



**Town of Westville  
Regular Council Meeting  
Monday September 24, 2018**

*Commencing at 6:00 pm*

**Council Members Present:**

Mayor Roger MacKay  
Deputy Mayor Bernie Murphy  
Councillor Lynn MacDonald  
Councillor Lennie White  
Councillor Charlie Sutherland

**Staff Present:**

Kelly D. Rice – CAO  
Amanda Cyr – Recording Secretary

**Public in Attendance:**

Yes

**Media Organizations Present:**

The Advocate, ECFM

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**1. CALLING OF MEETING TO ORDER**

- 1.1 Mayor MacKay called the meeting to order at 6:00 pm in the Westville Council Chambers welcoming everyone in attendance.

**2. APPROVAL OF AGENDA**

- 2.1 *It was moved by Deputy Mayor Murphy to approve the tentative agenda as amended. Councillor Sutherland seconded. Motion carried.*

**3. APPROVAL OF MINUTES**

- 3.1 *It was moved by Councillor MacDonald to approve the minutes of the August 27, 2018 Council Meeting. Deputy Mayor Murphy seconded. Motion carried.*
- 3.2 *It was moved by Deputy Mayor Murphy to approve the minutes of the August 13, 2018 Special Council Meeting. Councillor MacDonald seconded.*

**4. BUSINESS ARISING FROM THE MINUTES**

- 4.1 Councillor MacDonald asked if the thank you letters were sent to the Fire Departments who assisted Westville on July 1<sup>st</sup>. Mayor MacKay indicated that they had.

## 5. FINANCIAL PRESENTATION

- 5.1 Kevin MacDonald of MacDonald & Murphy Inc. presented the 2017/2018 Audited Financial Statement for the Town of Westville. Mr. MacDonald congratulated Council and Staff on the positive result of the Audit, especially considering the impact of the recent legal settlement.
- 5.2 *It was moved by Deputy Mayor Murphy to approve the Audited Financial Statement as presented. Councillor White seconded. Motion carried.*
- 5.3 *It was moved by Councillor MacDonald to approve the Financial Report as presented. Deputy Mayor Murphy seconded. Motion carried.*

## 6. COMMITTEE REPORTS

- 6.1 **Police Report - *It was moved by Councillor Sutherland to accept the Police Report as circulated. Councillor White seconded. Motion carried.***
- 6.2 **Fire Report - *It was moved by Councillor White to accept the Fire Report as circulated. Councillor MacDonald seconded. Motion carried.***
- 6.3 **Recreation Report – *It was moved by Deputy Mayor Murphy to accept the Recreation Report as circulated. Councillor MacDonald seconded. Motion carried.***

Councillor MacDonald commented on the great work being done by the Recreation Coordinator. She stated that it is amazing to read the reports each month and see how much is being done in the Town.

Councillor White wanted to point out that the website is up and running and better than ever.

- 6.4 **Compost, Garbage & Recycling Report - *It was moved Councillor MacDonald to accept the Compost, Garbage & Recycling Report as circulated. Councillor Sutherland seconded. Motion carried.***
- 6.5 **Environmental Health Report (Water Treatment) - *It was moved by Deputy Mayor Murphy to accept the Environmental Health Report as circulated. Councillor White seconded. Motion carried.***
- 6.6 **Transportation Report - *It was moved by Councillor White to accept the Transportation Report as circulated. Deputy Mayor Murphy seconded. Motion carried.***
- Councillor MacDonald commented on the accident that occurred over the weekend where an intoxicated driver hit a fire hydrant, causing water pressure issues for residents. She noted the amount of time that the Public Works department spent away from their families, working through the weekend repairing the issue.
- 6.7 **Animal Control Report – *It was moved by Councillor Sutherland to accept the Animal Control Report as circulated. Councillor MacDonald seconded. Motion carried.***

- 6.8 **Development/Building/Planning Report** - *It was moved by Deputy Mayor Murphy to accept the Development/Building/Planning Report as circulated. Councillor MacDonald seconded. Motion carried.*
- 6.9 **Glen Haven Manor** – Councillor MacDonald informed Council that there is a shortage of qualified workers to fill jobs at Glen Haven. She stated they are currently working on accreditation, noting that not all facilities are accredited. Glen Haven is also providing an in house training program for personal care workers. She encourages anyone interested in the field to pursue it, as jobs will be plentiful.
- 6.10 **Military Museum** – Councillor MacDonald provided an update on the Military Museum. They recently had the Annual General Meeting and David Avery has been doing a wonderful job looking after the Museum. Unfortunately funding for a summer student was cut this year, however the year end resulted in a positive bank account, in part thanks to the help of CAO Rice who assists Mr. Avery with business related aspects of running the Museum, for which he is grateful. Mr. Avery has requested that this year the Union Jack flag be flown at the Post Office on Remembrance Day. Also Councillor MacDonald shared on his behalf that after 15 years of requesting it, he has finally received a flag from Parliament Hill this year.

Councillor Sutherland commented that 4 years ago the Cenotaph underwent a restoration project under the guidance of Vincent Joyce.

## 7. CORRESPONDENCE

- 7.1 **Full Hearts Empty Arms**  
CAO Rice read a letter from Full Hearts Empty Arms asking that Westville proclaim Oct. 15<sup>th</sup> Pregnancy and Infant Loss Awareness Day.  
  
*Mayor MacKay read the proclamation declaring October 15<sup>th</sup>, 2018 as Pregnancy and Infant Loss Awareness Day in the Town of Westville.*  
  
CAO Rice also stated that the Post Office will be lit up with pink and blue lights in honor of the day.
- 7.2 **Nova Scotia Municipal Financial Corporation Annual Report**  
CAO Rice stated that the Report is available if anyone wishes to look at it.
- 7.3 **Pat and Kevin Duggan**  
CAO Rice read a card from Pat and Kevin Duggan expressing their appreciation for how beautiful the Town looks, noting Acadia Park and the work done by staff and the Garden Club.
- 7.4 **Benvie Johnson**  
CAO Rice read a letter from Charles Facey, solicitor on behalf of Mr. Johnson, expressing an interest in buying a piece of property owned by the Town.  
  
*Councillor MacDonald made a motion to move this matter to Finance. Councillor Sutherland seconded. Motion passed.*
- 7.5 **VON**  
CAO Rice read a thank you letter from Pictou County VON in appreciation of a \$2000 donation from the Town of Westville.

## 8. NEW/UNFINISHED BUSINESS

### 8.1 Eastlink Cell Tower

Mayor MacKay informed those in attendance that the Town was able to withdraw from the lease agreement with Eastlink on the proposed Cowan Street site.

### 8.2 Taxi License Application

CAO Rice brought before Council an application for a new taxi business in the Town, noting that it had already been reviewed and approved by Chief Hussher. Councillor MacDonald asked if the zoning was appropriate for the proposed address. CAO Rice stated that it is zoned accordingly, allowing for one business vehicle on the property.

*Councillor MacDonald made a motion to approve the taxi license application. Deputy Mayor Murphy seconded. Motion passed.*

### 8.3 Citizens Opposed to Cell Tower – Clarrie MacKinnon

Mr. MacKinnon began by thanking Mayor MacKay and Council for the news regarding the Cowan Street site. He asked if that means there will be no future plans of a cell tower going on Cowan Street. Mayor MacKay responded that any new proposal will be treated as a new site and dealt with as each application is filed. Mr. MacKinnon indicated that he had a petition signed by 299 people protesting the tower construction on Cowan Street, and that he would continue to advocate against these towers going in residential areas. Mr. MacKinnon and the group of concerned citizens asked where, if not Cowan Street, was the Tower going to go?

*Mayor MacKay asked Council to adjourn for brief recess at 6:35pm. Councillor MacDonald made the motion to adjourn for five minutes. Councillor White seconded. Motion passed.*

Mayor MacKay called the meeting back to session at 6:40pm.

Mayor MacKay informed those in attendance of an update on the proposed cell tower. He stated that the other sites the Town offered for consideration are unfortunately not suitable, therefore Eastlink is now in talks with the owner of land at the entrance to Acadia Park and they plan to proceed. Mr. MacKinnon stated that even more aggressive efforts will be made to stop this from happening.

## 9. QUESTIONS FROM CITIZENS

### 9.1 Morris Campbell – 1366 North Main Street

Mr. Campbell asked Mayor Roger MacKay if he could direct a question to Mr. MacKinnon, and asked what areas were canvassed to get the 299 signatures, because he was not approached about the petition. Mr. MacKinnon, with permission of Council, responded that some people may have been missed but an effort was made to go door to door and they were able to hit most houses in the north end of town. Mr. Campbell commented that it is nice to see such a large turn out for the Council Meeting, but wishes people would come every month, not just show up once.

### 9.2 Mary MacKinnon – 2326 Cowan Street

Ms. MacKinnon asked who the private land owner is in talks with Eastlink. If this a numbered company in Quebec how do we find out who to contact? She

asked if it was a subsidiary of Sobeys. She asked Council how they were able to get out of the lease agreement. CAO explained that Eastlink allowed them to withdraw because of the agreement they had already signed with the private land owner on Main Street. Councillor White commented that years ago Council was approached and voted against a tower, stating that when it is Town land they have the power to stop it, but when it is privately owned land the Council has no power to say no. Councillor White also agreed with Mr. Morris's comment that it is nice to see people turn out for the Council Meeting, but it would be nice to have input from residents all the time, not just on one issue. Ms. MacKinnon responded by saying thank you to Council for all of their hard work, but that she also had issue with the fact that the Town provided civic addresses to Eastlink to serve notices, although not all properties close by received any notices.

**9.3 Clarrie MacKinnon – 2326 Cowan Street**

Mr. MacKinnon stated that Eastlink is in a position where they are holding the Town hostage and drew a parallel to a similar situation that occurred in CBRM. He cited research on health hazards, diminished property values, and stated that people are concerned and they will continue to fight this.

**9.4 Wayne Morris – 2410 Cowan Street**

Mr. Morris asked who issues the building permits. If a resident cannot build a deck without obtaining a permit from the Town, doesn't Eastlink require a building permit to put up this tower, and cant Council turn down that request? Mayor MacKay responded that it is because it is federally regulated and federal rules supersede Town by-laws.

**9.5 Bill Feltmate – 2199 Union Street**

Mr. Feltmate asked why Eastlink is not required to notify and consult with residents about any new proposed site. Councillor White responded that federal legislation requires notification of property owners within a radius of 3 times the height of the tower from the base. Mr. Feltmate stated that as Councillors he would hope there would be harder opposition to this. Councillor White stated that as a Council they are not happy with this, but it is beyond their control. Councillor White agreed that Council are caught in a position where it is out of their hands, a private land owner has the right to make this decision.

**10. ADDITIONS**

**10.1** *Councillor Sutherland made a motion that Halloween be observed from 5pm to 8 pm this year. Councillor White seconded. Motion carried.*

*Councillor MacDonald made a motion to move in-camera at 7:12pm. Deputy Mayor Murphy seconded. Motion carried.*

**11. IN-CAMERA SESSION**

*Deputy Mayor Murphy made a motion to return to the Regular Council Meeting at 7:45 pm. Councillor MacDonald seconded. Motion carried.*

**12. ADJOURNMENT OF MEETING**

**12.1** *Councillor MacDonald moved to adjourn the meeting at 7:46 pm. Deputy Mayor Murphy seconded. Motion carried.*

*Certified to be a true copy of the minutes of the September 24<sup>th</sup>, 2018 Regular Council Meeting  
for the Town of Westville.*

*Regen Mayley*  
.....  
MAYOR

*Amanda Cys*  
.....  
RECORDING SECRETARY