



**Town of Westville  
Regular Council Meeting  
Monday, September 24, 2012**

*Commencing at 6:00 pm*

**Council Members Present:** Mayor Roger MacKay; Deputy Mayor Lynn MacDonald; Councillor Gerald Jones; Councillor Charlie Sutherland; Councillor Charlene Thompson

**Town Employees Present:** CAO Scott Fraser; Recording Secretary Diane Morrison

**Visitors Present:** A number of Westville residents; Planner Jeff Turnbull, Unsightly Officer Barry MacIntosh, Fire Inspector Dave Shelton

**Media Organizations Present:** Pictou Advocate, The News

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**1. CALLING OF MEETING TO ORDER**

1.1 Mayor MacKay called the meeting to order welcoming everyone in attendance.

**2. APPROVAL OF AGENDA**

2.1 *It was moved by Councillor Jones and seconded by Councillor Sutherland that the agenda be approved as amended. Motion carried.*

**Additions:**

1. Highland Consolidated Middle School
2. Jerry's Lane
3. Police Commission Member
4. Crosswalk Guard – Angell Street

**3. APPROVAL OF MINUTES**

3.1 *It was moved by Deputy Mayor MacDonald and seconded by Councillor Thompson to approve the minutes of the August 30<sup>th</sup>, 2012 regular Council Meeting as amended. Motion carried.*

#### **4. BUSINESS ARISING FROM MINUTES**

- 4.1** Councillor Jones inquired on 9.10 the signage that was requested for Picken Street and CAO Fraser informed him that the request had been forwarded to the Traffic Authority.
- 4.2** Deputy Mayor MacDonald inquired on 4.1 the meeting with Groupe Savoie and Mayor MacKay advised that they would check with MLA Clarrie MacKinnon in the morning to see when a meeting could be set up as nothing has been arranged to this date. She went on to mention that this item has been outstanding since months.
- 4.3** Deputy Mayor MacDonald questioned 4.2 the meeting between the Pythian Sisters and the Heritage Club. CAO Fraser noted that he has been on vacation and the clubs did not meet during the summer months but now that they are back a meeting will be set up.
- 4.4** Deputy Mayor MacDonald wanted to know concerning 4.5 if we have an agenda for the shared intern on what he will do for Westville. CAO Fraser noted that he had sent out information on this and will re-send it to the Deputy Mayor.
- 4.5** Deputy Mayor MacDonald asked on 6.1 if distracted driving had been added to the recent Conference held in Kentville and Councillor Jones noted that it was a very tight schedule and he did request to have it put on the agenda and that it was talked about casually but there was no time to address same on the agenda. Councillor Jones noted that we can certainly discuss same and make sure the other Police Chief's know about same and try to have it added to the agenda at next year's Conference.
- 4.6** Deputy Mayor MacDonald concerning 9.1 on the demolition date and CAO Fraser noted that Mr MacIntosh was here and he would speak on same.

#### **5. APPROVAL OF ACCOUNTS**

- 5.1** *It was moved by Deputy Mayor MacDonald and seconded by Councillor Jones to approve/pay the accounts as presented. Motion carried.*

#### **6. COMMITTEE REPORTS**

- 6.1** **Police -** *It was moved by Councillor Sutherland and seconded by Councillor Thompson that the Police Report be approved as presented. Motion carried.*  
Deputy Mayor MacDonald noted that she was pleased to see on the report the item noting that warrants had been executed concerning bath salts and that they were actually hitting the suppliers and not just people using same.
- 6.2** **Fire Report -** *It was moved by Deputy Mayor MacDonald and seconded by*

*Councillor Jones that the Fire Report be approved as presented. Motion carried.*

- 6.3 Fire Inspectors Report – Not available on this date.**
- 6.4 Recreation Report - It was moved by Councillor Thompson and seconded by Deputy Mayor MacDonald that the Recreation Report be approved as presented. Motion carried.**
- 6.5 Compost, Garbage & Recycling Report - It was moved by Councillor Jones and seconded by Councillor Sutherland the Compost, Garbage & Recycling Report be approved as presented. Motion carried.**
- 6.6 Environmental Health Report – It was moved by Councillor Thompson and seconded by Councillor Jones that the Environmental Health Report be approved as presented. Motion carried.**
- 6.7 Transportation Report - It was moved by Councillor Sutherland and seconded by Councillor Jones that the Transportation Report be approved as presented. Motion carried.**  
Councillor Sutherland noted near the bottom of the page signs had been placed for 911 and the new school zone signs had been installed and last month signage had been requested for Picken and MacKay Streets. He noted that all the signs are paid for by the taxpayers and they are expensive. He went on to note that No Parking signs that are now placed on the Pictou Causeway and there are many of them and they also are paid for by all taxpayers in Nova Scotia.
- 6.8 Animal Control Report – It was moved by Councillor Sutherland and seconded by Deputy Mayor MacDonald that the Animal Control Report be approved as presented. Motion carried.**  
Some discussion took place concerning the number of dogs running at large and it was suggested by Deputy Mayor MacDonald to put a notice in the water bill reminding people to register their dogs with the Town and Councillor Thompson suggested that we make this an annual procedure.  
Councillor Jones suggested that we have the Animal Control Officer attend one of our meetings.
- 6.9 Building Report – Not available on this date.**

## **7. CORRESPONDENCE**

- 7.1 Restorative Justice Week 2012**  
Mayor MacKay read the Proclamation for Restorative Justice Week to be held this year November 15<sup>th</sup> – November 21<sup>st</sup>, 2012.
- It was moved by Councillor Thompson and seconded by Deputy Mayor MacDonald to accept the Proclamation for Restorative Justice Week November 15<sup>th</sup>- 21<sup>st</sup>, 2012. Motion carried.*

## 7.2 **Pictou County Senior's Festival**

CAO Fraser noted that correspondence was received in a letter of thanks for all the work done on the 24<sup>th</sup> Annual Pictou County Senior's Festival and a note that they were looking forward to 2013 at which time they will mark their 25<sup>th</sup> anniversary.

## 8. NEW/UNFINISHED BUSINESS

### 8.1 **Randy Langille – Campbell's Road Development Update**

Planner Jeff Turnbull noted at the Planning Advisory Committee Meeting in May it was brought up that the development on Campbell's Lane and on Jerry Lane on Temperance Street that some things had not been completed as listed in the Development Agreement. He noted that he met with Mr Langille and went through the list and he wanted to touch on some of the items and he advised Council if they had any questions they could ask him or Mr Langille. He noted that he was going to start with Campbell's Road and the clarification that they are trying to figure out is concerning the buffering and the way the agreement reads that is on file now that it filed with the Registry Office there is a requirement for a 124 ft long 5 ft high fence. He went on to explain that the fence is not there but after talking to Mr. Langille he indicated that a decision was made at the last PAC meeting to make a change so that he could put in a buffer zone that would be either fence or planted shrubs/trees or a combination of both. Mr Turnbull noted that right now as the agreement stands there is a need for a 124' long/5' high opaque fence. This is something that if the Council is OK with the change then a full amendment will have to be done to show it will be different than what is on the original agreement. He noted it would have to go back to a PAC meeting.

Deputy Mayor MacDonald asked if anyone remembered what was decided and Randy noted that yes this was the decision and he has ordered trees to be planted. After some discussion it was decided that Mr Langille was correct and it had been decided that shrubbery/trees would be fine for the buffer zone.

Mr Turnbull noted that this was the section between the Developer and the neighbours and it was decided that yes the buffer zone did include this area. Councillor Jones noted that he recalled that the fencing should stay and then beyond the 124 feet it should be shrub/tree buffer zone. He feels that some consultation with the neighbours and Deputy Mayor noted she did not feel we should be consulting with the neighbours due to the fact that if the Town has a development agreement with Mr Langille and it contains a certain type of fencing then we should be referring to that. Councillor Jones noted that he would like to see the fence stay up and then you have your Privacy and the people that are renting from Mr Langille have theirs as well.

Deputy Mayor MacDonald noted that there were issues with that fence and Councillor Jones noted due to the fact that it was falling down all the time and it would have to be fixed to remain in place.

Deputy Mayor MacDonald asked Mr Langille if he had some difficulties with outside sources and Mr. Langille noted that we should check with Police Department and see the number of times that it was reported to them that a brace had been removed and he considered a safety issue. He felt that it was clear to him after the PAC meeting that he could and he did remove the fence because of ongoing issues.

Councillor Thompson made a comment about the safety issue and this is why the Council took the direction to go with shrubbery/fence instead.

Mr Turnbull noted that we would be looking for a full amendment to change this on the Development Agreement.

Mayor MacKay agreed that we should go through with the Amendment. Mr Turnbull noted that the site plan would also have to be revised. He also noted that we may be able to proceed with a non-substantive amendment rather than a full amendment where possible and full amendments where required.

Discussion also took place on several other items including:

1. No enclosed, year-round building, as outlined under Clause 3(2)(c)
2. Accessory Buildings – Clause 3(3) - After some discussion Mr Langille noted that as soon as the buildings he is working on right now are weather tight then the siding will be put on these accessory buildings. He feels it will be by the end of November 2012
3. Clause 8, no screened garbage area;  
As with the development on Campbell's Road, the developer mentioned some training had been provided to the residents.  
Mr Turnbull noted that this can be handled with a non-substantive amendment
4. Clause 5(c) requires 36" culvert to be extended and rock lined. Mr. Turnbull noted that the developer had some concerns that if he was to extend the culvert and have it rock lined it could wash out and he was afraid that it would be on the Town right away and he did not want to be liable for this. Deputy Mayor MacDonald questioned if this was for the driveway into the complex and was told by Mr Turnbull that yes that is correct. He went on to say that what he was pointing out here is this really a matter of practice and he feels the Town should get some advice.  
Deputy Mayor MacDonald questioned if there was a culvert there now and was told that there was but the Engineer wanted the driveway to be a bit wider.  
Mr Langille noted at the time he brought the information to the Town and hired a company who informed him that they were not licensed to work on Town land and he contacted the Engineer of the Town and was just told to get it done. He told him that he had some issues and he attended Council and when he did not hear back from anyone it did not seem such a big issue, so he widened the driveway a little to the left. What was suggested was that the Town gives him a letter to put the culvert in and that the Town would accept that work.  
CAO Fraser noted that we could have someone from Public Works go down when it is being constructed and just make sure that it is the way it should be and then provide a letter.  
Deputy Mayor MacDonald asked if she was putting in a driveway would she have to have Public Works put in the culvert and CAO Fraser noted that no this is more because of a concern for storm water as there is a small brook in the area that may overflow and this will provide better flow for the water. He noted that the first culvert is always the responsibility of the landowner or developer and after that it becomes part of the Town's storm management system.
5. Clause 8 fence has been partially constructed, structural issues (sagging/meandering). Needs to be corrected and also a fence to be constructed (or a vegetative screen planted) at rear property line.
6. Clause 8, no evidence of vegetative buffer being planted – Mr Turnbull noted after speaking with Mr Langille that he is planning on planting in November and that is considered the best time to do this. Mr Langille mentioned he has about 40 trees ordered.
7. Clause 7, the parking area not paved. Mr Langille is looking at contacting the Province for help with the paving and will exhaust every avenue to see what the Province is offering for the Senior's Apartments as will cost approximately \$60,000.00 to pave Campbell's Road and we would like to have the time to do this. He mentioned that he checked with the Local MLA and they were going to check on funding and the answer he received was that

there was no funding available and then he finds out this is not true and he is looking into receiving funds for Jerry Lane and a project in Stellarton.

8. As per Schedule "D" refuse area must be screened in  
Some discussion took place and the way it is being done now with a centralized garbage area and sorting and after speaking to Pictou County Solid Waste he noted they do it this way in other units and it works very well.
9. As per Schedule "D" walkway not constructed

Planner Turnbull also brought up several issues with the Development on Jerry's Lane again it was the Deficiency List

1. Clause 3(1) accessory buildings not constructed (neither the main 20'x20' nor the 4 individual 6'x6' ones
2. Clause 5(b) and (c) Town Engineer should inspect site and determine site drainage not adversely affect neither Temperance Street nor adjacent properties.
3. Clause 8, option to construct a fence, or shrub/trees or a berm for buffer/suitable ground cover (usually meaning sods or grass seeding.
4. Clause 8, no screened garbage/refuse area
5. Clause 7, parking area does not need to be paved (this is pointed out to clarify concerns expressed at the public hearing
6. Schedule "D" a private road to be constructed to meet street requirements.  
To be determined by the Town Engineer.

Mr Turnbull advised that staff had met with the developer and reviewed the above list and that the result of the review showed.

Clause 8 options to construct a fence, or shrubs/trees, or a berm for buffer/suitable ground cover (usually meaning sods or grass seeding.) was addressed.

Clause 7 Parking and Access, paving for parking area

Parking area does not need to be paved (point made to clarify concerns expressed at the public hearing); this item is not a requirement as pointed out. The developer has completed grading and topping parking area with suitable gravel for parking area. Additional landscaping (flower gardens) have also been established in front of each unit.

Clause 8, no screened garbage area;

As with the development on Campbell's Road, the developer mentioned some training had been provided to the residents.

After some further discussion it was decided that a Planning Advisory Commission Meeting would be called and all articles listed above would be handled through either a non-substantive amendment rather than a full amendment where possible and full amendments where required.

## **8.2 1812 Main Street – Notice to consider an order to Demolish**

Deputy Mayor MacDonald advised the Council that she was asked by Wayne Harris to speak on his behalf.

Unsanitary Officer Barry MacIntosh noted that during the month of August the Fire Inspector Dave Shelton sent in a report as well they received a report from the Building Inspector. Some of the issues facing the building is the fact that the back wall has dirt built up at the back of the building and it is pushing the wall in causing the roof to sag, floor to sag, and siding is in disrepair, broken windows. Water is running down into the electrical panel. The building is full of wood, plywood, chairs and other flammable material. They also broke the boundaries between one building to the next building by building a bathroom between the two buildings on a piece of plywood. He explained that basically if one building goes on fire the next building will also be burnt as they are joined by this bathroom.

Mr MacIntosh noted that they sent a letter out to Ontario when it was noted that it was Wayne Harris's mother who passed away last year. The letter was sent to Naiff Harris in Ontario and they spoke to him on the phone and he indicated that he had nothing to do with it that it is being looked after by his brother, Wayne. Mr MacIntosh noted that they asked Wayne to come out and open the door up for them on the day of inspection and he noted that he would not attend therefore; they had to go in and then have the Town board it back up after the inspection. Mr MacIntosh is suggesting that the building be demolished after 14 days as it is dangerous for a fire, the roof is sagging and will eventually collapse and the back wall is pushed in and the kids are breaking the windows out of it. He is fearful that some kids will get in there and set a fire and due to the tunnel it would transfer to the next building and at this time it is considered a very high fire risk. Mayor MacKay asked if anyone else had a question before he asked one and Deputy Mayor MacDonald inquired if Wayne had been given a list of the issues that are involved in the building.

Mr MacIntosh noted that he was notified that he would be appearing at the meeting tonight and invited to come and he also noted that the Fire Inspector did talk to him on the phone as well.

Deputy Mayor MacDonald noted that Wayne Harris had indicated to her that he would like to fix up the building and continue to use it for storage for at least a year, however, if the Town wanted to have it taken down he wanted to have 3 or 4 months to take the building down, however, you have described quite a fire risk here.

Mr MacIntosh noted that as a Council the Town can overrule the recommendation provided and we respect that however, if he wants to fix the issue why did he not come to the Shared Services Authority and pull a permit to start the process. He has had 30 days and he could have come in and pulled a permit but that did not happen. Mr MacIntosh noted that his opinion is that he had plenty of time to start the process to fix the building up but they have nothing to indicate that this will happen therefore, they stand by the 14 day demolition order. He noted that he had delivered the notice to Wayne Harris.

Deputy Mayor MacDonald wanted to confirm that the two buildings he was talking about were the one that is falling down and the second building is jeopardized by the fact that the bathroom is built between the two buildings.

Mr MacIntosh noted that the third building would be jeopardy as well due to the fact that downstairs the buildings are wide open. He went on to say that if a fire did break out the building next door with an apartment in it that use to be a furniture store there is a very good chance that building would be lost as well. He feels that the entire block would be in jeopardy.

Councillor Thompson noted that she feels that this is a major concern to the children of the town and she feels that the gentlemen have been provided ample time to appear or make arrangements and she does not want to jeopardize the other buildings on Main Street and she feels that we should stick with the 14 days to demolish the business.

***It was moved by Councillor Thompson and seconded by Councillor Sutherland to accept the recommendation from the Shared Services Authority to proceed with demolition of 1812 Main Street in 14 days. Motion carried***

Mayor MacKay asked for the motion to be repeated and noted that he also wanted to know if there are 3 specific addresses involved and that we are talking about the one building as that is the 1812 address, next to what was the Old Royal Bank and he was advised that was correct.

Deputy Mayor MacDonald also noted that she has spoken to CAO Fraser and noted that she will be voting on the motion.

Mayor MacKay asked if the Shared Service Authority had been inside the building and Mr MacIntosh noted that the Fire Inspector and the Building Inspector were inside the building and then Mayor MacKay asked if there was

anything that they would consider valuable in the building. He said it looks like it was set up as a lodge at one time and he also said there were plywood signs, plywood, old filing cabinet, stacking chairs from an old hotel and they could be moved to another location. Mayor MacKay noted that he was in agreement with the 14 days notice but Mr Harris should be given notice that he has 14 days to remove anything that he wants out of the building or it will be demolished. Fire Marshall Dave Shelton noted that since the two buildings are joined through the joint bathroom, he noted that if you are going to demolish the one structure you would be required to put a fire rated wall back up on the other building to keep the integrity of the other building. He went on to note that right now if there is a fire it will take out that whole block and it is a very big concern to the Shared Services Authority due to no floor supports and he is making the recommendation that if a fire is to break we recommend that the fire department does not go in that building.

Councillor Jones asked if the two buildings in question right now would be considered to be compromised and he was told that was correct. They noted that there is one building and the right next to it the other building what they did was put a piece of plywood across the opening and put a bathroom in and so it is all material that will burn and if the fire was to start at 1812 it will definitely spread to the next building as there is a piece of plywood connecting the two buildings. Councillor Jones asked if it was two buildings but one civic address and was told that it is actually 2 civic addresses and Mr MacIntosh thought they were 1812 and 1810 and two separate owners. Naiff Harris is the owner of his mother's property according to the will and he is the Executor and Wayne Harris is the owner of the wooden structure and they are disagreeing between each other on what should be done. Naiff has agreed that the property should be demolished and developed and Wayne all of a sudden seems to be having other ideas, Mr MacIntosh noted that they have told Wayne that the building is beyond economical repair.

Mr MacIntosh noted that if they agree to demolish the building in the next day or so he will write a letter back and send it to Naiff Harris and he will hand deliver a letter to Wayne Harris and he will have 14 days to take whatever he wants out of there and if he does not take it down the Town will hire someone to proceed with demolishing same. So basically he will have almost 3 weeks to remove whatever he wants from the building. He noted that there is some nice furniture in the other building. Mr MacIntosh noted that the only extra cost to the Town would be to fix the other wall that was opened to put the bathroom in.

Mayor MacKay noted so that within a month or so we could have another unsightly on our hands and he noted that he is not trying to make a joke but trying to say that is what could possibly happen.

Deputy Mayor MacDonald asked if 1812 is demolished they have to put up a firewall and Mr MacIntosh noted the best way to explain it would be that when we tear down 1812 there is a piece of plywood from the hallway that leads next door and this would be an opening in the building next door and we will have to put in 2 x 4's and finish the outside to be fire tight. She noted that would be Mr Harris's expense and Mr MacIntosh advised that would be included in the cost of tearing the building down. She noted that she was going on the assumption that Wayne Harris will have the building torn down and Mr MacIntosh noted that if that is what happens then he will have to fix his brother's building.

Fire Inspector Shelton noted that in the building where the residence is there are signs that the building is settling and in the front it is starting to move outward towards the street and the ceiling in the apartment is cracked and the front wall and lower section there is a ½ inch crack that runs pretty well the whole front portion of the apartment as well as the downstairs.

Councillor Jones noted that it would be nice if we could contact Naiff and see if he wanted that demolished so that we could do it all at once and Mr MacIntosh noted that was what he was suggesting when he spoke to Mr Harris.

Deputy Mayor MacDonald noted that Wayne Harris has said to her that if the Town wants to take it down give him 3 or 4 months.

### **8.3 Unsightly Properties**

Councillor Jones noted that he wanted to bring up the property of Parker Morris Property, 1875 Purvis Avenue and he wanted to know if another inspection could be done and Mr MacIntosh noted that a letter had been sent to the town yesterday where nothing had been done and the Town now has the right to proceed.

Councillor Jones noted that it is time to proceed with this residence and he noted that he had received a picture from a resident with a racoon looking out a window in that particular property.

Councillor Jones also brought up the property at the corner of Queen and Purvis Avenue the old Chinese Restaurant. He noted the other day he was in the area and there were pigeons flying around it – the eaves are falling off and it is his understanding that there is still inside that building and he does not know what exactly it is.

Mr MacIntosh noted that there has been a permit pulled on that building and he noted that if a permit has been pulled they will have a year to start. He is aware that it did change hands but he is not sure what is happening. Mr MacIntosh requested that an email be sent to the office and he will check on same.

Deputy Mayor MacDonald inquired on the Parker Morris property and asked Mr MacIntosh if what he was saying tonight meant that the Town could demolish and Mr MacIntosh told her no and noted that there is a lot of good material on that property and that if we take it off and he takes us to Court we can be held responsible for it. He noted that he gave another order but there is still steel framing and he feels it may be a greenhouse or some type of garage steel framing and there is wood, doors, etc.

Mayor MacKay noted that was his concern as Mr MacIntosh told us before that if we were to remove building materials we would still be held responsible. There is 2x4's, plywood, doors and installation.

Councillor Jones mentioned that today all wood has to be too certified and Mr MacIntosh questioned who is to say that it is not certified and the markings worn off.

Fire Inspector Dave Shelton brought to our attention that under the Fire Safety Act and also we have jurisdiction of storage of combustibile materials and he noted that they have more lever

Mayor MacKay asked if we should ask the Fire Inspector to attend with the Unsightly officer for this property. It was noted that he usually does attend.

Deputy Mayor MacDonald asked about the 2 Unsightly properties that the banks were going to have demolished and Mr MacIntosh noted he was talking to the lawyer for 2153 Church Street and he was told that the bank does not want anything to do with it and the second property 2104 Church Street they are having a Sheriff's sale tomorrow, September 25, 2012. He noted that the bank was going to have the information in the sale that the property has to be demolished and the recommendation will be to have it demolished in 14 Days.

*It was moved by Councillor Jones and seconded by Deputy Mayor MacDonald to proceed with demolition of 2053 Church Street in 14 days. Motion carried*

*It was moved by Councillor Jones and seconded by Councillor Thompson to proceed with demolition of 2104 Church Street in 14 days. Motion carried*

#### **8.4 West Street Park**

CAO Fraser wanted to remind everyone that the ribbon cutting ceremony will be held on September 27<sup>th</sup>, 2012 at 6:00 PM. In the event of poor weather it will take place at the Civic Building.

He noted that we had a few suggestions come in concerning the naming of the Park and he had actually received a couple more today after the minutes had been printed. He noted that one of the suggestions that is being recommended is the "Henderson Memorial Park" in memory of Harry Henderson. He went on to say that Harry Henderson who is the grandfather of Helen Scammell lived on Acadia Avenue and he worked in the Drummond Mine from the age of 13 until the age of 70. Mr Henderson had beautiful gardens on his property and enjoyed spending his time working on them.

He went on to note that in 2011, the Town received a generous donation from Mr Henderson's granddaughter Helen Scammell to create a green space on the vacant Town owned lot. It would be a wonderful gesture to have Harry's memory recognized as part of the creation of this park

*It was moved by Councillor Thompson and seconded by Deputy Mayor MacDonald to proceed with this suggestion and name the Park at the corner of West Street, the Henderson Memorial Park.  
Motion carried.*

#### **8.5 Highland Consolidated Middle School**

Deputy Mayor MacDonald asked for an update on the school and she was glad to see Mr Marks was present and he was invited to give an update on the school Mr Marks noted that at this time there was nothing new to add other than the School Board is hoping to have all the information available by the end of October.

Deputy Mayor MacDonald questioned why with this beautiful summer and expertise available from the workers nothing has been found to date.

Mr Marks advised that there is no definitive answer at this time several things have been identified and fixed as found but to date there is no complete answer. He noted that they want to check with a smoke bomb to see if fumes from the furnace are not leaking back into the school. He also noted that cladding has been removed and it was noted that some minor mould existed but that it was on the outside of the vapour barrier and is not part of the problem. He noted there was no evidence of mould on the back of the building.

Deputy Mayor MacDonald wanted to know if there was a dedicated crew to find the problem.

Mr Marks noted that not that he is aware.

Mr Marks informed her that due to the relocation of the students, workers also had to work on the W. A. MacLeod School so that it would be ready for the students to start school.

Deputy Mayor MacDonald asked if he could find out the last date anyone worked on the school. He noted he would do that.

Mr Marks noted that the School Board will not be allowing students and teachers into a school that is not safe and noted that it is easy to say that you should have found the problem. He noted to date there is no definitive cause and the School Board is working on the issue and would like to have the teachers and students back into the school by January but at this point they cannot do that. He also mentioned that the Department of Education may become involved if major renovations have to be done to fix the problem once it is found and he feels at this point over \$100,000.00 has been put out trying to find the problem and if it is going to cost say \$500,000.00 to fix the problem once it is identified to bring the school up to standards and the School Board does not have the funds then they may have to look at other alternatives. One he suggested was to maybe have a new school built in the same location or at least close to the same location.

He went on to note that he wants to see the children back in the school but only if

it is safe for the students and teachers. He is not prepared to have them enter a school that is not safe.

Deputy Mayor MacDonald asked Mr Marks if he could have someone provide us with the information of what has been investigated, number of manhours spent on the investigation and the cost involved, she gave an example of removing shingles on the roof – 50 man hours - \$10,000.00.

Mr Marks advised that he could ask and he noted that he is not sure that the people who are working on this project will provide same but that he was told there will be a report presented by the end of October to School Board Members and at that time they will have a better understanding of what is happening and he will be able to let the Town know where the issue is at that time and this will also be public knowledge at that time.

Councillor Thompson noted that she was in the first Grade 7 class to go through that school and she noted at that time buildings were constructed to have air circulation and you opened the window. She noted that things have progressed and buildings are now made airtight and in the buildings there is an air circulation system. She noted it automatically takes air out and puts fresh air and she feels that this building has been modified to have that component added and is now air tight. She said you don't see windows open any more in the schools as someone will be allergic to something and it is just like chalk they don't use that in the schools anymore. She then asked if the sewer line from the Town line to the school been tested.

Mr Marks noted that he could not give an answer but he did know that they have checked all the drains in the school, such as roof drains, etc. They did find in a number of cases where they may have been some leakage but this has all been repaired.

She went on to comment that she agreed with Mr Marks and Deputy Mayor MacDonald that they do not want children in the school if it is unsafe.

Councillor Jones noted that comments from Deputy Mayor MacDonald and Councillor Thompson were good comments and his request would be to forget the money part of it could he give us a report on what was done over the past summer.

Mr Marks advised that he would get a report to show what steps were followed and what the results were.

Councillor Jones noted what he meant was a report on what has actually happened since June and when items were encountered were they fixed.

Mr Marks noted that he could not give a time frame but hoped that by the end of October they would have a listing of what has been done.

Councillor Sutherland thank Mr Marks for his having the best interest of the Westville students and staff and going back to the comments concerning the Board of Education it is completely obvious that it is time that the Department of Education has to be brought into this equation and if the building stays open and it is large expense and it has been made obvious by an article in the local newspaper that the costs of tearing large buildings down such as on the Main Street of Stellarton and that building is much smaller than the building that we are talking about and it would cost \$800,000.00 so either way we feel that tearing the building down is unthinkable to the residents of Westville. He feels now is the time for the Department of Education to become involved with any decision. He feels it is too big a matter to put on a School Board that has been downsized and to put on a Town that is undersized. He notes that the Department of Education and our local MLA have to be notified that we would like to have the building repaired and that the unthinkable that if it cannot be repaired that they still have to be involved.

Deputy Mayor MacDonald commented that what Councillor Thompson mentioned the sewer and water issue she remembered that did come up before that you could not drink the water and the water was discoloured but none of the homes around the school seemed to affected with that issue and she feels that it

would be important to have this investigated.  
Mr Marks noted he had not heard about this before and noted that if it was dirty they should have been contacting the Town to have it investigated.  
Mayor MacKay thanked Mr Marks for attending the meeting.

## **8.6 Crosswalk Guard**

Councillor Thompson requested an update on the Crosswalk Guard for Angell Street.

CAO Fraser noted that we have had some applications and the deadline closed on the 14<sup>th</sup> of September and all the applications were forwarded to the Police Chief and he has not heard anything as CAO Fraser just returned from vacation to-day. However, he was of the opinion that over the next week the Chief will be interviewing the candidates.

Councillor Thompson noted that this was an urgent matter as the children are back in school and this is a very busy crosswalk and she would appreciate if we could have that person selected and in place.

Councillor Jones noted that at the Police Commission meeting the Chief indicated that he had received the applications and he indicated that he would have someone in place within the next week.

Councillor Sutherland noted that the placement of a crossing guard is the final piece of the puzzle concerning citizenship on safety and as you will recall that the Walter Duggan School is one of the largest elementary schools in Pictou County and traffic concerns were a number one priority there and with the help of our Advisor from the Department of Justice Mr Sanford and the Police Commission the fact that this Council took the courageous step to build a side walk on Angell Street when finances were tight and all this was done for the children's safety and this Council should be very proud of the work done.

## **8.7 Police Commission Member**

CAO Fraser noted that earlier this month the Chairman of the Police Commission along with myself and the Deputy Chairman interviewed the 2 applicants and made the recommendation to the Police Board that Mr Ryan King be accepted as a member of the Police Board. He went on to note that at the last Police Board Meeting this recommendation was accepted and has now been forwarded to Council for approval.

CAO Fraser noted that Mr King is the Baptist Minister here in Westville at the church on Temperance Street. He lives with his family on Queen Street and has lived there for a number of years now and he seems quite interested in being a member of the Police Board and we are looking for a motion to approve his membership on the board.

*It was moved by Councillor Thompson and seconded by Councillor Jones to accept the recommendation of the Westville Police Commission to accept Mr Ryan King as a member of the Westville Police Commission.  
Motion carried.*

## **8.8 Pythian Sisters**

Barbara Hodgson, a member of the Pythian Sisters noted that she was not here to represent the Pythian Sisters but she is here to ask when a meeting can be set up so that they can meet concerning using the Heritage Room and until this is settled can they continue to use the Heritage Room. She noted that she had asked the President of the Heritage Group and she could not answer. So it was mentioned that it has not been confirmed that they are not allowed to meet there. She noted that this year the Pythian Sisters celebrated 100 years in Westville and Mayor and Susan Oliver gave us a plaque and certificate framed, flowers and we attended the Yearly Volunteer Awards banquet with a good feeling that although

we are few in number with only 11 active members and most are taxpayers here in Westville. She went on to note that the powers to be who want us out of there are not taxpayers in the Town of Westville. She feels that as taxpayers and until it is confirmed that we are out of there she would like to be able to meet there. She again noted that she is speaking for herself tonight and not as a representative of the Pythian Sisters. She noted that the last month the women that were at the meeting had to take their regalia's, our alters and that down the hall through the auditorium through 2 sets of locked doors and then down the hall and then to the library room and she had been told that they would not be in the library room as it is a small room and they cannot march in it and our ritualistic work is down the drain. At this meeting she noted that if they are going to meet there and until we get official notice we cannot meet in the Heritage room she advised that she will not be attending. She did not attend and now it is over 3 months since she got the notice to vacate and nothing has been done so that is why she is here tonight and she asked if a meeting could be set up before the next meeting which is in 2 weeks time because she will not be attending if they are meeting in the library room. She feels that they have been pushed around enough and she went on to mention that the Knights of Pythians had their own hall and when their numbers got fewer and older they gave the hall to Town of Westville for \$1.00 and it was turned into a Youth Centre and now it is a Boxing Club. She noted that they have been pushed around from one place to another and she does not want to be pushed anymore and she feels she has some rights here and that she is still very angry but however, she is leaving this hall tonight feeling very proud because her grandfather is the Harry Henderson that the Park is being named after.

Mayor MacKay asked if she knew if the Heritage Group met on Monday's and was told the 1<sup>st</sup> and 3<sup>rd</sup> Monday's of the month. He noted that they will set up a meeting for this Monday and he asked when would be a good time to meet. She informed him that it would be Jennifer Wilson who would be attending the meeting. Mayor MacKay asked CAO Fraser to contact the President of the Heritage Club and also the president of the Pythian Sisters and set up a meeting.

#### **8.9 Jerrys Lane**

Councillor Jones one was questioning the issue of ditching and the water going over on Mr Chabassol's property and the other was a Stop Sign at the end of the Lane and if the Traffic Authority installed it or was it installed by Mr Langille and if it was to check to see that it is properly placed.

#### **8.10 Park**

Councillor Thompson just wanted to make sure that people are aware of the Opening of the Park and noted that it will be Thursday, September 27<sup>th</sup> at 6:00 PM and Mayor MacKay noted that if it is raining it will take place at the Civic Auditorium. Councillor Sutherland noted that the lady in the red coat has a brother who is one of the few World War 2 veterans and it would be nice if he also was able to attend.

#### **8.11 Lennie White**

Mayor MacKay congratulated Lennie White on becoming a Councillor for Ward 2 by acclamation and wished him well.

## ITEM 9. QUESTIONS FROM CITIZENS

### 9.1 Stop Signs

Doug Porter, 2210 South Main Street – He noted that he was back again concerning the Stop Sign on a straight road in front of his home coming down Munro Street. He notes that very few people stop and this is on the corner of Picken and South Main. He is afraid that someone is going to get hurt as the kids come down on the hill on their bicycles and then just swerve out on the road. He recently received damage to his car because he had to swerve to miss a cyclist and he hit a stop sign. He obtained \$2700.00 worth of damage to his vehicle. He went on to mention that the stop signs are not warranted or legal.

It was mentioned that they were there for safety sake. He mentioned that he was the 4<sup>th</sup> person to hit the stop sign in this area.

Mayor MacKay told him will have to the traffic authority check on same and have the police patrol area.

### 9.2 Gordie MacIntosh

Gordie MacIntosh questioned how the name for the Park was chosen and he mentioned that he put forth Dr Henry Fraser's name and then he commented that it was apparently chosen for who gave the most money.

Mayor MacKay mentioned that we are a Town still struggling and a person wanted to help with a donation and when the story was revealed about her relative it was decided that it would be a nice gesture to name it after him.

It was mentioned that the Town helped with putting it together and the Air Flight Engineers built the kiosk, 1/3 of the cost of landscaping was provided by a donor and the only request was to put in a blue spruce in memory of her relative and the decision was made to name the Park after Mr Henderson.

He went on to note that other funding was provided by the Rotary and Kinsmen Clubs.

CAO Fraser noted that the other names including some that were late being received are being kept on file for other projects in the Town.

### 9.3 Lennie White – 2434 Cowan Street

He mentioned that due to acclamation he would soon be sitting at the Council table. He went on to express concern that no one else came out to run. He wanted to express thanks to the current council for serving for the last 4 years. He noted that the Dynamics will be somewhat different and mentioned that Councillor Sutherland will be back and one of the 2 guys will also be gone. He questioned how the election can be promoted and how do we get the information out to the people. He feels they should know the parameters of the Governance Study maybe have a Facebook Page and get aware of what is going on. He also commented that the Town Web Site needs to be updated and ended by providing best wishes to all who are contesting.

## ITEM 19 ADJOURNMENT OF MEETING

### 10.1

***It was moved by Councillor Jones and seconded by Deputy Mayor MacDonald to adjourn the meeting. Motion carried.***

Certified to be a true copy of the minutes of the September 24<sup>th</sup>, 2012 of the  
Town of Westville Regular Council Meeting.

.....  
MAYOR

.....  
RECORDING SECRETARY