Councillor Mary MacLellan. It should also be noted that Councillor Donnie MacDonald abstained from the voting.**

Deputy Warden McCarron then called for Warden Boucher to resume as Chair for the meeting.

**SIGNING AUTHORITY – Glenn Horne**

**2013-092 (Signing Authority – Glenn Horne)**

**Moved by Councillor Bill MacFarlane, SECONDED by Deputy Warden Owen McCarron that Glenn Horne, Municipal Clerk/Treasurer be given signing authority on behalf of the Municipality of the County of Antigonish. Motion carried.**

**WRITE OFFS**

**2013-093 (Tax Write off – Sharon & Guy MacGillivray)**

**Moved by Councillor Bill MacFarlane, SECONDED by Councillor Donnie MacDonald that Municipal Council write off \$354.00 of property tax for Sharon & Guy MacGillivray for their property in Pomquet, reflecting the adjusted assessment and tax bill. Motion carried.**

**2013-094 (Sewer Write off – Betty MacDonald)**

**Moved by Councillor Vaughan Chisholm, SECONDED by Councillor Pierre Boucher that Municipal Council write off \$651.00 of a sewer bill for property owned by Betty MacDonald of Post Road, reflecting the current state of the property. Motion carried.**

On motion of Councillor Mary MacLellan that the meeting adjourn to Committee of the Whole.

The meeting was called back to order and one recommendation was brought forward. Deputy Warden declared "Conflict of Interest" and removed himself from the Council Chambers when the vote was taken on this motion.

**2013-095 (Owen & Sue Ellen McCarron – Wells)  
Moved by Councillor Vaughan Chisholm, SECONDED by Councillor Angus Bowie that Owen & Sue Ellen McCarron be paid \$34,236.00 for three properties on which there are three municipal wells and a water storage facility in Lower South River. Motion carried.**

Meeting adjourned.

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**Warden Russell Boucher**

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**Glenn Horne, Municipal Clerk/Treasurer**

# Antigonish Community Transit

Presentation to County Council

Tuesday, September 17<sup>th</sup>, 2013



# Who are we?

- Stakeholders brought together by ARDA and the APRC in 2010 to begin discussion on a transit strategy for the region

# What is the Issue?

- Accessible community transportation is a pressing issue for Antigonish town and county due to:
  - An aging population
  - Rising transportation/ fuel costs
  - Environmental concerns
  - Social isolation
  - Community public health
  - Friends/ Family used for transportation, but this is stretched to the limits



# Vision Statement

- We envision a green, sustainable, multifaceted, community based transit strategy that provides accessible, efficient, reliable and safe travel for all residents and visitors in Antigonish town and county.

# Accomplishments

- Advocacy campaign begun including information pamphlets and games in local news media
- Funding received from NS Trip for a feasibility study and business plan to be completed by March 2014
- Funding received from NS Moves for advocacy towards multimodal transport, and support for the model shown to be feasible through the NS Trip studies

# Future Actions

- Finishing feasibility study and business plan by March 2014
- Informing local businesses and Chamber of Commerce about the economical, physical, financial and environmental benefits of carpooling
- Raising awareness about different modes of transport around the county i.e.
  - Cycling
  - Walking
  - Carpooling
  - Public Transit

# Benefits of a Local Transit System

- Social inclusion of all groups of people
- Increased economic activity in the town and county
- Increased accessibility of services to those without reliable transportation
- Decreased reliance on family members and friends for drives, which equals less days off work and a stronger economy

# Possible Models For a Transit Strategy

- Flex route transit system
  - One bus per week goes to different areas of the county and through town
  - Picks up passengers both at designated stops and at their doors
- School buses as public transportation
  - Criminal record checks and memberships allow people to book rides on school buses
  - Exists in Quebec and Washington state
- Dial-a-Ride
  - Dispatcher sends drivers out to those who call in for a ride



# Feasibility Study & Business Plan

- Used to determine feasibility of public transit system
- Includes community consultations to determine where the highest need is
- Analyzes the economic, environmental and social impacts of the system



**Questions?**

### Road Name Change Petition Form

Date August 12, 2013

The undersigned residents of D-3 Rd  
Existing Road Name

In the community of Bayfield  
Community  
Antigonish County  
County, request our road name be changed from:

To:1<sup>st</sup> Choice JANA LEE LANE or

D-3 Rd  
Existing Road Name To:2<sup>nd</sup> Choice ~~W. Rose Lane~~ or

To:3<sup>rd</sup> Choice Joe Howe Lane

Name	Civic Address	Mailing Address	Signature
Gordon & Mary Lou Brenton	D-3	202 Church Street Antigonish NS B2G 2E6	M. L. Brenton
Carlin & Paula Connors	11 D-3	1703 Sunnyside Rd Antigonish Co. NS B0H 1A0	Paula Connors Carlin Connors
ELEANOR BELLEND	145	145 College St Antigonish NS B2G 1X9	Eleanor Belleand
Cathy & Jim Nunn	16 D-3	16 D-3 Road Bayfield NS	Cathy Nunn

# ANTIGONISH/GUYSBOROUGH MUNICIPALITIES WATER UTILITIES AGREEMENT

## THIS AGREEMENT MADE

### BETWEEN:

**Municipality of the County of Antigonish  
Municipality of the District of Guysborough  
Municipality of the District of St. Mary's  
Town of Antigonish  
Town of Mulgrave**

**(Herein after called the "Participating Municipalities")**

IT IS AGREED BY AND AMONG THE MEMBERS WHO HAVE DULY EXECUTED THIS AGREEMENT AS FOLLOWS:

### PREAMBLE

Municipalities in Antigonish and Guysborough Counties have recognized the benefits of Mutual Aid Agreements in rural areas for Emergency services and wish to apply similar principles in the operation of Water Utilities within our two Counties. The most significant problem identified in the operation of the Water Utilities is the availability from time to time of qualified Water Treatment Plant and distribution system operators, particularly during emergencies and extra ordinary circumstances. One primary goal of this Agreement is to establish a process that will encourage the sharing of information, training and support services related water treatment and distribution, within the participating Municipalities. Treatment plant and distribution system operators will be encouraged to become familiar with the water treatment and distribution systems within the participating Municipalities, so that if assistance is requested from another Municipality the operator will be familiar with other systems.

This Agreement is also intended to encourage local training and inter-municipal support for water treatment and distribution operators. Also this Agreement will establish a process to allow participating Municipalities to acquire a part(s) from another Municipality in emergency situations, therefore parts and equipment inventories will be shared.

### SECTION 1. Regulatory:

This Agreement is intended to be informal and shall not supersede any Legal or Regulatory Agreements or documents already in place or to be adopted within the participating Municipality. In particular any exchange of goods or services shall be subject to any and all Collective Agreements, personnel policies procurement policies, etc. that exist or will exit within the respective participating Municipalities. The "Requesting Municipality" shall be responsible to ensure the assistance requested does not contravene any Agreements, Regulations, By-Laws or Policies of **the Municipality requesting assistance.**

### SECTION 2. Definitions:

As used herein:

- a. "Participating Municipalities," shall mean all Municipalities that have signed this Agreement and may also be referred to as "Members" in this Agreement.
- b. "Requesting Municipality", shall mean the participating Municipality requesting assistance.
- c. "Responding Municipality", shall mean the participating Municipality providing support/assistance to another participating Municipality.

### **SECTION 3. Contingency Agreement**

The Participating Municipalities in this Agreement mutually agree to provide mutual aid and contingency service to each other, related to the maintenance and operation of Municipal Water Treatment and Distribution systems as outlined in this Agreement and in particular provide Qualified Operators or parts necessary to keep Water Treatment Plants/Systems operating.

### **SECTION 4. Authority to Respond to Provide Assistance**

a. For purposes of this Agreement, the "Requesting Municipality" shall determine which Municipality can best provide the service or expertise or parts required and shall make the request for assistance **by phone and confirm when time permits** in writing, by email, fax or letter. The responding Municipality shall respond **by phone and confirm** in writing **by email, fax or letter** confirming the availability of the part or service and the estimated cost.

b. For the purpose of this Agreement the responding Municipality shall use best efforts to respond as soon as possible in most cases the same day the request is received or if necessary refer request to other "Participating Municipalities".

### **SECTION 5. Requesting Assistance**

A Municipal Unit may request assistance from any other Participating Municipalities when the requesting Municipality has concluded that such assistance is essential to protect the environment, the drinking water quality or the supply of drinking water.

### **SECTION 6. Responses to Request**

Upon request, a "Responding Municipality", upon determination that an emergency exists and subject to the availability of qualified human, resources and necessary parts or equipment shall dispatch personnel with parts or equipment to aid the requesting Municipality **except that each Municipality reserves the right to refuse or limit response to nay request.**

### **SECTION 7. Personnel and Equipment Provided**

The "Requesting Municipality" shall include in its request for assistance a description of the problem occurring within their Water treatment or Distribution system and the Human Resource or parts required to address the issue. The "Requesting Municipality" shall ensure the service requested does not conflict with any Agreements, Regulations, and Policies etc. of their own particular Municipality.

The final decision on the personnel, parts or equipment to be sent shall be solely that of the Responding Municipality. The Responding Municipality shall be immune from any liability in connection with all acts associated herewith provided that the final decision is made with reasonable diligence.

## **SECTION 8. Reimbursement for Costs**

The "Responding Municipality" shall identify any costs to be assigned to the "Requesting Municipality" prior to providing the service **or in an emergency as soon as possible thereafter**. The first three (3) hours of support/service provided within a particular month will be at "no charge" and additional hours or parts will be at cost as determined by the Responding Municipality. **Parts shall be replaced with an identical (if possible) part meeting the same quality/standard as the part received.**

No "Participating Municipalities" shall make any claim whatsoever against another "Participating Municipalities" for refusal to send the requested personnel or equipment where such refusal is based on the judgment of the responding Municipality that such personnel, parts or equipment are either not available or are needed to provide service in the Member's response area especially at times of high risk.

## **SECTION 9. Liability**

Each **requesting** Member hereby waives all claims against each **responding** Member for compensation for any property loss or damage and/or personal injury or death occurring as a consequence of the performance of this Agreement.

A **requesting** Member assumes all liability and/or cost of damage to equipment **resulting from assistance provided by a responding Municipality.**

## **SECTION 10. Insurance**

Each Member shall procure and maintain such insurance as is required by **all** applicable laws.

## **SECTION 11. Conflict Resolution**

From time to time, personnel from one Member or another may have some concerns or questions regarding this Agreement or the working relationship of the parties. Should any such issues arise, they should be dealt with by the Member's Chief Administrative Officers to provide answers or resolution and if necessary refer to a meeting of the majority of the members.

## **SECTION 12. MEETINGS AND QUORUM**

Meetings shall be held semi-annually the last Thursday in March and the last Thursday in September with a Chair and Recording Secretary to be appointed every two (2) years. Decisions by simple majority and a Quorum are three (3) members.

**SECTION 13. Term of Agreement**

This Agreement shall be in full force and effect upon execution by all "Participating Municipalities" hereto. This Agreement shall remain in effect for a period of five years and any Participating Municipalities may cancel by giving thirty days written notice to the Participating Municipalities participating in this Agreement. The Agreement may be amended by agreement of all the "Participating Municipalities".

**IN WITNESS THEREOF**, the following Members have duly executed this Agreement:

**List of Participating Municipalities:**

\_\_\_\_\_  
Witness

Signed, this \_\_\_\_ day of \_\_\_\_\_ 2013

Per: \_\_\_\_\_

**Municipality of the County of Antigonish**

\_\_\_\_\_  
Witness

Signed, this \_\_\_\_ day of \_\_\_\_\_ 2013

Per: \_\_\_\_\_

**Municipality of the District of Guysborough**

\_\_\_\_\_  
Witness

Signed, this \_\_\_\_ day of \_\_\_\_\_ 2013

Per: \_\_\_\_\_

**Municipality of the District of St. Mary's**

\_\_\_\_\_  
Witness

Signed, this \_\_\_\_ day of \_\_\_\_\_ 2013

Per: \_\_\_\_\_

**Town of Antigonish**

\_\_\_\_\_  
Witness

Signed, this \_\_\_\_ day of \_\_\_\_\_ 2013

Per: \_\_\_\_\_

**Town of Mulgrave**

**OPERATIONAL SERVICES COMMITTEE MEETING  
COMMITTEE REPORT  
September 10, 2013**

Present were: **Councillor Hughie Stewart, Chairman**

Warden Russell Boucher	Deputy Warden Owen McCarron
Councillor Mary MacLellan	Councillor Bill MacFarlane
Councillor Pierre Boucher	Councillor Vaughan Chisholm
Councillor Angus Bowie	Councillor Rémi Deveau
Councillor Donnie MacDonald	

Also present were: Glenn Horne, Municipal Clerk/Treasurer  
Alan J. Bond, Former Municipal Clerk/Treasurer  
Joyce Levangie, Recording Secretary  
Allison Duggan, Director of Finance



**CAPITAL INVESTMENT PLAN**

The Operational Services Committee recommends to Municipal Council that the 5-Year Capital Investment Plan be approved as provided.

**REPAIRS TO COURTHOUSE**

The Operational Services Committee recommends to Municipal Council that the request from the Department of Justice to make modifications (improvements to the offender holding areas and affixing public seating in the balcony areas) to the Antigonish Supreme Court facility be approved.

**WEST RIVER SIDEWALKS EXTENSION**

The Operational Services Committee recommends to Municipal Council that the County tender the sidewalk extension project on Highway #7 to the West River Road.

**NEW YEARS LEVY**

The Operational Services Committee recommends to Municipal Council that the County contribute \$1,000.00 towards the New Year's Levy held at the Royal Canadian Legion, Branch #59 in conjunction with the Town of Antigonish.

**STREETLIGHT – Keating Court**

The Operational Services Committee recommends to Municipal Council that the request for the installation of a streetlight at the communal mailboxes at Keating Court be approved.

**NOVA X-MEN HOCKEY**

The Operational Services Committee recommends to Municipal Council that the request from the Nova X-Men Hockey Team for the County to sponsor an Ad be approved by way of a ½ page ad in the amount of \$300.00.

**STREETLIGHT – Pomquet Point Road**

The Operational Services Committee recommends to Municipal Council that the request for the installation of a streetlight at a very dark corner at Pomquet Point be approved.

**CAPE BRETON WEST ISLANDER MAJOR MIDGET HOCKEY**

The Operational Services Committee recommends to Municipal Council that the County approve \$300.00 towards an Ad in the Cape Breton West Islander Major Midget Hockey Team yearbook.

**DEANS**

The Operational Services Committee recommends to Municipal Council the request from DEANS for the County to support the proposed Levy be denied.