

**SPECIAL TOWN COUNCIL MEETING
Town Hall – Council Chambers & Facebook Live
Monday, March 3, 2025 – Immediately following the
Committee of the Whole meeting**



AGENDA:

- 1. CALL TO ORDER**

- 2. APPROVAL OF THE AGENDA**

- 3. NEW BUSINESS**
 - 3.1. RFD 011-2025 Middleton Water Utility Rate Study – CAO
 - 3.2. RFD 012-2025 Dangerous and Unsightly 50 School Street – CAO

- 4. ADJOURNMENT**

REQUEST FOR DECISION
Middleton Water Utility Rate Study
RFD#: 011-2025



To: COTW and Special Town Council
From: Ashley Crocker, CAO
Date: March 3, 2025
Subject: Middleton Water Utility Rate Study

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- Draft Middleton Water Utility Rate Study dated February 25, 2025
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Legislation

- *Municipal Government Act*
- *Utility and Review Board*

Recommendation

That the Town of Middleton apply to the Nova Scotia Utility and Review Board for changes in its rates for water and water service, fire protection to the Town of Middleton and Annapolis County and changes to its rules and regulations for customer served by the Middleton Water Utility, as set out in the water rate study prepared by G.A. Isenor Consulting Limited in association with Blaine S. Rooney Consulting Limited.

Background

G.A. Isenor Consulting Limited was engaged in September 2023 to start a Water Rate Study. Due to the turnover in the Finance Department, this project was delayed but is finally completed. The consultants worked with Town staff to prepare budgets for the next three years for the Water Utility, including the construction of the new reservoir. The rate study is now completed and is ready for submission and application to the *Utility and Review Board*, once Council has approved it.

REQUEST FOR DECISION
Middleton Water Utility Rate Study
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Financial Implications

N/A

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
X	Infrastructure	
	Economy	
X	Community	
X	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: 3 March 2025

REQUEST FOR DECISION
50 School Street - Dangerous and
Unsightly Cleanup
RFD#: 012-2025



To: COTW and Special Town Council
From: Ashley Crocker and Adam Verran – Dangerous and Unsightly Administrators
Date: March 3, 2025
Subject: 50 School Street – Dangerous and Unsightly Cleanup

Guiding Principles for Decision-Making

Accountability Transportation Diversity Sustainability Engaged Informed

References/Attachments

- N/A

Legislation

- *Municipal Government Act, Part XV: Dangerous or Unsightly Premises*
- Dangerous and Unsightly Premises Policy
- Procurement and Purchasing Policy

Recommendation

That Council authorize the cleanup of 50 School Street in accordance with the *Municipal Government Act Part XV: Dangerous or Unsightly Premises* costing approximately \$52,000 plus HST.

Background

There was a structure fire at 50 School Street on February 6, 2025. The building is almost completely knocked down. Administrators attended the property on February 13, 2025, after confirming that the scene was clear from both a fire and police perspective, with respect to their investigations.

There is a significant amount of debris and rubble that is infringing upon neighboring buildings and properties, as well as the Town sidewalk. There is currently no barricade, fencing or signage to warn the public or to help keep them out. The rubble looks very unstable with many sharp and broken items. It is a large heap of rubble. It is unclear if there is a basement underneath the rubble, and the foundation has almost completely crumbled. This is flagged as a danger to public safety and needs immediate remediation.

REQUEST FOR DECISION
50 School Street - Dangerous and
Unsightly Cleanup
RFD#: 012-2025



An order was issued to the property owner on February 14, 2025, giving 15 days to clean up the property. On Friday February 28, 2025, no clean up has been completed. The property owner contacted the Administrator on February 26, 2025 with notification that they are unable to clean up the property.

In accordance with MGA:

Section 348 (3) Where the owner fails to comply with the requirements of an order within the time specified in the order, the administrator may enter upon the property without warrant or other legal process and carry out the work specified in the order.

Section 350 Where public safety requires immediate action, the administrator may immediately take the necessary action to prevent danger or may remove the dangerous structure or condition.

Section 507 Where a council, village commission, committee or community council or the engineer, the administrator or another employee of a municipality lawfully causes work to be done pursuant to this Act, the cost of the work, with interest at the rate determined by the council, by policy, or by the village commission, by by-law, from the date of the completion of the work until the date of payment, is a first lien on the property upon which, or for the benefit of which, the work was done.

The Town contacted five local contractors for a quote to clean up the property in question. Two quotes were received. One from Chris Aldred for \$52,000 and one from Mid Valley Construction for \$65,000. This would be classified as high-value procurement (services over \$50,000) in accordance with the Town's Procurement Policy and normally requires a public tender. However, Appendix 2 of the Procurement Policy allows for "Alternative Procurement." Town of Middleton personnel may use Alternative Procurement practices with no threshold restrictions "where an unforeseeable situation of urgency exists." Given that the state of the property at 50 School Street is dangerous, a risk to public safety, and must be cleaned up as soon as possible, staff are choosing to use Alternative Procurement practices. Quotes were obtained and staff are recommending awarding the work to the company with the lowest bid.

In accordance with the Town's Dangerous and Unsightly Policy, any work to be carried out that is above \$1,500 must be approved by Council.

It is unknown at this time if there was an oil tank on the property. If there was, and it was full of oil at the time of the fire, oil may have leached into the ground, causing an environmental hazard. The cost to clean and remediate that would be additional to what was quoted. If that's the case, Town staff will come back to Council to determine next steps.

REQUEST FOR DECISION
50 School Street - Dangerous and
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RFD#: 012-2025



Financial Implications

N/A

Strategic Plan/Operating Plan Alignment

Check Applicable	Strategic Priority Area	Comments
	Environment	
X	Infrastructure	
	Economy	
X	Community	
X	Governance	
	Council Strategic Initiative	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

The CAO supports the recommendation of staff.

CAO Initials: AC

Target Decision Date: 3 March 2025