

TOWN OF LUNENBURG COUNCIL MEETING MINUTES

TUESDAY, JANUARY 11, 2022 AT 6:00 P.M.

VIA ZOOM WEBINAR

PRESENT: Mayor Matt Risser
Deputy Mayor Peter Mosher
Councillor Jenni Birtles
Councillor Melissa Duggan
Councillor Stephen Ernst
Councillor Ed Halverson
Councillor Susan Sanford

ALSO PRESENT: Ann Covey, Recording Secretary
Kelly Cunningham, Recreation Director
Lisa Dagley, Finance Director
Dennis MacPherson, Town Engineer
Kevin Malloy, Interim Chief Administrative Officer
Heather McCallum, Assistant Municipal Clerk

1. Call to Order

The mayor called the meeting to order at 6:22 p.m. following technical difficulties related to the Zoom online meeting format.

2. Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People

The Mayor recognized Lunenburg's location on the unceded territory of the Mi'kmaq people.

3. Agenda

Motion: moved and seconded approval of the agenda. Motion carried.

4. December 14, 2021 Council Meeting Minutes

Motion: moved and seconded approval of the December 14, 2021 Council meeting minutes. Motion carried.

5. Public Hearings, Presentations and Questions

6. Correspondence, Petitions and Proclamations Consideration

a. Municipal Profile and Financial Condition Indicators Results 2019

7. Business Arising from the Minutes/Unfinished Business

a. Wastewater treatment plant – Flood Control

The TE reviewed the report (Schedule “A”).

Motion: moved and seconded the approval of the WWTP Flood Control Project in the amount of \$252,500. In fiscal 21/22 for detailed design funded from Deed Transfer Taxes. In fiscal 22/23 Construction, including site engineering funded from a Capital Borrowing. Motion carried.

b. Comprehensive Community Plan (CCP) Q3 2021/22 Quarterly Report

The CAO reviewed the presentation (Schedule “B”).

The AMC summarized the quarterly report (Schedule “B”).

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

9. New Business

a. Nova Scotia Utility and Review Board - 369 of the Municipal Government Act – 2022 Municipal Boundary Review

The CAO outlined the NSUARB request (Schedule “C”).

Motion: moved and seconded to prepare a staff report regarding section 369 of the Municipal Government Act regarding the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors, options therefor, and a public consultation methodology prior to making an application to the NSUARB (Schedule “C”). Motion carried.

b. 2021/22 Capital and Operating Variance Report to October 31, 2021

The FD reviewed the report (Schedule “D”).

c. En Pointe Rental Rate Reduction Request at Community Centre: After School Program Organization

The RD reviewed the report (Schedule “E”).

Motion: moved and seconded to provide En Pointe Performing Art Studios with a 25% discount towards rental fees at the Lunenburg Community Centre when renting 5 hours or more per week for after school program purposes, with a minimum of 6-month rental commitment.

Motion: moved and seconded to divide the question. Motion carried.

The first motion was defeated with unanimous opposition.

Motion: moved and seconded to provide En Point a fixed rental rate of \$1,500/month, tax included, during the months of July and August 2022 to offer summer programming in the Lunenburg Community Centre.

Motion: moved and seconded to defer the second motion until a fuller proposal can be drafted and submitted by En Pointe. Motion carried.

d. Skate Park: Private Donation Carry Forward To 2022/23

The RD reviewed the report (Schedule "F").

Motion: moved and seconded to carry over the \$17,500 balance from private donation towards the 2022/23 skate park upgrades (Schedule "F"). Motion carried.

10. Meet in camera

Motion: moved and seconded to meet in camera to consider the following matters pursuant to section 22 (2), Municipal Government Act:

- Licensed use and agreement for municipal property

Motion carried.

Council recessed and met in camera at 7:18 p.m.

11. Resumption of Council meeting in public session

The public portion of the Council meeting resumed at 7:48 p.m. The following Council in camera meeting recommendation was considered by Council.

Motion: moved and seconded that the Town enter into a FIRST Lease Amendment Agreement for the second floor of the Lunenburg Academy with the South Shore Regional Centre for Education (SSRCE) as attached hereto as Schedule SSRCE1 and Schedule SSRCE2 (which have had the legal costs clause deleted prior to the execution by SSRCE) and the Mayor and Manager Clerk/CAO are authorized to execute the Leases on behalf of the Town and affix the Municipal Seal thereto (Schedule "G"). Motion carried.

12. Adjournment – Mayor Risser

The meeting was adjourned at 7:49 p.m. by the Mayor.

Ann Covey, Recording Secretary
for Kevin Malloy, Interim CAO

Document No:
Meeting: Jan.11, 2022 Council
Circulate: Council, IT, DM, LD, JL
File: Budget 2021/22

MEMORANDUM

TO: TOWN COUNCIL

**FROM: IAN TILLARD, ENGINEERING CONSULTANT AND
DENNIS MACPHERSON, M. Eng., P.Eng, TOWN ENGINEER**

DATE: DECEMBER 17, 2021

**RE: WASTEWATER TREATMENT PLANT - CHANGE IN SCOPE FOR AN
APPROVED BLOWER REPLACEMENT BUDGET ITEM**

1. FACTS

The purpose of this memo is to provide the background for and a request to approve the change the scope of work for a previously approved budget item (Blower Replacement at the Wastewater Treatment Plant) to the Flood Control at the Wastewater Treatment Plant (WWTP). There will also be a reduction in the budget as the new scope is less costly than the original scope.

2. ISSUES AND OPTIONS ANALYSIS

The many reports over the past two years regarding the WWTP upgrade culminated in Council's approval on September 28, 2021 to proceed with the project as laid out in the CBCL Proposed Implementation Plan dated 19 August 2021. This plan recommends that the Town upgrade the WWTP using SBR (Sequencing Batch Reactor) technology.

As a result of this decision and with the plan to proceed with the plant upgrade in the next short number of years, there are some items that were identified in the reports for near term upgrades to the existing plant that will either no longer be required or will be modified from the original intent.

Council had approved the replacement of the aeration blowers with a budget of \$280,000 for fiscal year 2021/22. This was the highest priority item of the short-term work identified in the reports. The SBR technology still requires a blower system, but the airflow requirements are less and therefore smaller blowers will likely result. In addition, there are some other changes associated with the existing blower system that likely will not be required. But until the detailed design for the SBR system is complete, the details for a new blower system for the SBR system are not known.

PW has recently completed an assessment of the existing blowers with the manufacturer to see what work would be required to ensure reliable operation over the next number of years. That assessment is complete and there are some upgrades required and these are now being addressed under the maintenance budget. The result will be blowers that will provide reliable operation during the expected period that it will take to complete the WWTP upgrade, at which time a new blower system will be installed.

The next highest priority item identified in the reports is the flood protection of the WWTP. The original intent was to request to proceed with this project in 2022/23, however given that the blower replacement can now be transferred to the long-term upgrade, the request is now to utilize the approved budget for the blower replacement for the flood protection project. The budget is lower for the flood protection.

Ideally the flood protection should be completed prior to the hurricane season in 2022. Which means awarding the engineering of this early in the 2022 new year and issuing a construction contract early in fiscal 2022/23.

3. FINANCIAL IMPACT

There is no approved budget for the Flood Protection Project in fiscal 2021/22. The current project estimate is:

Description	Amount including 15% HST	Budget amount including net HST
Detailed Design Engineering and Site Engineering during Construction	\$39,100	\$35,500
Construction	\$239,200	\$217,000
Total	\$278,300	\$252,500

It is anticipated that the Detailed Engineering would be completed before the end of fiscal 21/22 and that the Site Engineering and Construction would take place early in fiscal 22/23.

The previously approved 2021/22 budget for the Blower Replacement is \$280,000, which was to be financed through a \$270,000 Capital Borrowing and \$10,000 Deed Transfer Taxes. Deed Transfer Tax can be allocated to fund the 21/22 portion of the Flood Protection Project (detailed engineering). Which would enable the Capital Borrowing to be deferred to fiscal 22/23 for the balance of the Flood Protection Project.

Staff are also exploring a possible \$100,000 grant that would align well with this project, applications due January 31, 2022. If the Town is successful in security this funding it will reduce our borrowing requirements for this project.

4. STRATEGIC PLAN RELEVANCE

This project is part of the “Servicing and Facilities” Strategic Direction of Project

Lunenburg's Comprehensive Community Plan approved by Council in November 2020. Specifically, this project relates to the Strategic Direction Action to make "Upgrades to the wastewater treatment plant."

5. RECOMMENDATION AND DRAFT MOTION

Staff are recommending that:

1. Re-allocate the budget for the Blower Replacement Project to the WWTP Flood Control Project. Engineering to be completed in 2021/22 and construction including site engineering in 2022/23.
2. The budget for the Flood Control Project be set at \$252,500.
3. Council approve the WWTP Flood Control Project proceed immediately by adopting the draft motion noted below.

Draft Motion:

Motion: moved and seconded the approval of the WWTP Flood Control Project in the amount of \$252,500. In fiscal 21/22 for detailed design funded from Deed Transfer Taxes. In fiscal 22/23 Construction, including site engineering funded from a Capital Borrowing.

Acknowledged by:

Kevin Malloy
Interim CAO

COMPREHENSIVE COMMUNITY PLAN: QUARTERLY REPORT

Q3 2021/22: October 1 - December 31, 2021

Council Presentation: January 11, 2022



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PROJECT MANAGEMENT PLANS

- ▶ Project Definition
- ▶ Communication Strategy
- ▶ Resource Management Plan
- ▶ Dependencies
- ▶ Timelines
- ▶ Budget



PROJECT DEFINITION

- ▶ Provides a project outline
- ▶ Describes project outcomes/goals
- ▶ Action items/ task accountabilities
- ▶ Role of public participation
- ▶ Outline partnerships
- ▶ Link to CCP



COMMUNICATION STRATEGY

Broad Strategy

- ▶ Update public on progress of CCP
- ▶ Update staff/Council on progress of CCP

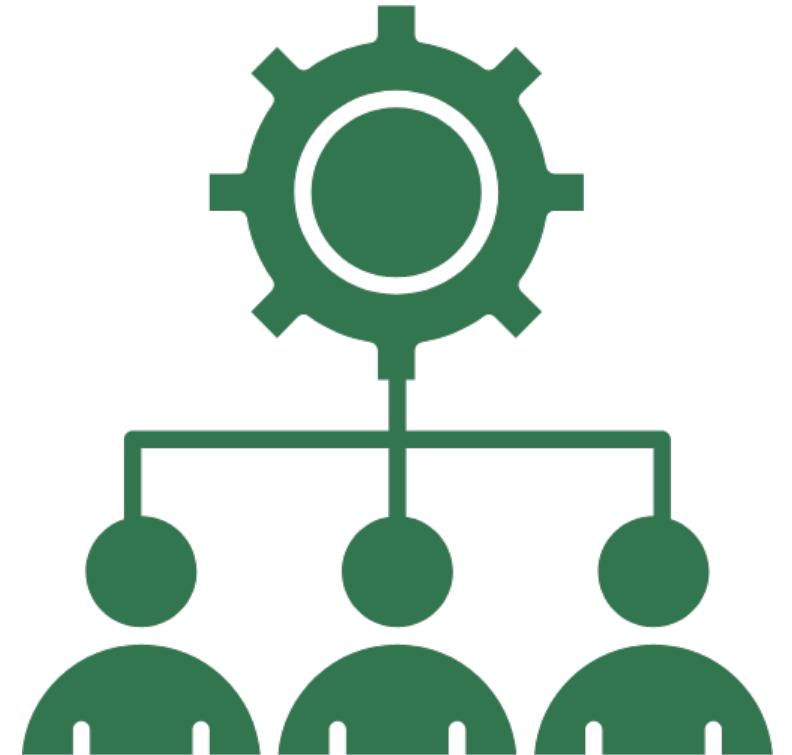
Specific Action Items (Project Management Plan)

- ▶ Describes the public input process required for a specific action item



RESOURCE MANAGEMENT PLAN

- ▶ Clear Accountabilities
- ▶ Identify source of project (core operations/capital/ special projects)
- ▶ Degree of specialization
- ▶ Urgency
- ▶ Balance of in-house/contracted/ consulting



DEPENDENCIES

- ▶ Some degree of prioritization is necessary
- ▶ Some actions are dependent on others being completed
- ▶ Identifies opportunities for overlapping tasks
- ▶ Best use of time
- ▶ Balance use of resources



TIMELINES

- ▶ Need to structure tasks to determine if timeline is acceptable
- ▶ Look for efficiencies
- ▶ Accountability measure (are we on schedule?)
- ▶ Link to budget



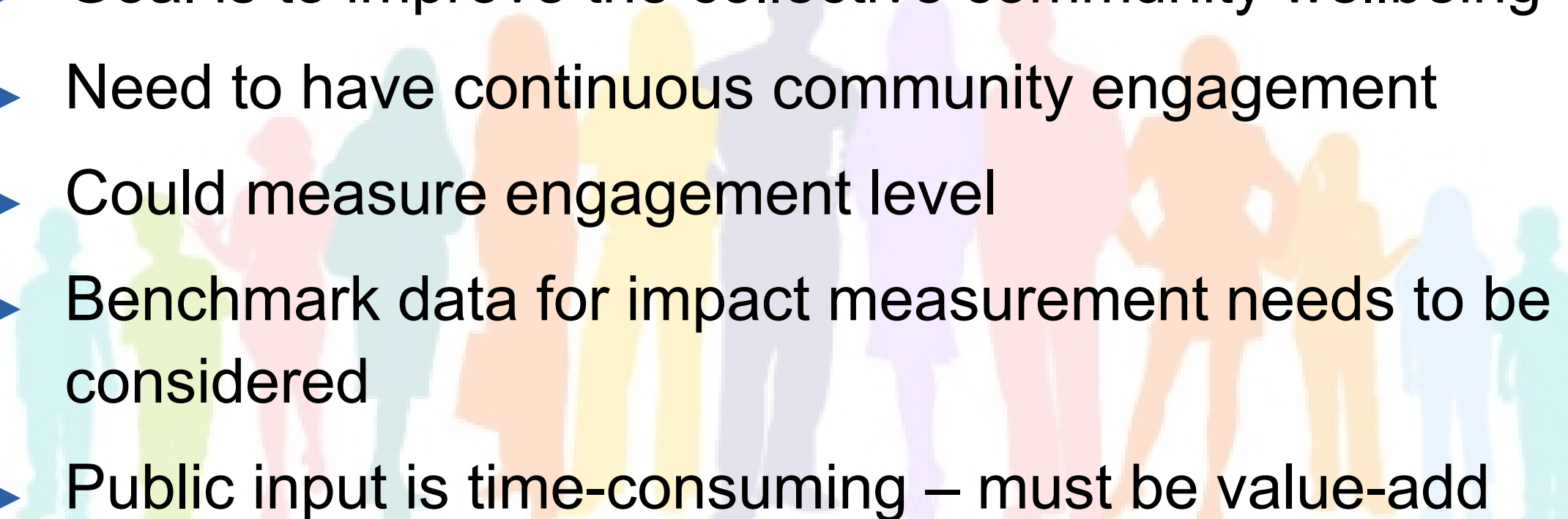
BUDGET

- ▶ Need to finance related costs
- ▶ Measure overspending/cost pressures
- ▶ Available budget allows you to be prepared to be more aggressive
- ▶ Maintains an assemblance of project costs





COMMUNITY IMPACT

- 
- ▶ Goal is to improve the collective community wellbeing
 - ▶ Need to have continuous community engagement
 - ▶ Could measure engagement level
 - ▶ Benchmark data for impact measurement needs to be considered
 - ▶ Public input is time-consuming – must be value-add

OTHER MATTERS

- ▶ Policy support – Asset/Land Disposition process
- ▶ Other initiatives – Boundary Review/Water Rate Study
- ▶ Staff Challenges – Vacancies/New Staff
- ▶ Open Discussion – Solution-oriented



10 STRATEGIC DIRECTIONS




Community Structure



Housing



Servicing & Facilities



Mobility



Economic Development



Heritage



Urban Design



Environment & Sustainability




Culture & Recreation



Governance

Q2 2021/22 STATUS



 <p>Community Structure</p>	Action 8	Study and planning for a <u>sustainable energy district</u> <ul style="list-style-type: none">▶ PO issued Dec 1, 2021; project kick-off meeting held Dec 8, 2021.▶ Funding: No updates.
	Action 10	Site planning for <u>Blockhouse Hill</u> <ul style="list-style-type: none">▶ Surveying work is underway for land title migration(s) for the site, which will require a special Act of the Legislature▶ Funding: No updates.


Q2 2021/22 STATUS



 <p>Housing</p>	Action 13	Feasibility study of mechanisms to encourage <u>long-term residency</u> <ul style="list-style-type: none">▶ N/A in 2021/22
	Action 17	Regulate <u>short-term rentals</u> <ul style="list-style-type: none">▶ In addition to restrictions now in place via zoning, the CCP recommends a stand-alone STR Bylaw as a means to deal with operational aspects – to be discussed (possibly as a joint regional project)▶ Funding: No updates
	Action 20	Relationships with <u>housing stakeholders</u> to foster collaboration and data sharing <ul style="list-style-type: none">▶ Council pre-approved \$20,000 in the 2022/23 budget for a study on rental rates in the Town of Lunenburg▶ In communication with CMHC re: collaboration on data sharing▶ Funding: N/A in 2021/22

Q2 2021/22 STATUS



 <p>Housing</p>	<p>Action 25</p> <p>Action 33</p>	<p>Study, policy, and other actions toward <u>alternative housing models</u></p> <ul style="list-style-type: none">▶ Alternative housing models are enabled in New MPS/LUB▶ Funding: N/A in 2021/22 <p>Monitor and analyze <u>housing demand and supply, demographic indications, and relevant development trends</u></p> <ul style="list-style-type: none">▶ National census results will be released through 2022, including demographics in Feb and Apr, and a housing portrait in Sep▶ Funding: N/A in 2021/22
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Q2 2021/22 STATUS



Servicing &
Facilities

Action 1

Upgrades to the wastewater collection and discharge system

- ▶ Maintenance: Catch basin cleanout in Dec; lift stations scheduled for Jan
- ▶ Water separation projects: RFP for Bluenose Drive sewer line engineering closed Dec 17 and bids being evaluated
- ▶ RFP for Water/Wastewater System survey and GIS development closed Dec 16 and bids being evaluated
- ▶ **Connections:** Action 2 (Servicing & Facilities) re: upgrades to WWTP
- ▶ **Funding:** No updates

Q2 2021/22 STATUS



Servicing &
Facilities

Action 2

Upgrades to the wastewater treatment plant

- ▶ Council approval of Implementation Plan
- ▶ Council approval to extend the predesign phase for more specific engineering and budget detail on chosen upgrade options – starting immediately and continued into 2022/23:
 - ▶ Project Planning
 - ▶ Process Design
 - ▶ Geotechnical Investigation
 - ▶ Structural Design of the Tanks
 - ▶ Electrical Design
- ▶ **Connections:** Action 1 (Servicing & Facilities) re: upgrades to collection system
- ▶ **Funding:** Pending application to Municipal Climate Resiliency Grant for flood mitigation

Q2 2021/22 STATUS



Servicing &
Facilities


Action 6

Plan for long-term of all municipal facilities

- ▶ RFP for Town Hall Exterior Restoration project issued with deadline of Jan 13, 2022
- ▶ Town Asset Disposition Policy to be drafted (buildings and/or land)
- ▶ Surveying and/or land title migration in progress for 17 Tannery Road and other municipally-owned properties
- ▶ **Connections:** Action 32 (Culture & Recreation) re: regional arts and recreation facility evaluation
- ▶ **Funding:** No update

Q2 2021/22 STATUS



 Mobility	Action 29	Plan for new visitor, employee, and bus <u>parking areas</u> outside Old Town <ul style="list-style-type: none">▶ N/A in 2021/22
	Action 30	Improve <u>connectivity between Old/New Town</u> for all modes of transportation <ul style="list-style-type: none">▶ Bicycle NS trial/pilot Project Team meeting scheduled for Jan 2022 re: project preparation for a contraflow bike lane and pedestrian mall on Montague Street in Jun 2022▶ Connections: Action 24 (Culture & Recreation) re: waterfront accessibility▶ Funding: Bicycle NS funding for pilot project

Q2 2021/22 STATUS



**Economic
Develop-
ment**

Action 4

Enhance relationships with surrounding communities and municipalities

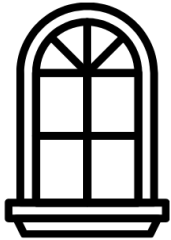
- ▶ Ongoing joint services as described in Q2
- ▶ Ongoing regional discussion forums as described in Q2
- ▶ First regional meeting of Economic Development Officers since the beginning of the pandemic is scheduled for Jan 22, 2022 to be hosted in Lunenburg
- ▶ **Connections:** Action 7 (Governance) re: deepening work with local and regional partners in the provision of shared services
- ▶ **Funding:** No updates

Q2 2021/22 STATUS



 <p>Economic Development</p>	Action 23	Establish a <u>staff position</u> that can support economic development initiatives <ul style="list-style-type: none">▶ <u>Completed</u>; CCP project management, Town business prospectus, business and tenant relations among responsibilities▶ Grants sourced for Town Hall exterior assessment, flood mitigation, and various Recreation projects▶ Funding: Ongoing research for various municipal funding sources
	Action 26	Create an <u>inventory</u> of economic information <ul style="list-style-type: none">▶ Long-term project for Economic Development & Funding Manager with assistance from Planning Technician for asset mapping▶ Funding: N/A in 2021/22

Q2 2021/22 STATUS



Heritage

Action 22

Policy to encourage accessibility and provide heritage design guidance

- ▶ Work delayed due to Upland pulling out of Heritage Conservation District Plan and Bylaw update project; awarded to Brighter Communities on Dec 14, 2021
- ▶ Design Standard for accessibility improvements completed and on website
- ▶ Process to draft a revised Street Encroachment Bylaw delayed due to Planning Manager departure (replacement TBA)
- ▶ **Connections:** Actions 31, 35 (Heritage) re: HCD bylaw accommodations; Action 16 (Urban Design) re: improving accessibility throughout town
- ▶ **Funding:** No updates

Action 31

Accommodate new additions to heritage structures e.g. solar panels

- ▶ Heritage Conservation District Plan & Bylaw update will address this
- ▶ **Connections:** Actions 22, 35 (Heritage) re: HCD bylaw accommodations


Action 35

Ensure infill/new development is visually compatible/subordinate/distinguishable

- ▶ Heritage Conservation District Plan & Bylaw update will address this
- ▶ **Connections:** Actions 22, 35 (Heritage) re: HCD bylaw accommodations

Q2 2021/22 STATUS



 <p>Urban Design</p>	Action 16	Improve <u>accessibility</u> throughout the town <ul style="list-style-type: none">▶ RFPs for an Accessible Parking Spaces assessment and Accessible Sidewalks standards and guidelines have closed with one submission each; work will be requested for 2022/23 Capital Budget▶ Lunenburg Arena and Community Centre accessibility audit conducted▶ Connections: Action 22 (Heritage) re: policy to encourage accessibility and provide heritage design guidance▶ Funding: Lunenburg Academy walkway to accessible entrance funding application and budget in the works for 2022/23
	Action 19	Activate <u>streetscapes</u> through design and programming <ul style="list-style-type: none">▶ No updates this quarter▶ Funding: Projects and related applications deferred to 2022/23
	Action 28	Policies and programs for street trees and <u>urban forest</u> <ul style="list-style-type: none">▶ N/A in 2021/22

Q2 2021/22 STATUS



Environment
& Sustain-
ability

Action 5	Partnerships to encourage <u>energy efficient retrofits</u> <ul style="list-style-type: none">▶ RFP to be drafted for study – timing TBD▶ Funding: Federal Infrastructure Retrofit and Efficiency NS sources being investigated as possible sources of funding
Action 15	Ongoing <u>community learning/dialogue</u> about sea level rise and climate change <ul style="list-style-type: none">▶ N/A in 2021/22; scheduled to begin 2023
Action 21	Regulate <u>buildings near the shoreline</u> as part of sea level rise adaptation <ul style="list-style-type: none">▶ N/A in 2021/22
Action 27	Policies for <u>wind and solar</u> energy at multiple scales <ul style="list-style-type: none">▶ N/A in 2021/22

Q2 2021/22 STATUS



Culture &
Recreation

Action 11

Foster inclusivity in programming and leadership

- ▶ Continue to host annual special events in collaboration with diverse stakeholders – this quarter included the Mi'kmaq Grand Council and Transgender flag raisings, participating in a Treaty Day birchbark canoe launch and Bluenose Academy feather project in memory of murdered Indigenous children at residential schools
- ▶ Staff is investigating a free equipment loan program
- ▶ PRO Kids continues to provide financial assistance for children and youth, with a new donation from Darwin Event Group of \$3,102
- ▶ **Connections:** Actions 12 and 18 (Culture & Recreation) re: anti-racism initiatives; Action 3 (Governance) re: reforming Town committees
- ▶ **Funding:** Federal Youth Employment Experience funding for intern

Action 12

Build relationships with BIPOC residents and organizations in the area

- ▶ **Connections:** Actions 11 and 18 (Culture & Recreation)

Q2 2021/22 STATUS



Culture &
Recreation

Action 18

Special committee to promote anti-racism and decolonization

- ▶ Anti-Racism Special Committee (ARSC) hiatus ended with a November 25, 2021; meeting led by the Live Infinitus consultant team
- ▶ Possible opportunity for regional cooperation
- ▶ Vacancies on the committee have been advertised
- ▶ **Connections:** Actions 11 and 12 (Culture & Recreation) re: fostering inclusivity and reaching out to BIPOC residents; Action 3 (Governance) re: reforming Town committees
- ▶ **Funding:** Increased 2021/22 funding allocated to support consultants' work

Q2 2021/22 STATUS



Culture &
Recreation

Action 24

Facilitate partnerships and opportunities to increase waterfront access

- ▶ 2021/22 Capital projects furthering this goal include: Back Harbour Trail re-surfacing (fall/winter completion)
- ▶ Special events partnership with the Fisheries Museum and Lunenburg Board of Trade to enhance usage of the waterfront for “Light Up Lunenburg” holiday festivities in November
- ▶ **Connections:** Action 30 (Mobility) re: connectivity between Old/New Town
- ▶ **Funding:** No update

Q2 2021/22 STATUS



Culture &
Recreation

Action 32

Assess regional arts and recreation facility needs and develop an integrated strategy

- ▶ Two facility accessibility audits were completed: Lunenburg Community Centre and Lunenburg Arena; the final reports are pending
- ▶ A new concrete half pipe has been installed at the Skate Park; a park expansion is planned for phase 2
- ▶ **Connections:** Action 6 (Servicing & Facilities) re: long-term Town facilities plan
- ▶ **Funding:** Staff are investigating Provincial Rink Revitalization Fund for capital infrastructure of the Arena, and Recreation Facility Development funding for additional Skate Park improvements to complement a \$20,000 private donation

Q2 2021/22 STATUS



Governance

Action 3

Reform municipal committees to build a culture of inclusion

- ▶ **Connection:** Actions 11, 12 and 18 (Culture & Recreation) re: inclusive leadership, outreach to BIPOC community, and the Anti-Racism Special Committee's work; and Action 14 (Governance) re: organization and bylaws/policies review

Action 7

Deepen work with local/regional partners in the provision of shared services

- ▶ Ongoing joint services as described in Q2
- ▶ Ongoing regional discussion forums as described in Q2
- ▶ Possible opportunity for regional cooperation on anti-racism/anti-discrimination initiatives and short-term rentals
- ▶ **Connections:** Action 4 (Economic Development) re: enhancing relationships with surrounding communities and municipalities
- ▶ **Funding:** No update

Q2 2021/22 STATUS



Governance

Action 9

Expand communication plan to include a public participation strategy

- ▶ Public Participation Strategy development delayed due to CAO transition period and upcoming organization review
- ▶ New Town website “www.townoflunenburg.ca” content adjustments continue for better user experience
- ▶ **Funding:** N/a at this time


Action 14

Undertake an organizational review that will identify changes required for implementation of CCP

- ▶ RFP for organization and bylaws/policies review awarded to MC Advisory Group on December 14, 2021
- ▶ **Connections:** Action 34 (Governance) re: performance indicators and evaluation measurements
- ▶ **Funding:** Internally funded; possible phasing may require additional project funding

Q2 2021/22 STATUS



 <p>Governance</p>	Action 34	Identify <u>performance indicators/measurements</u> to evaluate activities of the Town <ul style="list-style-type: none">▶ RFP for organization and bylaws/policies review awarded to MC Advisory Group on December 14, 2021▶ Connections: Action 14 (Governance) re: organization and bylaws/policies review▶ Funding: Internally funded; possible phasing may require additional project funding
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Q2 2021/22 NEXT STEPS

- ▶ Upcoming Quarterly Reports:

- 5. Q4 2021/22 January 1 - March 30, 2022: *tentatively scheduled for the Council Meeting of March 22, 2022*



PROJECT
LUNENBURG

Navigating the
Future, Together.



Nova Scotia Utility and Review Board

Mailing address

PO Box 1692, Unit "M"
Halifax, Nova Scotia
B3J 3S3
board@novascotia.ca
<http://nsuarb.novascotia.ca>

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3rd Floor, 1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
1 855 442-4448 (toll-free)
902 424-4448 t
902 424-3919 f

December 10, 2021

brenton@explorelunenburg.ca

Town of Lunenburg
c/o Chief Administrative Officer
PO Box 129
Lunenburg, NS B0J 2C0

Dear Ms. Renton:

S. 369 of the Municipal Government Act – 2022 Municipal Boundary Review

Section 369 of the *Municipal Government Act* requires councils of every town and municipality to apply to the Nova Scotia Utility and Review Board in 2022 to “confirm or to alter the number and boundaries of polling districts and the number of councillors.” All councils must conduct a study into the number of councillors and into the reasonableness and fairness of the number and boundaries of polling districts before making the application to the Board.

Enclosed is a copy of a User Guide prepared by the Board to provide guidance to towns and municipalities in the preparation of their applications. This information is also available on the Board’s website: <https://nsuarb.novascotia.ca/> under the Municipal Boundaries page.

Also, enclosed is a copy of Board’s *Municipal Government Act Rules (Rules)*. *Rule 27* sets out the information that is required to be filed by towns and municipalities which have polling districts or wards (to be completed on Form C). *Rule 28* sets out the requirements for towns which have no polling districts or wards (Form D).

If you have questions about the application process, please contact the undersigned. Please confirm receipt of this letter.

Yours very truly,

Bruce Kiley
Chief Clerk of the Board

Encl.

Circulated: _____

Document No:
Meeting January 11, 2022 Council
Circulate To: Council, BR, DH's, KR,
JG-Audit Committee
File: Budget 2021/22

MEMORANDUM

TO: TOWN COUNCIL

FROM: LISA DAGLEY, FINANCE DIRECTOR

DATE: DECEMBER 20, 2021

**RE: 2021/22 CAPITAL AND OPERATING VARIANCE REPORT –
TO OCTOBER 31, 2021**

Please find enclosed the variance report to **October 31, 2021**. The period ending **October 31, 2021** represents 58% (7 months) of the fiscal year. Town General expenditures are at 55%.

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Acknowledged only by:

Kevin Malloy, Interim CAO

Encls.

Capital Status Report to October 31, 2021

Any comments in BOLD are changes from the previous report

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
CCP	CCP-Municipal Planning Strategy, Land Use By-Law, Subdivision By-Law and Heritage By-Law Alignment <i>Comment:</i> The Municipal Planning Strategy, Land Use By-Law and Subdivision By-Law are complete and have been approved by the Province. The cost of which was \$33,275. The Heritage By-law work was awarded at the Dec.14/21 meeting at a cost of \$92,200.	\$87,385	\$33,275	\$54,110	AM
Annex	Annex Roof <i>Comment:</i> On Sept.14, 2021 Council deferred this project for this fiscal year.	\$26,000	\$0	\$26,000	PW
Town Hall	Tender Package Town Hall Exterior Restoration <i>Comment:</i> A Request for Proposals for this project to be issued in December closing mid January. Staff have recently applied for funding from Parks Canada for this project and work is now anticipated to be completed in fiscal 22-23.	\$50,000	\$0	\$50,000	PW
Town Hall	Security System Upgrade <i>Comment:</i> Capital installation is complete, working to resolve some deficiencies.	\$10,000	\$0	\$10,000	PW
Town Hall	Retaining Wall <i>Comment:</i> Inspection and Bore holes have been completed and execution of the repair stage of project is anticipated to take place in 22-23.	\$10,000	\$0	\$10,000	PW
Lunenburg Academy	South Side Handrail <i>Comment:</i> Lunenburg Academy Foundation is providing the funding for this item. The installation of the metal handrail on the south side entrance way of the Academy has been completed in August. 	\$15,000	\$0	\$15,000	AM/PW
Lunenburg Academy	Lunenburg Academy Foundation/Drain Tile Inspection & Tender Documents <i>Comment:</i> Lunenburg Academy Foundation is providing the funding for this item. Purchase order issued to ABLE Engineering in early October.	\$40,000	\$0	\$40,000	AM/PW
Environmental Development	Blockhouse Hill <i>Comment:</i> Property migration work is in process, with the necessary survey set to be completed by fiscal year end. The migration will require a private members bill. Total estimated cost \$25,000 - \$30,000. Subdivision TBA. Desk top archaeology and feasibility studies have not be actioned because cost to migrate higher than anticipated. ACOA funding not available at this stage.	\$40,000	\$2,282	\$37,718	AM

Capital Status Report to October 31, 2021

Any comments in BOLD are changes from the previous report

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
Wastewater Treatment	Bluenose Drive - Sewer Line <i>Comment:</i> RFQ closed Dec.17/21. This budget is for design work which is anticipated to be completed by year end and the construction phase of this project is anticipated to be undertaken in the 22-23.	\$15,000	\$0	\$15,000	PW
Wastewater Treatment	WWTP-Upgrade Rails and Catwalks in Aeration <i>Comment:</i> Project was carried over from 2020/21 fiscal year. Project is now completed.	\$30,000	\$30,807	(\$807)	PW
Wastewater Treatment	Catch Basin Repair -West Nova Parking Lot <i>Comment:</i> Town Engineer to schedule execution of this project in December.	\$20,000	\$0	\$20,000	PW
Wastewater Treatment	CSK-05, Green Street, Knickle Road, Tannery Rd. <i>Comment:</i> Town Engineer to develop scope for the project and it is projected that it will be executed between Jan-Mar.	\$60,000	\$1,551	\$58,449	PW
Wastewater Treatment	New Sewer Main on Archibald Street <i>Comment:</i> Project is complete.	\$50,000	\$24,136	\$25,864	PW
Wastewater Treatment	Upgrade Communication Systems to Pumping Stations <i>Comment:</i> Phase 1 of this project awarded in August 2021 and estimated to be completed by end of December. Phase 2 of this project has been approved by Council and will be executed in 22-23 fiscal year.	\$40,000	\$1,483	\$38,517	PW
Wastewater Treatment	Waste Water-Voltage Reading Monitor at Pumping Stations <i>Comment:</i> Project is complete.	\$7,000	\$3,588	\$3,412	PW
Wastewater Treatment	Lift Stations Capital Pump Repairs <i>Comment:</i> Carry over from fiscal 20-21, Total budget of \$146,000 approved June 23, 2020, \$66,345 expensed in Fiscal 20-21.	\$79,655	\$22,000	\$57,655	PW
Wastewater Treatment	Raw Sludge Pumps (2) <i>Comment:</i> Carry over from fiscal 20-21, pumps have to be installed.	\$50,000	\$27,780	\$22,220	PW
Wastewater Treatment	Flowmeter Installation Program <i>Comment:</i> April 13, 2021 Council Motion increased budget. Project complete.	\$66,000	\$67,762	(\$1,762)	PW

Capital Status Report to October 31, 2021

Any comments in BOLD are changes from the previous report

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
	<i>Wastewater Treatment</i> Lift Stations Capital Pump Spares Comment: This project is completed.	\$45,000	\$20,253	\$24,747	PW
	<i>Wastewater Treatment</i> Salt Water Intrusion-Check Valve Installation Comment: Request for proposal to design, supply and install anticipated to be completed early in 2022. PCAP funding received for 50% of this project, must be completed by Mar.31/22.	\$105,000	\$0	\$105,000	PW
	<i>Wastewater Treatment</i> Lift Station Pressure Gauges Comment: Gauges have been purchased and installation is complete, invoicing outstanding.	\$20,000	\$6,002	\$13,998	PW
	<i>Wastewater Treatment</i> Blower Replacements at WWTP - (3) Comment: The results of the pre-design study concluded that these blowers will not be part of the future plant. Staff report on Jan.11/22 agenda regarding reallocation of this project.	\$280,000	\$0	\$280,000	PW
	<i>Wastewater Treatment</i> Lift Station Overflow Meter Comment: The work is ongoing and there are 3 lift stations left to complete which need an engineering study .	\$10,000	\$0	\$10,000	PW
	<i>Wastewater Treatment</i> Chemical Feed Pumps (2) Comment: The new pumps will be purchased by the end of the fiscal year, specifications being prepared.	\$40,000	\$0	\$40,000	PW
	<i>Wastewater Treatment</i> WWTP-Compressor Overhaul Comment: This project was completed in August 2021.	\$5,000	\$4,076	\$924	PW
	<i>Wastewater Treatment</i> WWTP-Roof Top Air conditioner Comment: This project was completed in August 2021.	\$15,000	\$10,252	\$4,748	PW
	<i>Wastewater Treatment</i> WWTP - Improve Treatment Process Comment: Work carried out over fiscal year 20-21 & 21-22. Final report received by Council in August. Complete.	\$270,000	\$241,272	\$28,728	PW
	<i>Renewals - Sidewalks/Curbs</i> Tannery Road -Knickle to 97 Tannery Road (East) Comment: Land purchases currently in process.	\$55,000	\$0	\$55,000	PW

Capital Status Report to October 31, 2021

Any comments in BOLD are changes from the previous report

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
	<i>Renewals - Sidewalks/Curbs</i> Tannery Road Seawall-Final Stage	\$12,464	\$375	\$12,089	PW
	<i>Comment:</i> Budget for final stage of this multi-year project in 20-21 was \$70,000, there was \$57,536 expended in 20-21, remaining balance to complete project in 21-22. The remaining rock for the wall has been ordered.				
	<i>Equipment-Trucks</i> Replacement for Chev 02 Salt Truck	\$175,000	\$0	\$175,000	PW
	<i>Comment:</i> Dec.11/21 budget increased to \$202,000 and tender awarded. New truck will be delivered in fiscal 22-23.				
	<i>Equipment -Trucks</i> Replacement for 2002 F150 1/2 Ton	\$36,350	\$0	\$36,350	PW
	<i>Comment:</i> Council approved \$1,350 budget increase Sept.14/21. Purchase order has been issued, anticipated delivery is January.				
	<i>Equipment-Backhoe</i> Replacement for Cemetery Backhoe	\$55,000	\$46,921	\$8,079	PW
	<i>Comment:</i> Backhoe was delivered in August 2021.				
	<i>Public Works Equipment</i> Trackless Plow Blade (90)	\$10,000	\$0	\$10,000	PW
	<i>Comment:</i> PO has been issued for this equipment purchase.				
	<i>Public Works Equipment</i> Salt Spreader Trackless (90)	\$10,000	\$0	\$10,000	PW
	<i>Comment:</i> PO has been issued for this equipment purchase.				
	<i>Public Works Equipment</i> Power Concrete Screed	\$3,200	\$2,711	\$489	PW
	<i>Comment:</i> Purchase is complete.				
	<i>Public Works Equipment</i> Rods for Turning Machine (90)	\$3,000	\$0	\$3,000	PW
	<i>Comment:</i> This items will be investigated for issuance of RFP with item being purchased before end of fiscal year.				
	<i>Public Works Equipment</i> Concrete Forms	\$5,000	\$0	\$5,000	PW
	<i>Comment:</i> This items will be investigated for issuance of RFP with item being purchased before end of fiscal year.				
	<i>Public Works Equipment</i> Speed Radar Sign #2	\$3,500	\$3,542	(\$42)	PW
	<i>Comment:</i> Complete.				


Capital Status Report to October 31, 2021

Any comments in BOLD are changes from the previous report

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
Fire Department	Turnout Gear Dryer <i>Comment:</i> 100% funded by the Fire Department, item has been ordered.	\$9,700	\$0	\$9,700	GM
Fire Department	Concrete Apron Replacement (Area in front of bay doors at Fire Hall) <i>Comment:</i> Apron has been temporarily repaired for now. Tender package will be issued in December, closing early January. Cost Estimate to be used for budget adjustment.	\$55,000	\$10,245	\$44,755	GM
Community Centre/Arena	Arena Bathroom Renovations (plan/tender) <i>Comment:</i> Accessibility audit was completed on Nov.17/21 and staff are waiting for the report by the contractor. The audit results will be used to prepare a tender specification document for potential tender in 22-23 budget.	\$10,000	\$0	\$10,000	KC
Community Centre/Arena	Skate Park -funding application <i>Comment:</i> Project is complete. Staff report Jan.11/22	\$60,000	\$59,522	\$478	KC
Community Centre/Arena	Floor Scrubber <i>Comment:</i> Floor scrubber has been purchased.	\$7,500	\$5,699	\$1,801	KC
Arena	Ice Resurfacer <i>Comment:</i> Ice resurfacer arrived in late April and now in use at the arena.	\$125,000	\$108,450	\$16,550	KC

Capital Status Report to October 31, 2021

Any comments in **BOLD are changes from the previous report**

WATER UTILITY	Project	Budget	YTD Actual	Under/(Over) Budget	DH
General					
	New Services <i>Comment:</i> As required.	\$10,000	\$93	\$9,907	PW
	Replacement Hydrants <i>Comment:</i> 2 hydrants have been installed. 1 more to be completed.	\$10,000	\$3,370	\$6,630	PW
	Replacement Meters <i>Comment:</i> Project is in planning phase.	\$43,000	\$1,616	\$41,384	PW
Distribution Mains					
	Water and Wastewater System & GIS Development (includes all underground infrastructure) <i>Comment:</i> RFP issued in December. Funding deadline extended to Jun.30/22. Field work is weather dependent.	\$62,500	\$1,388	\$61,112	PW
Building Improvements & Construction					
	Chlorinator <i>Comment:</i> RFP terms of reference needs to be prepared.	\$10,000	\$0	\$10,000	PW
	Dam and Spillway - Geotechnical, Downstream Channel Assessment and pre-design of Dam <i>Comment:</i> Complete. 	\$62,500	\$18,636	\$43,864	PW
	Detailed Design of Dam and downstream channel rehabilitation <i>Comment:</i> Engineering design to be completed by end of November.	\$30,000	\$32,524	(\$2,524)	PW
	Repair Spillway Dares Lake <i>Comment:</i> Engineering design to be completed by November, tender and awarding of the project will be in January 2022. Estimated completion date is Spring 2022.	\$275,000	\$0	\$275,000	PW
	Replacement of Raw Water Inlet to Pumphouse <i>Comment:</i> Project will be undertaken by Public Works, anticipated completion by end of fiscal year.	\$15,000	\$0	\$15,000	PW
	Electric Net Metering Assessment <i>Comment:</i> PO issued for project in early December. Kick off meeting has taken place with contractor.	\$5,000	\$0	\$5,000	PW

Capital Status Report to October 31, 2021

Any comments in **BOLD are changes from the previous report**

WATER UTILITY	Project	Budget	YTD Actual	Under/(Over) Budget	DH
	Armouries-Interior Renovations <i>Comment:</i> Public works to complete by March 31, 2022	\$10,000	\$1,156	\$8,844	PW
	Armouries-Yard Improvements <i>Comment:</i> Public works to complete by March 31, 2022	\$7,500	\$0	\$7,500	PW
Furniture & Equipment					
	Membrane Replacement <i>Comment:</i> In budget in case membranes start failing and require replacement.	\$155,000	\$0	\$155,000	PW
	Spare Raw Water supply Pump <i>Comment:</i> Purchase is complete.	\$9,500	\$10,038	(\$538)	PW
	Spare Siemens Free chlorine on Line Probe <i>Comment:</i> Request for Quotes has been issued.	\$3,100	\$0	\$3,100	PW
	Spare HACH on Line Turbidimeter with Controller <i>Comment:</i> Purchase is complete.	\$6,000	\$5,747	\$253	PW
	Spare Gas Chlorinator Maintenance Kits and Spare Parts <i>Comment:</i> Request for Quotes has been issued.	\$6,000	\$2,109	\$3,891	PW
	Replacement of industrial hot water heater for mixing up Corrosion inhibitor <i>Comment:</i> Purchase order has been issued, item has not been received.	\$5,000	\$5,256	(\$256)	PW
	One Spare Effluent Pump <i>Comment:</i> Purchase order has been issued, item has not been received. Delivery delayed by vendor.	\$5,400	\$0	\$5,400	PW

Capital Status Report to October 31, 2021

Any comments in **BOLD are changes from the previous report**

ELECTRIC UTILITY	Project	Budget	YTD Actual	Under/(Over) Budget	DH
Structures					
	Capacitor Banks on Distribution System	\$480,000	\$67,112	\$412,888	LD
	<i>Comment:</i> Carry over project. Cap Banks were installed and commissioned in September. Cost is anticipated to be \$100,000 with demand reduction benefit estimated to be \$250,000 annually.				
	Solar Assessment Study	\$16,800	\$0	\$16,800	LD
	<i>Comment:</i> PO issued for project in early December. Kick off meeting has taken place with contractor.				
	Substation Recloser	\$47,000	\$0	\$47,000	LD
	<i>Comment:</i> Determining requirements.				
Utility Line Work					
	Meters	\$10,000	\$156	\$9,844	LD
	<i>Comment:</i> As required.				
	Overhead Conductors	\$187,500	\$97,238	\$90,262	LD
	<i>Comment:</i> As required.				
	Poles & Fixtures	\$75,000	\$60,125	\$14,875	LD
	<i>Comment:</i> As required.				
	Services	\$37,500	\$23,203	\$14,297	LD
	<i>Comment:</i> As required.				
	Street Lighting	\$30,000	\$6,403	\$23,597	LD
	<i>Comment:</i> As required.				
	Transformers - Line	\$105,000	\$115,206	(\$10,206)	LD
	<i>Comment:</i> As required, higher than anticipated construction activity.				
	LED Street Lighting Assessment	\$15,000	\$0	\$15,000	LD
	<i>Comment:</i> RFP to be issued early January.				
	Distribution System Review	\$50,000	\$0	\$50,000	LD
	<i>Comment:</i> Work awarded and is underway. Anticipated to be completed Jan/Feb.				

Town of Lunenburg Operating Financial Statements

Sunday, October 31, 2021

Summary Information

(YTD Pro-rated Budget =58%)

TOWN GENERAL

<u>Revenue</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>YTD 58% %</u>	<u>Balance</u>
Taxes	\$6,382,832	\$6,301,400	101%	1. (\$81,432)
Grants In Lieu Of Taxes	-	268,500	0%	2. 268,500
Sale of Services	139,578	133,000	105%	(6,578)
Sale of Service Arena/Community Centre	129,083	248,300	52%	3. 119,217
Other Revenue/Own Sources	240,446	352,600	68%	112,154
Unconditional Transfers/Other Gov'ts	75,110	50,100	150%	(25,010)
Conditional Transfers/Fed or Prov Gov'ts	2,250	1,800	125%	(450)
Conditional Transfers/Other Local Gov'ts	92,096	184,200	50%	92,104
	<u>\$7,061,395</u>	<u>\$7,539,900</u>	<u>94%</u>	<u>\$478,505</u>
<u>Expenditures</u>				
General Government Services	\$296,160	\$600,900	49%	\$304,740
Protective Services	1,050,734	1,666,100	63%	4. 615,366
Transportation Services	505,381	1,027,500	49%	522,119
Environmental Health Services	738,395	1,407,000	52%	668,605
Public Health Services - Cemetery	13,727	21,800	63%	5. 8,073
Environmental Development	311,514	614,500	51%	302,986
Recreation & Cultural Services	174,447	291,400	60%	6. 116,953
Arena/Community Centre	268,522	507,300	53%	238,778
Fiscal Services	814,986	1,403,400	58%	588,414
	<u>\$4,173,866</u>	<u>\$7,539,900</u>	<u>55%</u>	<u>\$3,366,034</u>
TOWN SURPLUS (DEFICIT) **	<u>\$2,887,529</u>	<u>\$ -</u>		

****Please note expenditures occur over a 12 month period however the majority of revenue is received in two semi-annual tax billings. Revenue billed is at 94% and 55% of expenditures have occurred as of October 31, 2021.**

Legend:

1. Interim property and sewer tax bills have been issued. While Deed Transfer Tax revenue for capital purposes is higher than anticipated it will be offset by additional transfers to reserves at year-end.
2. Normally received from Province in January.
3. Arena revenues are seasonal. Covid Season 20-21 revenues for April 2021 included in this fiscal year.
4. Includes three quarterly payments for RCMP.
5. Cemetery operational expenditures are seasonal.
6. Parks, Playgrounds and Fields expenditures are seasonal.

<u>WATER UTILITY</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>YTD 58% %</u>	<u>Balance</u>
Revenue	\$827,536	\$1,641,100	50%	1. \$813,564
Expenditures	\$766,218	\$1,641,100	47%	\$874,882
WATER SURPLUS (DEFICIT)	<u>\$61,318</u>	<u>\$ -</u>		

Legend:

1. Two quarterly billings issued. Next billing will be issued December 31, 2021.

<u>ELECTRIC UTILITY</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>YTD 58% %</u>	<u>Balance</u>
Revenue	\$3,529,636	\$6,764,100	52%	1. \$3,234,464
Expenditures	\$3,503,679	\$6,764,100	52%	\$3,260,421
ELECTRIC SURPLUS (DEFICIT)	<u>\$25,957</u>	<u>\$ -</u>		

Legend:

1. Electric consumption billings are seasonal in nature.

TOWN OF LUNENBURG ADDITIONAL FINANCIAL INFORMATION
October 31, 2021

DEED TRANSFER TAX REPORT

	Budget	This Month (#) Amount	Year to Date (#) Amount	Variance to Budget	
	Revenue this year				
Capital Purposes	\$175,000	\$56,502	\$299,641	171%	(\$124,641)
Operating Purposes	\$80,000	\$19,231	\$45,806	57%	\$34,194
	<u>\$255,000</u>	(10) <u>\$75,733</u>	(67) <u>\$345,447</u>		<u>-\$90,447</u>

TAX AND SEWER CHARGES REPORT

OUTSTANDING PROPERTY & SEWER TAXES

	Balance 31-Mar-21	2021/22 Tax Billings	Collected To Date	Balance
2020/21 Taxes & Sewer and Prior	344,119	-	200,979	143,140
2021/22 Tax & Sewer billings	(164,927)	5,999,921	5,543,897	291,097
	179,192	5,999,921	5,744,876	434,237
Interest				33,307
Total Outstanding	7.79%			<u>467,544</u>

Prepayments for 2021/22 Tax & Sewer \$33,439

PARKING METER REVENUE AND FINES

	Budget 2021/22	Actual to 31-Oct-21	Variance to Budget	% of Budget
Parking Meter Revenue	\$80,000	\$81,992	(\$1,992)	102.49%
Parking Meter Fines	2,500	637	1,863	25.48%
Court Fines	3,500	903	2,597	25.80%
Total	<u>\$86,000</u>	<u>\$83,532</u>	<u>\$2,468</u>	<u>97.13%</u>

Grants 2021/22		
Status Update: October 31, 2021	Approved	
Account #01-2-19-5100	2021/22	2021/22 Notes
Bluenose 100 Committee <i>pre-approved Jan.28, 2020</i>	In-kind	Funds for the Bluenose 100 Committee of \$5,000 in the 2020/21 fiscal year and \$5,000 of in-kind Town Services for the 2021/22 fiscal year when the celebration events will take place.
Curl for a Cause	\$125	Annual event which supports Fishermen's Memorial Hospital
Fishermen's Memorial Hospital - Golf Tournament	\$100	Annual event which supports Fishermen's Memorial Hospital
Health Services Foundation of the South Shore	\$500	Raising funds for the purchase of a new bus for the Veteran's Unit at Fishermen's Memorial Hospital.
Lunenburg Community Christmas Dinner	\$115	The funds requested will cover the rental of the auditorium at the Town Fire Hall. (\$100 + HST)
Lunenburg County Lifestyle Centre	\$1,000	Municipal sponsorship towards hosting the 2021 Canadian Tire Para Hockey Cup Championships from December 4 to December 12, 2021. Event deferred due to Covid-19.
Lunenburg County Seniors' Safety Partnership Society <i>previously Safe Communities Lunenburg County</i>	\$1,275	Designed to address a range of seniors' safety issues, to mitigate risk, to reduce incidences of elder abuse, and to foster effective helping relationships between seniors and police.
Lunenburg Doc Fest Association	\$1,500	The Festival is planning a hybrid event, with all film programming taking place online while we will host in-person social events in the town, both free and ticketed. The group would put the Town of Lunenburg grant funds toward the programming, promotion and publicity.
Lunenburg Dog Park	\$1,000	The funds will be used to pay insurance costs and other yearly expenses. In-kind garbage collection.
Lunenburg Folk Harbour Society-Summer Concert Series	\$3,500	Funding to support a series of 15 free, outdoor concerts at the Bandstand in Lunenburg each Saturday from June 12 to Sept. 25
Lunenburg Folk Harbour Society-Festival Sponsorship	\$1,000	Funding for the 2021 Folk Harbour Festival, to be held in Lunenburg from August 6 to 8.
Lunenburg Grad Bursary	\$500	Bursary will be issued to a graduating high school student.
Nova Scotia Sea School	\$2,500	Phase 2 funding to assist in the structural long term repair and modification of the expedition vessels Dorothea and Elizabeth Hall. These 30' wooden sailboats, are over 20 years old and require improvements outside of regular maintenance to ensure they are meeting Transport Canada's Safety Regulations as commercial passenger vessels.
Royal Canadian Legion Branch 23	\$750	Funds to be used for Parade insurance cost, helping with the food for the meet and greet for all Nov11 guests. Purchasing items for the legion hall decorations, flags and posters.
Society of St. Vincent de Paul	\$1,000	Funds will be utilized for any individual of the Town of Lunenburg who demonstrates genuine need. The society assists individuals who need temporary help with basic needs.
VON-Lunenburg County	\$2,000	To assist with expenses associated with providing transportation for seniors and those with medical concerns. The service provides drives for medical appointments, provides weekly drives for residents for dialysis, weekly transportation to run errands. The transportation program also is used to delivery frozen meals to residents of the Town. All grant money received from the Town of Lunenburg will be used to offset the cost of the transportation program offered for residents of the Town.
2021-22 Grants Approved, June 8, 2021	\$16,865	
Lunenburg County Lifestyle Centre - Deferred to 2022-23	(\$1,000)	
Dec.14/21 - Berg Classic	\$421	
Balance available for additional requests	\$3,714	
	\$20,000	

Document No:
Meeting: January 11, 2022
Circulate: Council, LD
File: Budget 21/22

MEMORANDUM

TO: TOWN COUNCIL

FROM: KELLY CUNNINGHAM, RECREATION DIRECTOR

DATE: DECEMBER 3, 2021

**RE: RENTAL RATE REDUCTION REQUEST AT COMMUNITY CENTRE:
AFTER SCHOOL PROGRAM ORGANIZATION**

1. FACTS

En Pointe Performing Art Studios (En Pointe) provides an afterschool program operating out of the Lunenburg Community Centre. The organization began using the facility in September 2018 renting two days per week, which has since evolved to five days per week during the school year.

The 2021/22 rental rate approved in the fee schedule is \$38.00/hour, tax included. In the past year, En Pointe's monthly average for usage was 15 hours. On average, this generates \$570/month rental fees. The group stays outdoors at the Bluenose Academy playground on nice days prior to entering the facility, which may fluctuate their total rental hours per month.

2. ISSUES AND OPTIONS ANALYSIS

En Pointe is asking for an hourly rate reduction to \$20.00/hour, tax included, for their afterschool program during the school year. The Community Centre is their "highest costing space to rent", with the "second highest costing space to rent is \$20.00/hour (taxes included)". The quotes are reference to the organization's letter request attached.

The organization is also looking to offer a summer camp program in 2022 operating out of the Community Centre and is asking for a fixed fee of \$1,500/month. Currently, the Town does not offer summer camp programming.

The 2021/22 fee schedule reads "*Effective April 1, 2019 - For Fitness instructors who book the Fitness Room and run classes open to the public of 5 hours or more per week receive a 25% discount on rental rates, providing there is a minimum 6 month rental commitment.*" The current discount is for rentals in the Fitness Studio exclusively, and not the auditorium.

Staff recommends that Council consider providing a discounted rate to En Pointe, similar to the reduction of a 25% discount towards rental fees when the organization rents 5 hours or more per week for after school program purposes, with a minimum of 6-month rental commitment.

Option 1: Provide En Pointe with a 25% discount towards rental fees at the Lunenburg Community Centre when the organization rents 5 hours or more per week for after school program purposes, with a minimum of 6 month rental commitment. In addition, a fixed rental rate of \$1,500/month during the months of July and August 2022 to offer summer programming.

Option 2: Do not offer a rental rate reduction.

3. FINANCIAL IMPACT

The 2021/22 budget includes estimates for rentals of the Community Centre auditorium for the fiscal year. Changes to the rental rate will impact the revenue however the exact impact to the budget not able to be determine as auditorium rentals are variable.

4. STRATEGIC PLAN RELEVANCE

Action 11: Foster inclusivity in programming and leadership.

5. RECOMMENDATION AND DRAFT MOTION

Approved the following draft motion:

Motion: moved and seconded to provide En Pointe Performing Art Studios with a 25% discount towards rental fees at the Lunenburg Community Centre when renting 5 hours or more per week for after school program purposes, with a minimum of 6 month rental commitment. In addition, to provide a fixed rental rate of \$1,500/month, tax included, during the months of July and August 2022 to offer summer programming in the Lunenburg Community Centre.

Acknowledged only by:

Kevin Malloy
Interim CAO

To whom it may concern,

En Pointe Performing Arts Studio currently runs an After School Program operating out of the Lunenburg Community Centre 5 days a week. This is our 3rd year in a row at the Centre and the children along with us, love the space. We also run tumbling classes on Wednesday evenings.

We offer several activities during our programming such as tumbling, arts & crafts, multi-sports, and skating at the nearby Lunenburg arena. We have also partnered with Coastal Action and Region 6 Solid Waste Management. Each organization teaches the children about either the environment and sustainability as well as how we can properly recycle to reduce pollution. This is done through interactive games, lessons and activities.

Our intention is to continue to run the After School Program for as long as Lunenburg needs us and we have plans to start a Summer Camp in 2022 which will also run for 5 days a week, depending on interest level. We would need to use the Centre as our base for drop off, pick up and other time spent. This would average 20 hours a week. We have a Summer Camp in Chester and believe Lunenburg would be a wonderful location to add another. This is by far the most popular program we offer.

We would also love to continue running tumbling classes at the centre and adding more classes for older groups. We also think that a sports ball program is an option with a large population in Lunenburg currently enrolled in sports or looking to get involved.

As of now we pay \$38.00 an hour (taxes included) to rent the gym. Over the course of November, we used the gym for approximately 25 hours. September and October would have been less than this as one of our main priorities is to ensure we have time spent outdoors with either free play or games. We believe it is essential that kids spend time in the fresh air especially after being inside the school most of the day. COVID-19 was also another reason why we kept outside for a majority of those months to limit any possible indoor exposure. Due to this, we tend to use the gym from 4:00 onward and as early as we can if there is rain.

We are in multiple locations with our After School Program and the Lunenburg Community Centre is our highest costing space to rent. Our second highest costing space to rent is \$20.00 an hour (taxes included). We believe that \$38.00 an hour is fair if we weren't renting it for as many hours as we do. We would be one of the largest paying tenants you have and we provide a lot of hours to the Centre. We also bring a lot of attention to the Centre as parents and kids find it fantastic, ie. great potential for future bookings for other sports/activities. We do find it quite hard to commit a lot of hours at such a high rate for large usage.

What we are thoughtfully requesting is a reduction in the rent per hour to \$20.00 (taxes included) for the After School Program and a fixed fee of \$1,500 per month for the Sumer Camp if it becomes an option and we would of course work around other tenants.

We understand this is something that would need some time to consider so we are hoping to have this effective starting January 1st is possible.

Thank you for your time and consideration,
En Pointe

Document No:
Meeting: January 11, 2022
Circulate: Council, LD
File: Budget 21/22

MEMORANDUM

TO: TOWN COUNCIL

FROM: KELLY CUNNINGHAM, RECREATION DIRECTOR

DATE: DECEMBER 3, 2021

RE: SKATE PARK: PRIVATE DONATION CARRY FORWARD TO 2022/23

1. FACTS

In the 2021/22 Capital Budget, \$60,000 was approved towards the Skate Park to update the half pipe. The Town applied for a \$20,000 grant from the Provincial government but received \$17,500. In addition, the Town received a private donation in the amount of \$20,000, which was not planned for in the 2021/22 budget.

2. ISSUES AND OPTIONS ANALYSIS

Staff would like to carry forward \$17,500 from the private donation to be used in 2022/23 for phase 2 work towards the skate park. As it was anticipated to receive a \$20,000 grant from the Provincial government but did not successfully receive the full amount, staff would allocate \$2,500 from the private donation to top up the \$17,500 Provincial grant.

The 2021/22 costs for the half pipe project were higher than anticipated due to inflation; therefore, all the work did not get completed with the budgeted \$60,000. Staff are anticipating that in 2022/23, the phase 2 work of the project will have minimal cost to the Town. The funding for the upcoming work would be a combination of the \$17,500 carry over private donation, a grant application to the Provincial government for the Recreation Facility Development (RFD) grant, and an offer of additional funding support from a local citizen.

Additional work anticipated to be completed in phase 2 includes crack fill and reseal the surface of the existing park (which could not be completed in 2021/22 due to work project delays into colder weather and would have exceeded the \$60,000 budget), add elements to the new expansion section, add an accessible walkway from the parking lot to the park, add lighting to improve safety, and the potential to build a gazebo to protect users from sun and rain.

Option 1: Carry over the \$17,500 balance of the private donation towards the 2022/23 additional skate park upgrades.

Option 2: Do not approve the \$17,500 to be transferred to the 2022/23.

3. FINANCIAL IMPACT

As noted above, the private donation was not anticipated to be revenue in this fiscal year. \$2,500 from the donation would be used to top up the Provincial grant (which was \$17,500) to equal the allocated \$20,000 external funding towards the 2021/22 capital project.

4. STRATEGIC PLAN RELEVANCE

Action 11: Foster inclusivity in programming and leadership.
Improve existing service.

5. RECOMMENDATION AND DRAFT MOTION

To approve the following draft motion:

Motion: moved and seconded to carry over the \$17,500 balance from private donation towards the 2022/23 skate park upgrades.

Acknowledged only by:

Kevin Malloy
Interim CAO



**Burke,
Macdonald
& Luczak**
Barristers & Solicitors

Patrick A. Burke, QC
David K. Macdonald, BSc, LLB(Retired)
Piotr Luczak, BA, LLB
Lisa Avramenko, BA LLB

December 7, 2021

Heather McCallum (she/her)
Assistant Municipal Clerk
Town of Lunenburg
119 Cumberland Street, PO Box 129
Lunenburg, NS Canada B0J 2C0

Via Email

Dear Heather:

Re: Lunenburg Academy SSRCE Leases

Further to your email of November 30, 2021, enclosed herewith is a Motion concerning the execution of the leases with SSRCE to be dealt with in public session at the next Council Meeting.

If you have any questions, please do not hesitate to contact me.

Yours very truly,

BURKE, MACDONALD & LUCZAK

Patrick A. Burke, Q.C.
PAB/js
Encl.

Z:\PAB - WIP\1 - OPEN\4 - Town Files\Town - SSRCE - Amendment to 2nd Floor Academy Lease\Letters\Letter to Heather Dec 6, 2021.docx

Motion of Council

Town of Lunenburg

Re: Lunenburg Academy Lease with SSCRE – Second Floor –
Third Lease Amendment Agreement

Date: December 7, 2021

Moved by _____ and seconded by _____.

That the Town enter into a FIRST Lease Amendment Agreement for the first floor and a THIRD Lease Amendment Agreement for the second floor of the Lunenburg Academy with the South Shore Regional Centre for Education (SSRCE) as attached hereto as Schedule SSRCE1 and Schedule SSRCE2 (which have had the legal costs clause deleted prior to the execution by SSRCE) and the Mayor and Manager Clerk/CAO are authorized to execute the Leases on behalf of the Town and affix the Municipal Seal thereto.

Z:\PAB - WIP\1 - OPEN\4 - Town Files\Town - SSCRE - Amendment to 2nd Floor Academy Lease\Motion of Council - December 6, 2021.docx

SSRCE1

THIS LEASE AMENDMENT AGREEMENT dated the ____ day of _____, 2021.

BETWEEN:

COPY

TOWN OF LUNENBURG, a municipal body corporate;

(hereinafter called the "LANDLORD" or the "TOWN")

OF THE FIRST PART

-and-

SOUTH SHORE REGIONAL CENTRE FOR EDUCATION, a corporation sole pursuant to Section 54 of the Education Reform (2018) Act;

(hereinafter called the "TENANT" or "SSRCE")

OF THE SECOND PART

WHEREAS the parties entered into a Lease (the "Lease") dated the 3rd day of September, 2021 for the premises known as **Rooms 101 and 101a** on the **first floor** of the Academy building in Lunenburg.

AND WHEREAS the Tenant wishes to have early termination of the lease as it will be leasing additional rooms on the second floor of the building.

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree and covenant as follows:

1. This Lease Amendment Agreement shall only have effect upon and after the execution by the Town and SSRCE of the Third Lease Amendment Agreement (which adds additional rooms to the second floor Academy lease between the parties).
2. Notwithstanding Clause 2.4 of the Lease, the parties agree that Clause 2.2 of the Lease shall be amended so that the term of the lease shall end on the 31st day of October, 2021.
3. Clause 2.3 of the Lease shall be deleted.

SSRCE2

THIS THIRD LEASE AMENDMENT AGREEMENT effective as of the 1st day of November, 2021.

BETWEEN:

COPY

TOWN OF LUNENBURG, a municipal body corporate;

(hereinafter called the "LANDLORD" or the "TOWN")

OF THE FIRST PART

-and-

SOUTH SHORE REGIONAL CENTRE FOR EDUCATION, a corporation sole pursuant to Section 54 of the Education Reform (2018) Act;

(hereinafter called the "TENANT" or "SSRCE")

OF THE SECOND PART

WHEREAS:

- A. The Landlord and Tenant entered into a Lease made as of the 26th day of June, 2019, for premises on the second floor at Lunenburg Academy, 97 Kaulbach Street in Lunenburg;
- B. The Landlord and Tenant entered into a Lease Amendment Agreement effective as of the 1st day of March, 2020, (the First Lease Amendment Agreement);
- C. The Landlord and Tenant entered into a Second Lease Amendment Agreement effective as of the 1st day of April, 2021, (the Second Lease Amendment Agreement);

- D. The term "Lease" as used herein refers to the original Lease made as of the 26th day of June, 2019 as amended by the Lease Amendment Agreement effective as of the 1st day of March, 2020 and the Second Lease Amendment Agreement effective as of the 1st day of April, 2021.
- E. The parties wish to clarify certain omissions and typographical errors, and an omission of Schedule D from the First Lease Amendment Agreement, which through oversight, was not attached to the executed document, but had previously been agreed to, and wish to add additional premises on the 2nd Floor of the Academy;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree and covenant as follows:

- 1. The attached Schedule D is the Schedule D intended to be referred to in the Lease Amendment Agreement effective as of the 1st day of March, 2020 (the First Lease Amendment Agreement) and shall be deemed to have been attached to the executed First Lease Amendment Agreement as and from the date of execution thereof and shall form part thereof.
- 2. Article 1.1(f) - Premises shall be amended by adding: "and Rooms 206, 206a, 206b, 227, and 228 which are depicted on Schedule E attached hereto".
- 3. Article 4.1 – Rent shall be amended by adding "Room 206, 206a, 206b, 227, and 228," in the box under "Premises" and deleting "\$60,978.00" in the box under "Per Annum" and substituting "\$85,520.52", and deleting "~~\$801.50~~" in the box "Per Month" and substituting "7126.71" therefor.
5081.50

For greater certainty, this rent shall increase on August 1, 2022 by the percentage increase in the Consumer Price Index for Nova Scotia for the preceding year (2021) in accordance with the existing provisions in Article 4.1.

- 4. The said lease shall be amended by renumbering the Janitorial Services clause from Article 4.2 to 4.1A.
- 5. The said Article 4.1A – Janitorial Services (formerly 4.2) shall be amended by deleting the first 3 sentences of that Clause and inserting the following sentences in place thereof:

"In addition to the gross rent referred to in Article 4.1, the Tenant shall also pay the amount of \$1995.00 plus HST per month for janitorial services for the premises which will be supplied by the Landlord (which amount will increase from time to time by the additional amount(s) incurred by the Landlord to provide the Janitorial Services). The amount charged by the Landlord for Janitorial Services shall be deemed to be additional gross rent for the premises and for greater certainty, and without limiting the foregoing, all remedies in relation to overdue rent shall apply thereto. Notwithstanding the terms of this paragraph, the Tenant may elect at any time to arrange for their own cleaning staff and pay for same (and in such event, any other terms of this lease referencing the provision of janitorial services by the Landlord, shall be amended to reflect this change)."

- 6. The said Article 4.1A – Janitorial Services (formerly 4.2) shall be amended to delete the sum "\$30.00" in the second last sentence (which had been added to the lease by virtue of the First Amendment Agreement effective as of the 1st day of March, 2020) and substituting therefor the sum "\$45.00".

7. Article 4.1.1(c) and Article 4.1.1(d) shall be amended by deleting "4.2(b)" in the first line of each of the said subsections and substituting "4.1.1(b)" therefor.
8. The second Article 7.4 of the Lease – Construction of Washroom shall be re-numbered as "7.4A" and shall be amended by deleting the words "The pre-primary students" at the beginning of the second sentence thereof and inserting the words "Notwithstanding any other provisions of this lease, all pre-primary students and staff" in their place.
9. In all other respects, the Lease is hereby confirmed.
10. Legal Costs

~~The Tenant shall pay to the Landlord forthwith upon the execution of this Amendment Agreement, an amount equal to that portion of the Town's legal costs associated with the negotiation, preparation, and execution of this Third Lease Amendment Agreement, if any, which exceed the sum of \$500.00.~~

PA
BRL

IN WITNESS WHEREOF the parties hereto have executed this Third Lease Amendment Agreement effective as of the date first written above.

SIGNED, SEALED AND DELIVERED in the presence of:

SOUTH SHORE REGIONAL CENTRE FOR EDUCATION

Alisa Thomas
Witness

Per: *Paul Ash*
Name: *Paul Ash*
Title: *Regional Executive Director*

Alisa Thomas
Witness

Per: *Brenda Lee-Richard*
Name: *Brenda Lee-Richard*
Title: *Acting Director of Finance*
[Affix Corporate Seal]

TOWN OF LUNENBURG

Witness

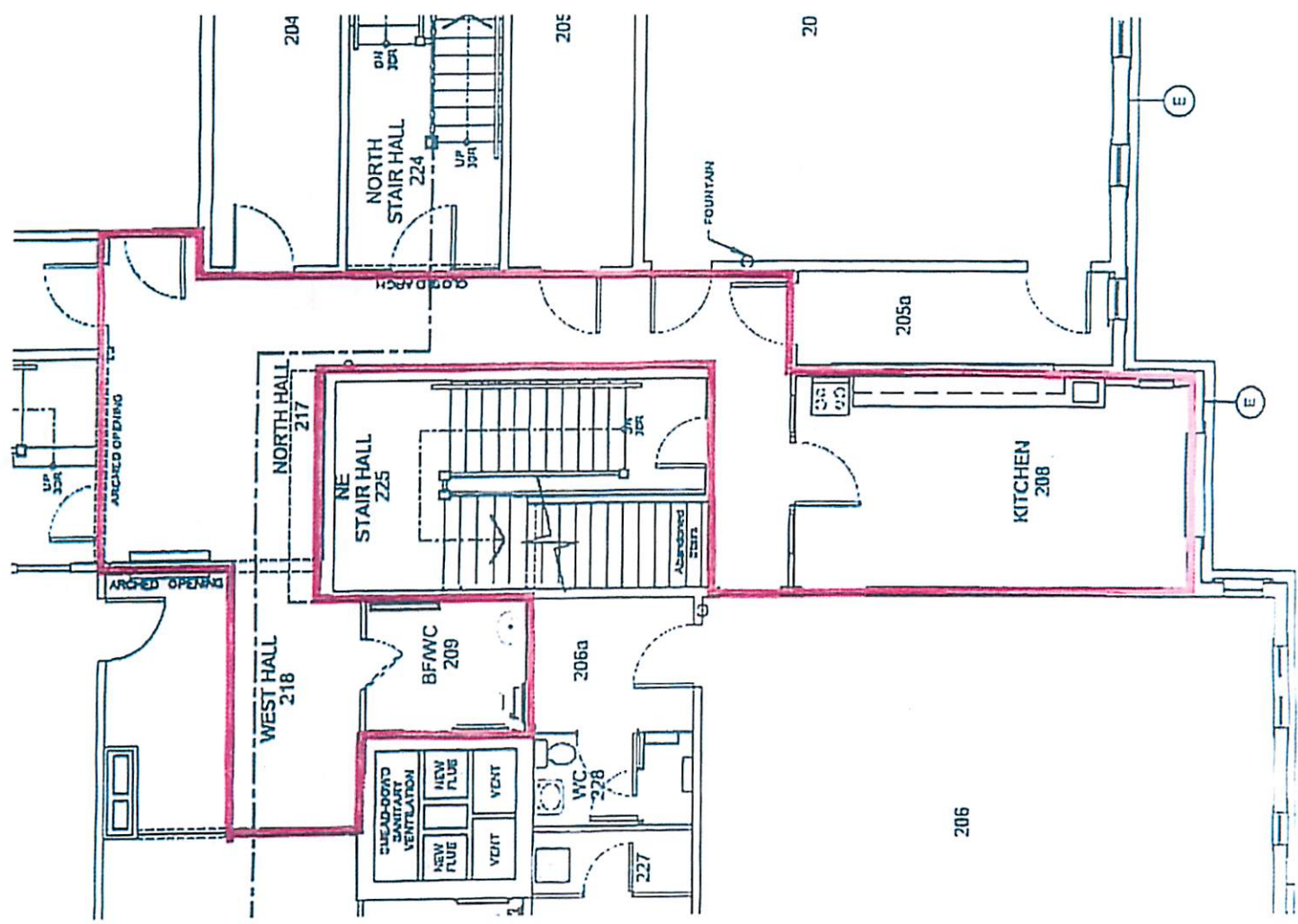
Per: _____
Name: _____
Title: _____

Witness

Per: _____
Name: _____
Title: _____

[Affix Municipal Seal]

D



E

