



**Town of Amherst
Committee of the Whole**

Date: Monday, January 23, 2017
Time: 4:00 pm
Location: Council Chambers, Town Hall

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1. Call to Order	
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7. Adjournment

**Amherst Town Council
Committee of the Whole
Minutes**

Date: January 16, 2017
Time: 4:00 pm
Location: Council Chambers, Town Hall

Members Present Mayor David Kogon
Deputy Mayor Sheila Christie
Councillor Jason Blanch
Councillor Vince Byrne
Councillor Darrell Jones
Councillor Wayne MacKenzie
Councillor Terry Rhindress

Staff Present Greg Herrett, CAO
Jason MacDonald, Deputy CAO Operations
Ian Naylor, Police Chief
Vince Arbing, Treasurer
Bill Schurman, Director Recreation
Greg Jones, Fire Chief
Rebecca Purdy, Executive Assistant
Andrew Fisher, Senior Planner and Business Development Officer

1. Call to Order

Mayor Kogon called the meeting to order at 4:05 PM.

1.1 Approval of Agenda (4265)

Moved By: Councillor Byrne
Seconded By: Deputy Mayor Christie
To approve the agenda

MOTION CARRIED

1.2 Approval of Minutes - December 12, 2016 (4219)

Moved By: Councillor MacKenzie
Seconded By: Councillor Jones
To approve the minutes of the December 12, 2016 Committee of the Whole meeting

MOTION CARRIED

2. Presentations

2.1 PVSC (3965)

Carlos Resendes, VP, Business & Innovation Services and Charlene MacNeil, Manager, Commercial Valuation made a presentation to Council on Property Valuation Services Corporation's mandate, role and services, and addressed comments and enquiries from members of Council.

(Councillor Rhindress arrived during the presentation, at 4:38 pm.)

3. In Camera

Moved By: Councillor Jones
Seconded By: Councillor Rhindress
To go In-Camera

MOTION CARRIED

Moved By: Councillor Byrne
Seconded By: Councillor Rhindress
To return to regular Committee of the Whole at 5:23 pm.

MOTION CARRIED

4. Council Direction Requests

Considering the time remaining for the meeting, the consensus of Council was to address agenda items 4.5, 4.8, 4.9 and 5.3 first and remaining items if time allowed.

4.5 February Meeting Date (Committee of the Whole) (4215)

Moved By: Councillor Rhindress
Seconded By: Councillor Jones
That the regular Committee of the Whole meeting scheduled for Monday, February 20, 2017 be changed to Tuesday, February 21, 2017 due to the Nova Scotia Heritage Day holiday on February 20

MOTION CARRIED

4.8 Marijuana Dispensary (4290)

Moved By: Deputy Mayor Christie
Seconded By: Councillor Rhindress
That Council direct staff to prepare a report on the issues that may arise from a marijuana dispensary in the downtown, and the options, if any, that are available to Council to help to manage it, such as the outside impressions/signage, to be presented at budget time

MOTION CARRIED

4.9 Net Zero Energy (4215)

Moved By: Councillor Jones

Seconded By: Councillor Blanch

That the Smart Grid / Smart Community Pilot Project Feasibility Study be referred to the regular meeting on January 23, 2017 for Council's consideration of committing to spend at least \$5,000 (10%) and up to \$12,500 (25%) as the Town's contribution to a \$50,000 Pilot Project Feasibility Study, to be funded from the economic development budget

MOTION CARRIED

5. Information Items

5.3 Appeal Hearing - 10 Newton Avenue Demolition Order (4221)

Information item - the appeal will be held at 6:30 pm next week, prior to the regular Council meeting.

7. Adjournment

Moved By: Councillor Byrne

Seconded By: Councillor Jones

To adjourn at 6:10 PM and defer the remaining agenda items to a Committee of the Whole meeting to be held at 4:00 PM on January 23, 2017

Gregory D. Herrett, CPA, CA
Town Clerk and CAO

David Kogon, MD
Mayor



COMMITTEE OF THE WHOLE

CDR# 2017081

Date: January 23, 2017

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Vince Arbing, CPA, CA, Director of Finance

DATE: January 23, 2017

SUBJECT: 80/20 TRUCKING RULE

ORIGIN:

Last month Council directed staff to present their findings on the 80/20 Trucking initiative and make a recommendation.

LEGISLATIVE AUTHORITY:

MGA Section 48(3); Procurement Policy #3700-01

RECOMMENDATION:

That the 80/20 Trucking Rule not be implemented into the Town of Amherst Procurement Policy.

BACKGROUND:

In early 2015 Bill Dowe of the Cumberland County Truckers Association made a presentation to Council encouraging the Town of Amherst to incorporate the 80/20 rule in our Procurement Policy. At that time there was no direction given to staff.

DISCUSSION:

The rule would require 80% of the trucking work performed on a job to be handled by local area truckers belonging to the Trucking Association of Nova Scotia (TANS). Implementing the rule should increase utilization of local area trucks that belong to TANS. However it could increase costs to the Town of Amherst in the form of higher bids on tenders, etc. See attached memo for further discussion.

FINANCIAL IMPLICATIONS:

Until we experience tenders that involve trucking, we will not be able to determine if the implementation of the 80/20 rule would, indeed, lead to extra costs.

COMMUNITY ENGAGEMENT:

None to date.



ENVIRONMENTAL IMPLICATIONS:

One could argue less gas emissions by using local trucks versus trucks from far away driving on the highway to get here.

ALTERNATIVES:

1. Status Quo;
2. Implement 80/20 Trucking Rule
3. Some modified combination of #1 and #2. For example, all capital projects over \$100,000.

ATTACHMENTS:

1. Memo to Mayor and Council
2. Procurement Policy
3. Nova Scotia Public Procurement Act

Report prepared by: Vince Arbing, CPA, CA – Treasurer
Report and Financial approved by:



MEMORANDUM

To: Mayor Kogon and Members of Amherst Town Council
From: Vince Arbing, CA, Treasurer, Director - Corporate Services
Date: January 16, 2017
Subject: 80/20 Trucking Rule

In early 2015 Bill Dowe of the Cumberland County Truckers Association made a presentation to Council encouraging the Town of Amherst to incorporate the 80/20 rule in our Procurement Policy. At that time there was no direction given to staff.

There is currently an agreement in place between the Province of Nova Scotia (PNS) and the Nova Scotia Trucking Association (TANS) whereby all Department of Transportation and Infrastructure Renewal (NSTIR) contracts of a road or bridge building construction description (not for regular maintenance issues) must use 80% local area truckers during the work. This rule is commonly referred to as the "80/20" rule.

Simply put, for the types of work as outlined, 80% of the trucking work performed on a job must be handled by local area truckers belonging to the Trucking Association of Nova Scotia (TANS). The remaining 20% may be the contractor's choice with the caveat that the first truck performing the work is the contractor's choice, then the next 80% will be TANS, with any remaining trucks being the contractor's choice. For example, for a 10 truck job, truck 1 is contractor's choice, trucks 2-8 would belong to TANS, and truck 10 would be contractor's choice.

The Trucking Association of Nova Scotia has been in existence for 47 years, with 19 county associations/jurisdictions. Cumberland County has a branch (Cumberland County Trucking Association), of which Mr. Vaughn Smith is currently the President.

During our research we have spoken with different groups, all having slightly different outlooks on the rule and its perceived value.

There are those that have indicated TANS has difficulty in fulfilling its requirements at an 80% level and really only achieves a rate closer to 50%. The Executive Director of TANS has indicated that it has been a challenge to retain membership at the previously higher levels they have seen. A potential problem with this would be that it may force TANS to utilize a member that may not be as diligent with work ethic or safety to complete the work

It appears it is not a rule that is recognized readily among the municipalities. However some municipalities have incorporated parts of the 80/20 rule in their Procurement Policy. Examples are the Municipality of the County of Colchester and the Municipality of the District of Guysborough.



Apparently other provinces have removed the rule other than New Brunswick and Nova Scotia.

The 80/20 rule is an anomaly under the trade agreements due to the fact that it relates to aggregate hauling. The Province has gone through the effort of vetting the 80/20 rule for compliance with our trade agreements.

Another consideration is what areas the 80/20 rule would apply to:

- Day to day operations. Majority if not all of the Town's day to day operational work is done by using its own trucks and employees. Does it make sense to apply 80/20 rule to this type of work?

Also, if the Town contracts some of the snow removal/hauling out to local truckers. Using the 80/20 rule would mean the local truckers who do not belong to the Cumberland County Trucking Association would not be eligible for snow removal/hauling.

- Small to Medium Capital Projects. If the bidder has a full complement of trucks this would force them to use another competitors company trucks to complete the majority of the work.
- Large Scale Capital Projects. I think it is fair to say the bidders are not normally a trucking company but a general contractor who would possibly need to sub-contract out some of the truckers requirements.

Pros:

1. Would require all general contractors to utilize local area trucking companies to complete work on behalf of the Town of Amherst, increasing local work and potentially helping to maintain local jobs.
2. TANS would be responsible for the organization of the necessary work force and the "policing" to ensure the general contractor was following the contract. As well as "policing" the members must ensure compliance with all safety regulations regarding the industry. Members must be vetted through a process before being an accepted member.
3. When general contractors are bidding on contracts that need the use of trucks and they do not have the necessary fleet to complete the work, TANS would have rates and trucks available to help.

Cons:

1. Potential increased cost to the Town of Amherst. If the general contractor has its own fleet of trucks, the 80/20 rule forces the use of local area trucks which could cause a contractor to submit a higher bid.
2. Should the local complement of TANS members not be enough to fill the work load, TANS will pull from the next jurisdiction (e.g: Colchester) before allowing any local area companies NOT in the TANS to be utilized.
3. Currently Sackville, New Brunswick is part of our local preference area in our Procurement Policy. However, with TANS only having members located in Nova Scotia, any trucks from Sackville, New Brunswick would be excluded from being hired as part of the 80/20 rule.
4. If a local company is the winning bid and has its own fleet of trucks, they would still be required to outsource 80% of the trucks to TANS members.
5. If we implement the 80/20 rule, the Town will have no control over the setting of the rates by the Cumberland County Trucking Association and/or TANS.

Options:

1. Status quo, i.e: do not implement the 80/20 Trucking Rule into our Procurement Policy;
2. Implement 80/20 Trucking Rule into our Procurement Policy
3. Some modified combination of #1 and #2 above. For example: All capital projects over \$1,000,000 that require off-site trucking. The Municipality of the County of Colchester has this in their Policy (attached, see Section 5(F) and 5(G)).

Recommendation:

That Council direct staff to maintain the status quo. Common sense would seem to say the more conditions we put on a bidder the higher the price. We all want to help the local economy but will the Town end up paying more and if so is this in the best interest of all the taxpayers of Amherst. Presently there is nothing precluding contractors from using local trucks if it makes economical sense.

80 – 20 RULE MANUAL

(April, 2015)

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SECTION A

TIR Directives Related to the 80-20 Rule

Directive

1

Distance Paid Per Tonne-KM Rate

Trucks are paid for the distance travelled from the point where the trucks are loaded to the point where they unload. In other words the distance should be measured from the loading site to the unloading site.

2

Payment of Truck Haul Rates

It is Department practice and policy to pay any portion of a kilometre as a full kilometre with respect to Truck Haul Rates. As a result, for example, 1.1 kilometres would be paid as 2 kilometres.

3

Guidelines for Reasonable Notification to TANS from Contractors

Contractors will attempt to give as much notice as possible, but a minimum of 12 hours' notice must be provided.

Emergencies will be handled on an "as required" basis but should include consultation with the Truckers Association.

4

Workers Compensation Board Requirements

Effective immediately, proof of Workers Compensation Board coverage will be required for all truckers prior to working on any TIR projects (maintenance and capital).

TIR Directives Related to the 80-20 Rule

Directive

5

Certificate of Recognition

Effective July 1, 1997, all truckers working on Department of Transportation and Infrastructure Renewal projects (maintenance or construction), must provide proof that they hold a valid letter of good standing – Certificate of Recognition Program issued by the Nova Scotia Construction Safety Association and the Nova Scotia Department of Labour.

6

Use of Back-Up Beepers

Effective immediately, all trucks operating on TIR projects must be equipped with back-up beepers.

7

Safety Pins on All Tailgates (Asphalt)

All trucks hauling asphalt mix require double pinned tailgates.

8

Contaminated Winter Salt

If it can be confirmed that the contamination of winter salt came from a particular truck/trailer combination, any costs of screening of the salt should be recovered from the trucker.

9

80/20 Rule of TIR Maintenance Work

It is not intended that the 80/20 rule be applied to TIR maintenance work. In order to effectively utilize Department fleet, the Department reserves the right to use as many Department trucks as are available to fill their trucking requirements. Department staff are to ensure that Department trucks adhere to legal axle and gross vehicle weights in carrying out maintenance projects. Note: our salt and sand trucks are exempt from the normal weight regulations when providing what is considered an emergency service, i.e. plowing, salting, sanding.

Directive

10

Breaking the Load (Prior to Backing into the Spreader the Truck Body Shall be Partially Elevated)

As a result of safety concerns associated with “breaking the load” effective immediately, on all TIR paving and repaving contracts the requirement to break loads will be suspended pending review.

11

Truck Rates

It is the intention of this Department to use the hourly rate per axle for the transporting of any materials where there are built in loading and/or unloading delays associated with the operation, i.e., ditching, pothole patching, culvert replacement. On other activities that may be more or less defined as production runs, where the operation basically involves loading, transportation to the discharge site and return for another load, the method of payment will be by the cubic-metre-km or tonne-km. It is recognized that there may be delays in loading and unloading associated with “production runs” as well but these delays, normally associated with equipment breakdowns, inappropriate numbers of trucks, traffic, etc., would not create the necessity to revert to an hourly axle rate.

It should also be pointed out that when hauling by the cubic metre, Department employees will ensure that truck boxes are properly measured and loaded so that they are actually carrying the volume of material for which they are being paid.

12

TANS Representatives at Pre-Job Meetings

TANS representatives must be invited to project pre-job meetings.

Directive

13

Pup Trailers

The TANS/TIR Committee had recommended the current practice of emptying the pup trailer, pulling ahead, disconnecting the pup trailer and returning to the position of last among those trucks waiting to discharge their loads be continued.

The Standard Specifications stated “Ordinarily there shall not be more than five trucks to unload ahead of the spreader”. In making these recommendations, the Committee understood that the pup trailer would return in line to no more than 5th position and anticipated no problems. In case of breakdowns, traffic tie up, etc., when there can be a lineup of more than 5 trucks, the pup trailer returns to the 5th position.

14

Use of 360° Vehicle Mounted Amber Flashing Lights

For shoulder, partial lane blockage and full lane closure conditions all vehicles within a work area shall be equipped with and have activated at least a 360° amber flashing light.

Vehicles engaged in an off-shoulder area are not required to have an activated 360° amber flashing light.

15

Temporary Workplace Traffic Control

During the movement of traffic through a work zone controlled by Traffic Control Persons (TCP), construction equipment, supervisors and/or TIR staff have no special status over public traffic controlled by the TCP. For example trucks hauling materials to the job site are not permitted to leave the line of stopped traffic to proceed to the job site.

TIR Directives Related to the 80-20 Rule

Directive

16

Truck Rates for Hauling Asphalt

The Minister has authorized an increase in the asphalt haul rate differential of \$0.50 per tonne to bring the asphalt haul rate differential from \$0.13 per tonne to \$0.63 per tonne.

Staff are advised that effective 1 May 1998, the asphalt haul rate differential is \$0.63 per tonne for trucks hauling asphalt.

17

Pre-Job Minutes

The TANS portion of the pre-job meeting minutes should be sent by the PE to the TANS representative at the pre-job meeting and also to the Executive Director at the TANS Office in Truro.

18

Weigher's Daily Reports

Department Weigher's shall record the time trucks are tared on the Weigher's Daily report. Copies of the Weigher's Daily Report should be sent to the local county President c/o of the dispatcher on a weekly basis.

19

Truck Haul Distances

In an effort to alleviate the confusion associated with truck haul distances (80-20 Rule) for TIR Projects, Construction Managers and PE's are to be advised that the following procedures shall be followed:

- The PE shall not permit the Contractor to haul any material covered under the 80-20 Rule until the dead haul distance (point of loading to a predetermined Station number) is agreed to be the TANS representatives and the Contractor. This should be determined at the pre-job meeting.
- If TANS and the Contractor cannot agree on a dead haul distance, the PE shall measure the route and determine the distance, prior to any material being hauled.

TIR Directives Related to the 80-20 Rule

- TIR shall post at the scale house the pit name and dead haul distance for each pit from which material is being hauled.
- TIR Checker shall record on the weigh slip the Station number at the point of unloading.

20

TANS Unable to Supply Sufficient Trucks

The following procedure should be followed in the event that TANS cannot supply sufficient trucks for TIR construction project where the 80-20 Rule applies:

- Contractor shall notify Project Engineer if TANS cannot supply sufficient trucks.
- Project Engineer shall contact Executive Director TANS (902) 895-7447 to verify if TANS cannot supply sufficient trucks.
- If TANS cannot supply sufficient trucks, the Project Engineer will advise TANS and the Contractor, that the Contractor has permission to supply their own trucks for a period of 5 days.

NOTE: Any TANS trucks already hauling on the Project will be permitted to continue to haul.

- After 5 working days the Project Engineer will reassess the situation:
 - If TANS can supply sufficient trucks, the Contractor will be advised that TANS are now permitted to dispatch trucks as outlined in the 80-20 Rule.
 - If TANS still cannot supply sufficient trucks the Contractor will be permitted to supply their own trucks for a further 5 working days.

NOTE: Any TANS trucks already hauling on the Project will be permitted to continue to haul.

- After the additional 5 working days the Project Engineer will again reassess the situation:
 - If TANS cannot supply sufficient trucks, the 80-20 Rule will be suspended for the remainder of the Contract.

SECTION B

TIR Interpretation Bulletins

Policy Regarding: Hiring and Truck Dispatch – Issued 26 June 1996

A TANS member is permitted to be the contractor's first truck, without penalty, for ten (10) working days. The member's second (2nd) truck cannot be used as a contractor's truck and must be in the second (2nd) hiring rotation. The ten (10) days as a contractor's first truck is a total for the membership year and cannot be repeated for different contractors or projects. Following the ten (10) days as the Contractor's first truck, the member's first (1s) and second (2nd) trucks can go back into the rotation.

Construction Pre-Job Meeting Requirements (excerpt trucking related)

Depending on the scope of work the pre-job meeting may include the following attendees:

Truckers Association

The following items should be discussed at the pre-job meeting:

- 2). Items Affecting TANS Members, Contractor and TIR
 - a. Length of haul distance and pit location

Note: These items must be agreed to in writing and signed by TIR, TANS and the Contractor before any material is hauled from the source.
 - b. Safety Certification and Workers Compensation required for every truck. Every Driver must have WHMIS and First Aid. There will be zero tolerance on these requirements.
 - c. Requirements for trucks include:
 - Backup beepers
 - Tarps
 - Double pin systems
 - d. Review of Traffic Regulations at the Construction Site.
 - e. 12 hour call out

- f. Haul rates
- g. The number of trucks required for the Project
- h. 80-20 Rule
- i. Any request for special type of truck to be used on the job
- j. Payment for truck hauls, working with planner

Interpretation 80-20 Truck Rule – Contractors “Own Truck”

The statement is included in the current specifications with respect to the 80-20 Rule that “if only one truck is required on a contract, the contractor may use his own truck. However, to comply with the 80-20 Rule, before the contractor could use another of his own trucks, he would have to have a minimum of eight private trucks employed on the contract provided, of course, private trucks are available.” It was the intention when the specification was written, that the contractors “own truck” would indicate a truck of the contractor’s choice. Unfortunately, the specification was not clearly worded.

This letter is to indicate that the interpretation originally intended is the interpretation maintained by our Department and the specification will be revised to replace the words in the first sentence, “his own truck”, with the words, “a truck of his own choice”, and also to replace the words in the second sentence, “his own choice”, with the words, “truck of his own choice”.

Payment for Trial Mix Production

(2009) Further to our TIR/TANS/NSRBA Joint Meeting where the hauling of trial mix on EPS jobs was discussed and the following was decided:

- Contractor to make clear to trucker that they are producing trial mix and hourly rate will apply
- Contractor to inform trucker when trial mix complete and hourly rate has ended and the work is over for the day or
- Contractor to inform trucker trial mix over/hourly rate no longer applies but now going into production mode and tonne-km rate applies.

The following is a revised Special Provision which will be in all our future tenders where the 80-20 Rule applies to reflect the hourly rate only applies to production of trial mix:

1.0 **Truck Rates:**

The Contractor is hereby notified that the Department of Transportation and Infrastructure Renewal truck rates which came into effect on **March 1st, 2009** and are in effect for this Contract, in situations where the 80/20 Rule applies, are available in the latest Department's Standard Specification.

The Contractor is hereby notified that for Asphalt Concrete produced under the End Product Specification, during the production of any mix type when the Contractor is establishing their Job Mix Formula, trucks hired under 80/20 Rule to haul trial mix asphalt will be paid at the hourly rate for the hours worked during the production of the trial mix.”

Clarified again in 2014

Truck Rates:

The Contractor is hereby notified that the Department of Transportation and Infrastructure Renewal truck rates dated April 1st, 2014 which came into effect on **January 1st, 2014** and are in effect for this Contract, in situations where the 80/20 Rule applies, are posted on the NSTIR BidX Website (www.bidx.com).

The Contractor is hereby notified that for Asphalt Concrete produced under the End Product Specification, during the production of any mix type when the Contractor is establishing their Job Mix Formula, trucks hired under the 80/20 Rule to haul trial mix asphalt concrete will be paid at the hourly rate for the hours worked during the trial period until production commences at which point tonne-kilometre rates will apply.

SECTION C

STANDARD SPECIFICATION, Division 1 Section 3

15.0 80-20 RULE. The following is the practice to be adhered to by all Contractors working on Department Contracts and shall apply to materials, as noted in the following, hauled after 12:00 noon, local time, on the date of the Letting.

15.1 Hiring of Local Trucks. The 80-20 rule shall apply to the hiring of local trucks for Department operations. At least 80% of the trucks hired on NSTIR Contracts shall be private trucks hired, on a rotational basis, through the local branch of the Truckers Association of Nova Scotia, so that all trucks in the area receive a relatively equal amount of work. This is referred to as the 80-20 rule. The Contractor shall make every reasonable effort to balance the interests of the private trucks hired with the Contractor's requirement to accomplish the Work in an efficient and cost effective manner.

15.2 Dispute Resolution. In matters of disagreement between the Trucking Industry and the Contractor, the Engineer is empowered to adjudicate the dispute. The complaint shall be put in writing and presented to the Engineer by the Local President of the Truckers Association or the Contractor. The Engineer shall investigate the complaint and within 20 days shall present a resolution of the problem. This resolution shall not be limited in scope and shall be focused on ensuring the spirit of the Contract with respect to the hiring and payment of local truck within specified area is upheld.

15.3 Hauling of Granular Materials and Asphalt Concrete. The 80-20 rule applies to hauling of all granular materials (including rock fill and loose laid rip rap) and asphalt concrete from a pit, crusher or asphalt plant for a Department Contract. Department Truck Rates to apply.

15.4 Hauling Materials To Produce Granular Materials. The 80-20 rule applies to the hauling of all material which is to be used to produce granular material including stone chips (with exception of material to be used to produce asphalt concrete). Department Truck Rates apply.

15.5 Hauling of Stone Chips for Seals. The 80-20 rule applies to the hauling of stone chips for seals from the site where the stone chips are manufactured to a stockpile location on or near the Contract and also from the stockpile on or near the Contract to the spreader. Department Truck Rates apply.

15.6 Hauling of Aggregates for Micro Surfacing. The 80-20 rule applies to the hauling of aggregate for Micro Surfacing from the site where the aggregate is manufactured to a stockpile location on or near the Contract. Department Truck Rates apply.

15.7 Hauling of Excavation or Borrow Material.

- **Section of Road Not Designated.** The 80-20 rule applies to the hauling of excavation and/or borrow material on a Contract where the section of road under Contract is not designated. Department Truck Rates apply.
- **Part or All of Section of Road Designated.** The 80-20 rule applies to the hauling of excavation and/or borrow material over a non-designated section of highway for a Contract where all or a portion of the section of road under Contract is designated. Department Truck Rates apply.

15.8 Hauling of Common and/or Borrow Material. The 80-20 rule does not apply to hauling of common and/or borrow material for a Contract where the section of road under contract is

designated, and the movement of material is confined to the designated limits. Department Truck Rates do not apply.

15.9 Hauling of Blend Sand. The 80-20 rule does not apply to the hauling of material (including blend sand) to be processed into asphalt concrete. Department Truck Rates do not apply.

15.10 One Truck Only. If only one truck is required on a Contract the Contractor may use a truck of his or her own choice. However, to comply with the 80-20 rule, before the Contractor could use another truck of his or her choice they would have to have a minimum of 8 private trucks employed on the Contract provided, of course, if private trucks were available. Under normal circumstances, upon start up, the Contractor would be expected to provide their own truck first followed by 8 private trucks, before providing another of their own trucks.

15.11 General. Granular material is deemed to include all classes of gravel, Special Gravel, Gravel Borrow, Rock Fill, Loose Laid Rip Rap and Fill Against Structure material. Where Department rates apply, rates paid to all owners of trucks in the employ of the Contractor, Sub-contractor, or of any person doing or contemplating doing, the whole or any part of The Work contemplated by the Contractor, shall be at least equal to the rates of pay fixed by the Minister from time to time. It should be noted, however, that the rate to be used when hauling items for which the Contractor is paid on a per tonne basis shall be the tonne-km rate unless otherwise stated in the Special Provisions. The utilization of Tonne Kilometre Rates and/or Hourly Rates shall be mutually agreed upon between the Contractor and the TANS representative at the pre-construction meeting. The rates paid to all labourers or other persons in the employ of the Contractor, Sub-contractor, or of any person doing, the whole or any part of The Work for the Contractor shall be at least equal to the rates of pay that may be fixed by the Minister from time to time. Workers shall not be required to work longer hours than those fixed by the custom of the trade in the district where The Work is carried on, except for the protection of life or property, or in case of other emergencies. In the event of a dispute arising as to wages, or what are the current hours fixed by the custom of the trade, it shall be determined by the Minister whose decision shall be final.

15.12 Removal of Asphalt from Overweight Trucks. It shall be the joint responsibility of the paving Contractor and trucker to load the proper amount of asphalt concrete into each truck. Any excess amount that is removed shall be the joint responsibility of the paving Contractor and the trucker. The removal of the excess material shall be accomplished in a manner that is consistent with the Occupational Health & Safety Act and also shall not impact on the integrity, or promote segregation, of the hot mix asphalt.

SECTION D

Memorandum Of Understanding, 2009

(summary or items not identified elsewhere)

B. STATEMENT OF MUTUAL BENEFIT AND INTERESTS

The 80-20 Rule does not apply to Maintenance operations, including Rural Improvement Mitigation (RIM) contracts, although Supervisors may contact the local branch of TANS when private (non-departmental) trucks are required. The 80-20 Rule does not apply to lump sum contracts if there are no quantities specified.

General.

Granular material is deemed to include all classes of gravel, Special Gravel, Gravel Borrow, Rock Fill, Loose Laid Rip Rap and Fill Against Structure material.

Pre-Job Minutes.

- **Length of Haul Distance When Using Interchanges**

The haul distance measurement for determining the truck payment is to be determined by measuring the distance from the production site to the placement location and return and divided by two when interchanges are to be used.

Projects Where Liquid Anti-Striping Agents are Used

All TANS members hauling asphalt mix that requires liquid anti-stripping agent must show proof that they have received training in the use of liquid anti-stripping agents.

Formal Grievance Procedure for TANS Members

- a. The grievor shall present their grievances in writing to the Executive Director of TANS with a copy to the Local President, fully describing the incident that they wish investigated.
- b. The Executive Director shall, within 10 days convene a panel of 2 Directors and himself/herself, excluding the selection of any Directors from the local which the grievor belongs.
- c. The panel shall hear evidence from the grievor and the local executive and present a decision on the grievance within 5 days of hearing the evidence.
- d. The decision of the panel shall be final.

- e. Should the grievor feel that they that they had not been given a fair hearing the grievor may present their case to the TIR/TANS Joint Committee.
- f. Any Directors from the local to which the grievor belongs shall be excluded from the panel of the TIR/TANS Joint Committee hearing the grievance.

Payments of Truck Haul Rates

Where Department rates apply, rates paid to all owners of trucks in the employ of the Contractor, Sub-contractor, or of any person doing or contemplating doing, the whole or any part of the work contemplated by the Contractor, shall be at least equal to the rates of pay fixed by the Minister from time to time. It should be noted, however, that the rate to be used when hauling items for which the Contractor is paid on a per tonne basis must be the tonne-km rate.

Trucks are paid for the distance traveled, from the point where the trucks are loaded to the point where they unload. The Department or Contractor shall pay any portion of a km as a full km with respect to truck haul rates. For example: 1.1 kms would be paid as 2 kms.

Payments to truckers employed in the hauling of materials used in the construction, shall be made bi-weekly with payments for one pay period made prior to the end of the following pay period.

- **Ferry tolls**

The Contractor will reimburse ferry tolls to TANS members performing truck hauls for Department construction activities where the 80-20 rule applies.

If a TANS member crosses the ferry when performing a truck haul for Department project, the Contractor will reimburse the trucker for the cash value of each ferry crossing (including return trips) as part of the payment of the truck haul, not including the distance traveled by water. Receipts are not required to be submitted by the trucker to receive payment, the number of ferry crossings will be determined from the weigh slips. Alternatively, the Contractor may decide to provide the trucker with tickets/tokens at no cost to the trucker.

- **Truck Rates**

The hourly rate per axle will be paid for the transporting of any materials where there are built in loading and/or unloading delays associated with the operation, eg. ditching, pothole patching, culvert replacement.

SECTION E

TANS Protocols and Guidelines

1. Number of Trucks. Rule of Thumb is 1 truck (tandem) per 1.6 kilometre (1 mile). This figure may vary depending on the route or site conditions (ie. heavy traffic, detours etc.)
2. Start of ACC (trial) Production – trucks paid per hour until the production goes full at which time trucks switch to tonne/km.
3. Trucks will be paid by the hour for slow production activities such as ditching, hand patching and culvert replacement.
4. Haul Route. If safety or load restrictions (ie. posted structure) is not identified in the Special Provisions then contact the Asphalt Material Coordinator for resolution.
5. 80-20 applies to hauling of designated materials regardless of how the item was bid (ie. by the tonne or cubic metre).
6. 80-20 does not apply to a lump sum/design build items.
7. 80-20 may be suspended if TANS is unable to supply sufficient trucks on a job. **See Directive 20, Section A.**
 - **Option exists to not suspend 80-20 but simply permit the Contractor to make up the difference with their own trucks with the agreement of TANS Dispatch.**
8. Contractors cannot normally specify the type of truck (ie. belly dump vs. end dump), a truck is a truck (unless job site is such to preclude a body type for safety or other legitimate reasons).
9. Trucks are to be paid every 2 weeks. If a truck is not paid by a Contractor then TIR can pay (letter to Finance authorizing payment to Trucker from funds withheld from the Contractor payment). If a private truck is hired (not through TANS) then they would be treated as a subcontractor. TIR can hold security until sub's are paid.
10. No protocol forcing payment (ie. hourly rate or lump sum) to truckers who have been held up by a Contractor on a tonne-km job due to a delay (eg. breakdown) where the Contractor has not released the trucks to be available for other work.
11. Rotation. Load a Contractor's truck first (if they want) then a TANS truck. Can't load all of Contractor's trucks one after another and leave TANS waiting unless agreed to be TANS Dispatch.
12. Hand Laid Rip Rap currently not referenced in 80-20.
13. Free Haul - A truck (owner) may haul away fill for free from a Project, if approved by the Engineer. This does not violate the 80-20 Rule. 80-20 refers to "hired" trucks. Trucks hired must be TANS members. Contractors can move material via rail car or barge.

14. Revised Haul Rates. Rates are revised each year and usually available early spring. Rates apply from that time forward in all Contracts where they are referenced. Rates are also retroactive to January 1. For Contracts that close before the revised rates are available the Contractor will pay the trucks at the revised rates and then TIR will reimburse the Contractor for the difference in the rates (since the Contractor is unable to factor revised rates into their costs).
15. RIM work is excluded from 80-20 (maintenance). TIR Manual PR5021 (Hiring of Local Trucks for TIR Operations and Rate of Compensation). Under Purpose: *“The 80/20 rule does not apply to Maintenance operations, including Rural Impact Mitigation (RIM) contracts, although the Supervisors may contact the local branch of TANS when private (non-departmental) trucks are required”.*
- 16.

SECTION F

TANS Fuel Surcharge/Rebate

Determining TANS Fuel Surcharge/Rebate

1. A baseline price of \$1.00 per litre for diesel fuel has been established.
2. Each month an average diesel fuel price is determined by TIR for the Province.
3. The Nova Scotia Utility and Review Board posts weekly high and low prices for each of six zones in Nova Scotia in cents per liter.
4. Prices for ultra-low sulfur diesel (self-service) from the last Friday of each month are averaged for each zone and then an average Provincial price is calculated.
5. The baseline price (expressed in cents) is subtracted from the calculated average price in cents. The remainder is equal to the percentage increase in fuel prices relative to the baseline price.
6. This percentage change is then compared to values in a table established in March, 2009. Surcharges from 0% to 22% have been established for percentage changes up to 55%.
7. Once established the Surcharge is posted to TIR internet site. The Surcharge is in effect for the upcoming month.
8. Diesel fuel prices lower than \$1.00 per litre could result in a Rebate to the Province.

Applying the TANS Fuel Surcharge/Rebate

1. Paid by TIR at the end of the Contract (line item "Fuel Surcharge/Rebate for 80/20 Rule")
2. Contractor to submit documents to PE showing costs associated with applying the Surcharge (or recovered from Rebate). Contractor's documents shall show the dollar value of the work TANS trucks have earned (or recovered).
3. PE will check and verify documents.
4. Both TANS and Contractor trucks may claim the Surcharge or have the Rebate applied.
5. Add the Surcharge (+) or Rebate (-) dollar values to get the overall value to the Contractor to either recover costs associated with applying the Surcharge or reimburse TIR for the Rebate.
6. On the progress or final estimate enter the net value (+ or -) as a lump sum dollar value to the line item "Fuel Surcharge/Rebate for the 80/20 Rule".
7. No HST is applied to the total.
8. Retain all the records in the item contract file.

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: **Procurement Policy**

Minutes reference date: 30 April 2007 28 September 2009 26 November 2012

1) Policy Statement

The purpose of this policy is to establish transparent procurement guidelines to ensure the most cost effective and cost efficient methods are used to provide best value for the procurement of goods, services and construction for the Town.

The Town of Amherst will conduct procurement practices in compliance with all Provincial legislation, International, National and Regional Trade Agreements, including the Nova Scotia Public Procurement Act and any amendments thereto.

2) Definitions

- a) Alternative Procurement (ALTP)- the procurement of goods, services and construction without a competitive process due to certain conditions/situations.
- b) Best Value- bids will be evaluated on the purchase price while also taking into consideration other factors, if applicable, such as environmental and social considerations, delivery, servicing and the capacity of the supplier to meet other criteria as stated in the requesting documents.
- c) Bid - a supplier's response to a Request for Quotation (RFQ), Request for Construction (RFC), Tender, Request for Proposal (RFP), Request for Expression of Interest (REI) or a Two Phase Bid to provide goods, services or construction.
- d) Local Preference Area – all suppliers located within the County of Cumberland and the Town of Sackville, New Brunswick, plus a ten (10) mile radius outside of Sackville New Brunswick's town boundaries.
- e) Public Request for Submission - refers to inviting responses to tenders, request for proposals, two phase bids, request for construction, request for expression of interest and request for standing orders.
- f) Purchase Card-a corporate visa card for the Town of Amherst with various restrictions and limits based on the cardholder.
- g) Purchaser –a Town of Amherst employee with the authority to purchase goods.

- h) Request for Construction (RFC)-used to publicly tender for a construction, reconstruction, demolition, remediation, repair or renovation of a building, structure, road, bridge or other engineering or architectural work.
- i) Request for Expression of Interest (REI)- process in which suppliers are invited to propose a solution to a problem and then those chosen are asked to respond to a subsequent Request for Proposal.
- j) Request for Quotations (RFQ)- informally obtaining price quotations from a number of different suppliers.
- k) Request for Proposal (RFP)- a formal invitation to suppliers to describe how their services, methods, equipment or products can address and/or meet the needs of the Town of Amherst.
- l) Purchase Requisition/Purchase Order-an electronically generated document for the supply of goods or services from an approved vendor.
- m) Standing Offer- a contractual arrangement with a supplier to provide certain goods or services on an "as required" basis, during a particular period of time, at a predetermined price or discount, generally within a predefined dollar limit.
- n) Sustainable Procurement- involves taking a holistic approach to obtain best value by integrating the following considerations in the procurement process:
 - Environmental considerations: e.g. Green House Gas Reduction, Waste Reduction, Toxic Use Reduction;
 - Economic considerations: e.g. Life Cycle Cost, Fiscal Responsibility, Support for the Local Economy;
 - Social considerations: e.g. Employee Health and Safety, Inclusiveness and Fair Wage, Health Promotion.
- o) Tender- a formal request to solicit for goods, services or construction obtained through posting on the Town of Amherst and the Provincial websites.
- p) Two Phase Bid- a two stage process in which suppliers submit proposals for evaluation, and separately submit prices.

3) Guiding Principles

The following principles will guide the procurement practices of the Town of Amherst:

- a) Procurement policy and procedures should provide the most efficient and effective methods resulting in best value for the Town.
- b) The procurement process is to ensure a fair, open, consistent and transparent process in the acquisition of goods, services and construction.

- c) Procurement methods are to encourage competition, innovative ideas and solutions, wherever possible, while respecting all legislative and trade agreement obligations for the supply of goods services and construction.
- d) Procurement policy provides for the use of suppliers, who can be expected to provide satisfactory performance, based on, but not limited to:
 - (i) past performance and/or previous contacts
 - (ii) financial and other resources to complete the contract bid;
 - (iii) references
- e) Promoting the use of Sustainable Procurement when evaluating bids by striving to obtain best value, taking into consideration environmental, economic and social considerations.
- f) This policy does not apply to payments for reoccurring items such as utilities, leases, rentals and similar reoccurring operating charges, while recognizing that in some circumstances, the initial commitment that leads to these ongoing payments is subject to the provisions of this policy.

4) General

- a) This policy applies to all departments, agencies, boards and commissions of the Town of Amherst over which the Town has jurisdiction.
- b) The procuring of goods, services and construction will be facilitated by the Director in conjunction with the Procurement Coordinator according to this policy.
- c) The Town of Amherst will be under no obligation to accept any bid received which is considered to be not in its best interest, in response to a verbal or written request.
- d) The Town may work with other levels of government, other municipal units, other agencies, boards and commissions, and associations such as the FCM (Federation of Canadian Municipalities) and UNSM (Union of Nova Scotia Municipalities) to encourage standardization of items and/or reduce overall costs to the Town for joint purchasing.

5) Authority of the Chief Administrative Officer

- a) The Chief Administrative Officer (CAO) may authorize the procurement of goods, services and construction that are less than \$30,000, provided such purchases are made in accordance with this policy and fall within the thresholds established within The Atlantic Procurement Agreement and all subsequent amendments thereto, and are included within the approved budget.
- b) The CAO may authorize procedures consistent with this policy and may delegate the authority under this policy.

6) Purchasing Guidelines

The following guidelines will be followed for the procurement of goods services and construction for the Town:

- a) Up to \$2,000 - For purchases that are random in nature, purchaser will use standing offer if one exists. Otherwise, purchases may be purchased by the department using a purchase order or Town of Amherst purchase card in accordance with the Guiding Principles of this policy.
- b) More than \$2,000 but less than \$15,000- Where three or more suppliers exist, purchaser will attempt to solicit at least three written quotations and attach them to the Request for Quotation form. This form must be completed and authorized by the CAO (or designate) and then given to the Procurement Coordinator for filing. Award will be to the supplier offering best value. Funds are to be clearly identified in the approved operating or capital budget.
- c) More than \$15,000 but less than \$25,000 - Where three or more suppliers exist, purchaser will attempt to solicit at least three written quotations, and attach them to the Request for Quotation Form. This form must be completed and authorized by the CAO (or designate) and then given to the Procurement Coordinator for filing. The Purchaser will post these opportunities on the Town of Amherst website. Award will be to the supplier offering best value. Funds are to be clearly identified in the approved operating or capital budget.

If there is a possibility that the value will be over \$25,000 and/or you are uncertain of the exact requirements of this request you should use other methods of procuring such as RFP's and Tenders. These would be posted on both the Amherst and the Provincial website. This decision would be made by the Director in conjunction with the Procurement Coordinator.

- d) \$25,000 or greater - the Purchaser will issue a public request for submissions (see Definitions, Section 2-e) by posting on the Town of Amherst website and the Nova Scotia Procurement web portal. Documentation must state if submissions received are to be acknowledged at a public opening at a designated place, date and time. After bids are evaluated they are to be forwarded to the CAO, or Council for approval on the recommendation of the CAO. Funds are to be clearly identified in approved operating or capital budget.

7) Methods of Procurement

All procurement activity must be obtained through one of the following methods:

- a) Tender- A formal invitation to solicit competitive bids. It is used when detailed specifications are available that permit the evaluation of tenders against clearly stated criteria and specifications. A request for tenders is a formal, competitive, sealed bidding process. Bid deposits and performance security may be required. The award is normally to the lowest bid received from a qualified bidder meeting the requirements of the tender and providing best value. Tender purchases shall be made by purchase

order. Tenders must be opened in the presence of at least one elected official and the CAO or his/her designate at a time and location that is open to the public.

- b) Request for Proposal- A request for proposal is a formal invitation to suppliers to describe how their services, methods, equipment or products can address and/or meet specific needs of the Town. It is used when a supplier is invited to propose a solution to a problem, requirement, or objective. Unlike tenders, Request for Proposals are evaluated against stated criteria to the terms of the RFP to determine if any should be accepted.

Negotiations with suppliers may be required to finalize any aspect of the proposal provided such discussion and negotiations are conducted to:

- (1) Award equitable treatment to each qualified bidder with respect to an opportunity for discussion and the revision of the proposal.
- (2) Prevent the disclosure of the proposal content of one bidder to another.

Proposals submitted in response to a request for proposal need not be opened in public. A list of the submissions will be available to the public and the proponents upon request. An award of a contract based upon a request for proposals will be made to the supplier, whose proposal has the highest score based upon the criteria for evaluation set out in the request for proposals and equitably applied to all proposals. RFP purchases shall be made by purchase order.

- c) Request for Quotation- A request for quotation is an informal request for prices for goods and services that the purchaser will attempt to solicit from at least three (3) different suppliers. This process is normally used where bid deposit and performance bonds are not required and where the cost of the work does not warrant the time and level of effort and expense required for a normal tender process. Quotations should be in written form and attached to the Request for Quotation form which must be completed and given to the Procurement Coordinator for filing once it has been awarded.

If a quote is obtained verbally, the person obtaining it must document the quotation, including time, date, supplier, price and description of the goods and services, the person from whom the quotation was obtained and the name of the municipal staff obtaining the quotation. The RFQ form should be used for documentation purposes. RFQ purchases shall be made by purchase order.

- d) Standing Offer – A tender process to guarantee a continuous supply of various goods, services or construction at a specific price for a specific period of time. The term of the standing offer can vary in duration but will be clearly defined in the tender documents. Standing Offers of the Government of the Province of Nova Scotia or other public sector entities may be used under the constraints within this policy where it is in the best interest of the Town of Amherst.

- e) Two Phase Bids- Where detailed specifications are not available or it is impractical to prepare a specification based on price, a two phase bid may be issued, inviting for the submission of bids as follows:

Phase One- Pre-qualification step in which bidders submit proposals/expressions of interest in response to basic terms of reference for evaluation; need not be opened in public

Phase Two- Only those bidders whose submissions were determined to be acceptable in Phase One will be invited to submit priced bids for further consideration. Phase Two bids must be opened in public.

This type of purchasing has the advantage of a request for proposal in Phase One and the advantages of a tender in Phase Two. Two phase bid purchases shall be made by purchase order.

- f) Request for Expression of Interest: This process is similar to the Request for Proposal and is sometimes referred to as a Pre-Qualification, where suppliers are invited to propose a solution to a problem. The REI, however, is only the first stage in the procurement process. Bidders responding to the REI will be short listed according to their scoring in the evaluation process. The short listed firms will then be invited to respond to a subsequent Request for Proposal. A REI does not normally include pricing as price is a key evaluation criteria used in the second stage RFP process.
- g) Request for Construction- Used to publicly tender for a construction, reconstruction, demolition, remediation, repair, or renovation of a building, structure, road, bridge, or other engineering or architectural work. When a supplier is invited to bid on a construction project the tender documents usually contain a set of terms and conditions and separate bid form that apply to that specific project. Suppliers are requested to submit a response (bid) in accordance with predefined criteria. The selection of the successful proposal is based on a number of factors as described in the tender documents. A request for construction usually does not include professional consulting services related to the construction contract, unless they are included in the specifications.
- h) Negotiations - Negotiations with suppliers for the supply of goods and/or services would take place when any of the following conditions exist:
- (a) Due to market conditions, goods and/or services are in short supply;
 - (b) There is only one source of the goods or services;
 - (c) All bids received are non-compliant or exceed the amount budgeted for the purchase;
 - (d) The extension or reinstatement of existing contract would be more cost effective or beneficial to the Town providing the extension has been outlined in original documents. The extension or reinstatement of existing contract is subject to the approvals listed in section 9 – Award of Contracts.

i) Alternative Procurement

In certain circumstances, described in this section, the Town may purchase goods, services and construction without using one of the options set out above. An alternative procurement purchase may occur.

- (a) Where an unforeseeable situation of urgency exists and the goods, services or construction cannot be obtained in time by means of open procurement procedures. An emergency purchase occurs when a situation creates immediate and serious need which may not be reasonably met by any other procedure and includes without limitation:

A condition where lack of supplies or services may adversely affect the functioning of civic government, threaten public or private property or the environment, or jeopardize the health or safety of the public;

Emergency purchases are completed using the most expedient method, but will take economy into consideration.

Emergency purchases must be pre-approved by the CAO (or designate) where such approval may be reasonably sought.

- (b) Where goods or consulting services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise government confidentiality, cause economic disruption or otherwise be contrary to the public interest;
- (c) Where compliance with the open tendering provisions set out in this policy would interfere with the Town of Amherst's ability to maintain security or order or to protect human, animal or plant life or health;
- (d) In the absence of tenders in response to an open or selective tender, or when the tenders submitted have been collusive, or not in conformity with the essential requirements in the tender;
- (e) To ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative;
- (f) Where there is an absence of competition for technical reasons and the goods or services can only be supplied by a particular supplier and no alternative or substitute exists;
- (g) For the purchase of goods on a commodity market;
- (h) For the procurement of goods or services the supply of which is controlled by a supplier that is a statutory monopoly;

- (i) For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor;
- (j) For work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work;
- (k) For the procurement of a prototype or a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development, but not for routine purchases;
- (l) For the purchase of goods under exceptionally advantages circumstances such as bankruptcy or receivership, but not for routine purchases;
- (m) For the procurement of original works of art;
- (n) For the procurement of subscriptions to newspapers, magazines or other periodicals;
- (o) For the procurement of real property;
- (p) For the procurement of goods intended for resale to the public;
- (q) For the procurement from charitable institutions, prison labour, persons with disabilities, sheltered workshop programs or through employment equity programs;
- (r) For procurement from a public body or non-profit organization; or
- (s) For the procurement of services of expert witnesses, specifically in anticipation of litigation or for the purpose of conducting litigation.

**When an alternative procurement purchase occurs, the reason for doing so must be documented using the Alternative Procurement (ALTP) form.

8) Local Preference

If the goods, services or construction available from a local business are equal in providing best value to those available from a non-local business, the goods, services or construction from the local business shall be purchased.

In evaluating which goods, services or construction offer best value to the Town of Amherst, the Town shall apply a preference of 5% to the price offered by a local business as compared with non-local businesses, such that the price offered by the local business is adjusted lower by 5% for the purposes of evaluating which goods, services or construction offer best value.

In accordance with the Atlantic Procurement Agreement, the local preference described above does not apply to the following procurements:

- a) goods that have a value of \$25,000 or greater;
- b) services that have a value of \$50,000 or greater;
- c) construction that has a value of \$100,000 or greater.

All requests for quotations and public requests for submissions must state that local preference applies to the procurement.

9) Award of Contracts

- a) Awards of \$30,000 and greater shall be presented to Council for approval.
- b) Awards less than \$30,000 may be approved by the CAO in conjunction with the user department:
 - i) Where the funds and program have been approved by Council as part of the annual business planning and budget process and the expenditure will not result in an over-expenditure of the entire budget.
 - ii) Where the purchase was the result of a public purchasing process conforming to the Town's procurement policy and The Atlantic Procurement Agreement.
 - iii) Where the purchase is awarded to the supplier providing best value and meeting specifications.
 - iv) Where the award of a Request for Proposal is made to the highest scoring qualified proponent based upon evaluation criteria within the Request for Proposal.
 - v) Where the award does not exceed the limits established in the Atlantic Procurement Agreement for the purchase of goods, equipment, services or construction.
 - a) Where the award does not exceed \$10,000 for consulting services.
 - b) Where there is no legislative requirement to obtain Council approval.
 - c) Awards over the value of \$30,000 will be submitted to Council for approval.
 - d) A quarterly report to Council of awards of contracts under the value of \$30,000 approved by the CAO or designate shall be made available to Council and shall show the name of the contract, the name of the successful bidder, the amount of the award, any person or company to whom a single or sole source has awarded, and the budgetary provision.

The CAO may, at his sole discretion, forward any decision for award to Council.

- c) All bids are subject to evaluation after opening and before award of contract. The bid request documents must clearly identify the requirements of the procurement, the evaluation method, evaluation criteria based on the purpose and objectives of this policy, and the weights assigned to each criterion.
- d) Where award is over the limits established in the Atlantic Procurement Agreement for the purchase of goods, services and construction, award amount and company name is to be posted on the Provincial Procurement Web Portal.

10) Documentation Requirements

The following documents are required in order to work on Town of Amherst property:

Workers Compensation Board (WCB)- WCB certificates are required any time a service and/or construction project is being completed on Town of Amherst property. The proponent MUST provide a valid WCB certificate prior to the commencement of any work. This certificate will state what employees are covered and when the coverage expires. If the WCB certificate expires before the project is finished then the replacement certificate MUST be received in order for the work to continue. Town of Amherst employees have the right to stop any work in progress if an up to date WCB certificate is not provided.

Liability Insurance - Proponents must provide a valid certificate from their insurance company with the Town of Amherst named and added under Additional Insured for liability purposes with at least \$2,000,000 liability coverage. This certificate must be provided before the commencement of any work.

Construction Safety- A Certificate of Good Standing is required from a registered safety certified company such as the Nova Scotia Construction Safety Association whenever any type of construction, reconstruction, demolition, remediation, repair or renovation is being completed on Town of Amherst property for any projects that are over \$10,000. This documentation must be provided before the commencement of any work.

11) Code of Ethics

All procurement carried out by the Town of Amherst must be conducted according to policies, provincial and federal legislation, trade agreements and ethical business practices. We must in good faith, conduct business with current and prospective suppliers and be fair in all business dealings. We shall encourage the negotiation of an equitable and mutually acceptable settlement when a dispute arises and request removal from a procurement process when a personal conflict of interest is perceived. We shall require suppliers to provide accurate representations of goods, services and construction and encourage them to consider sustainability in their products. We shall strive to obtain best value for each expenditure.

12) Supplier Performance

- a) Suppliers may be subject to disqualifications if there is sufficient evidence of failure to meet the standards specified by the Town. Suppliers may be evaluated based on competitive price, quality of a product, contract adherence and performance and after sales service. Upon reasonable notice in writing to the supplier involved, and after a reasonable opportunity for response, a supplier can be disqualified for a period not exceeding three years from participation in solicitation for goods and services when:
 - i. Serious breach of contract indicating unwillingness to perform a contract in accordance with the terms and conditions or specifications or a record of unsatisfactory performance of one or more contracts in accordance with its specifications or both.
 - ii. The offer of any gratuity to an official or employee of the Town by a supplier or contractor for consideration.
- b) A written decision shall be issued to the person disqualified or suspended setting out its reasons for disqualification or suspension, to the usual business address of that person as shown in the records of the purchasing section.
- c) Disqualification will be approved by the CAO.

13) Supplier Debriefing

Upon request of a supplier who is an unsuccessful bidder, the Town of Amherst must conduct a debriefing with that supplier to provide feedback on the evaluation of the bid. The debriefing must be conducted as follows:

- a) the Treasurer and/or Coordinator of Procurement along with the person named in the documents will conduct the meeting;
- b) the debriefing must provide reasons for the disqualification of the supplier, or in the case where evaluation scoring was used, provide an overview of the supplier's score in each category and reasons for that score;
- c) the debriefing must also provide information to the supplier on how to improve future submissions;
- d) the debriefing must not disclose any information regarding other bidders or their submissions.

14) Contract Documents, Bid and Performance Securities and Specifications

- a) The CAO may, from time to time, approve such standard forms including Bid and performance securities if any, for purchase by Invitation to Tender, Request for Proposals, Request for Quotations, sole source, or emergency purchases as well as forms of contract for types of purchase including but not limited to construction, supplies and installation or service as they may deem advisable.

- b) Bid bonds, performance bonds, irrevocable letters of credit and other securities including labour and material bonds may be required for such purposes in such form and in such amounts as the CAO deems advisable.

15) Special Services

- a) Legal Services - Legal services will be acquired by staff based upon qualifications, experience, services offered, past performance, proposed fees and other relevant considerations. The acquisition of legal services must be approved by the CAO in consultation with the Director(s) of the user department(s). (These services include expert witnesses, and subject experts required for legal proceeding, hearing or similar matter.) Legal services having a value of \$10,000 or more shall be approved by Council. The term for legal services will be at the discretion of the Town.
- b) Auditing Services – These services may be contracted on a one year term to be renewed on an annual basis on terms satisfactory to the Town. Selection of an auditor shall be completed by the Audit Committee of Council who will recommend the selection of an auditor to Council. Annual renewal of the contract for audit services will be made by the Audit Committee.

16) Tie Bids

After the assessment process is complete and it cannot be reasonably determined who has submitted the lowest compliant bid and a tie exists, the Purchaser may flip a coin to determine the award.

17) Suppliers indebted to the Town of Amherst

Any supplier/contractor having a customer account with the Town of Amherst, which is in arrears, will have such arrears deducted from any payments due to the supplier/contractor. Such deduction may be waived by the CAO, where the supplier/contractor has entered into a payment arrangement deemed to be suitable by the Treasurer.

18) Purchases by Town of Amherst Employees

Employees or immediate family members (husband, wife, son, daughter) of employees of the Town of Amherst are not permitted to purchase personal use items through the purchasing system except where employee purchase plans are being offered.



COMMITTEE OF THE WHOLE

CDR# 2017072

Date: January 16, 2017

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Bill Schurman, Director of Recreation

DATE: January 16, 2017

SUBJECT: Community Credit Union Business Innovation Centre – Food & Beverages

ORIGIN:

Opening of the Community Credit Union Business Innovation Centre (CCUBIC)

LEGISLATIVE AUTHORITY:

User Fees Policy, #03470-03; Procurement Policy 03700-01

RECOMMENDATION:

That an amended User Fee Policy be referred to the January 23, 2017 regular meeting for Council's consideration, addressing the usage of the Community Credit Union Business Innovation Centre.

BACKGROUND:

In October 2016, Council amended the Town's User Fees Policy to include fees charged for use of the Community Credit Union Business Innovation Centre. This included a fee of \$70 for bar services and \$100 for the catering kitchen. What this means is, any organization renting the facility and requiring food and/or bar services would be required to pay the respective amounts to the Town. A copy of the current policy is attached.

On November 21, 2016, staff presented an amended User Fees Policy to Committee of the Whole, recommending the removal of the Bar Service Fee of \$70 and the Catering Kitchen Fee of \$100 and recommending that a new Food and Beverage Policy be developed for the facility. The recommendation at that time was to establish a list of providers of food and beverages, and establish a royalty to be paid to the Town based on the cost of the food/beverages provided. At that time, the direction of Committee of the Whole was, **"That staff be directed to review the user fees for the Community Credit Union Business Innovation Centre compared to similar sized centres within 100 miles radius to determine what is best for the community and present a report to Council."**

DISCUSSION:

Staff conducted a scan of 16 facilities including Amherst, Springhill, Truro, Parrsboro, Sackville, Moncton, and Summerside. The results of that scan are attached. What we found is that each facility is unique in the services it provides and how those services are delivered and charged. The three facilities that we were most able to identify with were NSCC Amherst, ARHS Susan Taylor Theatre, and the Dr. Carson and Marion Murray Community Centre in Springhill.



Based on the results of the survey of prices of those three facilities, staff are recommending the Town adopt a new schedule of fees, using a “commercial” and “community” rates, with “community” being anything that isn’t commercial, government, or business. The community rates are based on 60% of the commercial fees. The new schedule further differentiates between small and large groups, one of groups less than forty people, and one being forty or more people. Boardroom Catering Surcharge would apply only when the kitchen is used.

Facility	Daily	4 Hours	Hourly	Catering Surcharge
Conference Room - Up to 40 people				
Commercial	\$250	\$150	\$100	\$75
Community	\$150	\$90	\$60	\$45
Conference Room - 40 or more people				
Commercial	\$400	\$240	\$160	\$125
Community	\$240	\$144	\$96	\$75
Conference Room – Theatre/ Admission Event	\$400			\$125
Conference Room – Set Up Days	\$250			
Conference Room – Sound/Lighting			\$30	
Conference Room – Bar Service (Special Occasion License to be provided by renter)				\$50 Pouring Fee
Boardroom – Commercial	\$125	\$75	\$25	\$25
Boardroom – Community	\$75	\$45	\$15	\$15

HST shall be applied and be in addition to all rates noted for the Community Credit Union Business Innovation Centre

Under the proposed policy, a set food and beverage surcharge is defined, as opposed to the proposal in November to create a preferred catering list and have the caterer pay the Town 5% of their food and beverage bill. We believe this is simpler and cleaner. The onus is on the renter to obtain a liquor license and supply the liquor and bartender.

FINANCIAL IMPLICATIONS:

The catering surcharge for food and beverage services and requiring the renter to obtain the liquor license would mean the Town does not need to maintain a liquor license on the facility, or engage the services of a bartender/servers. These costs would be assumed by the renter. Ideally, the reduction in the fees and the separation of above and below 40 person, as well as commercial and community rates will make the facility more attractive to potential users and generate some revenue to offset facility costs. At this point in time we are not able to identify specific financial implications.

COMMUNITY ENGAGEMENT:

Through direct interviews, emails, and phone calls, a wide scan of facilities offering services similar to CCUBIC was undertaken. Several users of CCUBIC also provided feedback throughout the process.

ENVIRONMENTAL IMPLICATIONS:

No environmental implications

ALTERNATIVES:

1. Amend the User Fees Policy to reflect a 5% surcharge paid by caterers on food and beverage bills;
2. Amend the User Fees Policy as recommended, applying a set food and beverage surcharge;
3. Status quo.

ATTACHMENTS:

1. Current User Fees Policy
 2. Price and Service Comparisons – Survey Results
-

Report prepared by: Bill Schurman, Director of Recreation
Report and Financial approved by:

Price & Service Comparisons

Location	Room Rental Fee	Food	Beverage	Extra Charges												
NSCC Amherst (902)661-3180	Room (10-20 people): \$25/hour or \$200/day Cafeteria Room: \$400 (set-up fee extra depending on set up) (only after 2pm) non-profit receives 50% off	Supplied caterer (are able to bring own food evenings or weekends, recommend to use their caterer)	No policy (are able to apply for own license)	\$50 for sound equipment set up												
ARHS Susan Taylor Theatre (902)661-2540	\$300/day non-profit, \$400/day theatre \$10/hour private meeting \$15/hour commercial meeting	N/A	N/A													
Amherst Golf Club (902)669-3743	\$375 Banquet area	Supplied caterer	Supplied Bar													
Super 8 Amherst (902)660-8888	\$80/ 4 hrs or under \$125/day	Supplied caterer \$50 surcharge if use other caterer	apply for own license													
Amherst Wandlyn Inn (902)667-3331	50 people: \$120/day 150 people: \$195/day	Supplied caterer	Supplied Bar \$75 fee if bar sales do not exceed \$350													
Amherst Stadium	Rink Floor: \$600/day Entire area: \$750/day	Supplied Caterer	Apply for own license													
Amherst Fire Hall (902)694-4202	Large Room: \$190 Russel Hunter Room: \$125	No caterer \$100 Kitchen usage fee	Apply for special license Suppled bar &bartender													
Amherst Curling Club	<table style="width: 100%; border: none;"> <tr> <td></td> <td style="text-align: center;">Weekday</td> <td style="text-align: center;">Weekend</td> </tr> <tr> <td>All sheets:</td> <td style="text-align: center;">\$200</td> <td style="text-align: center;">\$350</td> </tr> <tr> <td>Lounge:</td> <td style="text-align: center;">\$160</td> <td style="text-align: center;">\$160</td> </tr> <tr> <td colspan="3">Off season rental to be determined</td> </tr> </table>		Weekday	Weekend	All sheets:	\$200	\$350	Lounge:	\$160	\$160	Off season rental to be determined			Kitchen to be determined	Supplied Bar \$10/hour up to \$100 Bartender fee	
	Weekday	Weekend														
All sheets:	\$200	\$350														
Lounge:	\$160	\$160														
Off season rental to be determined																
Dr. Carson Community Centre Springhill (902)763-3000	CIBC Common Room (200 people): \$52/hour or \$300/day Teen Center: \$23/hour or \$115/day Hospitality Room(20 people): \$23/hour or \$115/day Boardroom(10 people): \$12/hour	Supplied caterer (are able to use your own caterer, \$25 kitchen usage fee)	Supplied Bar (no extra charge)	extra charges for: microphone, linens, projector, kitchen, and stage usage												

Location	Room Rental Fee	Food	Beverage	Extra Charge
Truro Marigold Centre (902)897-4004	Theatre: \$75/hour or \$750/day Workshop or boardroom: \$25/hour	No policy \$25 clean up fee if caterer hired	No beverage policy	
Rath Eastlink Centre Truro (902)893-2224	Large room: \$150-\$225/day Price reflects set up and catering requirements	Supplied Caterer	Supplied Bar \$50 surcharge if bar sales under \$	
Best Western Glengarry Truro (902)893-4311	Meeting room (100 people) theatre style set up: \$200 day larger room with tables set up: \$250 and up	Supplied Caterer	Supplied Bar Bartender fee of \$50 if liquor sales are under \$250	
Parrsboro Ship Company Theatre (902)254-2003	Rental - \$100/day	No food policy	Supplied Bar \$75 Bartender fee	
ABC Business Centre Moncton (506)856-6000	Large room (60 people): \$65/half day \$100/full day Boardroom (10 people): \$40/half day \$75/full day	No Food Policy (are able to use own caterer)	No Beverage Policy	
Credit Union Place Summerside, PEI	Boardroom (10 people): \$91.66/day Conference room (20-100 people): is \$154.39/ day per room (3 rooms, 1500sq ft)	Supplied Caterer through on site partner Five Eleven Hospitality	Supplied Bar through on site partner Five Eleven Hospitality	
Mount Allison University (506) 364-2251	Classrooms (25 people): \$40/day Classrooms (100 people): \$80-\$100/day Theatre Room (185 people): \$240/day	Supplied on campus caterer	Supplied bar service	May be additional set up charge depending on layout

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: **Annual Review of User Fees**

Minutes reference date:	30 April 2007	29 October 2007	18 April 2008
	28 May 2009	26 April 2010	24 May 2011
	23 May 2012	01 May 2013	30 April 2014
	12 June 2015	25 May 2016	03 October 2016

PURPOSE:

To establish a schedule of user fees for Council to review for appropriateness and to revise if necessary during the annual budgeting process.

POLICY STATEMENT:

It is appropriate for Council to charge fees, as authorized under the *Municipal Government Act*, in the Town’s Bylaws, Policies and Procedures in order to defray its administrative costs. In order to allow for a systematic and thorough evaluation of those fees, a comprehensive schedule of User Fees with applicable tax status has been established. The responsibility for the accuracy of Schedule shall rest with the department to which a fee applies. Any additions/deletions to the Schedule will be updated by the Executive Office. Those fees legislated under Provincial and/or Federal Acts and Authorities will also be shown on the schedules for completeness, but will not be subject to change by Council.

OBJECTIVES:

To make the administration of the cost recovery portion of the Town’s Bylaws, Policies and Procedures more efficient and to determine the impact on each year’s projected revenues during the budget process. By combining all of the fees in one document, the review will be more visible and complete.

Corporate Services		
SERVICE/PRODUCT/ADMINISTRATIVE	FEE	HST STATUS
Photocopies	.25/copy	Plus HST
Tax Certificates	\$50.00	HST Exempt
NSF Cheques	\$20.00	HST Exempt

By-Law Fees Collected by Corporate Services		
C-4 Dog-By-Law, Schedule A		
Dog License spayed/neutered	\$15/yr	HST Exempt
Dog License un-spayed/un-neutered	\$30/yr	HST Exempt
Lost Tag Replacement	\$15	HST Exempt
Dog-1 st Impoundment	\$30	Plus HST
Licensed Dog-2 nd Impoundment	\$70	Plus HST
Licensed Dog-3 rd & Subsequent Impoundments	\$100	Plus HST
Unlicensed Dog-Impoundments	\$100	Plus HST
Maintenance fee – Impoundment period	\$15/per day	Plus HST
C-11 False Alarms - After 2nd Notice	\$50/alarm	HST Exempt

Operational Services		
It is not the intention of the policy to rent Town of Amherst equipment to the general public; these rates and the availability of this equipment are contemplated for use by commercial concerns only.		
Equipment Charge out Rates	Rate per Hour	HST Status
Backhoe	\$93.00*	Plus HST
Loader	\$97.25	Plus HST
1-ton trucks/Service trucks	\$44.23*	Plus HST
3-5 ton trucks	\$66.00*	Plus HST
Street Sweeper	\$115.00*	Plus HST
Trackless	\$70.00*	Plus HST
Sewer Camera	\$100.00*	Plus HST
Line Locator	\$50.00*	Plus HST
Hole Hog	\$45.00*	Plus HST
Vermeer Brush Chipper	\$60.00*	Plus HST
Steamer	\$30.00*	Plus HST
Trash Pump	\$15.00	Plus HST
Diaphragm Pump	\$15.00	Plus HST
Overhead charges extra – see procedure		
* Price includes one operator and fuel during normal working hours; overtime labour rates are extra.		

Operational Services By-Laws		
D-3 Wastewater Discharge By-Law		
One Connection	\$750.00	Plus HST
Storm Sewer Connection (if done at the same time as sewer connection)	\$250.00	Plus HST
D-19 Sanitary Sewer Rates By-Law		
Residential Metered Customers	\$.99 m ³	HST Exempt
Commercial/Industrial/Institutional metered customers	\$.49 m ³	HST Exempt
Annual Base Charges – Meter Size		
5/8"	\$72.00	HST Exempt
3/4"	\$108.00	HST Exempt
1"	\$175.00	HST Exempt
1.5"	\$344.00	HST Exempt
2"	\$545.00	HST Exempt
3"	\$1,085.00	HST Exempt
4"	\$2,000.00	HST Exempt
Annual Non-metered Mobile Home Park Owner	\$178.53 /dwelling unit/year	HST Exempt
Uniform Charge for Wastewater Treatment Facility for unmetered mobile homes billed on the property Tax Bill	\$72.00/yr	HST Exempt

Solid Waste Rates		
Solid Waste Collection billed on Tax Bill	\$160.00 /yr	HST Exempt
Replacement Green Bin (Composter)	\$95.00	Plus HST
Replacement White Kitchen Compost (Bucket)	\$5.00	Plus HST

Services/Products – Operational Services		
Parking Space Rental – Yearly	\$200.00	Plus HST
Parking Space Rental – Monthly	\$20.00	Plus HST
Street Breaking Permit (Policy 31600-08)	\$500.00	Plus HST
Commercial Sewer Service (Policy 31600-14) Estimated by Engineer and final adjustment when work is done	Cost of Service	Plus HST

Planning and Development Department		
Zoning Confirmation Letter	\$50.00	HST Exempt
Copy of Land Use Bylaw or Municipal Planning Strategy	\$20.00	HST Exempt
Copy of Zoning Map (11 x 17)	\$5.00	HST Exempt
Copy of Zoning Map (50 cm x 60 cm)	\$10.00	HST Exempt
Application to Amend the Land Use Bylaw	\$200.00	HST Exempt
Application for a Development Agreement	\$200.00	HST Exempt
Application to Amend the Municipal Planning Strategy	\$300.00	HST Exempt
Application for a Variance or Site Plan	\$75.00	HST Exempt
Creation of Mapping Document	\$60.00/hr(including 10 lineal metres of maps)	Plus HST
Print Existing Map – less than 50 cm x 50 cm	\$25.00	Plus HST
Print Existing Map – more than 50 cm x 50 cm	\$50.00	Plus HST

Building Permits		
New residential buildings, community centres, churches	\$50.00 + \$0.12 per square foot	HST Exempt
New Commercial, Industrial or other building not listed	\$50.00 + \$0.17 per square foot	HST Exempt
All alterations or repairs	\$50.00 + 0.25% of value	HST Exempt
Decks, accessory buildings and farm buildings	\$50.00 + \$0.04 per square foot	HST Exempt
Demolition	\$20.00	HST Exempt
Permit Renewals	\$50.00	HST Exempt
Development Permit	\$50.00	HST Exempt

Police Department		
Commissioner of Oaths Signing	\$15.98	HST Exempt
Commissioner of Oaths Signing – Child Abuse Register for Amherst citizens to participate as volunteers for community organizations	Waived	N/A
Criminal Record Check	\$25.00	Plus HST
Criminal Record Check for Amherst citizens to participate as volunteers for community organizations	Waived	N/A
Serial # Verification (homemade trailers)	\$25.00	Plus HST
Fingerprints (for non-criminal reasons)	\$50.00	Plus HST
Accident Reports	\$25.00	Plus HST
Community Room Rental	\$125.00/day \$75.00/half day	Plus HST

C-9 Taxi By-Law, Schedule E		
Taxi Cab License	\$25/yr	HST Exempt
Taxi License Transfer	\$10	HST Exempt
Taxi Driver License	\$20/yr	HST Exempt
Taxi Driver License Replacement	\$10	HST Exempt
Taxi License Photo	\$10.00	Plus HST

Fire Department		
Firefighter	\$20.00/hour	HST Exempt
Apparatus	\$200.00/in use; \$100.00/standby	HST Exempt
Standby Jaws of Life Alarm	\$350.00	HST Exempt
Meters	\$50.00/hr	HST Exempt
Saws	\$50.00/hr	HST Exempt
Lighting System	\$25.00/hr	HST Exempt
Generator	\$25.00/hr	HST Exempt
Foam – All Types	\$185.00/jug	HST Exempt
Specialized Suits – Hazmat	Replacement cost	HST Exempt
PPE (bunker gear)	Replacement cost	HST Exempt
Fire Extinguisher Training	\$300.00 up to 15 people	Plus HST
Fire Inspections	\$75.00/hr	Plus HST
Inspection Confirmation Letter	\$50.00	HST Exempt

Recreation		
Ice Time/Stadium		
Early Bird Monday-Friday (6:00 – 8:15 am)	\$55.00/hr	Plus HST
Fair Time Monday-Friday (8:30 am – 5:00 pm)	\$74.00/hr	Plus HST
Prime Time (after 5:00 pm on Fridays, and all Saturdays, Sundays & Holidays)	\$122.00/hr	Plus HST
Prime Time Youth Rate	\$93.00/hr	Plus HST

Photocopies/Stadium (Policy 72000-06)		
8 ½ X 11 (Town Paper)	\$0.10/copy	Plus HST
8 ½ X 14 (Town Paper)	\$0.15/copy	Plus HST
11 X 17 (Town Paper)	\$0.25/copy	Plus HST
8 ½ X 11 (own paper)	\$0.05/copy	Plus HST
8 ½ X 14 (own paper)	\$0.05/copy	Plus HST
11 X 17 (own paper)	\$0.10/copy	Plus HST

Ballfield User Policy (Policy 72300-01)		
Lights	\$18/diamond/game	Plus HST
Tournament Fee	\$100/day	Plus HST
Tournament Lights	\$30/day	Plus HST

Stadium Advertising Rates plus artwork, design and production		
Ice logos	\$400.00	Plus HST
Dasherboard	\$400.00	Plus HST
Wall Signage (4X6)	\$400.00	Plus HST
Ice Making Machine	\$2,500.00	Plus HST
Red and Blue Line – per line (not per side)	\$100.00	Plus HST
Stairs Kick Plates	3 for \$150.00	Plus HST
Score clock Small	\$600.00	Plus HST
Score clock Large	\$850.00	Plus HST

Off Season Stadium Rentals		
Rink Floor Only	\$40.00 per hr or \$600.00 for full day	Plus HST
Entire Facility including meeting rooms, team rooms	\$62.50 per hr or \$750.00 per day	Plus HST
2 nd Floor meeting room and lounge	\$50.00 per hour or \$150.00 per day	Plus HST

Beer/Liquor Concession Robb Centennial Park (Policy 72300-05)		
Concession only. NSAGA requirements responsibility of organizing committee	\$100.00/day	Plus HST

Facility	Daily	4 Hours	Hourly	Catering Surcharge
Conference Room - Up to 40 people				
Commercial	\$250	\$150	\$100	\$75
Community	\$150	\$90	\$60	\$45
Conference Room - 40 or more people				
Commercial	\$400	\$240	\$160	\$125
Community	\$240	\$144	\$96	\$75
Conference Room – Theatre/ Admission Event	\$400			\$125
Conference Room – Set Up Days	\$250			
Conference Room – Sound/Lighting			\$30	
Conference Room – Bar Service (Special Occasion License to be provided by renter)				\$50 Pouring Fee
Boardroom – Commercial	\$125	\$75	\$25	\$25
Boardroom – Community	\$75	\$45	\$15	\$15

Community Credit Union Business Innovation Centre								
Facility	Rate Class	Classroom or U shape	Theatre Daily	Confer Daily	Day Rate	4 Hr	1 Hr	Other
Boardroom	All	NA	NA	NA	\$125	\$75	\$25	
Conference Room	Commercial	\$175	\$550	\$550		\$375	\$100	
	Community	\$125	\$425	\$425		\$300	\$75	
Box Office	All				\$50	\$25	\$10	
Bar Service	All							\$70
Catering Kitchen	All							\$100
Sound and Light Tech	All						\$30 min 4-hr.	

*HST shall be applied and be in addition to all rates noted for the Community Credit Union Business Innovation Centre

Municipal Government Act Fees – FOI-POP Section 466, MGA

The fees charged for access to information under Part XX of the MGA (Freedom of Information and Protection of Privacy) shall be in accordance with the Freedom of Information and Protection of Privacy Regulations of Nova Scotia, as amended from time to time.

Note: “All rates and charges with respect to the Amherst Water Utility will be in accordance with the schedule of rates for water and water services as approved by the Utility and Review Board of Nova Scotia from time to time and as reflected in the Order of the Board.”



COMMITTEE OF THE WHOLE

CDR# 2017073

Date: January 16, 2017

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Kimberlee Jones, HR

DATE: January 16, 2017

SUBJECT: Electronic Voting - Municipal Elections

ORIGIN:

2016 Municipal Election

LEGISLATIVE AUTHORITY:

Section 146A of the *Municipal Elections Act* bestows municipal council with the legislative authority to select the method and system of voting. "Section 146A(1) A council may by by-law authorize voters to vote by mail, electronically or by another voting method."

RECOMMENDATION:

Staff recommends that Council direct staff to begin the development a by-law authorizing electronic/alternative voting methods for the next municipal election.

BACKGROUND:

The purpose of this report is to provide Council with the background, benefits and drawbacks for e-voting and ask Council to make a decision regarding its future use in Amherst

DISCUSSION:

Electronic voting, or e-voting, was introduced in Nova Scotia municipal elections in 2008 and at the time traditional methods, paper, were still required. In 2012, legislation changed to allow e-voting only and mechanisms included telephone, internet and kiosk voting. Below are some stats from e-voting in Nova Scotia.

- In 2008, 4 municipalities used e-voting.
- In 2012, 15 municipalities used e-voting.
- In 2016, 20 municipalities used e-voting.
- All 20 municipalities used **e-voting only** for advance polls.
- When Nova Scotia voters were offered the option of an electronic or paper ballot during 2012 Municipal and School Board elections, the electronic option was the choice of 64% of voters.

In 2016 when Council voted not to implement e-voting the main concerns were related to social issue: voting without engagement; removing voters from the safe environment of polling stations; making it a casual activity; and voters responding in the moment and being influenced by others at the time of their vote. With regards to engagement, this is an issue to be addressed outside of e-voting. Voter apathy is a trend that is being seen across the province and is a topic that always comes up at provincial Returning Officer meetings.



Internet voting is always offered along with a telephone voting option to ensure complete coverage of the electorate. I will note that many municipalities have found the telephone voting component to be very cumbersome and frustrating, particularly with a high number of candidates to choose from. Completing a ballot could take in excess of 10 minutes as opposed to under two minutes with the internet module. Some have even suggested that in future they would not offer the telephone option, only internet. In addition, kiosks can be set up at polling stations for individuals who either don't have access to a computer, need assistance, or would like to maintain a traditional means of voting.

Functions of E-voting

- Each individual on the final list of electors receives a voter information letter containing instructions on how to cast their ballot and their electronic voting credentials (PIN). In 2012, inaccuracies in HRM's municipal voters list cause some households (3-5%) to receive voter information cards for non-household members. As a result there were no instances of voter fraud and because the letters or mailed in a sealed envelope and opening someone else's mail is illegal, as is impersonating another elector.
- After receiving the voter instruction letter voters connect to the voting website or call the 800 number.
- The website offers a step by step process where you enter your personal identification number (PIN) in order to proceed.
- The user sees an electronic ballot, one at a time – Mayor, Councillors, School Board, and the individual clicks on the box for their chosen candidate and submits their choice. Before that vote is cast a confirmation screen shows the candidate(s) that the individual chose. If this is not the correct list the individual can return to the ballot or submit their vote now.

Elections Canada has gathered research on technology trends, Canadians' attitudes, and the benefits and drawbacks of e-voting. Below is a summary of two reports prepared by Elections Canada

Technology Trends

- According to the 2012 Canadian Internet Use Survey (Statistics Canada):
 - 80 percent of individuals 16 years and older used the internet for personal use.
 - Overall, Canadian's are experienced internet users with almost on half of users (47 percent) having been online for 10 years or more.
 - Seniors accounted for about one half (51 percent) of non-users. Nearly four in ten non-users (39 percent) came from households reporting low income.
- Research shows that technology can remove some administrative barriers to the electoral process, especially for some groups of electors, including those with accessibility challenges and potentially youth.

Attitudes and E-Voting in Canada

- According to the 2011 Elections Canada Survey of Electors:
 - the majority of electors (86 percent) have access to the internet in their home; an increase of 5 percent since 2008 and 22 percent since 2003.
 - 57 percent of non-voters, primarily those with internet access at home, said they would have voted had it been possible to do so over the internet.

- The *2011 Canadian Election Study* shows that half of the electors (49.1 percent) agree, somewhat (31.5 percent) or strongly (17.6 percent) that “Canadians should have the option to vote over the internet in federal elections”. This compares to 39.4 percent who disagree.
- A majority of electors (58.8 percent) said they would be likely, either somewhat (17.0 percent) or very (41.8 percent), to vote over the Internet if they could do so; 37.5 percent say they would not be likely to do so.
- 50.3 percent of electors think voting over the Internet is "risky" while 29.7 percent think it is not.
- Across the board, positive impact on participation turned out to be negligible. On the other hand, in all cases, electors took advantage of the option, and the Internet voting option has been retained for future elections.
- A policy analyst for Elections Canada suggests that changes in society, especially those that are incited by new technologies and increasing online use are influencing the expectations of Canadians.

Benefits of e-voting

- On average, it took 1 minute, 31 seconds to vote by internet during 2012.
- Surveys on non-voters indicate that being too busy, out of town or ill/disabled is a reason that they did not vote (statistics Canada, 2013). E-voting allows voters to vote from anywhere-anytime.
- E-voting could allow for greater secrecy for special populations of electors with disabilities (including visually or hearing impaired, because they can vote unassisted and are afforded a greater degree of anonymity when casting a ballot.
- E-voting may be a method of engaging those voters who are considered the hardest to reach, particularly young people aged 18 to 30.
- Over the long term, all types of internet voting have the potential to be less expensive to operate and execute than traditional paper ballots.
- Eliminates proxy votes and certificates of eligibility.
- Results are available almost immediately.
- No spoiled ballot issues, positive ballot confirmation.
- Greatly reduces that staffing component needed for election administration. Each election it becomes increasingly more difficult to attract and maintain qualified staff and adequate polling locations.
- Eliminates the need for an interim voters list to be used at physical polling stations on advance voting day. The voters list can be continuously updated.
- The other benefit would be the report data provided from Intelivote regarding demographics, time and method of vote, IP tracking etc.

Drawbacks and Risks

- Those opposed to e-voting prominently cite security, threats of computer viruses or hackers, as the number one risk.
- Problems with access to technology and the digital divide for those who have access and do not have access to a computer and those who have faster connections and those who have slower connections.

- E-voting presents greater opportunity for fraud and coercion or vote-buying – i.e. someone voting on another’s behalf without their permission or pressuring others to vote in a way that he or she would not have otherwise.
- Voter education that ensures public awareness of electronic voting and understanding and use of online systems are a concern.
- Privatization is a concern when electoral administrators cede control to a hired firm and causes negative impact on public confidence.
- The proliferation of electronic election services has the power to alter that nature of electoral participation by causing more electors to vote alone instead of at a polling place with others.
- Although electronic voting may be more popular among committed voters it is not as trusted as traditional in-person voting options.
- The technology of mobile internet has changed greatly since e-voting was introduced to Nova Scotia for 2008. This has opened up new challenges for candidates, voters and Returning Officers. Currently at least one municipality is under-going judicial review regarding alleged inappropriate voting assistance.

Although there are potential risks for e-voting staff believe that the benefits outweigh the risks. The success of e-voting in 20 other Nova Scotia municipalities and the increasing trends in Canadians’ use and attitudes towards technology and e-voting are evidence that moving forward with e-voting for the 2016 municipal election would be beneficial. The experience from other municipalities has been overwhelmingly positive. While the experience hasn’t shown that it dramatically improves voter turnout, it does provide the convenience, options and flexibility that people expect with the proliferation of technological advances.

FINANCIAL IMPLICATIONS:

The 2016 Municipal Election cost approximately \$34,000 to administer. Based on the Intellivote Proposal, without any additional options cost was estimated at \$41,274 for the 2016 election. (This was based on a combination of e-voting and paper ballots)

Additional module is available to purchase for \$14,000 which would enable voters to sign in and check to see if they are registered to vote

The Intellivote costs were based on a bulk purchase RFP for the 2016 election and a presumed number of participants.

COMMUNITY ENGAGEMENT:

Staff will include an educational component in the voter engagement plan to ensure that voters are aware that e-voting will be used and know how to use it.

ENVIRONMENTAL IMPLICATIONS:

No environmental implications are anticipated

ALTERNATIVES:

- That Council proceeds with the development of an Alternative Voting Bylaw
- That Council proceeds with traditional paper elections.

ATTACHMENTS:

N/A

Report prepared by: Kimberlee Jones, Returning Officer

Report and Financial approved by:

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Bill Schurman, Director of Recreation

DATE: January 16, 2016

SUBJECT: Citizen Access to Council Proceedings

ORIGIN:

Direction of Council - Committee of the Whole meeting, November 21, 2016

LEGISLATIVE AUTHORITY:

MGA 65(y) – The Council may expend money required by the municipality for furnishing and equipping any municipal facility.

RECOMMENDATION:

That live stream video and archival of council proceedings be deferred to the 2017-18 budget process. Should Council decide to include funding it is recommended that, as a next step, council direct staff to develop an RFP based on the options and features provided in this report.

BACKGROUND:

On November 21, 2016, Council directed staff to investigate and determine the approximate cost of the options available for live streaming video and archiving of same through the Town's website and provide Council with a report and recommendations at the January meeting of Committee of the Whole

DISCUSSION:

Currently the Council video system is run by the Lecture Recorder x2 97641. A member of staff currently sets up a camera, records all regular council sessions and forwards them to Eastlink for broadcast, a channel not everyone subscribes to. Recordings from November 2016 onward have been added to the amherst.ca website.

The goal is to provide Amherst citizens and viewers with remote access to council meetings and proceedings to ensure transparency.

Staff have reached out to other municipal units as well as the industry to gather data on what other units are doing and the options available. Needless to say, there are several options and varied costs. We've identified three potential options:



Option #1: ISI Live

The cost of this option is estimated at \$ 25,000 based on streaming and hosting four fixed cameras in Council Chambers and if interested, one Remote Webcast Encoder for off-site livestreaming opportunities. Approximate cost includes:

- ISI Webcast Encoder and Service - \$7500/year or \$6000/year for 3+ years (unlimited streaming and hosting)
- Fixed Council room Camera Panasonic Camera - \$1500/camera X 4 cameras (I would estimate the each camera installation would be \$750/camera X 4 cameras)
- Video Switcher (required if 2 or more cameras are needed in council chambers and will require an operator) - \$5000-\$10,000
- BONUS FEATURE - Remote Webcast Encoder to interface with existing camera (for off-site webcasting) - \$1100 (Town of Amherst owns a camera to use for remote live streaming opportunities i.e. media conferences)

These are approximate prices. No specific models are identified for the hardware because there are so many options. ISI has models in mind if Council chooses to go forward with a request to determine functionality requirements and comfort of use.

This estimate does not include employee resources (controlling video switcher, segmenting videos following meetings)

Key Features

- The ability (hardware/software) to easily capture and stream Live from Council Chambers. Archived material is hosted by ISI and available on your website
- Unlimited number of webcasts for live and archive Unlimited number of viewers for live and archived material
- Access to metrics of your Live and Archived viewership (#of viewers, etc.)
- Ability to index archived video
- BONUS FEATURE- In terms of Closed Captioning, it is an add-on service priced at \$5000/year. It can be added to the municipal streaming contract at any time and will cover all your meetings.

ISI key differentiators

- ISI owns our Content Delivery network – not third party servers
- We can geographically host and stream exclusively through Canadian servers (to avoid US privacy issues)
- ISI is very hands on with municipal clients and are available and ready to help.
- Unlimited usage, unlimited viewers, unlimited support
- The package includes a hosting account so if we have old content, they can stream it for us so it is accessible like the rest of the streamed content
- Can integrate with any existing AV infrastructure or can help with the integration of any new AV

Option #2 - 3D DataComm

Total approximate cost is in the \$ 10,000 range with taxes, based on streaming two pantilt zoom cameras to an HDRX kit in Council Chambers for Amherst website hosting, installation and programming.

Approximate cost includes

- PTZ Video Camera - ~\$2,500.00 each - would need two
- Lumens Transmitter for each camera ~ \$460 each – would need two
- Lumens Receiver for each Camera ~ \$460 each – would need two
- Wall Mount for PTZ Vide Cameras ~\$250 each – would need two
- HDMI Cable, ~\$18 – would need two
- install parts/connectors~\$50
- Crestron System Programming to add new camera~\$125 – would need four
- Audio Visual Installation ~\$1000

Does not include:

- Remote Webcast Encoder to interface with existing camera (for off-site webcasting)
- Program and contact support and service
- Employee Resources

Option #3 - Livestreaming and hosting on third party site

A couple of Nova Scotia municipalities currently stream their own meetings by paying a third party organization to host their videos on a page that is linked to their website. These municipalities use companies based in the United States, **LiveStream** and **Ustream.tv**

User municipalities have not provided approximate costs for this option. However, staff estimates costs of this option to be in the \$15,000 range, based on equipment, account payments over one year, programming, and installation.

Resources included includes

- Four cameras ~\$1,500 each
- Tricaster 40 or Stream Machine (sends feeds to host, switches cameras) ~\$4,000+
- Streaming account ~\$200 / month
- Installation and programming

Does not include:

- Remote Webcast Encoder to interface with existing camera (for off-site webcasting)
- Employee Resources

Examples:

Yarmouth (Ustream.tv)- <http://www.ustream.tv/channel/town-of-yarmouth-meetings>

Truro (LiveStream)- <https://livestream.com/townoftruro>

FINANCIAL IMPLICATIONS:

The estimated costs are identified in each of the three options and start at \$10,000.

COMMUNITY ENGAGEMENT:

Staff surveyed Nova Scotia municipalities on the AMA listserv and conducted online research in other provinces.

ENVIRONMENTAL IMPLICATIONS:

No environmental implications are anticipated

ALTERNATIVES:

1. Refer the matter to the 2017-18 budget process, and if approved, issue an RFP
2. Refer the matter to Council for direction to Issue an RFP for the equipment/services
3. Status quo

ATTACHMENTS:

Feedback from municipal units; samples

Specifications for equipment in the three options identified

Report prepared by: Bill Schurman

Report and Financial approved by:

Feedback from Municipalities in Nova Scotia

Truro

Livestream - Brooklyn, NY, 11237, USA

Truro has been live streaming council meetings for a few years. They are streamed through livestream.com where we have a Premium account (\$200/month). We do not currently subtitle or index the videos.

We have 3 broadcast quality cameras in council chambers. The cameras feed into a Tricaster 40 (<http://www.newtek.com/products/tricaster-40.html>) which is used to switch between camera feeds and send the video to livestream.com.

Our feed can be seen here:

<http://www.truro.ca/council-meetings-watch-online.html>

or

<https://livestream.com/townoftruro>

Contact:

Jay Redmond
IT Manager
695 Prince Street, Truro, NS B2N 1G5
P: 902-956-1412

Cape Breton Regional Municipality (CBRM)

ISI Live – Ottawa, Ontario

Attached RFP (Appendix) that CBRM recently issued for the hosted live video streaming of our Council and Committee meetings. The contract was awarded to ISI Live from Ottawa, Ontario: <http://www.isilive.ca/>

They were our service provider since we started using web streaming in 2013 – and I believe HRM also uses that company.

I'm not sure if closed captioning is a feature of the system. We do have the capability of "indexing" the video after the meeting to link the various agenda items in the video. You can view the videos on our website: <http://cbrm.ns.ca/cbrm-meetings.html> We have three cameras in the Chambers.

In terms of service, we have no complaints whatsoever.

Contact:

John MacKinnon, P.Eng.
Director of Technology
Cape Breton Regional Municipality (CBRM)
320 Esplanade
Sydney, Nova Scotia, B1P 7B9
Tel: 902-563-0839
e-mail: jfmackinnon@cbrm.ns.ca

Yarmouth

Ustream.tv - San Francisco, CA

Town of Yarmouth streams our meetings. The website we stream to is Ustream.tv. Our page is <http://www.ustream.tv/channel/town-of-yarmouth-meetings>

We have a 1Beyond StreamMachine <http://1beyond.com/streammachine>

One of our issues is that there is very little viewership. We're lucky if a meeting has more than 15 people watching live at any given time...and usually the archived meetings don't get over a couple hundred views. Recently, I have been musing about the idea of streaming to facebook, where I believe our awareness and viewership would be much greater. Unfortunately at this time you cannot stream to facebook from a windows device.

Contact

Jeff Gushue
Chief Administrative Officer
400 Main Street, Yarmouth NS B5A 1G2
P: (902)742-8565
F: (902)742-6244
Web: www.townofyarmouth.ca

Appendices

Option #1: ISI Live

FAQ

<http://www.isilive.ca/how-we-think/faqs/>

Glossary of Terms

<http://www.isilive.ca/how-we-think/glossary/>

Municipal Webcasting

<http://www.isilive.ca/municipal-webcasting/>

Samples

-Municipal Webcasting-

Town of Bracebridge, Ontario

<http://www.bracebridge.ca/en/town-services/Webcasts.aspx>

City of Campbell River, British Columbia

<http://www.campbellriver.ca/your-city-hall/city-council/agendas-minutes-schedule-webcasts/webcasts>

<http://www.campbellriver.ca/your-city-hall/city-council/agendas-minutes-schedule-webcasts/webcasts/archives>

Cape Breton Regional Municipality, Nova Scotia

<http://www.cbrm.ns.ca/regional-council-live-webcast.html>

City of North Vancouver, British Columbia

<http://www.cnv.org/your-government/council-meetings/council-videos/council-meeting-live-streaming>

Halifax Regional Municipality, Nova Scotia (with Closed Captions)

<http://www.halifax.ca/council/live/video.php>

Milton, Ontario

<http://www.milton.ca/en/townhall/webcasts.asp>

Jump to a specific agenda item by selecting it from the list.
If the video is paused, start playback after making your selection.



- COMMITTEE OF THE WHOLE - 1. CALL TO ORDER
- 3. Fiscal Framework
- 4. Proposed 2017-18 Capital Program Budget and 10 Year Capital Plan
- COMMITTEE OF THE WHOLE - 5. ADJOURNMENT
- REGIONAL COUNCIL - 1. CALL TO ORDER
- 2. Ratification from Committee of the Whole - Fiscal Framework
- 3. Ratification from Committee of the Whole - Proposed 2017-18 Capital Program Budget and 10 Year Capital Plan
- REGIONAL COUNCIL - 4. ADJOURNMENT

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- COMMITTEE OF THE WHOLE - 1. CALL TO ORDER
- 3. Fiscal Framework
- 4. Proposed 2017-18 Capital Program Budget and 10 Year Capital Plan
- COMMITTEE OF THE WHOLE - 5. ADJOURNMENT
- REGIONAL COUNCIL - 1. CALL TO ORDER
- 2. Ratification from Committee of the Whole - Fiscal Framework
- 3. Ratification from Committee of the Whole - Proposed 2017-18 Capital Program Budget and 10 Year Capital Plan
- REGIONAL COUNCIL - 4. ADJOURNMENT

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2016 Meetings

Regional Council agendas & reports are available online starting in 2002.

2016 Regional Council agendas, minutes, and video are linked below. Reports are found linked within the agendas. Minutes are available once approved - usually four weeks after the meeting date.

You can also search for records of Regional Council meetings using the lower search box on the right side of this page.

Reports & minutes are in PDF format

Date	Agenda	Minutes	Video
December 27, 2016	No Scheduled Meeting		
December 20, 2016	No Scheduled Meeting		
December 14, 2016	Regional Council - Special Meeting		Video
December 14, 2018	Committee of the Whole		Video
December 13, 2018	Regional Council		Video
December 6, 2016	Regional Council		Video
December 6, 2016	Committee of the Whole		Video
November 29, 2016	No Scheduled Meeting		
November 24, 2016	Committee of the Whole	Minutes (35Kb)	Video
November 22, 2018	Regional Council	Minutes (129Kb)	Video
November 15, 2018	No Scheduled Meeting		
November 8, 2016	Regional Council	Minutes (79Kb)	Video
November 1, 2016	Regional Council - Swearing In Ceremony	Minutes (88Kb)	Video
October 26, 2016	Regional Council - Special Meeting	Minutes (19Kb)	Video

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Regional Council

Minutes, Agendas & Reports Archive

Regional Council and Committee of the Whole agendas, minutes & reports can be accessed online through the links below. Agendas and reports are available online beginning in 2002. Video is available starting in 2013. Minutes are available online from 1996 to present.

To search for records of Regional Council meetings, use the lower search box on the right side of this page. You can also browse the Agendas, Reports & Minutes below, or browse meeting information for the current year.

Agendas & Reports	Minutes
2016 Agendas, Reports, Minutes & Video	
2015 Agendas, Reports, Minutes & Video	
2014 Agendas, Reports, Minutes & Video	
2013 Agendas, Reports, Minutes, & Video	
2012 Agendas & Reports	2012 Minutes
2011 Agendas & Reports	2011 Minutes
2010 Agendas & Reports	2010 Minutes
2009 Agendas & Reports	2009 Minutes
2008 Agendas & Reports	2008 Minutes
2007 Agendas & Reports	2007 Minutes
2006 Agendas & Reports	2006 Minutes
2005 Agendas & Reports	2005 Minutes
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Option #2 – 3D DataComm

Specs on Lumens VC-HDTX/VC-HDRX kit

VC-HDTX / VC-HDRX

HDBaseT Extension Kit



The Lumens VC-HDTX / VC-HDRX HDBaseT extension kit can send uncompressed video over a CAT 5e/6/7 cable at a distance up to 328ft/100m with the added benefit of control through the built-in IR and RS-232 connection. It supports superior video quality up to 1080p and 4K resolution. The transmitter (camera end) and Lumens VC camera can be powered by the PoE+ (48V) function of the receiver (controller end), allowing for greater flexibility in installations.

Key Features

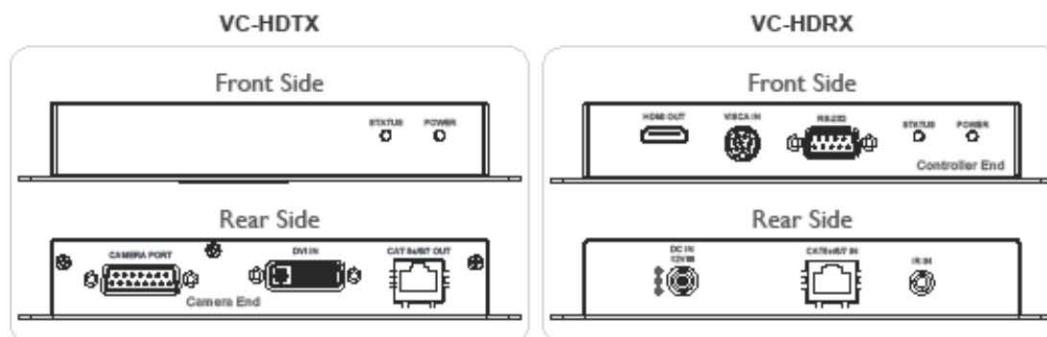
- Supports PoE+, uncompressed video and IR/RS-232 control over a single CAT 5e/6/7 cable up to 328ft/100m
- HDMI video up to 1080p and 4K resolution
- Compatible with Lumens VC cameras and wall mount (VC-AC08)



Product Specifications

Model	VC-HDTX	VC-HDRX
Video Interface	DVI Input HDBaseT RJ45	HDMI output HDBaseT RJ45
Control	IR/VISCA/Power through Lumens breakout cable	RS-232 / VISCA IR
Power	PoE+ Powered Device DC 12V output	PoE+ Power Sourcing Equipment DC 12V Input, utilize power adapter of Lumens VC camera
Resolutions / Distance	4K@ 70m (Cat 5e/6) / 100m (Cat 6a/7) 1080p@100m (Cat 5e/6a/7)	
Power Consumption	≤ 25W (Include VC camera)	
Dimension (L x W x H)	168x113.3x27mm	168x115x27mm
Operation Temperature	0°C~40°C / 32°F ~104°F	
Storage Temperature	-20°C~60°C / -4°F~140°F	

I/O CONNECTIONS



Specs on Lumens VC-A2

VC-A20P

High Definition PTZ IP Camera

Lumens™
Excellence by Design

The Lumens™ VC-A20P HD Pan/Tilt/Zoom (PTZ) IP camera is equipped with a professional 1/2.8 inch image sensor with Full HD 1080p output at 60 frames per second. The superior 10x optical zoom lens, excellent white balance, and exposure mode delivers a clear image even in low light or the extreme contrast of brightness and darkness in a lecture hall. The camera covers a wide shooting angle and achieves high-speed, quiet, and precise positioning with smooth PTZ operations. The VC-A20P has different interfaces like Ethernet, DVI-I, and C-Video and it also supports live broadcasting with H.264/MJPEG format further more its low-latency less than 150ms. These features not only allow for simultaneous image outputs, they also result in the best image quality and is compatible with all video equipment. The VC-A20P is ideally suited for lecture recording, videoconferencing, and live broadcasting.

Key Features

- Full HD 1080p high definition signal output format with a high frame rate of 60 fps
- 10x optical zoom
- Support live broadcasting (H.264/MJPEG format, SVC and ONVIF protocol)
- Low latency (< 120 ms)
- Ethernet, DVI-I, and C-Video image outputs synchronously
- Maximum horizontal/vertical speed of rotation: 120 degrees/second
- Audio Input Support AAC encoding with 44.1/48 K sampling frequency
- Built-in image flip and mirror function for easy installation



More Details



Image Quality

The VC-A20P is equipped with a professional 1/2.8 inch image sensor with Full HD 1080p output resolution. The sensor provides high color reproduction, high-definition signals, and crystal-clear image quality.



Ethernet Interface

The VC-A20P supports a H.264/MJPEG video compression format that can reduce the bandwidth for transmitting video. This technology decreases hard disk space when recording. In addition, these cameras have the ability to distribute streaming medias while supporting SVC/ONVIF protocol.



Multiple Signal Interface Formats

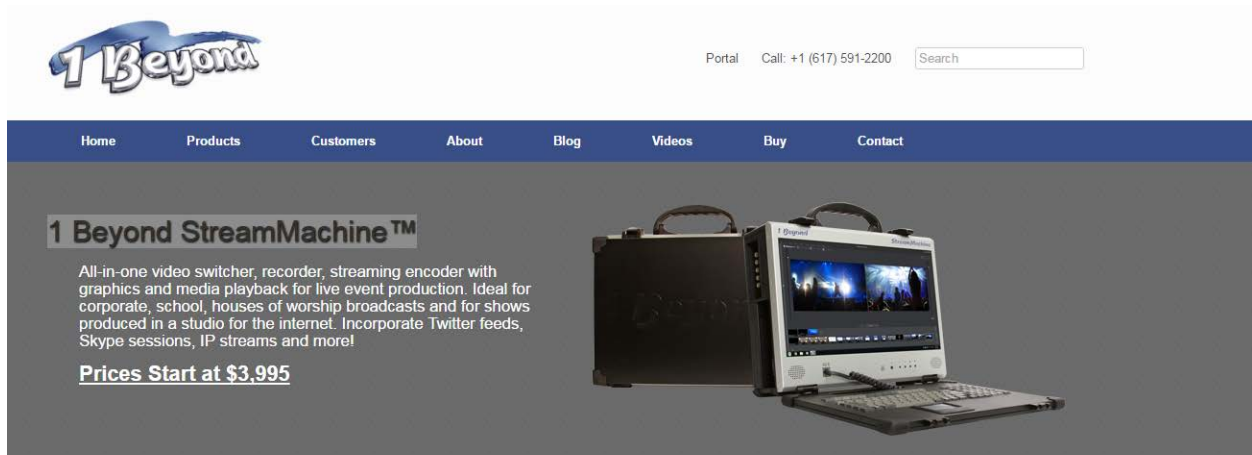
The VC-A20P is able to switch video output formats from NTSC/PAL, SD, to Full HD for compatibility in various display devices.



Wide Range Pan/Tilt/Zoom Action

The VC-A20P has a wide shooting area (pan angle from -170° to +170°; tilt angle from -30° to +90°), as well as quiet, fast, and precise positioning movements.

Option #3 - Livestreaming and hosting on third party site



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Prices Start at \$3,995



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Easy turnkey system for live events; just add cameras and audio!

Record and stream a professional show with multiple camera angles, titles, video graphics and more.

Incorporate wireless inputs (i.e video from iPhone or iPad or IP cameras), remote laptop screens, Twitter feeds, Skype calls, etc.

No previous broadcast experience required. Intuitive interface makes it easy to switch camera angles, combine multiple sources in a layout and add titles and effects.

Perfect for recording and streaming events like college sports, school performances, guest lecturers, corporate presentations, worship services or online news.

[Download Brochure](#)



REQUEST FOR DECISION

RFD# 2017066

Date: January 16, 2017

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Bill Schurman, Director of Recreation

DATE: January 16, 2017

SUBJECT: Naming Public Lands and Town Owned Facilities

ORIGIN:

Committee of the Whole meetings, September 26, 2016 and December 12, 2016

RECOMMENDATION:

That Council refer the proposed Naming Public Lands and Town Owned Facilities Policy, number 2000-03 to the January 23, 2017 regular meeting for consideration of approval.

BACKGROUND:

At the September 26, 2016 Committee of the Whole meeting, Council directed staff to prepare a brief report discussing the most appropriate facility to rename in honour of Dwight Jones and the necessary arrangements to achieve this. This is not the first request to honour someone by naming a facility after them, and staff believe having an established policy in place will guide the process for this, and future such requests. A report and proposed Facility Naming Policy were presented to Council at Committee of the Whole on December 12, 2016 and referred to the December 19, 2016 Regular Council meeting.

DISCUSSION:

The Facilities Naming policy was developed and reviewed with Council at the December 12, 2016 Committee of the Whole meeting, with the recommendation at that time to make adjustments to the flow chart at the back of the policy. It was referred to the December 19th Council meeting for consideration, at which time Council determined by a majority vote that it was restrictive and cumbersome, and that it should be further revised to make it more concise and clear.

The policy has been reviewed and streamlined, with the new version setting out the criteria and process for naming public and Town owned facilities or properties, including a public engagement process. The policy includes the following criteria, which may be used by Council in determining the appropriateness of the naming designation:

- A noteworthy public figure or official;
- A person, place or event of historical or cultural significance;
- Special benefactor(s) (living or dead);
- A person, group, place or feature, particularly identified with the public land or facility
- Exceptions to the naming criteria can be approved by Council if an occasion to recognize the outstanding contributions of a living person is determined.



The policy has been made a little more concise with a number of paragraphs removed from the original document, resulting in a simplified process:

1. A naming proposal is received
2. The proposal is placed on the Committee of the Whole agenda for discussion. Committee of the Whole may then refer the matter to Council.
3. Council may do one of three things: (1) approve the name; (2) reject the name; or (3) hold a public hearing on the matter. If Council decides either (1) or (2), the process is complete.
4. If Council decides to hold a public hearing, the hearing is held with the results coming before Committee of the Whole again, in which case, the process is repeated with Council then having two options: (1) approve the name; or (2) reject the name.

FINANCIAL IMPLICATIONS:

No financial implications are anticipated in the adoption of this policy.

COMMUNITY ENGAGEMENT:

No community engagement has taken part in the development of this policy, other than research into how this is done in other municipalities .

ENVIRONMENTAL IMPLICATIONS:

No environmental implications are anticipated.

ALTERNATIVES:

1. Refer the policy back to staff for further review and recommendation
2. Do not adopt a policy at this time and make a decision on naming facilities as they are presented

ATTACHMENTS:

Policy 2000-03, Naming Public Lands and Town Owned Facilities

Report prepared by: Bill Schurman, Director of Recreation

Report and Financial approved by:

Please change the last paragraph of the discussion portion of the RFD to the following:

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: **Naming Public Lands and Town-Owned Facilities**

Minutes reference date:
1st Revision date:

PURPOSE:

1. To provide guidelines whereby Town of Amherst public lands and facilities may be officially named by Town Council.

POLICY:

2. There are occasions when interested parties have proposed to name or re-name Town of Amherst public lands and facilities. It is the policy of the Town of Amherst to consider naming proposals, seek citizen input and formally decide on proposed names or renaming of Town of Amherst public lands or facilities within established criteria.

DEFINITIONS:

3. Public land – lands which are owned or controlled in use by the Town of Amherst for the long term benefit of the community. Examples include but are not limited to parks, sports fields, beautification areas and natural areas.

Public facilities – physical facilities owned or controlled in use by the Town of Amherst for the long term benefit of the community. Examples include: buildings, rooms and ball fields. Street naming guidelines are covered by a separate Town of Amherst policy.

NAMING CRITERIA

4. Town of Amherst public lands and facilities may be named after persons, a place or location, or an event that has created an important legacy or achievement. A person's name is eligible for consideration one year after his/her death with special benefactors excepted. The following criteria may be used by Council in determining the appropriateness of the naming designation:
 - A noteworthy public figure or official;
 - A person, place or event of historical or cultural significance;
 - Special benefactor(s) (living or dead);
 - A person, group, place or feature, particularly identified with the public land or facility;
 - Exceptions to the naming criterial can be approved by Council if an occasion to recognize the outstanding contributions of a living person is determined.

PROCEDURES

5. Initiation of proposed name:

A request to name or rename a Town owned property or facility must be made in writing to the Chief Administrative Officer who shall bring it, along with a background report, to the Council in Committee of the whole for initial discussion and direction.

6. Additional Public Input and Public Hearing

Should Council determine that additional public input is needed, it may hold a public hearing no sooner than 30 days following the Council meeting at which the initial report was received by Council. The public hearing shall follow a format similar to that for a planning document. Council may also solicit public comment by inviting citizens and interested persons to provide written comments.

7. Formal Council Decision

a. Following a public hearing and receiving additional public input, if determined by Council to be required, the item will be placed on the Committee of the Whole meeting agenda for discussion and direction. Committee of the Whole may, at this point, refer the proposed naming to Council again for consideration.

b. The naming decision shall be made by a resolution of council.



COMMITTEE OF THE WHOLE

CDR# 2017076

Date: January 16, 2017

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Andrew Fisher, Senior Planner & Business Development Officer (acting)

DATE: January 16, 2017

SUBJECT: Commercial Assessment Phase-in Tool

ORIGIN:

In the spring of 2016, the Province introduced Bill 177 to amend the Municipal Government Act (MGA) giving municipalities the ability to phase in a commercial assessment increase over a period of up to 10 years, in a specific area.

LEGISLATIVE AUTHORITY:

Municipal Government Act (MGA), section 71C concerning 'commercial development districts', and Part VIII concerning 'Planning and Development'.

RECOMMENDATION:

That Council refer this matter to the Planning Advisory Committee (PAC) to recommend the appropriate Municipal Planning Strategy (MPS) amendments that will provide for the commercial assessment phase-in tool. A Bylaw to implement the tool would be considered concurrently.

BACKGROUND:

As a means to incentivize commercial investment, the tool allows a municipality to forgo up to 50% of the tax revenue generated by an investment over a period of up to ten years on lands already serviced by water and sanitary services. Please see the November 28, 2016 Memorandum attached for a more detailed explanation of the program.

Adoption of the phase-in tool requires supporting policy in the Municipal Planning Strategy, and adoption of a Bylaw that would regulate the program. As per the MGA, amendments to the planning strategy must follow a process that includes a public participation session before the PAC, and a Public Hearing before Council. The entire process takes approximately two to three months to complete depending on the timing of meetings. Minimum notice requirements also factor into the length of time needed to adopt the amendments and the corresponding bylaw.

DISCUSSION:

This tool was originally designed for specific areas where a municipality wants to incentivize investment, such as a downtown district or a brownfield development. However, the tool can be applied to any commercially assessed property that is currently serviced with water and sanitary services. It is the intention of staff to draft the documents such that the tool is applicable to all commercial property.



FINANCIAL IMPLICATIONS:

None at this time, although the program would result in foregoing up to 50% of the tax revenue that would have come from the increased assessment on a property participating in the program.

COMMUNITY ENGAGEMENT:

Should Council support this, an advertised Public Participation Session before the Planning Advisory Committee, and a Public Meeting before Council are a part of the process.

ENVIRONMENTAL IMPLICATIONS:

n/a

ALTERNATIVES:

Do not refer the matter to PAC, and direct staff to take no further action.

ATTACHMENTS:

20161128 Commercial Assessment Phase-In Memo to COW

Report prepared by: A. .Fisher

Report and Financial approved by:

MEMORANDUM

To: Mayor Kogon and Council

From: Andrew Fisher, Senior Planner & Economic Development Officer (acting)

Date: November 28, 2016

Subject: **Information: Commercial Assessment Phase-in Tool**

In the spring of 2016, the Province introduced Bill 177 to amend the Municipal Government Act (MGA) giving municipalities the ability to phase in a commercial assessment increase over a period of up to 10 years, in a specific area. The tool is designed to provide an incentive to commercial investment for downtowns and brownfield redevelopment; however, municipalities are able to determine what areas are subject to the program.

A Municipality may forgo up to 50% of the tax revenue generated by the investment or redevelopment over a period of up to 10 years on lands already serviced by water and sanitary services. In very basic terms, the following illustrates one way the program could work:

A \$100,000 property at \$4.45 per \$100 assessed value, pays \$4,450 in commercial tax. If investments were made to that property such that the assessed value increased to \$400,000, the increased assessment would result in \$17,800 tax annually, or \$13,350 more every year. The chart below illustrates how that \$13,350 tax increase is phased in over a 10-year period.

Year	Phase-In Increment	Phased Tax Increase	Total Phased Payable Tax	No Phase In Payable Tax
0		\$ -	\$ 4,450	\$ 4,450
1	10%	\$ 1,335	\$ 5,785	\$ 17,800
2	20%	\$ 2,670	\$ 7,120	\$ 17,800
3	30%	\$ 4,005	\$ 8,455	\$ 17,800
4	40%	\$ 5,340	\$ 9,790	\$ 17,800
5	50%	\$ 6,675	\$ 11,125	\$ 17,800
6	50%	\$ 6,675	\$ 11,125	\$ 17,800
7	60%	\$ 8,010	\$ 12,460	\$ 17,800
8	70%	\$ 9,345	\$ 13,795	\$ 17,800
9	80%	\$ 10,680	\$ 15,130	\$ 17,800
10	90%	\$ 12,015	\$ 16,465	\$ 17,800
10-year Total			\$ 111,250	\$ 178,000
10-yr Total tax abatement			\$ 66,750	

This example provides the maximum tax abatement permitted under the tool, where the total abatement (\$66,750) is 50% of the total tax increase (\$133,500) over 10-years. Municipalities have to option to shorten the phase-in period, and/or decrease the amount of tax being abated.

Adoption of the phase-in tool requires supporting policy in the Municipal Planning Strategy (MPS), and adoption of a Bylaw that would regulate the program. Amendments to the MPS require a public participation session before the Planning Advisory Committee, and Public Hearing before Council. The entire process takes approximately 3-months to complete.

This program is designed to provide an incentive to those in the private sector looking to invest, develop, or grow a commercial enterprise, particularly in areas with special challenges like downtowns and brownfield sites. However, the program allows a municipality to apply the tool to any commercially assessed property, including industrial. The program may be a useful way for the Town to support business growth and indirectly create employment opportunities.

The obvious drawback to the program is forgone tax revenue, although one could argue that the Town is not losing money 'out of pocket'. This would particularly be the case if the investment did not happen in the first place, because there was no phase-in program help make the investment feasible. However, the overall tax revenue implications require further study by staff with input and support from provincial advisors.

Should Council be interested in pursuing this tool, staff will continue to research the program, and provide Council with a detailed report on the benefits and drawbacks, required policy changes, and recommendations for moving forward.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Bill Schurman, Director of Recreation

DATE: January 16, 2016

SUBJECT: Off Leash Dog Park

ORIGIN:

Direction of Council - Committee of the Whole meeting, December 12, 2016

LEGISLATIVE AUTHORITY:

MGA 65 (ah) authorizes municipalities to spend money on “public grounds, squares, halls, museums, parks, tourist information centres and community centres.”

RECOMMENDATION:

It is recommended that Council direct staff to conduct public meetings in the community to gauge interest and obtain input, and defer the decision to develop an off-leash dog park in Amherst to the 2017-18 budget process, should the level of interest indicate.

BACKGROUND:

On December 12, 2016, Council directed staff to conduct a feasibility study on the establishment, operating and maintenance of an off-leash dog park in Amherst, possible locations, and estimated time frame.

As requested, further research has been undertaken on the issue. Based on statistics from the Canadian Veterinary Medical Association, 35% of Canadian households own a dog. Currently in the Town of Amherst we have 81 dogs registered. Complaints are frequently made to the Town staff regarding the amount of dog feces in and around green spaces and sidewalks.

DISCUSSION:

Our research has been conducted by contacting Sydney, Truro, Riverview and Moncton. Truro, Riverview and Moncton have fenced in off-leash dog parks. Highlights we found include:

- Property needs to be no less than 1 acre
- Access to water is required
- Enclosed area divided into two sections: big dogs and small dogs
- Proper dog waste receptacles
- 2 to 3 hours of maintenance required daily
- Not directly around neighbourhoods
- Designated dog park owned by the Municipality
- Rules and regulations posted



Sydney does not use a fenced in enclosure for their Off-Leash Dog Park but allow for dogs to be off leash in designated green spaces. All green spaces allowed have significant signage which outlines the rules and regulations and litter dispensers.

Estimated installation costs for an area of approximately 1 acre to be enclosed by a 5' chain link fence divided in two sections with the necessary gates to allow for entrance by users as well as maintenance equipment and medical personnel (as needed) would be in the vicinity of \$18,750 plus HST. This enclosed area would be located on Town owned property.

Potential locations include:

1. Park Street
2. Community Garden (Off Donald Avenue)
3. Off Motor Avenue
4. Park Property Off Beacon Street
5. Robb Complex (Reference Master Plan)
6. Dickey Park Wooded Area

Green Space	Water Access	Property Size	Housing Proximity	Lighting	Shelter	Existing Fencing	Parking
Park Street	No	.51 acres		No	No	¾ complete	No
Community Garden	No	1 acre		No	No	No	Yes
Moto Avenue	No	1.03 acres		No	No	No	Yes
Park Land off Beacon	No	0.44 acres		No	No	No	Yes
Robb Complex	Yes	1.3 acres		Yes	Yes	Yes	Yes
Dickey Park Wooded Area	Yes	1 acre		Yes	No	No	Yes

The estimated timeframe to build a fenced in structure with no delays is 7 days.

Maintenance costs have been calculated with the aid of others who currently have off leash dog parks; it has been reported that dog parks demand a high level of maintenance requiring upwards of 2 – 3 hours per day. Year-round maintenance and operational costs are estimated be as follows:

- 3 days per week x 2 hours per day x \$25 per hour for staff x 52 weeks = \$7, 800.
- 4 days per week x 2 hours per day x \$25 per hour for staff x 52 weeks = \$10, 400.

The Recreation Master Plan has proposed the consideration of a dog park at the Robb Complex, utilizing a facility not used to its capacity at this time. Based on scheduling, it could be explored in more detail as a pilot project, where during unscheduled times a field is designated as an “Off-Leash Dog Park.

Steps to consider:

- Council agrees to continue to explore the feasibility of an off-leash dog park
- Public Meeting(s) offered to the community to inform and gain feedback
- Budget allocation be included in 2017-18 Capital Budget for consideration

FINANCIAL IMPLICATIONS:

Estimated installation cost for fencing is \$18,750, with ongoing labour costs for maintaining it estimated at either \$7,800 or \$10,400.

COMMUNITY ENGAGEMENT:

Currently in the Town of Amherst we have 81 dogs are registered by their owners. Complaints are frequently made to the Town staff regarding the amount of dog feces in and around green spaces and sidewalks. A public meeting should be held to get ideas and opinions on site selection and other components of the establishment of an off-leash dog park.

The Town of Amherst currently enforces a Companion Animal By-law (see attachment). However, we experience dog owners allowing their pets to be off leash within our green spaces which is an infraction of by-law C-4. Amendments will need to be made to the provisions currently outlined to encompass the addition of an Off-Leash Dog Park within the town.

ENVIRONMENTAL IMPLICATIONS:

No environmental implications are anticipated

ALTERNATIVES:

1. Refer the decision on development of an off-leash dog park to the 2017-18 budget process;
2. Refer the matter to the January 23 regular meeting for decision of Council
3. Direct staff to conduct further research on the matter.

ATTACHMENTS:

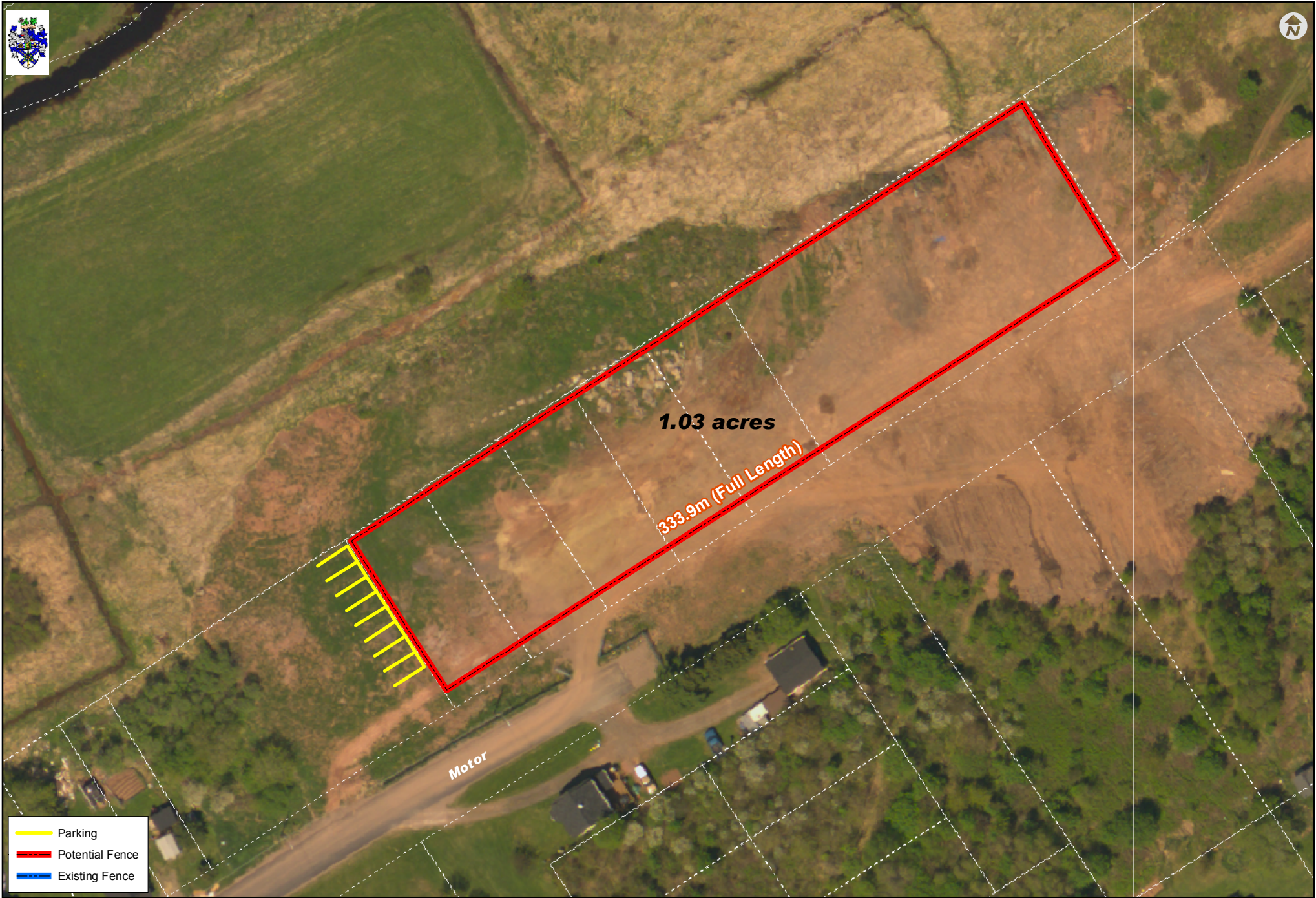
Companion Animal Bylaw
Potential sites

Report prepared by: Bill Schurman

Report and Financial approved by:





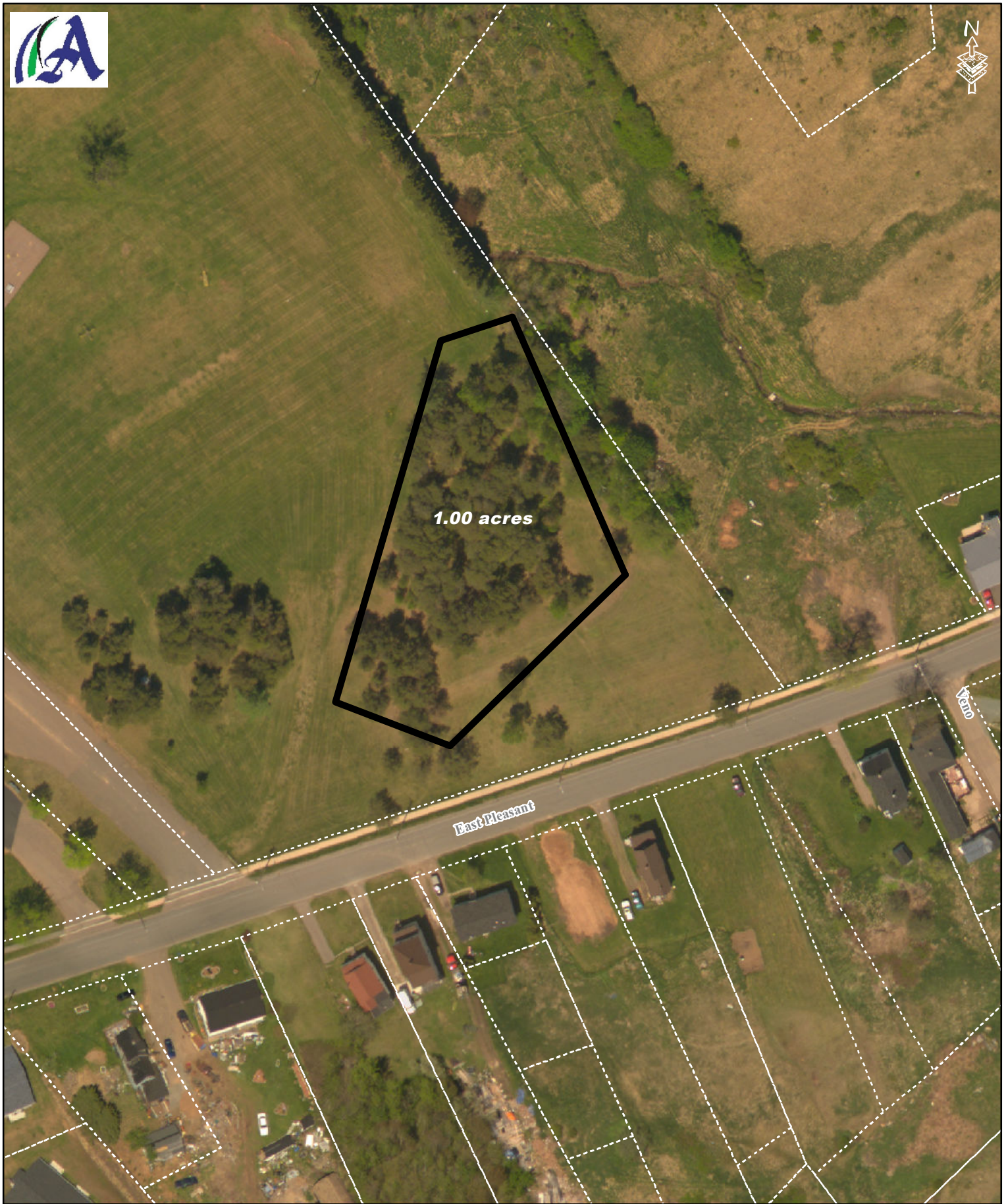






0.44 acres

 Existing Fence (37m)
 Potential Fence (184m)



1.00 acres

East Pleasant

Vano



2.62 acres

1.57 acres

1.57 acres

Eddy

Palmer

Lower LaPlanche

LaPlanche

MEMORANDUM

To: Mayor Kogon and Members of Council

From: Bill Schurman, Director of Recreation

Date: January 16, 2017

Subject: 3rd Quarter Community Grant Report

The CAO is authorized to approved applications submitted under the Community Grants Policy (72000-08) that are \$500 and less, provided such applicants qualify in accordance with this policy. Successful proponents agree that the Town can arrange for a public presentation of the community support grants.

There were two Community Support Grants awarded during the third quarter (October, November, December 2016):

- Empowering Beyond Barriers \$250
- The Amherst Community Christmas Dinner \$250

**TOWN OF AMHERST
 CONTRACT AWARDS LESS THAN \$30,000
 Approved by CAO or Designate
 QUARTERLY REPORT
 FOR
 October to December 2016**

CONTRACT	# OF BIDDERS	SUCCESSFUL BIDDER	AMOUNT OF AWARD (includes Non-recoverable HST)	CLOSING DATE	BUDGET (includes Non-recoverable HST)	TYPE
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RFQ-16-27 Replacement of One (1) Library Heat Pump	2	Airtron Canada	\$5,145	Oct 20, 2016	\$23,500 G/Ls 7030 & 7040	Normal Procurement
RFQ-16-22 Christmas Decorating of Town Hall	2	Buds to Blossoms	\$198	Nov 1, 2016	\$500	Normal Procurement
RFQ-16-24 Library Ductwork Cleaning	3	Atlantic Ventilation Cleaning Ltd.	\$4,125	Nov 2, 2016	\$23,500 G/Ls 7030 & 7040	Regular Procurement
RFQ-16-25 Replacement of One (1) Library Heat Pump	1	Airtron Canada	\$7,395	Oct 27, 2016	\$23,500 G/Ls 7030 & 7040	Regular Procurement
RFQ-16-26 Replacement of One (1) Library Heat Pump	1	Airtron Canada	\$5,925	Nov 3, 2016	\$23,500 G/Ls 7030 & 7040	Alternative Procurement
RFQ-16-28 Land Appraisal Services – Reservoir Replacement	2	Altus Group	\$2,294	November 17, 2016	\$94,765 (all 8100)	Normal Procurement

**TOWN OF AMHERST
 CONTRACT AWARDS LESS THAN \$30,000
 Approved by CAO or Designate
 QUARTERLY REPORT
 FOR
 October to December 2016**

CONTRACT	# OF BIDDERS	SUCCESSFUL BIDDER	AMOUNT OF AWARD (includes Non-recoverable HST)	CLOSING DATE	BUDGET (includes Non-recoverable HST)	TYPE
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RFQ-16-29 Supply & Delivery of Water Meters	2	Scotia Tech	\$3,629	Nov 22, 2016	\$6,422	Normal Procurement
RFQ-16-30 Supply & Deliver of Ammunition (5 types)	4	All 4 bidders won at least 1 type: <ul style="list-style-type: none"> • Korth Group • MD Charlton • Cabella's • Front Line Outfitters 	\$5,998	Nov 30, 2016	\$9,000	Normal Procurement
RFQ-16-32 Mobility Services	1	Bell Aliant	\$15,017	Dec 21, 2016	\$48,000	Alternative Procurement
Supply & Detonation of Fireworks	1	Fireworks FX	\$5,214	Dec 20, 2016	\$5,214	Alternative Procurement



MEMORANDUM

To: Mayor Kogon and Members of Amherst Town Council
From: Gregory D. Herrett, CPA, CA – Chief Administrative Officer
Date: January 16, 2017
Subject: Code of Conduct Review

Staff were directed at the November 21, 2016 meeting of Committee of the Whole to research and provide report and recommendations on strengthening the Town's code of conduct with the following motion: **“That Council direct staff to research and gather other municipalities’ and Provincial Code of Conduct documents/policies and present best practices used, and to make recommendations to Council for the January meeting of changes needed to the existing Town of Amherst code of conduct policy to be in line with other locations”** While the research paper has not yet been released, I have copied the table of contents to provide Council with a summary of the issues explored.

Through my conversations and research I discovered that the MGA Review Committee will be receiving a research paper on this very topic which is the product of extensive research and will include a number of options for government in amending the MGA.

Given that 40 of the 50 municipal units in Nova Scotia currently use the same Code of Conduct as that used by the Town of Amherst and given that legislative change will be required to make any substantive change in terms of potential actions that may be taken when a breach occurs, it is recommended that Council defer consideration of this item until the MGA Review Committee has completed its work and a determination has been made whether or not legislative changes will be made at the provincial level.



Monthly Report

Corporate Services

January 16, 2017

FINANCIAL

All departments have now entered the majority of the information for the 2017-18 budget process. This information will be reviewed by the Treasurer who will make any necessary updates and/or revision, before it goes to the CAO for review. The goal is to have budgets presented to the Audit Committee in March 2017.

TAXATION

2017 Assessment Roll - We have received the 2017 Assessment Roll. Property Valuation Services Canada (PVSC) planned to mail out all 2017 Property Assessment Notices to all property owners in the town of Amherst during the 2nd week of January. Residential assessments are up 1.6% which will result in additional revenue of \$102,829. Commercial assessments are down 0.2% which will result in decreased revenue of \$8,878. The net increase of \$93,951 represents approximately 0.5% of our annual budget.

Tax Exemption Bylaw - Letters went out on October 28, 2016 to organizations under the current Bylaw, outlining the application process. Deadline for applications is January 31, 2017. The Bylaw exempts (partially or totally) certain non-profit organizations from taxation. Presently we have 10 organizations receiving either partial or total exemptions. Our budget amount is \$84,440, with exemptions granted based on the financial need.

ASSESSMENT APPEALS

2016 Appeal Inventory Report as of January 1, 2017

	Number of Tax Accounts Appealed	Total Assessment Value Being Appealed	Appeals Completed as of Dec 1, 2016	Appeals Withdrawn as of Dec 1, 2016	Appeals Successful as of Dec 2016	Loss of Assessment Value	Amount of Revenue Reduction	Nova Scotia Assessment Appeal Tribunal Status
Residential	82	24,214,900	81	1	43	1,488,200	24,256	6
Commercial	15	16,975,000	12	3	9	681,000	30,305	1
Resource	1	21,900	1	0	1	400	7	0
TOTAL	98	\$41,211,800	94	4	53	2,169,600	54,568	7

The remaining 7 properties were heard at the Nova Scotia Assessment Appeal Tribunal (NSAAT) on December 12, 2016. The Tribunal have 60 days to give their decisions on the appeals.

WATER/SEWER COLLECTIONS

130 over-due account letters were mailed requesting payment. All customers either paid in full or made partial payment with arrangement for the balance. There were no shut off notices required.

WATER/SEWER BILLING

Meter reads are currently on-going with bills to be mailed by the end of January. Included with the bills will be an education piece from CJSMA and as well as information from Recreation on upcoming events.

PROCUREMENT

Procurement work continues on 2016/17 capital projects with only four of the 20 requiring procurement still outstanding. In December we released and closed one Request for Standing Offer, and closed one Request for Quotes and one Tender. Council awarded one Tender and two Request for Quotes, and staff awarded two Request for Quotes by way of Purchasing Approval Request (PAR).

Monthly Report

Operations

January 16, 2017

There were only two snow plow events in December. The Utility crew focused their efforts last month on maintaining the Christmas lights, salting walkways and sign repairs. Due to the cold and dry weather typical pothole patching was not required.

The highlight of the month has been the delivery of our new loader mounted snow blower. This piece of equipment will be a great tool during regular downtown clean ups and street-widening operations. The flexibility of using the blower when we need it rather than counting on a contractor to come on their schedule will also be a great aid.

The Water crews worked at cleaning up the last of any deficiencies found with fire hydrants, and have also started the rebuilding of spare upper hydrant bodies in stock. These are rebuilt and repainted then eventually swapped out for the poorly operating hydrant bodies.

One of the trailer mounted generators used by both the Water and Sewer Departments during emergency power outages is housed in a wooden structure. This had been deteriorating so the crews have been rebuilding it in our garage during poor weather. In addition to the building structure, a double lined fuel tank was mounted in this trailer as the existing fuel tank was not suitable to be near water wells due to environmental concerns.

The bi-weekly sampling at the Sewage Treatment Plant is a typical job for the operators. December saw employee Paul Hawkes complete his Department of Environment Certification as a Treatment Plant Operator – Level I. This will help the Town in future years. Another one of our newer operators, Daniel March, also gained his Sewer Collection Level I.

The Sewer crew spent much of the time this month with a sewer flushing/video contractor working on our various trouble spots, cutting roots and re-flushing required areas throughout the town. Our annual flushing and video work has proven invaluable and we use it to avoid serious backups and failures.

The mechanic has been performing maintenance work on snow plows as needed. Some urgent repairs were done to one of the fire trucks as well. With the arrival of the new snow blower, mounts in the loader cab had to be custom made to suit the loader controls. This took a few days but the work turned out great.

During the months of November and December six building permits were issued with a total value of \$299,000. This brought the 2016 calendar year-end total to 76 permits issued, with a value of \$6,330,294.

There were seven new Dangerous/Unightly Premises files opened and eight closed, bringing the current number of on-going to files to nine.

Planning staff are dealing with development proposals for grouped townhouse dwellings, a conversion of a motel to apartment units, and other commercial developments. Planning and development services continue to be provided to the Town of Oxford. Staff also continue to collaborate with the Town of Amherst Recreation Department by supporting the newly formed trail society, developing a shared-use OHV trail, as well as the completion and implementation of the Recreation Master Plan. The North Tyndal Wellfield Groundwater Management and Protection Strategy review is now complete, and will be presented to Council in the near future.

Monthly Departmental Report

Amherst Police Department

January 16, 2017

PROFESSIONAL DEVELOPMENT

DRE – SEMINAR - In December, Csts. Galloway, Hirtle and Walsh attended a one day education seminar for officers who are certified Drug Recognition Experts. These officers are qualified to assess the level of impairment of drivers who are believed to be under the influence of drugs or a combination of drugs and alcohol. The assessment is based on a variety of physical tests and observations by the DRE officer. The annual education seminar is required in order for the officer's to maintain their certifications. Presentations focussed on the challenges of the pending legalization of marihuana, including Status of Legislation to Respond to Impaired Driving, Cannabis Impaired Driving Research, Development and Testing of Technology to Detect Levels of Cannabis/THC of Drivers (devices that provide readings similar to alcohol readings provided by breathalyzers).

Introduction to Human Sources - Csts. Harrison, Babineau, Vriend and Haggerty attended a two day training session on Human Sources. Human sources are individuals who provide information to police about criminal activity and receive financial rewards for the information. Sources are a valuable and necessary asset for effective policing, however the use of sources has both risk and reward. Topics covered included, recruitment/rapport building/safey, motivation, source management/ Do's and Don'ts, and source awards. The session was only an introduction. An additional six-day course is required to be certified as a source handler.

Human Source Handler – Cst. Graham attened the six-day human source certification course. The course included education and operational scenarios. He is now certified to handle human sources. As a member of the integrated Street Crime Unit he is required to develop and handle human sources.

Search Warrant – Cst. Graham attended a five-day search warrant course. A variety of search warrants are used by law enforcement. They include but are not restricted to warrants issued for the investigation of Criminal Code and erug offences. Search warrants can be issued for a variety of purposes, such as search of a premises, examination of a crime scene, installation of tracking devices on vehicles, tracking telephone, the numbers of incoming and outgoing phone calls, wire taps, records on the location of cell phones for a specific time and date, production orders requiring records to be turned over to police i.e. businesses/hospitals. In order to obtain a search warrant police must provide a Justice/Judge with all the relevant information in relation to the application. The laws surrounding search warrants are complicated and continuously evolving. The information package provided to the Justice/Judge can be a few pages or several binders. Some warrant application are information that has been gathered over a few days while others over a period of months or years. The success of a warrant application relies significantly on the skills of the officer(s) who prepares the report. Cst. Graham is a member of the integrated Street Crime Unit. This unit prepares warrant applications on a regular basis.

OPERATIONAL STATS – December 2016

Occurrences: 362	Criminal Code Charges: 29
Impaired by Alcohol: 1	CDSA: 3
Impaired by Drug: 0	Traffic Written Warnings: 21
Traffic Tickets: 24	LCA: 3
Vehicle Checks: 126	Bike Patrol Hours: 0
Foot Patrol Hours: 95h 53m	

FOCUSED ENFORCEMENT

The focussed enforcement in December was Operation Christmas. Check points were conducted to raise awareness of impaired driving during the holiday season. A total of 20 hours of check points were conducted.

CHISTMAS FAMILY

Again this year, the staff of APD and Restorative Justice sponsored Christmas for a family in Amherst. This is done in partnership with Autumn House. The staff of Autumn House selects a family they are working with that is having a particularly difficult time and Christmas gifts and groceries are purchased by the staff of APD and RJ. The funding is donated by the staff members of both departments.

Quarterly Stats 2016

1st Qtr = January 1st - March 31st								3rd Qtr = July 1st - September 30th			
2nd Qtr = April 1st - June 30th								4th Qtr = October 1st - December 31st			
Offence Category	2016 1st Qtr	2015 1st Qtr	2016 2nd Qtr	2015 2nd Qtr	2016 3rd Qtr	2015 3rd Qtr	2016 4th Qtr	2015 4th Qtr	2016 Comparison 4th period ending	2015 Comparison 4th period ending	%
Assault	21	24	63	39	49	42	45	29	178	134	32.84%
Break & Enter - Business	0	0	1	2	0	2	2	6	3	10	-70.00%
Break & Enter - Residence	10	8	7	11	14	10	4	8	35	37	-5.41%
Domestic Incident	29	16	50	31	48	53	50	24	177	124	42.74%
Impaired Driving	20	12	23	16	15	12	18	10	76	50	52.00%
Liquor Act Offences	9	11	20	12	12	18	15	7	56	48	16.67%
Other Criminal Code	62	43	77	77	102	125	72	52	313	297	5.39%
Possession of Stolen Prop.	1	1	1	0	5	1	0	1	7	3	133.33%
Robbery	0	0	0	0	0	0	0	0	0	0	-
Sexual Assault	4	3	1	2	1	0	1	3	7	8	-12.50%
Spousal Partner Abuse	11	5	12	8	16	7	12	9	51	29	75.86%
Theft	34	22	49	46	56	44	51	55	190	167	13.77%
Theft of Motor Vehicle	6	1	2	4	2	2	0	3	10	10	-
Theft from Motor Vehicle	4	4	11	4	21	12	4	7	40	27	48.15%
MVA SOT's	119	77	80	97.5	59	100	84	77	342	351.5	-2.70%
LCA SOT's	7	7	14	13	6	26	10	31	37	77	-51.95%
Traffic Warning Issued	153	54	161	139.5	79	193	72	71	465	457.5	1.64%
Vandalism (Mischief)	12	15	20	12	9	35	28	24	69	86	-19.77%
Occurrences	979	787	1274	1088	1377	1349	1238	1001	4868	4225	15.22%
Vehicle Checks	857	523.5	816	544.5	518	654.5	483	532	2674	2254.5	18.61%
Foot Patrol Hours	257h 00m	226h 43m	365h 36m	247h 53m	343h 27m	255h 41m	254h 54m	240h 38m	1220h 57m	970h 55m	/
Bike Patrol Hours	0	0	1h 38m	0	3h 10m	30m	2h 36m	0	4h 48m	30m	/

Red indicates a decrease
Blue indicates an increase

Monthly Departmental Report

Recreation / Culture / Programming / Communications

January 16, 2017

Marketing & Communications

December was a busy month adjusting to winter conditions via communications, awareness, and community events promotions. The planning of the 3rd Annual Family-First New Year's Eve Celebration, AYTC start-up and community support initiatives were also the key focuses for this month. In pursuit of continuing to be open and transparent, media releases were developed and distributed to the media and public following December's COW and Council meetings in regard to several high interest topics. Constant promotions and communications with community partners and the media kept the Town of Amherst activities busy and accessible. Recreation set up two public health meetings in December but due to inclement weather one was rescheduled to January 2017. AYTC meetings were initiated and governance was voted on. Community Support Grants were given out to Empowering Beyond Barriers and Annual Amherst Christmas Dinner. Call for nominations for volunteers to be recognized during National Volunteer week in April have started. Invitations to community groups interested in participating in the 3rd annual Winter Carnival a celebration of 150 years of Heart Culture and Play have been sent out. 2017 dates are February 16-20th

Active Living

The Active Living Coordinator attended Chamber of Commerce Networking as well as Rotary Lunch with the Recreation Team. The Coordinator assisted with the planning of the Staff Christmas Lunch and started the process with Peter McCracken and Mandy Moore from the Province of Nova Scotia to discuss changes and updates to implementing a new Active Living Strategy. The Coordinator made contact with community stakeholders and developed a Holiday "things to do" schedule for promotion and distribution through schools and businesses in Amherst. The holiday skates, free Town swims and other activities were very popular and had good participation. The Coordinator assisted with the planning, preparation, and set up of the 3rd annual New Year's Eve Celebration at the Amherst Stadium, which was a huge success with much positive feedback. Promotion of community activities and events on social media, and increasing awareness and reach was ongoing in December.

Horticulture

Urban forestry professor Dr. Peter Duinker from Dalhousie University in Halifax visited Amherst to aid with the start of our urban tree inventory. Meetings were held with members of the Community Garden Network to determine the best sites and strategies for going ahead and how the Town may be involved to help ensure the success of community gardens. Research has been completed in regards to upgrading our hanging basket fleet to be replaced with a more environmentally sustainable planter with a self-watering reservoir. Waste receptacles and benches for parks have been researched looking into the most cost effective, aesthetically pleasing and practical bench for our parks and greenspaces. Winter decorations were created. Project management was provided on the removal of Four Fathers tree carving; as much of it as possible is in dry storage with a plan to be developed for future use. Efforts are ongoing preparing for spring including research for the flower tenders. Additionally, the Horticulturist assisted in the planning, preparation and execution of the town Christmas Staff Party and NYE celebrations.

Facilities

Amherst Recreation facilities were well in use the month of December. The Stadium hosted 3 Amherst Jr. Ramblers games. The National Figure Skating Turn and Spin Clinic selected Amherst for this Atlantic Event supported by the youth ice pilot project. Forty participants and twenty coaches were in Town for this specialized training. The highlight was our 3rd annual New Year's Eve celebration. During the two hour family-first event there was public skating, ice colouring, face painting, trivia walk, horse and sleigh rides, photo booth, free chili and hot chocolate. This event was highly attended with the fireworks from the roof top as the finale a huge hit.

In total the Stadium hosted 76.75 hours of family first free program skating hours, 357 free walking track hours and 262 ice rental hours to various clients and user groups. The Stadium's public and programmed skates, ongoing promotion, maintenance and flexible walking track hours are a result of Amherst's Physical Activity Strategy objectives and, where applicable, Amherst's 2016-2017 youth ice pilot policy.

With little snow during the month many of our parks and trails were being used regularly. The downtown Big Block Walk continues to be a popular option for those who live, work and visit downtown. The public washroom at Dickey Park is opened daily from 10:00am to 6:00pm. When time permits Operations staff will be clearing the walking track at Dickey Park. This will create another option for citizens to be active.

Monthly Report

Fire Department

January 16, 2017

Responses during the month of December 2016

Town of Amherst – 10 events

- 1 Fire alarm system activations
- 1 Structure fires
- 2 Sprinkler head failure
- 2 Motor vehicle accidents
- 1 Hazardous materials
- 2 Air quality checks (Smoke, CO)

Contract area (District 2) – 3 events

- 1 Flue fire
- 1 Motor vehicle accidents
- 1 Downed power lines

Fire inspections:

12 fire inspections were completed during the month of December 2016.

Professional Development:

The recruits have completed the second month of the basic fire fighter training program. The experiences they are gaining during these training sessions will provide them with basic fire fighting knowledge to assist them during future training and fire service operations. The next phase in this program will focus on ladder operations, ventilation, portable fire extinguisher use and salvage and Overhaul.

Delivery of Self Contained Breathing Apparatus Units:

On December 15th, the Amherst Fire Department took delivery of fourteen new SCBA units and twenty-eight new air cylinders. Over the next two months the members of the Amherst Fire Department will under go training on these units. These SCBA units will not go into full operational service until all training is complete.