



Town of Amherst
Committee of the Whole

Date: May 17, 2021
Time: 4:00 pm
Location: Zoom Virtual Meeting

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5. In Camera

6. Adjournment



Town of Amherst
Committee of the Whole
Monday, May 17, 2021

Consent Agenda

MOTION:

That Council approve the following items as part of the consent agenda:

- 1.3. Approval of Minutes**
- 3.1 Municipal Affairs Correspondence**
- 3.2 NSP**
- 4.1. Corporate Services Monthly Report**
- 4.2. Operations Monthly Report**
- 4.3. Police Department Monthly Report**
- 4.4. Fire Department Monthly Report**
- 4.5. Planning & Strategic Initiatives Monthly Report**
- 4.6. Business Development Monthly Report**

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

Date: April 19, 2021

Time: 4:00 pm

Members Present Mayor David Kogon
Deputy Mayor Hal Davidson
Councillor George Baker
Councillor Lisa Emery
Councillor Dale Fawthrop
Councillor Leon Landry

Members Absent Councillor Sheila Christie

Staff Present Jason MacDonald, Interim CAO
Michael Hunter, Chief Financial Officer
Dwayne Pike, Police Chief
Greg Jones, Fire Chief
Andrew Fisher, Manager of Planning & Strategic Initiatives
Tamara Porter, Business Development Officer
Cheryl Laliberte, Community Well-Being Manager
Tom McCoag, Corporate Communications Officer
Kim Jones, Municipal Clerk
Natalie LeBlanc, Deputy Clerk

Due to the COVID-19 pandemic, this was a hybrid meeting held in person at the Community Credit Union Business Innovation Center and online via Zoom.

1. Call to Order

Mayor Kogon called the meeting to order at 4:00 p.m.

1.1 Moment of Silence in Memory of the Portapique Tragedy

A moment of silence was held in memory of the one year anniversary of the Portapique tragedy.

1.2 Approval of Agenda

Moved By Councillor Landry

Seconded By Councillor Emery

That the agenda be approved as circulated.

MOTION CARRIED

1.3 Approval of Consent Agenda

Moved By Councillor Emery

Seconded By Deputy Mayor Davidson

To approve the consent agenda with the removal of items 4.2 Operations Monthly Report and 4.3 Police Services Monthly Report.

MOTION CARRIED

1.4 Approval of Minutes

The following motion was approved as part of the Consent Agenda:

Moved By Councillor Emery

Seconded By Deputy Mayor Davidson

That the minutes of the March 15, 2021 and March 22, 2021 Committee of the Whole meetings be approved as circulated.

MOTION CARRIED

2. Council Direction Requests

2.1 Expense Reimbursement Policy

Moved By Councillor Baker

Seconded By Deputy Mayor Davidson

That no revisions be made to the Expense Reimbursement Policy at this time.

MOTION CARRIED

2.2 AYTC Policy Amendment

Moved By Councillor Baker

Seconded By Councillor Emery

That Council refer approval of the amendments to the Amherst Youth Town Council Policy to the regular meeting of Council on April 26, 2021.

Moved By Deputy Mayor Davidson

Seconded By Councillor Landry

That Council forward approval of the Amherst Youth Town Council Policy to the April 26, 2021 as amended, and also include a further clause stating that all attempts to reflect diversity will be made when considering appointment of AYTC members.

AMENDED MOTION CARRIED

- 2.3 Joint CED Strategy**
Moved By Councillor Baker
Seconded By Councillor Emery
Council direct staff to forward the Cumberland Region Community Economic Development Strategy to the regular Council meeting on April 26, 2021 for acceptance.

MOTION CARRIED

3. Information Items

- 3.1 Capital Budget Process Update**
Information item; no direction given or action required.
- 3.2 Noise Bylaw Update**
Information item; no direction given or action required.
- 3.3 2021-2022 CJSMA Draft Budget**
Information item; no direction given or action required.

4. Monthly Reports

The following monthly reports were approved as part of the Consent Agenda. Information items only; no direction given or action required.

- 4.1 Corporate Services
4.4 Fire Services
4.5 Planning & Strategic Initiatives
4.6 Business Development

- 4.2 Operations**
Councillor Fawthrop asked what the cost would be to extend ice rental time to other user groups. Mr. MacDonald will provide an update at the next meeting.

- 4.3 Police Services**
Councillor Emery inquired about the upward trend in statistics. Chief Pike explained the graph and chart included as part of the agenda package.

5. In Camera - 5:00 p.m.

- Moved By Councillor Fawthrop**
Seconded By Councillor Emery
That the Committee move to an In Camera session.

MOTION CARRIED

6. Adjournment

- Moved By Councillor Fawthrop**
Seconded By Councillor Landry
To adjourn the meeting at 5:10 p.m.

MOTION CARRIED

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Kimberlee Jones, Municipal Clerk

DATE: May 17, 2021

SUBJECT: Proceedings of Council Policy – Virtual Meetings

ORIGIN: While working through the restrictions in place due to the ongoing Covid-19 pandemic, staff have noted that there are examples of situations where virtual meetings, or virtual participation in in-person meetings may be appropriate after the restrictions are lifted.

LEGISLATIVE AUTHORITY: MGA 23(1) The council may make policies (a) respecting the date, hour and place of the meetings of the council and the notice to be given for them; and (b) regulating its own proceedings and preserving order at meetings of Council, and 19A (1) Where a procedural policy of the council so provides, a council meeting or council committee meeting may be conducted by electronic means.....

DIRECTION REQUESTED: That Council forward the amendments to the Proceedings of Council Policy to the May 25, 2021 regular meeting of Council for approval.

BACKGROUND: The Proceedings of Council Policy sets out the requirements for the conduct of meetings and the preparations of the meeting materials for Council and the public. During the February 2021 Committee of the Whole meeting, staff proposed changes to the policy to allow for some form of electronic participation in meetings going forward. Staff took the feedback from Council and incorporated them into this draft.

DISCUSSION: The Covid-19 pandemic and the directives from the Province of Nova Scotia and the Chief Medical Officer of Health have restricted our ability to meet in person for over a year now. The requirements of gathering limits, physical distancing and the structure of our Council Chambers has meant that, in most cases, Council and Committees must meet virtually in order to not only comply with the mandated restrictions, but also ensure the safety of our meeting participants.

The proposed amendments reflected in the policy include an allowance for the continuation of virtual attendance under certain conditions. It is the intention to resume in person meetings, as health orders and logistics allow, however this amendment allows for one or more participants to be permitted to attend via video conference should circumstances prevent their attendance in person.

Several other Nova Scotia municipalities have made similar changes to their proceedings of Council Policy/Bylaw. Staff have borrowed language from both Truro and Yarmouth in drafting the proposed amendments. As well the Province of Nova Scotia has recognized this as an issue and passed an amendment to the Municipal Government Act late last month that authorizes electronic meetings.

FINANCIAL IMPLICATIONS: There are no financial implications

COMMUNITY ENGAGEMENT: There has been no community engagement contemplated at this time.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications

SOCIAL JUSTICE IMPLICATIONS: Allowing virtual meetings, or virtual attendance at meetings improve the accessibility of said meetings for all participants.

ALTERNATIVES:

- 1- Approve the policy with the amendments as presented
- 2- Approve the policy amendment with alternative language
- 3- Do not amend the policy

ATTACHMENTS: Proceedings of Council Policy

Report prepared by: Kimberlee Jones

Report and Financial approved by:

DEPARTMENT: Council

TITLE: Proceedings of Council

Minutes reference date: 23 February 2015 22 June 2015 2019 January 2019 2020 November 23

General

1. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation. Authority to enact this policy is under Section 23(1)(a) and (b) of the *Municipal Government Act*. The rules of order set out in this policy shall apply to all Town committees and commissions.

Definitions

2. In this Policy, unless the context otherwise requires,
 - (a) “business day(s)” means a day when the Town of Amherst office is open for business;
 - (b) “Chair” means the presiding officer;
 - (c) “committee” means any standing or adhoc committee or commission, the members of which are appointed by Council;
 - (c) “Council” means the Council of the Town of Amherst;
 - (d) “Council Member(s)” include(s) the Mayor unless the context indicates otherwise;
 - (e) “majority” means more than one half of those present, unless the context indicates otherwise.
 - (f) “Consent Agenda” means routine items or non -controversial items that are listed under the Consent Agenda section of the Agenda.

Time, Place, Date and Notice of Meetings of Council and Committee of the Whole

3. Unless otherwise specified pursuant to section 5, regular meetings of Council shall be held:
 - (a) In Council Chambers, Dominion Public Building, 98 Victoria Street, Amherst;
 - (b) On the fourth Monday of every month except that there shall be no regular meeting during the months of July and August;
 - (c) Commencing at 6:00 PM and concluding not later than 8:00 PM; when public hearings are scheduled, the hearing will commence at 5:30 PM and the Council meeting will commence at 6:00 PM.
 - (d) Council members must attend Council meetings in person, or, if approved by Council, one or more Council members may appear at a meeting by videoconference.

(e) Council member attending a meeting by videoconference shall be considered present at the meeting. If a Council member becomes disconnected from the meeting due to technical problems or other reasons, the Council member shall notify the Clerk as soon as possible. The minutes will reflect that the member be considered to have left the meeting at the time of disconnection, unless they are able to rejoin and that shall be recorded.

4. Unless otherwise specified to section 5, regular meetings of Committee of the Whole shall be held:

- (a) In Council Chambers, Dominion Public Building, 98 Victoria Street, Amherst;
- (b) On the third Monday of every month except that there shall be no regular meeting during the months of July and August;
- (c) Commencing at 4:00 PM and concluding not later than 6:00 PM.
 - i. Should there remain unfinished business on the agenda at 6:00 PM, the meeting shall be adjourned until 4:00 PM on the fourth Monday when the balance of the business on the agenda shall be addressed.
- (d) Council members must attend Committee of Whole meetings in person, or, if approved by Council, one or more Council members may appear at a meeting by videoconference.
- (e) Council member attending a meeting by videoconference shall be considered present at the meeting. If a Council member becomes disconnected from the meeting due to technical problems or other reasons, the Council member shall notify the Clerk as soon as possible. The minutes will reflect that the member be considered to have left the meeting at the time of disconnection, unless they are able to rejoin and that shall be recorded.

5. Requirements for Virtual Attendance

- (a) A Council or committee member may request in advance to join a meeting electronically. The reason for the request shall be communicated to the Clerk at the time of the request and is subject to review.
- (b) All participants must have access to the necessary equipment for participation. A right of membership is participation; therefore, the technology used must be accessible to all members to be included in the meeting. d) All rules pertaining to in-person Council or Committee meetings apply equally to electronic meetings, for example, notice, pre-meeting package requirements, quorum, minute-taking, voting, confidentiality requirements, etc.
- (c) Participants are to login 10 minutes before the scheduled meeting time to resolve any technical issues before the meeting starts.

(d) During In Camera sessions, all meeting participants must ensure they maintain complete privacy in their off-site meeting space. This will ensure all discussions are kept confidential and are only heard by those invited to and attending the meeting.

(e) All provisions and policy related to in camera meetings and conflict of interest will apply equally for all electronic meetings.

Subject to any conditions or limitations provided for under the Act, Regulations, Bylaws or this Policy, a Council member who participates in a meeting through electronic means shall be deemed to be present at the meeting and will be recorded as in attendance at and part of the quorum of the meeting.

6. Regular meetings of Council or Committee of the Whole may be rescheduled, relocated or cancelled:
 - (a) By resolution of Council at a previous meeting three or more days in advance of the additional or special meeting;
 - (b) By resolution of Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or
 - (c) By the Chief Administrative Officer on behalf of the Mayor, owing to unforeseen circumstances, provided the Mayor believes that the majority of Council Members would support such a step.

7. Additional or special meetings of Council or Committee of the Whole may be convened
 - (a) By resolution of Council at a previous meeting three or more days in advance of the additional meeting;
 - (b) By resolution of Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or
 - (c) By the Chief Administrative Officer on behalf of the Mayor, owing to unforeseen circumstances provided the Mayor believes that the majority of Council Members would support such a step.
 - (d) Business conducted at a special meeting must conform to what is specified in the call of the meeting.

8. Specific notice to Council Members and to the public need not be provided of
 - (a) Meetings held pursuant to section 3 or 4; or
 - (b) Meetings held pursuant to subsection (a) and (b) of section 5 or 6;

but, subject to any statutory relaxation of notice requirements, three days' notice shall be specifically provided for other meetings to Council Members in the manner described in section 9 and to the public in the manner described in section 10.

9. Within 30 days following the first meeting of Council after a municipal election or by-election:
 - (a) The CAO shall provide a cellular phone to each Council Member which the Council Member will check at least once per day; and
 - (b) The CAO shall provide an electronic email address to each Council Member, and the Council Member will check at least once per day;
10. Subject to section 7, notice of meetings shall be provided by electronic mail to each Council member through the Town electronic mail address as provided in section 8.
11. Subject to section 7, notice of meetings shall be provided to the public by posting in the lobby of the Dominion Public Building and in a prominent place on the Town’s website, a “Notice of Council Meeting” containing the time, date and place of the meeting.

Conduct of Meetings

12. It shall be the duty of the Chair to:
 - (a) Open the meeting of Council by taking the chair and calling the Council Members to order;
 - (b) Receive and submit to Council motions properly presented by a Council Member;
 - (c) Put to a vote a question which is regularly moved and seconded or necessarily arising in the course of the proceedings and to announce the result of the vote.
 - (d) Decline to put to a vote, a motion which infringes upon the rules of procedure;
 - (e) Restrain the Council Members, when engaged in debate, within the rules of conduct of debate;
 - (f) Enforce on all occasions, the observance of order and decorum;
 - (g) Call by name any Council Member persisting in a breach of the rules of order of Council thereby ordering him or her to vacate the Council Chambers;
 - (h) Inform the Council when necessary, or when referred to, on a point of order;
 - (i) Permit the Chief Administrative Officer to speak on any point upon request;
 - (j) Permit proper questions to be asked through the Chair or any official or employee of the Town of Amherst, to provide information to assist any debate;
 - (k) Declare a meeting dissolved if no quorum has been achieved within 15 minutes of the scheduled meeting time. And
 - (l) Adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by majority vote or when the adjournment time has been reached, except when it is extended by unanimous consent.

Council Agenda

13. All items appearing on the Council agenda will only consist of items that have been:
- (a) Recommended or referred to Council by motion through either Committee of the Whole or a committee of Council;
 - (b) Placed on the agenda by Council through a motion or notice of motion at a previous meeting;
 - (c) Submitted by a member of Council prior to the issuing of the final agenda;
14. Consent Agenda – Regular Meetings of Council
- (a) Subject to subsection (b), the Consent Agenda may contain routine or non-controversial items;
 - (b) The following matters shall not be set on the Consent Agenda:
 - i. Second Readings of by-laws and land use bylaws, including any amendments
 - ii. Policies
 - iii. Planning documents as defined by the Municipal Government Act;
 - iv. Development agreements, including any amendments thereto;
 - v. Appeals;
 - vi. Motions of rescission, or motions requiring a 2/3 vote of Council;
 - vii. In Camera matters; and
 - viii. Late or added items to the agenda
 - (c) After the Consent Agenda motion has been duly moved and seconded, any member may move that an item be removed from the Consent Agenda, with no seconder, the motions shall be granted as of right.
 - (d) During the consideration of of the motion to approve the Consent Agenda, there shall be no discussion or debate on the specific items contained therein.
 - (e) The Chair shall clarify the items that remain on the Consent Agenda, before a vote shall be taken.
 - (f) The vote on the Consent Agenda shall require a majority vote of the Council Members present.
 - (g) Items listed under the Consent Agenda are deemed approved when the vote as described in subsection (f) is passed.
 - (h) An item removed during the Consent Agenda, will be dealt with where it has been placed on the agenda.
15. Except for matters arising from correspondence, committee or other reports, agenda items, or notices of motion or other material circulated to Council Members on or before the business day before the meeting, and except for matters arising from an *in camera* meeting, no motion committing the Town of Amherst to the expenditure of funds shall be accepted by the Chair for the consideration of Council except with the unanimous consent of Council Members present.
16. Preliminary Council agendas will be issued by 4:30 PM on the Thursday preceding the regularly scheduled meeting.
17. Final Council agendas will be issued by noon on the day of the meeting.
18. Items included on the Council agenda will include a copy of the motion to be made when the item arises on the agenda.

19. Copies of the agenda and supporting documentation will be made available to the public in electronic format by 9:00 AM the day of the meeting except for the supporting documents related to matters to be dealt with in camera.

20. At Council meetings, unless a majority consents to a different order for the meeting, Council shall conduct business in the following order:
 - (a) Call to Order
 - (b) Territorial Acknowledgement
 - (c) National anthem
 - (d) Presentations
 - (e) Approval of agenda
 - (f) Consent Agenda
 - (g) Approval of minutes from the previous meeting
 - (h) Requests for Decision
 - (i) Information / Discussion Items
 - (j) Internal Committee Reports
 - (k) External Committee Reports
 - (l) Adjournment

21. Councillors who have been appointed to outside Boards and Agencies shall provide a written report to the Council to be included in the agenda package. Recognizing that such reports provide Council with the ability to make informed decisions, reports may contain such elements as:
 - (a) The date the meeting was held;
 - (b) A review of the key issues or discussion points covered that have an impact on the Town;
 - (c) Information and decisions that may impact a current Council position, or future Council course of action;
 - (d) A summary of the organization's key operations and events.

Committee of the Whole Agenda

22. The Committee of the Whole will meet for the purpose of discussion and possible referral to Council and no formal decisions will be made by Committee of the Whole, except to the extent that Committee of the Whole is specifically designated bylaw, policy or delegated by a resolution of Council as having the authority to make a decision.

23. Items appearing on the Committee of the Whole agenda will only consist of items as follows:
- (a) Placed on the agenda by Council or Committee of the Whole through a motion or notice of motion from a previous meeting;
 - (b) Submitted by a member of Council prior to the issuing of the final agenda;
 - (c) Staff reports;
 - (d) Items from the administration requiring a decision or direction;
24. Consent Agenda – Committee of the Whole
- (a) Subject to subsection (b), the Consent Agenda may contain routine or non-controversial items;
 - (b) The following matters shall not be set on the Consent Agenda:
 - i. Policies
 - ii. Planning documents as defined by the Municipal Government Act;
 - iii. Development agreements or any amendments thereto;
 - iv. Motions of rescission, or motions requiring a 2/3 vote of Council;
 - v. In Camera matters; and
 - vi. Late or added items to the agenda
 - (c) After the Consent Agenda motion has been duly moved and seconded, any member may move that an item be removed from the Consent Agenda, with no seconder, the motions shall be granted as of right.
 - (d) During the consideration of of the motion to approve the Consent Agenda, there shall be no discussion or debate on the specific items contained therein.
 - (e) The Chair shall clarify the items that remain on the Consent Agenda, before a vote shall be taken.
 - (f) The vote on the Consent Agenda shall require a majority vote of the Council Members present.
 - (g) Items listed under the Consent Agenda are deemed approved when the vote as described in subsection (f) is passed.
 - (h) An item removed during the Consent Agenda, will be dealt with where it has been placed on the agenda.
25. Preliminary Committee of the Whole agendas will be issued by 4:30 pm on the Thursday preceding the regularly scheduled meeting.
26. Final Committee of the Whole agendas will be issued by 10:00 am on the day of the meeting.
27. Items included on the Committee of the Whole agenda will include a copy of the motion to be made when the item arises on the agenda.
28. Copies of the Committee of the Whole agenda and supporting documentation will be made available to the public in electronic format by 10:00 AM the day of the meeting, except for the supporting documents related to matters to be dealt with in camera.
29. At Committee of the Whole meetings, unless a majority consents to a different order for the meeting, Council shall conduct business in the following order:

- (a) Call to Order
- (b) Approval of Agenda
- (c) Consent Agenda
- (d) Approval of Minutes
- (e) Presentations
- (f) Council Direction Requests
- (g) Information / Discussion Items
- (h) Monthly Departmental Reports
- (i) Adjournment

Minutes

- 30. At regular meetings of Council, except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the minutes of the last preceding regular meeting and subsequent special meetings shall be reviewed and after all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book of the proceedings of Council and such entry shall conclusively constitute the minutes of Council.
- 31. The minutes shall be kept by the Clerk who may, in his or her discretion, appoint recording secretaries as appropriate
- 32. The Minutes shall:
 - (a) Record the time when any Council Member joins or leaves a meeting which is in progress;
 - (b) Contain all resolutions, decisions by consensus and motions, with the name of the movers and seconders, and shall record the outcome of each vote;
 - (c) Mention reports, petitions and other papers submitted to Council only by their respective titles, or a brief description of their contents.

Motions, Voting and Speaking

- 33. The Chair shall start every question properly presented to Council and before putting it to a vote, shall ask, "Is Council ready for the question" and if no Council Member offers to speak, the Chair shall put the question, after which no Council Member shall be permitted to speak upon it.
- 34. The usual form of voting shall be by the Chair calling for "yeas" and "nays", but any Council Member, before or after a voice vote can call for, and obtain through the Chair, a show of hands and any two Council Members can call for, and obtain through the Chair, a recorded vote with each Council Member's vote entered into the minutes.

35. A motion must be seconded and then repeated by the Chair or read aloud by the Chief Administrative Officer before it is debated. The Chair may direct that the motion be put in writing.
36. After reading of a motion by the Chair or Chief Administrative Officer, it shall be open for discussion.
37. A motion may at any time before the Council has voted on it be withdrawn by the mover with the consent of the seconder.
38. The Chair must vote and shall be deemed to have voted in the affirmative on any resolution unless the Chair indicates clearly it is voting in the negative.
39. When any question is before the Council, the only motions in order shall be:
- (a) A motion in amendment of the original motion;
 - (b) A motion to refer the question, including the motion and amendment if one is moved, to any committee;
 - (c) A motion to defer the consideration of the question either indefinitely or to a specified time;
 - (d) A motion to close the debate at a specified time;
 - (e) A motion that the question be put to a vote;
 - (f) A motion to adjourn.
40. When any one of the motions mentioned in the next preceding section has been made as an amendment to the original motion, no other motion may be made as an amendment except to the original motion or to the amendment, except the following:
- (a) To refer to a committee;
 - (b) To defer the consideration of the question;
 - (c) To close the debate at a specified time;
 - (d) That the question be put to a vote;
 - (e) To adjourn
- Any of which may be moved either to the original motion or to the amendment of the original motion.
41. A motion:
- (a) That the debate be closed at a specified time; or
 - (b) That the question be put to a vote,

Shall be put to a vote without further amendment or debate, but a motion that the question be put to a vote shall not itself be put to a vote until every Council Member who has not spoken on the question and claims a right to speak has been heard.

42. A motion that the question be put to a vote shall preclude all amendments to the main question until the motion is decided, and shall be put to a vote, without debate, in the following words: "That this question be put to a vote". If this motion is resolved in the affirmative, the original question shall be put to a vote immediately, without any amendment or debate, but if such motion is resolved in the negative, then the Council shall proceed to other business.
43. A motion to adjourn shall always be in order except in the following cases:
 - (a) When a Council Member is in possession of the floor;
 - (b) When the "yeas" and "nays" are being called;
 - (c) While the Council Members are voting; or
 - (d) When the adjournment was the last preceding motion.
44. The following questions shall be decided without debate:
 - (a) A motion to reconsider;
 - (b) All motions as to priority of business or as to the suspension of the order of the day;
 - (c) Applications to speak more than the prescribed number of times;
 - (d) A motion to allow any person other than the Council Members or CAO to address the Council;
 - (e) A motion to postpone to a specified time or day;
 - (f) A motion to lay on the table when claiming a privilege over another person; and
 - (g) A motion to adjourn.
45. Amendments shall be put in the reverse order to that in which they are moved. Every amendment submitted shall be decided or withdrawn before the main question is put to a vote. Only one amendment shall be allowed to an amendment and any further amendment must be to the main question.
46. Any notice of motion given by a Council Member for a subsequent meeting may, in the absence of the Council Member giving such notice, be taken up by any other Council Member.
47. Every Council Member, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more Council Members raise their hands to speak, the Chair shall designate as the Council Member who has the floor the Council Member who, in the opinion of the Chair, first raised a hand.

- 48. No Council Member may speak more than twice, without the leave of Council, on any motion except to explain a misconception of his remarks, but the mover of a motion shall have the right to reply and sum up in closing the debate.
- 49. When a Council Member wishes to explain, the Council Member shall raise a hand and ask leave of the Chair, without further comment, and if permitted by the Chair, shall explain only an actual misunderstanding of language.
- 50. No Council Member shall speak more than two minutes upon any matter at one time, without the leave of Council.
- 51. During a meeting Council may adjourn for short periods or move to another place, without ending the meeting.

Reconsideration

- 52. After any question has been decided in the affirmative, any Council Member who has voted in the affirmative, may, after the decision has been announced from the chair but before adjournment of the meeting, give notice of an intention to move a reconsideration at the next meeting of the Council. The giving of such a notice operates as a stay or suspension of Council's decision.
- 53. Unless reconsideration is moved at the next meeting, the right of reconsideration shall be lost.
- 54. No discussion of the main question shall be allowed on the motion for reconsideration.
- 55. The following matters are not eligible for reconsideration:
 - (a) A motion approving the first or second reading of a bylaw enactment, amendment or repeal;
 - (b) A motion to decide upon a matter which was the subject of a statutory hearing by Council;
 - (c) A matter which has been reconsidered once; and
 - (d) A vote to reconsider.

Rescission

- 56. No motion to rescind any resolution of Council shall be made unless Notice of intention to move the same has been given at the regular meeting of Council just previous to that at which the same is moved.
- 57. A Notice of motion to rescind any previous resolution of the Council may be given by any member at any regular meeting of Council.
- 58. When giving Notice of motion to rescind, the member shall provide a brief explanation of the reason for the Notice.

- 59. A Notice of motion to rescind shall be dealt with at the next meeting of the Council.
- 60. At such meeting, the giver of such Notice, or in the absence of the giver, any other member on the giver's behalf shall move the motion to rescind and shall briefly state the reasons therefor.
- 61. If the motion to rescinded is seconded the same becomes subject to debate according to the normal rules except that it may not be amended.
- 62. A motion to rescind requires the same vote as was required for the resolution which is subject to rescission. That is, if the resolution subject to rescission required a majority vote of Council the motion to rescind such resolution shall require a majority vote of Council.

Points of Order

- 63. It shall be the duty of the Chair, and the privilege of any Council Member, to call any Council Member to order, who violates any established rule or order. A point of order must be decided before the subject under consideration is proceeded with.
- 64. When a Council Member is called to order, the Council Member shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
- 65. A point of order is not debatable amongst other Council Members, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion of a point of order, no Council Member shall speak more than once.
- 66. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council Chambers pursuant to sections 65 and 66, are not debatable but are appealable to Council by any Council Member. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
- 67. No Council Member shall use offensive or unparliamentary language or speak disrespectfully to or about anyone while in Council, or speak outside the parameters of the question in debate.
- 68. If a Council Member resists the rules of Council, willfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair or otherwise disrupts the proceedings of council, the Council Member may be ordered by the Chair to leave the Council Member's seat provided that a majority vote of Council shall be required to sustain the expulsion.
- 69. If the Council Member refuses to leave the Council Member's seat, the Chair may order the Council Member to be expelled and excluded from the Council Chambers.
- 70. Such Council Member may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers and to resume participation in Council's business with or without conditions.
- 71. Persons who are not Council Members of officers or employees of the Town of Amherst shall observe silence and order in the Council Chambers, unless given permission to speak. Any such persons disturbing the proceedings of Council shall be called to order by the Chair, and, if

they fail to comply, shall be ordered by the Chair to be expelled and excluded from the Council Chambers, provided that a majority vote of Council shall be required to sustain the expulsion.

72. Such member of the public may, by vote of Council, later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers with or without conditions.
73. An order of the Chair to expel a person from the Council Chambers pursuant to section 68 of this Policy constitutes a direction from the Town of Amherst to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.
74. If any question arises that is not provided for by applicable legislation or the foregoing rules, it shall be decided according to the ruling of the Chair, having regard to general principles of parliamentary procedure to the best of the Chair's ability but the Chair shall not be expected to conform its decisions with parliamentary procedure texts or precedents.
75. Any of the rules of order may be suspended in its operation by the unanimous consent of the Council Members present.

Presentations to Council

76. Persons wishing to make a presentation to Council shall write one week in advance of the next Committee of the Whole meeting to the CAO outlining their issue and the decision they wish Council to consider, and request to make a presentation.
77. The request will be added to the next Committee of the Whole agenda to be issued.
78. Committee of the Whole will discuss the matter when it appears on the agenda, and will determine if they wish to have the presentation at a future meeting.
79. The CAO shall advise the person or group requesting to make a presentation of the decision of Committee of the Whole including, if approved, the date and time of the presentation.
80. Presentations shall be limited to 15 minutes, unless Committee of the Whole determines a longer period of time is needed.
81. When a delegation is recognized and offered an opportunity to speak, the Mayor or Chairperson of the meeting will request the spokesperson to come forward from the gallery to present. Only one person shall be permitted to speak.
82. No debate or decision on the presentation will occur during the meeting in which the presentation is made, unless the item was previously an agenda item for that meeting.

Petitions

83. Persons wishing to present a petition to Council shall file a copy of the petition with the CAO before 12:00 noon on the Wednesday prior to the meeting of Council at which it is proposed to be presented.
84. The CAO shall circulate a copy of any such petition to each member of Council before the meeting at which it is proposed to be presented.

85. The body of the petition itself, excluding the list of names, shall, if determined by the Chairperson to be practical, be read by the CAO on behalf of the group supporting the petition.
86. No petition shall be presented which Council determines to contain impertinent or improper matter.
87. No persons shall be permitted to speak, whether supporting or opposing the petition, unless the petition comes up for discussion which shall be at the next regular meeting of Council unless Council decides according to the rules to hold a special meeting of Council for that purpose.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Aaron Bourgeois, Operations Manager

DATE: May 17, 2021

SUBJECT: **Sidewalk / Curb Construction Policy**

ORIGIN: Request from staff to amend and revise policy number 31600-18, Sidewalk / curb construction policy.

LEGISLATIVE AUTHORITY: MGA section 47(1) states; The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

RECOMMENDATION: That Council refer approval of the amendments to the Sidewalk / Curb Construction Policy to the regular meeting of Council on May 25, 2021.

BACKGROUND: The existing policy provides direction for new sidewalk construction and repair of existing sidewalks but does not specifically address materials to be used for sidewalk reconstruction projects.

DISCUSSION: The brick paver sidewalks in the downtown core will soon be in need of replacement or significant repairs. There are many areas where the bricks are scaling (top is breaking down) and other areas that have been impacted by seasonal freeze thaw cycles. Staff recommends amending the policy such that all reconstructed sidewalks are replaced with concrete regardless of the materials used in the original construction. This provision will allow for more sidewalk replacement projects to be completed in house as significant brick paver replacements may have to be done by a contractor.

FINANCIAL IMPLICATIONS: The cost of materials for a concrete sidewalk is \$22.50 / square metre and the cost of materials for a brick paver sidewalk is \$30.00 / square metre, this is a difference of 25% in the cost of materials. There could also be a significant additional cost of contracting out brick paver work as well.

SOCIAL JUSTICE IMPLICATIONS: Concrete sidewalks are smoother for people using wheeled devices.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications to the recommendation.

COMMUNITY ENGAGEMENT: There is no community engagement contemplated at this time.

ALTERNATIVES:

1. Direct staff to draft alternative changes to the policy;
2. Do not adopt any changes to the policy.

ATTACHMENTS: Revised policy.

Report prepared by:

Report and Financial approved by:

DEPARTMENT: OPERATIONAL SERVICES

TITLE: **SIDEWALK / CURB CONSTRUCTION POLICY**

Minutes reference date: 25 June 2007

Revision Date: 29 June 2010

PURPOSE:

The purpose of this policy is to define materials to be used for sidewalk and curb construction or ~~maintenance~~ **replacement**.

POLICY STATEMENT:

Sidewalk construction is an important part of the Town of Amherst infrastructure. Materials used in the construction of all new sidewalks **or the reconstruction of existing sidewalks will be as follows unless otherwise directed by Council during the capital budget approval process:** ~~in the Town of Amherst will be recommended by staff, and reviewed and approved by Amherst Town Council during the capital budget process.~~

1. New Sidewalk Construction

Materials used in the construction of all new sidewalks in the Town of Amherst will be **concrete. Other construction materials may be** recommended by staff and reviewed and approved by Amherst Town Council during the capital budget process.

2. Repair of Existing Sidewalks

Existing concrete, asphalt or interlocking brick paver sidewalks will be repaired using the same materials used in the original construction.

~~Construction material for replacement of entire sections of sidewalks (i.e. between two parallel streets) shall be at the discretion of Council.~~

3. Reconstruction of Existing Sidewalks

When entire sections of existing concrete, asphalt or interlocking brick paver sidewalks are replaced the material used for reconstruction shall be concrete.

4.-3. New Curbs

All new curbs will be concrete with barrier curbs required on arterial streets to provide safety relative to higher speed traffic. Roll over curbs will be installed on local and collector streets except at tee intersections and sharp corners where barrier curbs will be used to reduce the possibility of vehicles sliding into the sidewalk.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Cheryl Laliberté

DATE: May 17, 2021

SUBJECT: 'A' Fresh Start Initiative – Community Support Grants Policy 72000-08

ORIGIN: The A' Fresh Start Initiative – Community Support Grant happens twice a year. In general, pursuant to Policy 72000-08 (attached).

LEGISLATIVE AUTHORITY: Authority is provided under Section 65, *Municipal Government Act*, as amended and the Community Support Grants Policy

RECOMMENDATION: That Council forward the top 5 applications to the May 25, 2021 regular Council meeting for approval as presenters through a video presentation.

BACKGROUND: A media release was issued on March 23, 2021 for the "A" Fresh Start Initiative, asking for applications from organizations/individuals. In order to qualify the presentation, idea, or use of the money must be for creative, new events or initiatives or that enhance current services or programs.

DISCUSSION: A total of twelve (12) applications from the following groups were received by the April 12th deadline for the 'A' Fresh Start Community Support Initiative:

After the School Bell Food Program
Amherst 50+ Club
Amherst Little League Baseball
Bridge Adult Service Centre
Bright Beginnings Childcare Centre
Cumberland Museum Society
Eat Local Cumberland Alliance
Fundy Winds Marsh
Lillian Allbon Animal Shelter
Multicultural Association of Cumberland
Spring Street School Advisory Council
West Highlands Home and School



Based on the Community Support Grant Policy, the top five (5) applications received are to be recommended to Mayor and Council by an internal committee. The committee consisted of Chief Financial Officer Michael Hunter, Culture and Marketing Coordinator Jennifer Bickerton, Corporate Communications Officer Tom McCoag and Community Well-being Manager Cheryl Laliberté.

The following five out of 12 applications received are being put forward for consideration.

Amherst Little League Baseball has requested \$5,000.00 to buy equipment for its new Girls at Bat program. The league is predicting to reach 50 girls between the ages of 7-9 years old and another 50 girls between the ages of 10-12 years old. The funds will go towards the purchase of helmets, uniforms, tees, balls, bats and gloves and other training equipment. The program will occur in the summer of 2021. The application was submitted by Mike LeBlanc.

The Bridge Adult Service Centre requested \$825.00 for Disability Pride Day. People with disabilities from Amherst Regional High School, EB Chandler, Rupert House, Amherst & District Residential Services Society, Brown House and the community will be invited to share in conversations about exciting things people with disabilities do to achieve a meaningful day. The funds will go towards refreshments, t-shirts and advertisement. The dates of the event have not been determined. The application was submitted by Joanne Hopper.

The Cumberland Museum Society requested \$4,000.00 to host a Nova Scotia Backyard Kitchen Party series. The series will include live music, outdoor seating, and food, such as lobster rolls, Mi'kmaq luskinikin and Acadian specialties, prepared in a wood-fired outdoor oven. The funds will go towards hiring musicians to perform over a period of 16-weeks. The dates of the event will run July 4 to October 17, 2021. The application was submitted by Rebecca Taylor.

Fundy Winds Marsh requested \$8510.00 to aid in the design of an accessible and safe outdoor space for all community members. Parts of the trail are not developed. The funds will go towards the purchase of 15 loads of gravel for the unfinished portion of the dyke trail, providing secure footing and wheeling (strollers and wheelchairs) for users. The application was submitted by Bill Barrow.

The Lillian Albion Animal Shelter requested \$4,000.00 to host The Creepy Carnival. The carnival will add to the event held 2 years ago: a zombie parade, paranormal tours, movies, carnival games, and food court. The funds will go towards venues, entertainment, refreshments, advertisement, decorations, tent rentals, prizes and other supplies. The date of the event is October 23, 2021. The application was submitted by Karen Cormier.



COMMITTEE OF THE WHOLE

CDR# 2021032

Date: May 17, 2021

Due to COVID-19 pandemic protocols, no public meeting will be held to help determine the rankings of the applications. Instead, the top 5 applicants must prepare a five-minute video presentation explaining why they should receive the grant, how much money the project requires and how it will be spent. These videos must be received by the town no later than June 9, 2021. The videos will be placed on the town's social media between June 14, 2021, and June 18, 2021. Residents will be asked to vote online or via paper ballot. All votes must be received by the town no later than 4:30 p.m. on June 20. The rankings determined by this vote will then be presented to Amherst town council members, who will have also viewed the video presentations. Council has the final say on those rankings and the amounts given to the grant recipients. The recipients will be announced at the June 28, 2021 council meeting.

FINANCIAL IMPLICATIONS: A maximum annual allocation of \$35,000 (\$17,500 per presentation event) may be granted.

COMMUNITY ENGAGEMENT: Videos created by the top 5 will be shared on the town's social media outlets.

ENVIRONMENTAL IMPLICATIONS: There are no environment implications.

ALTERNATIVES: Council may choose other applications for consideration.

ATTACHMENTS:

1. Community Support Grants Policy, 72000-08

Report prepared by: Cheryl Laliberté



DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: **COMMUNITY SUPPORT GRANTS POLICY**

Minutes reference date: 23 September 2013 27 October 2014 21 May 2015 25 June 2018 24 September 2018
28 October 2019 27 January 2020

POLICY STATEMENT

1. The Community Support Grants Policy guides the allocation of financial and in-kind contributions to non-profit or charitable organizations that are based in the Town of Amherst and are considered by Council to enhance the lives of residents. Every year the Town receives more grant requests than it can fund. The purpose of this policy is to establish equitable guidelines for the distribution of limited amounts of funds to non-profit and charitable organizations in the community in a manner approved by Council.
2. This program does not govern the following, which are separately administered:
 - (1) Tax Exemption for Non-Profit Organizations (full and partial tax exemption by-laws); and
 - (2) Residential Property Tax Rebates (low-income homeowners).

POLICY OBJECTIVES

3. The objectives of this policy are:
 - (1) To outline the requirements to apply and be considered for a Community Support Grant from the Town of Amherst;
 - (2) To ensure that groups applying for Community Support Grants are evaluated on a consistent, equitable basis, utilizing the same evaluation criteria; and
 - (3) To provide for public disclosure of a list of grant recipients and the amounts of those grants.

EXCLUSIONS

4. The following are exclusions from the grant program:
 - (1) It is not the intent of this policy to fund activities of organizations that are clearly within the mandate of the Government of Nova Scotia (hospitals, medical programs, treatment services or social services programs) or the Government of Canada (e.g. health, social services, housing).
 - (2) The Town of Amherst will not consider requests received as part of general (mass) mailing or telemarketing campaigns.
 - (3) Funding applications will not be considered from the following:
 - Businesses;

- Provincial Government organization like
 - School Boards or quasi government organizations;
 - Non-profit organizations for the purpose of funding accumulated deficits;
 - Any organization for the purpose of fundraising to distribute to other organizations/individuals; and
 - Organizations with political affiliations.
- (4) Funding will not normally be provided to religious organizations where services include the promotion or required adherence to a particular belief.
- (5) Funding will also not normally be provided to fundraising campaigns of national charitable organizations.
- (6) Funding will not normally be provided to organizations who are planning to give proceeds of the event to another organization.

ALLOCATION OF FUNDS

5. Council is not obligated to:

- (1) Provide funding in the form of Community Support Grants;
- (2) Spend all the funds allocated for grants in any given year;
- (3) Award the full amount requested in an application; or
- (4) Renew any grant.

SPECIAL CONSIDERATION

6. The following Grants are provided annually, and the recipients must comply with the applicable requirements under the **application process** below. Failure to do so could result in future funding being suspended.
- a) Amherst Food Assistance Network
 - b) Cumberland Early Intervention Program
 - c) Sexual Health Centre for Cumberland County
 - d) Cumberland County Transition House (Autumn House)
 - e) Senior's Safety Advisory Committee
 - f) Cumberland County Museum
 - g) Amherst Little League Baseball Association
 - h) Amherst Little League T-Ball Baseball
 - i) NSCC Grant last payment fiscal 2021/22
 - j) Maggie's Place

Council reserves the right to discontinue and/or alter funding for these organizations without notice. Council will ensure consideration is made to provide notice to applicants or a gradual decrease to the amounts above wherever possible. Support for these organization and the amounts are reviewed annually. It is anticipated that funding from the Town of Amherst is note the main source of funding for the above organizations.

LIMITATIONS

7. The following limitations apply to funding for the Programs listed below:
- a) Funding shall be limited to no more than 40% of overall costs for an event or program.
 - b) Funding will be provided for a maximum of five consecutive years.
 - c) Funding cannot be used to purchase alcohol.
 - d) An organization can only apply for funding under either the regular Community Grant or “A” Fresh start for the same activity, item or event. For example, an event cannot apply under “A” Fresh Start and under the Festivals and Events Grant.
 - e) Those organizations receiving funding under number seven above are not eligible for funding under the programs listed below.

PROGRAMS

8. The following are a list of the grants available:
- a) ”A” Fresh Start

There are two annual intakes with a maximum annual allocation \$35,000. See Appendix A.

- b) Sport and Physical Activity Grants and Assistance

- i. Maximum funding considered under this component will be \$500 for a team and \$250 for an individual.
- ii. This includes amounts for teams traveling to Provincial, National and International competitions when the team or individual has been successful at a regional qualifying competition recognized by its relevant provincial or national umbrella organization (e.g. Hockey Nova Scotia or Skate Canada).
- iii. The team is in the Town of Amherst and is considered by the provincial or national umbrella organization to be the home for the team.
- iv. The individual is competing as an individual and has their principal residence in the Town of Amherst.

- c) Festivals and Events Grants

- i. Less than 1,000 people anticipated to participate:
 1. Maximum funding considered under this component will be \$1,000
 2. Must demonstrate broad community support; and
 3. Provides a unique experience not duplicated by other ongoing events, festivals or activities.
- ii. More than 1,000 people participating:
 1. Maximum funding will be determined by Council but will not exceed \$5,000;
 2. Draw spectators from the Maritimes, nationally or internationally and increases the profile of our community; and

3. Must be a minimum of three days in length and must be affiliated with a local community non-profit organization.
- d) **Organizational Equipment**
Operational and capital equipment purchase requests will be considered by Council to a maximum of \$500.
- e) **Community Well-Being**
Funds have been allocated for initiatives that directly impact community well-being and result in a reduction in poverty in the community. The reporting requirements and limitations in section 8 apply to these grants.
 - i. Applications will be considered up to a maximum of \$5,000

APPLICATION PROCESS

9. The following outlines the application process:
 - a) Applications may be submitted throughout the year. Council reserves the right to refer the request to the following year's budget process if they deem so appropriate. Budget deliberations begin in November of each year. Deadline for submission is December 1st of each year for the following fiscal year. The Town's fiscal years runs April 1-March 31.
 - b) Council will only approve one application per year per group in addition to the "A" Fresh Start grant. Applications for "A" Fresh Start must be for new initiatives and must not include events applied for under the Community Support Grant process.\
 - c) An applicant for amounts under \$1,000 must submit the following information as application for grant funds:
 - a. A complete Community Grant Application in the form prescribed by the Town of Amherst, including a proposed budget for the project.
 - d) An applicant for amounts over \$1,000 must submit the following information as application for grant funds:
 - a. A complete Community Grant Application in the form prescribed by the Town of Amherst, including a proposed budget for the project.
 - b. The most current financial statements of the organization designated to receive the grant funds in the application, as well as a budget for the upcoming year.
 - e) The Town of Amherst may request additional information.

APPROVAL PROCESS

10. The follow outlines the approval process for applications:
 - (1) Staff will review the applications to ensure the proper information has been provided. Applicants who have not provided proper information will be identified in the information provided for the Committee of the Whole meeting;
 - (2) Applications will be reviewed at Committee of the Whole for eligibility, evaluation and recommendation to Council;

- (3) Council determines all grant levels per organization as per maximum allocations identified in number 9 above.

11. Council retains the authority to provide amounts over the maximum amounts in unusual or special circumstances where it is in the Town's best interest to do so.

12. Following annual Council budget deliberations, successful applicants will be notified in writing of their grant amount, as well as any additional conditions that must be met by the applicant in order to receive the full amount of funding offered.

AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

13. The Chief Administrative Officer (CAO) may approve applications submitted under this sections 6 B (1, 2 & 3) and 6 C (1) of this policy that are \$500 and less, provided such applications qualify in accordance with this policy and fall within the thresholds established. Council will be notified by email upon approval of each application and a media release will be issued to communicate the support provided by the town under the application. A list of applications approved will be provided to Council quarterly. (March, June, September and December)

PAYMENT PROCESS

14. For amounts over \$1,000 payment will be made as follows:

- (1) 75% at the time of award
- (2) 25% at the time of receipt of the final report. Reports must be received by no later than March 31 in the year of award. Failure to submit final reports by March 31, will result in the final 25% not being awarded.

CONDITIONS

15. Grant recipients shall:

- (1) Make no misrepresentation on their application;
- (2) Use the grant as described in the application;
- (3) Provide a final report after the completion of the activity; and
- (4) Use the funds in the year granted.

16. Grant recipients receiving less than \$1,000 shall submit a final report once the activity has been completed but not later than March 31 of the fiscal year in which it was awarded. The report shall include:

- (1) A copy of receipts for funding used; and
- (2) An outline of the impact of the grant upon the organization and community.

-
17. Grant recipients receiving \$1,000 or more shall submit a final report once the activity has been completed but not later than March 31 of the fiscal year in which it was awarded. The report shall include:
 - (1) A copy of receipts for funding used;
 - (2) An outline of the impact of the grant upon the organization and community; and
 - (3) The proposed project budget submitted with the original application with updates for actual revenue and expenditures.
 18. Grant recipients shall keep proper books of accounts and receipts of all expenditures related to the project and shall make them available for inspection by the Town of Amherst upon request.
 19. Non-compliance in number 17 above, could result in no funding being awarded in the future year(s).
 20. Grant recipients are required to acknowledge the financial support of the Town of Amherst in all advertising, publicity, programs and signage for which funds are granted.
 21. Grant recipients who fail to comply with these conditions may be required to return all or partial funds to the Town of Amherst and may be deemed ineligible for Community Support Grant funding in future years.

PUBLIC DISCLOSURE

22. The Town of Amherst will provide financial information with respect to the budgeted amounts disbursed and actual amounts disbursed on an annual basis.
23. A summary of grant awards will be posted on the Town of Amherst's website in accordance with s.65C(1) of the *Municipal Government Act*.

Appendix A – “A” FRESH START – Maximum Annual Allocation \$35,000

This money would be granted in a program called “A” Fresh Start- Community Initiative. This program would be twice per year, with up to \$17,500 available each time. The process would be administered, and events convened, by the Amherst Recreation Department.

(1) Applications

- (a) Organizations may apply twice a year
- (b) Organizations may only be chosen once every two years
- (c) Application Deadlines
 - (i) April 1st for first public voting- in June
 - (ii) August 1st for second public voting- in October.

(2) Qualifying applications

- (a) In order to qualify the presentation, idea, or use of the money must be for creative, new events or initiatives or that enhance current programs. For example: a new cultural play, new event, festival, fundraising event with funds going back into Amherst and area, or new enhancement to an existing service or event.
- (b) Normal ongoing operations of an organization do not qualify.

(3) Selection Process

- (a) All qualifying applicants, are eligible to be one of 5 FINALISTS reviewed by a staff committee and approved by Council at both the May and the September council meetings.
- (b) The 5 selected are required to present at the public event in June and October.

(4) Presentations

- (a) The public meeting would be for 1 ½ hours from 7pm- 8:30 pm- June and October at the Community Credit Union Business Innovation Centre.
- (b) All presenters and public are welcomed to attend.
- (c) Those persons 16 years of age and over will be charged a \$2.00 fee at the door and will receive a ballot to vote.
- (d) The door proceeds will be donated to a local charity
- (e) Selected applicants are required to make presentations of 10 minutes each.

(5) Decision making

- (a) After all presentations are complete, members of the public who have paid for a ballot at the door will vote to rank the quality of the presentation.
- (b) Council will review the applications immediately following the public event, taking into consideration the results of the presentation vote and other factors, and determine by vote final decision on funding to be allocated to the final 5.

(c) Awards

- (i) Up to \$17,500.00 to be awarded, but all 5 chosen get an award- the money at the door is donated to charity.

- (ii) Public vote on top 5– council then votes on final ranking of all 5.
- (6) Other
 - (a) Where applicable While voting is going on- previous winner makes a presentation on how they spent the money for their cause.
- (7) Transition – As 2018/19 is the initial year of the program there will only be a fall event in the 2018/19 fiscal year.
- (8) Those receiving grants will receive 80% of the funding granted in advance of their event with the remaining 20% issued after completion of a final report that must be presented to the Town following the completion of the event.
- (9) Those receiving grants will have 12-months after the approval date to plan and execute the event.

Date: _____

REQUEST FOR FINANCIAL SUPPORT

1. ORGANIZATION INFORMATION:

Name of Organization: _____

Full Mailing Address: _____

Contact Person: _____

Email Address: _____

Telephone: _____

2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED \$ _____

3. What is the purpose for the funding requested? (Sport and Physical Activity, Festivals and events, Organizational Equipment, Community Well-Being etc.)

4. Please attach a budget for the tournament, event or activity; include sources of revenue and ALL costs. **Please attach all documents that support the funding request.**

5. What are the expected benefits to the community? (event participation numbers; local, regional, provincial or national attraction; time span; community assets being used; support from business community)

6. Please list all funding sources and/or other community partners for this event:

NAME	FUNDING IF ANY

7. How many volunteers contribute to this event or festival: _____



TO: Mayor Kogon and Members of Council

SUBMITTED BY: Andrew Fisher, Manager of Planning & Strategic Initiatives

DATE: May 17, 2021

SUBJECT: Discharge Development Agreement for 8 Croft Street

ORIGIN: Request by the property owner of 8 Croft Street to discharge a 1991 development agreement that allowed the expansion of the former 'Bridge Adult Workshop'.

LEGISLATIVE AUTHORITY: MGA section 229 (1) A development agreement is in effect until discharged by the council. (2) A council may discharge a development agreement, in whole or in part, in accordance with the terms of the agreement or with the concurrence of the property owner. (3) After a development agreement is discharged, the land is subject to the land-use by-law.

RECOMMENDATION: That the request to discharge the 1991 development agreement for 8 Croft Street be forwarded to the May 25, 2021 meeting of Council.

BACKGROUND: The attached 1991 development agreement provides for a building expansion for use as a 'Level 2 Developmental Program'. This was the former location of the Bridge Adult Service Centre now located on Station Street. For several years the subject property has been used for a mix of commercial and upper floor residential uses, which comply with the Land Use Bylaw. As such, the development agreement is no longer necessary or appropriate.

DISCUSSION: The pending sale of the subject property is contingent on the agreement being discharged. The agreement is outdated and does not reflect current use of the property.

FINANCIAL IMPLICATIONS: None specific to this issue.

SOCIAL JUSTICE IMPLICATIONS: None specific to this issue.

ENVIRONMENTAL IMPLICATIONS: None specific to this issue.

COMMUNITY ENGAGEMENT: None required or advised.

ALTERNATIVES: 1) deny the request to discharge the agreement 2) Direct staff to provide more information.

ATTACHMENTS: 1991 Development Agreement for 8 Croft Street.

Report prepared by: A. Fisher

Report and Financial approved by:

1040

CASE NO. DA-90-06
Draft for execution

THIS AGREEMENT MADE THIS 30th day of January 1991.

BETWEEN:

Province of Nova Scotia
County of Cumberland

Canadian Association of
Community Living hereinafter
called the "Owner"

I hereby certify that the within instrument
was recorded in the office of Deeds Office
at Amherst in the County of Cumberland, N.S.,
at 10:20 o'clock A.M., on the 4th
day of Feb. A.D., 1991 in
Book No. 562 at Pages 1040-1044
as Document Number 629

OF THE ONE PART

- and -

the Town of Amherst, a body
corporate hereinafter called
the "Town"

[Signature]
Registrar of Deeds for the Registration
District of Cumberland County

OF THE OTHER PART

WHEREAS the Owner wishes to obtain permission pursuant
to Policy 7.7.1 in the Municipal Planning Strategy of the Town of
Amherst, to expand their existing building in the Town of
Amherst, said property more specifically being as shown on
Schedule "A" attached hereto, and as shown on a survey plan
titled "Plan of Consolidation, Lot 90-AB, lands of the Canadian
Association for Community Living" by Russell Atkinson, NSLS,
dated December 19, 1990, approved by the Development Officer on
December 20, 1990, and registered at the Registry of Deeds as
Plan No. P1536 on December 20, 1990.

AND WHEREAS a condition of the granting of approval of
Council is that the Owner enter into an agreement with the Town;

AND WHEREAS the Council of the Town, at its meetings on
September 12 and September 27, 1990, approved the said
Development Agreement to permit the construction of the aforesaid
development, subject to the registered owner of the land
described herein entering into this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in
consideration of the granting by the Town of the Development
Agreement requested by the Owner, the Owner agrees as follows:

1. That the Owner is ;the registered owner of the
aforesaid lands, hereinafter called the "lot" and, that this
Agreement applies only to the said lot, as described by the
Survey Plan.

SEE
PLAN #
1571/91

2. That the Owner may demolish the existing structure on property LRIS #25016874 and construct and operate on the said lot an extension and parking area for the purpose of operating a Level 2 Developmental Program to supplement their sheltered workshop, subject to the provisions of this Agreement and subject to a demolition permit granted by the Town.

3. That the development shall be constructed and operated by the Owner as indicated in the text of this Agreement and the graphic representation shown in Appendix "B". The Owner shall maintain all of the works in good order. In addition to the detail shown on Schedule "A" and as stated elsewhere in this Agreement, the following shall apply:

- (i) the lot shall not be for the purpose of any other use
- (ii) no expansions or other enlargements to the existing building shall be made except in compliance with the requirements of a statute. The Owner may demolish the existing store "something old, something new" providing a demolition permit is first obtained, and in its place may construct the proposed ground level extension as in Appendix "B".
- (iii) The drainage of the lot shall be maintained so as to properly carry away surface water to a disposal point approved by the Town. The Owner will pave the parking area of the lot, as indicated on Appendix "B" and designated as the "Parking Area" and subject to the approval of the Town.
- (iv) Existing signage may be continued in use, but no new signs shall be permitted except to replace existing signs with a new sign of no more than substantially the same size of the sign being replaced.
- (v) The parking area shall comply with the provisions for parking spaces and parking lots as indicated in the Land Use Bylaw of the Town of Amherst as if it applied directly and as the said Bylaw may be amended for time to time, except that the Owner will be required to provide only the number of parking spaces as on the Plot Plan (Appendix "B"), as proposed. The Owner will maintain the driveway access points in an acceptable condition to the Town.

- (vi) Any outdoor illumination is to be directed away from adjoining properties and adjacent streets. This may be accomplished by shielding light fixtures so that light directly cast from them does not fall outside the lot. This requirement does not apply to internally lit signs.
- (vii) There shall be no burning of refuse on the lot.
- (viii) The electrical facilities that serve the electrical equipment operated by the Owner must meet Nova Scotia Power Corporation specifications.
- (ix) The Owner shall operate the "sheltered workshop" and the "Level 2 Developmental Program" between regular working hours, Monday - Saturday, inclusive, 8 am - 5 pm. It is understood there may be visits outside these hours, for the purpose of loading or un-loading materials or people.
- (x) The "new building" is to be 40 ft. by 36 ft. in plan area and located as shown specifically on Appendix "B". The building shall have a maximum height of the existing sheltered workshop (see Appendix "B"). The eastern wall of the new extension shall not be built less than 3 1/2 ft. from the eastern boundary of the lot, nor the northern wall less than 20 ft. from the northern boundary (to accommodate a loading space and a parking space). At least five parking spaces for client parking shall be provided and at least two spaces shall be provided for staff on the property. The arrangement of clients' parking spaces and the aisle or aisles and driveway giving access to Croft and Albion Streets must comply with the standard provisions for parking spaces and parking lots as indicated in the Land Use Bylaw of the Town of Amherst, as if it applied directly and the said Bylaw may be amended from time to time.

4. That Appendix "B" attached hereto is an integral part of this Agreement and to be read in conjunction with the text of this Agreement, and vice-versa.

5. It is hereby agreed that where the context requires, words in the singular include the plural, and words in the plural includes the singular, and words importing the masculine gender include the feminine and the neuter genders.

6. That any failure of the Town to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

7. That notwithstanding any other provision of the Agreement, the Owner shall not undertake to carry out any developments on the lot which does not comply with all of the bylaws and regulations of the Town excepting the parking requirements of the Land Use Bylaw for the intended use of the property, which are relaxed in this Agreement, and no permit shall be issued for any development which does not comply therewith.

8. That the Town shall issue the necessary permit or permits for the development or components thereof upon the expiration of the appeal period specified for development agreements in the Planning Act, Chapter 346, R.S.N.S., 1989 as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.

SIGNED, SEALED AND DELIVERED

FOR THE TOWN OF AMHERST

in the presence of

Dorritt Amos

W. J. ...
Mayor
J. ...
Chief Administrative Officer

FOR THE OWNER

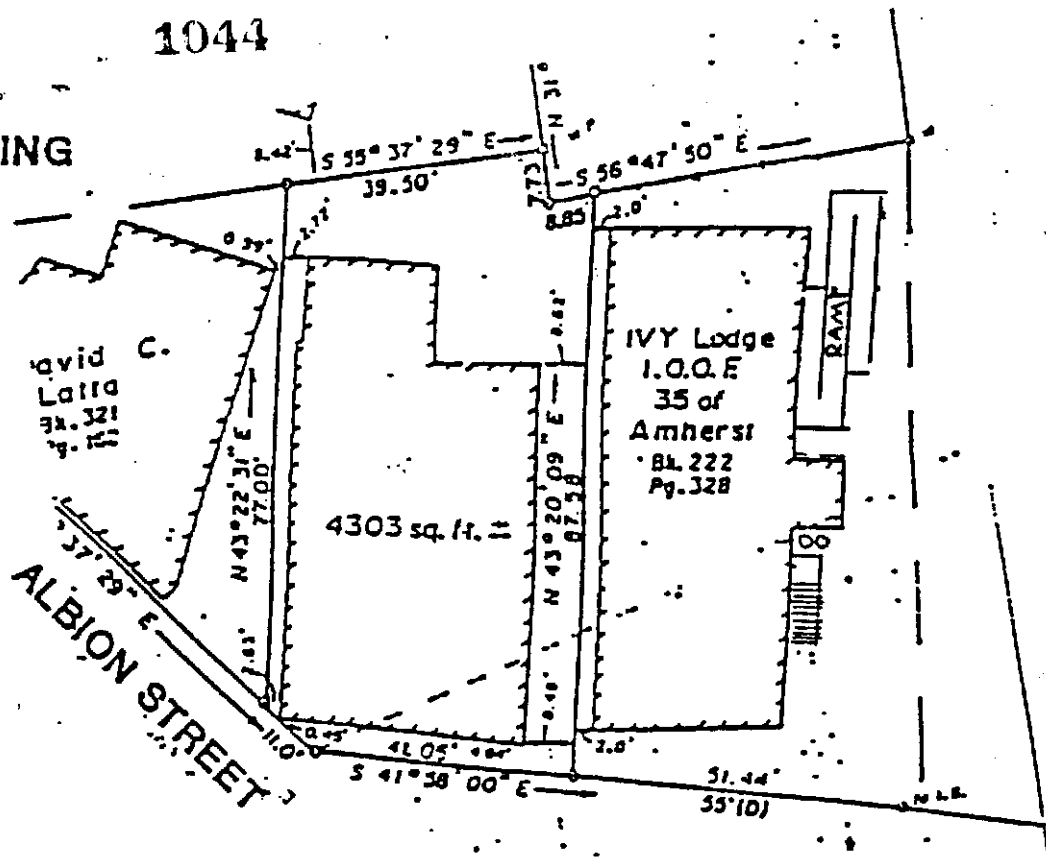
H. ...

Att: Appendix "B"

APPENDIX B
PLOT PLAN

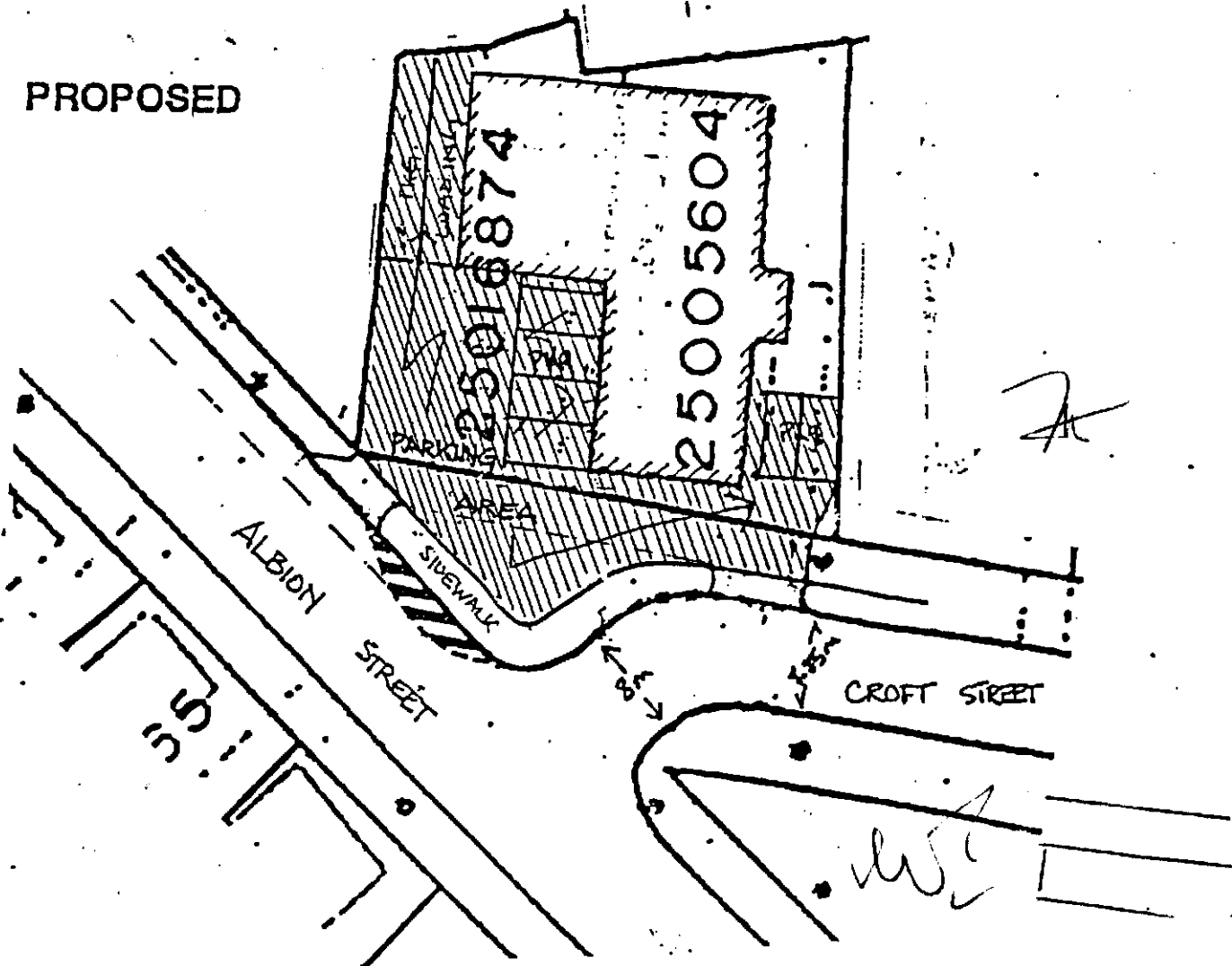
1044

EXISTING



Croft Street

PROPOSED



TO: Mayor Kogon and Members of Council

SUBMITTED BY: Andrew Fisher, Manager of Planning & Strategic Initiatives

DATE: May 17, 2021

SUBJECT: Policy Amendment - Final Subdivision Approval Prior to Street Paving

ORIGIN: Request from a subdivision developer due to a delay in asphalt availability, for the town to accept new streets and services prior to installation of the asphalt driving surface as required by the Amherst Subdivision Bylaw.

LEGISLATIVE AUTHORITY: Municipal Government Act Section 271 (5) A subdivision by-law may require that prior to approval of a final plan of subdivision the applicant shall: (c) lay out, construct, grade and pave, in whole or in part, any street in the area of land being subdivided to the standards pre- scribed by the municipality, or in the alternative, enter into a bond or other security satisfactory to the municipality to: (f) lay out, construct, grade and pave, in whole or in part, any street in the area of land being subdivided to the standards pre-scribed by the municipality,[.]

RECOMMENDATION: That the policy to allow final subdivision approval prior to installation by the developer of an asphalt driving surface, subject to entering into an agreement and providing a performance surety, be forwarded to the May 25, 2021 meeting of Council.

BACKGROUND: Under the Amherst Subdivision Bylaw, where a subdivision includes the extension of public streets and services, the developer is responsible for constructing to town specifications the water, sanitary sewer, storm sewer, street base materials, and a 6-metre-wide asphalt driving surface. Once complete, the town then takes ownership of the new street and services, and final approval of subdivision plans is given. Once the subdivision is 50% occupied, the town installs a second 8-metre-wide layer of asphalt and any curbing or sidewalks that might be required.

It is important to note that any newly created lot requires frontage on a public street.

The seasonal and weather-sensitive nature of asphalt installation often causes delays where a developer cannot finish the street, and therefore, cannot subdivide the lots to sell or begin building construction. The attached policy provides an option for the town to accept the street prior to installation of the asphalt, subject to entering into an agreement between the town and the developer with the following conditions:

1. All water, sanitary, storm and street base infrastructure is completed to town standards;
2. The developer provides a performance surety equal to 125% of the cost to complete the asphalt.
3. The developer's engineer confirms compliance with the Subdivision Bylaw specification prior to asphalt installation.
4. A date is established to complete the asphalt installation. If the date is not met the town can either extend the date, or complete the work and the developer forfeits the surety.

DISCUSSION: As indicated by the specific provision in the MGA noted above, this policy allows an arrangement between the developer and the Town that is common in other municipal units. The up-front capital cost of constructing new streets and services is significant, which is part of the reason why new subdivision development has been slow in Amherst in recent years. This option provides the developer some flexibility while protecting the Town's interest to only accept new streets and services that meet the necessary standards.

FINANCIAL IMPLICATIONS: The requirement for a performance surety protects the Town against negative financial implications.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications to this issue..

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications specific to this issue.

COMMUNITY ENGAGEMENT: Community engagement is not required at this time.

ALTERNATIVES: 1) Do not adopt the policy and maintain status quo; 2) Direct staff to make changes to the policy.

ATTACHMENTS: Draft policy including draft subdivision security agreement

Report prepared by: A. Fisher
Report and Financial approved by:

Agreement No: SA-2021-X

This Agreement made this _____ Day of _____ 2021.

Between:

Developer X (owner of property located at Address [PID xxxxxxxx], hereinafter called the "Owner"),

of the one part, and

The Town of Amherst (a body corporate in the Province of Nova Scotia, hereinafter called the "Town"),

of the other part.

WHEREAS the Owner wishes to obtain final subdivision approval of property located at [address] (PID xxxxxxxx) prior to completing the asphalt driving surface as required by the Town of Amherst Subdivision Bylaw;

AND WHEREAS a condition of the granting final subdivision approval is that any newly created lot have frontage on a public street;

AND WHEREAS the Town of Amherst Subdivision Bylaw requires that where a proposed subdivision involves the construction or extension of a public street or public water, sanitary sewer, or storm sewer systems, the Owner shall construct and provide such streets and services, free of encumbrances to the Town in accordance with Town of Amherst Development Standards of said Bylaw.

AND WHEREAS the following Schedules shall be attached to and form part of this Agreement:

- (a) Schedule 'A' – Proposed Subdivision Survey Plan
- (b) Schedule 'B' – Town of Amherst Subdivision Bylaw Schedule "F" Development Standards
- (c) Schedule 'C' – Engineer's confirmation of completion

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Town final subdivision approval requested by the Owner, the Owner agrees as follows:

- 1) That the Owner is the registered owner of the aforesaid Lands in the Town of Amherst, hereinafter called the "Lands". The aforesaid Lands are the only lands in the Town of Amherst to which this Agreement applies, and the Lands are illustrated in the plan shown on Schedule A attached.
- 2) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property (other than the Land Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.

- 3) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 4) This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as the terms of this agreement have been satisfied.
- 5) Prior to entering into this agreement and final subdivision approval is issued, the Owner shall have provided to the Development Officer:
 - a) written confirmation from the Owner's engineer that the streets and services, except the driving surface, have been constructed to town standards as provided in Schedule 'B';
 - b) an estimate of costs to complete the supply and installation of the asphalt driving surface from a recognized asphalt paving company and the Development Officer may revise the estimate if it is, in the opinion of the Town inadequate, and the decision of the Town shall be final;
 - c) a performance surety, satisfactory to the Town, in the amount of one hundred and twenty-five percent (125%) of the estimated cost to complete the asphalt driving surface and any other requirement of the Amherst Subdivision Bylaw;
- 6) The Owner shall complete the asphalt driving surface on or before [Date].
- 7) The Owner's engineer shall inspect the streets and services no more than seven (7) days prior to the installation date of the asphalt driving surface, and provide written confirmation to the Development Officer that the streets and services comply with the Subdivision Bylaw specifications, as provided in Schedule 'B', and where deficiencies are identified the Owner shall correct these deficiencies prior to installation of the asphalt driving surface.
- 8) Where installation of the asphalt driving surface is not completed by the [Date], the Town shall, at its sole discretion, grant an extension, or complete the asphalt driving surface and the Developer shall forfeit the performance surety.

SIGNED, SEALED AND DELIVERED

In the presence of

THE TOWN OF AMHERST

CAO

FOR THE OWNER

DRAFT

DEPARTMENT: PLANNING

TITLE: New Subdivision Streets – Final Subdivision Approval Prior to Street Paving

Minutes reference date:

Revision date:

PURPOSE:

To provide developers of new subdivisions, where new streets are to be constructed and conveyed to the Town, the option to receive final subdivision approval prior to completing the asphalt driving surface as required by the Subdivision Bylaw, subject to the conditions set out in this policy.

POLICY:

1. Alternative to Complete Construction

This policy shall only apply where all requirements as set out in the Amherst Subdivision Bylaw for the extension of streets and services have been completed, except the supply and installation of an asphalt driving surface in accordance with the Amherst Subdivision Bylaw. As an alternative to the completion of the asphalt driving surface before acceptance of a public street, the Developer may, before approval of the final subdivision plan is given, enter into a written agreement with the Town in accordance with this policy.

2. Contents of Agreement

Where an agreement is entered into between the Developer and the Town, the agreement shall contain provisions satisfactory to the Town with respect to any or all of the following:

- a) the time within which the supply and installation of an asphalt driving surface shall be completed;
- b) the requirements for the Developer's engineer to confirm compliance with Subdivision Bylaw specifications;
- c) the acceptance of any streets and services by the Town;
- d) any other matter related to the requirements of the Amherst Subdivision Bylaw, Municipal Planning Strategy and Land Use By-law relative to the subdivision and servicing of land; and
- e) cost estimates provided by the Developer.

3. Performance Surety

Where a Developer proposes to complete the supply and installation of an asphalt driving surface after receiving final subdivision approval, the following shall be required:

DEPARTMENT: PLANNING

TITLE: New Subdivision Streets – Final Subdivision Approval Prior to Street Paving

Minutes reference date:

Revision date:

- a) the Developer shall post a performance surety, satisfactory to the Town, in the amount of one hundred and twenty-five percent (125%) of the estimated cost to complete the asphalt driving surface and any other requirement of the Amherst Subdivision Bylaw;
- b) the Developer shall submit to the Development Officer for approval, an estimate of costs to complete the supply and installation of the asphalt driving surface provided by a recognized asphalt paving company and the Development Officer may revise the estimate if it is, in the opinion of the Town inadequate, and the decision of the Town shall be final;
- c) the performance surety shall be posted before approval of any final plan of subdivision is given by the Development Officer;
- d) the performance surety shall be in favour of the Town and may be in the form of cash, certified cheque or letter of credit or bond issued by a bank, surety or guarantee company licensed by the Province of Nova Scotia and conditional on the execution and completion of the agreement in accordance with terms of the agreement and the requirements of the Amherst Subdivision Bylaw and it shall not be subject to cancellation, termination or expiration during the period of time for completion of the work;
- e) where the performance surety is paid in cash or by certified cheque, the cheque will be cashed and all monies paid in cash will be held by the Town and returned without interest to the Developer upon confirmation by the Town that the work meets the Town's specifications;
- f) where installation of the asphalt driving surface is not completed by the date stipulated in the agreement, the Town shall, at its sole discretion, grant an extension, or complete the asphalt driving surface and the Developer shall forfeit the performance surety.

4. Authority

The Chief Administrative Officer may enter into the surety agreement on behalf of the Town and may grant an extension to such an agreement where the CAO determines it to be in the best interest of the Town.

MEMO

TO: Mayor Kogon and Members of Council
FROM: Deputy Mayor Hal Davidson
DATE: May 17, 2021
RE: **Diversity and Inclusiveness Committee**

Following the Fall election at our strategic planning sessions, the issues of Diversity, Inclusion and Equity came up often in our discussions and are reflected in our identified priorities for this Council.

“The Town of Amherst is an inclusive and equitable organization. We value inclusivity and diversity in all areas of the workplace.”

Diversity:

The concept of diversity encompasses acceptance and respect. It means understanding that each individual is unique, and recognizes our individual differences. These differences can be along the dimensions of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs and other ideologies. It is the exploration of these differences in a safe, positive and nurturing environment. It is about understanding each other and moving beyond simple tolerance to embracing and celebrating the rich dimensions of diversity contained within each individual.

I would like to make the following motion:

That an ad hoc committee of two staff and two councillors be established to explore and develop a proposal, including a draft Terms of Reference, for the addition of a Diversity and Inclusion Committee for the Town of Amherst, to be presented at the June Committee of the Whole meeting.

MEMO

TO: Mayor Kogon and Members of Council

FROM: Jason MacDonald, Interim CAO

DATE: May 17, 2021

RE: **Municipal Affairs Notice of Potential Changes**

Under the provision of the *Municipal Government Act*, the Minister of Municipal Affairs must provide to the Nova Scotia Federation of Municipalities (NSFM) 12-months' notice of any provincial legislation, regulation, or administrative actions that could have the effect of decreasing or increasing the required expenditures of municipalities.

Attached is correspondence from the Department of Municipal Affairs to NSFM intended to provide notice of such changes for the fiscal year 2022-2023 and beyond.

Changes to the Biological Casework Analysis Agreement will increase our costs to the Police Department by approximately \$600 which can be accommodated in the draft operational budget. There are no other impacts of the proposed changes.



**Municipal Affairs
Office of the Minister**

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • novascotia.ca

April 27, 2021

Mayor Amanda McDougall
Acting President, Nova Scotia Federation of Municipalities
Suite 1106, 1809 Barrington Street
Halifax, NS B3J 2K8

Dear Acting President McDougall:

Under the provisions of the *Municipal Government Act*, the Minister of Municipal Affairs must provide to the Nova Scotia Federation of Municipalities (NSFM) 12-months' notice of any provincial legislation, regulation, or administrative actions that could have the effect of decreasing revenues or increasing the required expenditures of municipalities. This letter is intended to provide notice of such changes for fiscal year 2022-2023 and beyond.

The Department of Municipal Affairs (DMA) canvassed all other provincial departments to seek information on plans for legislative, regulatory, and policy changes in the coming fiscal year. The following is a summary of the results of that process.

DEPARTMENT OF ENVIRONMENT

It is possible that municipalities would incur incremental costs in implementing the *Coastal Protection Act* in the coming fiscal year. Nova Scotia Environment (NSE) is providing notice of changes which will be required in municipal building and development permit approval processes now that the coastal protection legislation (Bill 106) has passed. This legislation will provide consistent, province-wide legal protection for our coast by restricting development and related activity in areas where structures will be at risk of damage due to coastal flooding and erosion, or where it will damage sensitive coastal ecosystems.

Under this legislation, municipalities will be enabled to issue a building and/or development permit for construction within a coastal protection zone to be defined by regulation if the proposed location of the construction is above a minimum building elevation specified in regulations and is situated upland of a horizontal setback certified by a designated professional. This will require minor modifications to municipal administrative processes for these types of permits.

It is expected that responsibility for competent, accurate, and objective certification will rest with the member of the designated profession, with forms and a standard for assessing risk of flooding and erosion risks to be provided by NSE. It is further anticipated that municipalities will be responsible for determining whether the proposed site is within the zone (and therefore whether the Act applies), and whether the Act applies to the general type of structure or construction proposed. Subject to the final form of the regulations, if the Act applies, the municipality may be required to determine whether the proposed location is above the minimum building elevation specified in the regulations, whether the proposed location is upland of the horizontal setback certified in a designated professional report accompanying the permit application, and ensure the designated professional was a member in good standing of the relevant professional body at the time the report was signed.

Specifics of which professional groups will qualify to provide the certification, specific standards and forms to be used, and other administrative details will be set out in regulations. The delineation of the zone and the specifics of restrictions, various exceptions and standards that apply within it will also be set out in regulation. NSE will be consulting with municipalities on the regulations.

DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS

Procurement

Every two years Global Affairs Canada updates its thresholds for covered procurements under the Canada Europe Trade Agreement (CETA) and the Canada Free Trade Agreement (CFTA). Municipal procurements are covered under these obligations. All procurements above these thresholds must be tendered unless subject to exemption. Thresholds were last updated on January 1, 2020 and are as follows:

	CETA Thresholds	CFTA Thresholds
Goods	\$366,200	\$105,700
Services	\$366,200	\$105,700
Construction	\$9.1M	\$264,200

It is anticipated there will be new thresholds for CETA and CFTA for 2022-23. These thresholds are calculated based on data that will not be available until the end of this year, so, at this time, the scope for municipal involvement is not known. We will advise as soon as we receive updated information.

DEPARTMENT OF JUSTICE

Biological Casework Analysis Agreement

The Biological Casework Analysis Agreement provides Nova Scotia's Municipalities with DNA analysis arising from criminal investigations. DNA is an important service that helps solve crime. The financial cost of this program is expected to increase to \$808,203 for 2021-22 for Nova Scotia compared to \$701,690.22 in 2020-21. This increase is primarily due to the rise in costs for Employee Benefits Plan (EBP) effective in 2019-20.

The proration of the cost to municipalities will be reassessed annually upon the DMA's release of the "Total Uniform Assessment" for the current fiscal year.

RCMP Labor Relations Regime

On June 19, 2017, Bill C-7, An Act to amend the *Public Service Labour Relations Act*, the *Public Service Labour Relations and Employment Board Act* and other Acts and to provide for certain other measures received Royal Assent. Bill C-7 created a new labour relations regime applicable to the RCMP Regular Members and Reservists. Although labour contract negotiations began in June 2020 and are expected to be completed by December 21, 2021, there is a possibility that they may extend into early 2022. As such, the payout date for the contract increase including retro pay is not certain and could fall in either fiscal year 2021-22 or 2022-23. We will monitor the situation closely and keep municipalities up to date as the process moves forward.

Given this is an ongoing negotiation, the cost implications cannot be identified at this time. However, DOJ is committed to keep municipalities informed as the negotiations unfold.

The Accessibility Act

The Accessibility Act requires public sector bodies (which include all municipalities and villages in NS) to meet certain obligations including the establishment of an accessibility committee and plans for each body. Municipalities should all be aware of this; the Directorate indicates several municipalities have begun recruiting committee leads and members. All municipalities and villages have until April 1, 2022 to develop an accessibility plan and establish an accessibility committee.

Work is underway on the development of the accessibility standards for the built environment. This work is a significant milestone in our efforts to become an accessible province by 2030. An internal working group is now working to develop a proposed standard based on the recommendations submitted by the Accessibility Board. There will be an opportunity for municipalities, villages, and Nova Scotians to provide input once recommendations are complete. The goal is to have the first phase of the standard enacted by May 2022. At a minimum, one-year notice will be given to municipalities and villages of any policy and regulation change that will impact their revenue or expenditures.

COMMUNITIES, CULTURE, AND HERITAGE

Library Funding

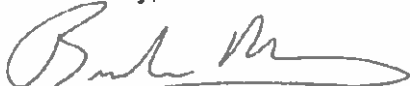
In 2020-21 Communities, Culture and Heritage launched a new funding model to the Nova Scotia library community providing a \$2.081 million increase in annual investment from the province in our regional libraries, from \$14,400,000 to \$16,400,000 annually. Libraries also receive funding from municipalities, and the new formula identifies new funding amounts for municipalities. These new mandated amounts will come into effect in 2022-23.

Municipal funding contributions remained at current levels for 2021-22; however, municipalities can elect to implement their new funding contributions to libraries this year, as outlined in the new funding model, should they wish to do so.

This additional time is to allow for data to be collected to capture the additional operational contributions being made to library boards from municipalities.

If any of the above content is unclear or should you have any questions regarding the provided information, please do not hesitate to contact the department for clarification.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brendan Maguire', with a long horizontal flourish extending to the right.

Brendan Maguire
Minister of Municipal Affairs

MEMO

TO: Mayor Kogon and Members of Council

FROM: Kim Jones, Municipal Clerk

DATE: May 17, 2021

RE: **Nova Scotia Power**

Further to the direction from Council last month, staff have been in contact with representatives from Nova Scotia Power.

They are happy to make a presentation to Council and we are working to schedule it for the June Committee of the Whole meeting

Monthly Report

Corporate Services

May 17, 2021

CORPORATE SERVICES

We are completely mobile now with all of the corporate services staff. We were able to work from home almost instantaneously with the news of the shut down resulting from COVID. Virtually no time was lost. Staff were able to simply change chairs and continue to do their work in a seamless manner. Everyone is doing well and we are meeting completely by Zoom now. At times specific people need to go to Town Hall to complete certain tasks related to corporate services but we are co-ordinating timing between co-workers to ensure contact is limited during our work from home period.

PAYROLL

Payroll and WCB remittances are up to date.

Payroll remittances are remitted to CRA bi-weekly by the payroll company. The current remittance for statutory deductions will be due May 18.

WCB is now remitted automatically via our payroll provider. The current remittance is due May 15th.

FINANCIAL

The general and water capital budgets were approved by Council on April 26. Staff presented the following budgets to Council in April; General Tax Rate, Sewage, Solid Waste and Water Utility. A follow up meeting will be scheduled in the near future to continue the operating budget conversations and present the Community Support Area Rate budget.

Bank reconciliations for March were completed and reviewed.

Bank reconciliations for April are in progress.

2021/22 INTERIM PROPERTY TAX BILLS

The interim tax bills will be mailed out in April with a due date of May 31, 2021.

2021 SPRING TAX SALE

There were six properties posted with a 60-day notice, with one property being removed. The spring tax sale that was scheduled for Tuesday May 11, 2021 at 10:00 am at the Community Credit Union Business Innovation Centre has been delayed until further notice due to the Nova Scotia province-wide circuit breaker.

2021 ASSESSMENT APPEALS

As of May 1st, there were 51 accounts who have appealed their assessment, 32 of these are outstanding, 1 is pending, 4 are withdrawn and 14 are complete.

	# of Accounts Appealing	Total Assessment Value Being Appealed	Appeal Completed as of May 1/21	Pending as of May 1/21	Withdrawn as of May 1/21	Outstanding Appeals as of May 1/21	Appeals Successful as of May 1/21	Loss of Assessment Value	Amount of Revenue Reduction	Nova Scotia Assessment Appeal Tribunal Status
Residential/Resource	28	9,814,200	7	0	4	17	2	\$ 54,600	\$ 904	0
Commercial	23	25,154,700	7	1	0	15	4	\$ 462,000	\$ 21,044	0
TOTAL	51	\$34,968,900	14	1	4	32	6	\$ 516,600	\$ 21,948	0

WATER / SEWER BILLING

Quarterly water bills were sent to customers during the last week of April with a due date of June 30, 2021.

There were 12 water disconnection notices for delinquent accounts sent out in April with a payment deadline of May 5, 2021.

CUSTOMER SERVICE TRACKING – E11

There was a total of 78 opened cases in April and 52 cases closed. The categories with the most opened/closed cases in April were related applications for building permits followed by dangerous/unsightly premises.

HUMAN RESOURCES

Competitions held in April include the following:

Chief Administrative Officer (internal posting): the competition is in progress with a deadline for applications of May 6.

IT Services Manager: Matthew Brown has arrived and started working remotely May 10, 2021, while completing his quarantine period.

Customer Service/Accounts Payable Clerk: Michelle Terry was appointed to the role as the successful candidate. Michelle commenced her new role on May 3.

Custodian (internal CUPE posting): Chris Robinson was appointed as the successful applicant and transitioned from his seasonal Parks Attendant role to his new Custodian duties at the end of April.

Transportation Foreman: the competition has closed and the interview/selection process is currently in process.

Summer students: interviews have been completed for the 2021 summer student placements. Hiring has been temporarily placed on hold pending further evolution of public health COVID protocol.

PROCUREMENT

Staff continues with preparing, coordinating and completing the procurement process for both capital projects and operational requirements needed in the newly approved capital budget and pending operational budgets for 2021/2022. The insurance policy renewal was successfully completed in April for the current budget year.

	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Capital													
Expected Procurement from Capital Budget: 39:													
Scopes for capital received in the month	1	4	4	7	0	3	5	2	0	0	4	0	8
All procurement:													

Total new scopes of work received in month	9	6	10	14	0	7	19	3	0	6	6	4	14
Released to the public in the month	8	6	8	16	2	10	23	4	4	7	5	3	7
Closed during the month	9	6	7	16	2	7	21	9	4	6	7	4	7
Awarded by par/council during the month	8	7	9	7	9	7	15	8	3	10	5	7	7
Open at the end of month (released month a, closed month b)	4	5	1	1	3	2	6	5	5	1	1	2	3

INFORMATION SERVICES (IS)

We were busy with all the everyday Desktop IT issues that occur in all the building for the Town of Amherst.

Purchased most of the Laptops that will be needed this year. Most of those have been setup and are now in service.

Prepared a computer and cell phone for the new IT Manager who has arrived in NS and started work May 10, remotely, while completing his quarantine period.

IS Cases/Incidents Stats

	May 2020	June 2020	July 2020	Aug 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021
Opened	56	58	28	9	33	16	11	19	33	21	14	11
Closed	57	55	32	9	33	14	12	19	30	19	16	10

Monthly Report

Operations

May 2021

PARKS

- Parks remain open - all park washrooms are closed during the current restrictions. Once restrictions are eased we will be looking at opening all washrooms in parks and having them open from 8:00am to 8:00pm daily.
- Dog park remains open.
- All garbage bins are now placed in parks. They are emptied once per week.
- Rec staff have moved to outside. Focus is preparing parks for mowing and recovering them from winter damage.

AMHERST STADIUM

- The Stadium closed on Tuesday, April 27 due to Covid 19 and the restrictions put in place.
- Staff have completed year end cleaning at the stadium.
- The Walking Track is closed at the Amherst Stadium due to Covid 19 restrictions.

ROBB COMPLEX

- Seasonal staff have been working at Robb Complex since April 19 preparing playing surfaces.
- Garbage pick up and facility maintenance ongoing.

OPERATIONS

- The asphalt recycler/hot patcher was used for 10 days in March patching potholes, approximately 24 tonnes of recycled asphalt placed.
- Public works staff repaired lawn damage from the winter.
- In late April the street sweeper began cleaning the winters debris from Town streets, it will take approximately 6 weeks to do the initial street cleaning.
- The recently installed Singer Altitude Valves for the Industrial Park fire booster pump were tested and worked as designed.
- Quarterly meter reading was completed early in the month and followed up with meter repairs and investigation of high or no recorded flows for the billing period.
- The mechanic removed the dump truck mounted salt body, made some minor repairs to it, steam cleaned and coated with rust check before storing it for the summer. He is now working on the summer equipment to ensure the mowing equipment is ready by mid May.
- The poles for the Robb's batting cage were erected, there is some additional work to be completed before the netting is installed. Should be ready for use in late May.
- Fulltime sewer department employee resigned in order to work closer to his home and family in Five Islands.

Upcoming / ongoing projects for May:

- Patching of potholes with recycled hot mix asphalt
- Commence work on sidewalk replacement and repair
- Reinstate service cuts when patching tender is awarded
- Seasonal Public Works employees return to work in early May
- Leonard Tower is retiring in May after 40+ years service with the Town
- Internal and external employment competitions to fill departmental vacancies
- Hanging baskets and flowers to be planted in June

Due to the requirement of Public Works staff to self isolate for two weeks, our usual spring schedule will be delayed by about that amount of time.

Monthly Departmental Report

Police Department

May 2021

TRAINING

CEW/Taser Training: CEW/Taser Training was scheduled for all members in April 2021. The first group attended training on April 27th, but as a result of Covid-19 restrictions and rising cases, the decision was made to postpone training that was scheduled for April 29th and 30th. Training consists of instruction and testing on how the TASER works and is used and how it affects the body. A large portion of the training is scenario-based and puts our members into situations that mimic realistic calls and assesses officer judgement and discretion as well as their ability to use the Taser effectively. In order to be certified, they are required to use 2 live cartridges in the training.

PROS Records Management – Ian Smith, APD's senior dispatcher, was selected to attend the PROS Records Management Course at RCMP HQ in Dartmouth from April 20th - 23rd. This would enable him to edit, merge and correct information entered into the PROS system within the APD domain. As a result of rising Covid-19 cases, this course has been postponed.

PERSONNEL

Supervisor/Leadership Team Meeting – On April 9th, a Leadership Team meeting was held for the day which included the newly promoted Corporals and Senior Management. The agenda included discussions on operational matters, performance reports and assessments, roles of the corporals and open discussions on supervisory responsibilities. Chief Dwayne Pike gave a presentation on Crime Severity Index, UCR and Clearance Scoring and Deputy Chief Hunter provided direction on reviewing operational files reviews.

COVID-19 Vaccinations: As first responders, our members were part of the "Phase II" vaccinations process. At this time, the majority of our members have been vaccinated and will get their second vaccination in approximately 3 months.

OPERATIONAL

Covid-19 Calls: In the last few weeks we have seen a dramatic increase in Covid-19 related calls and complaints. Many of these calls are in relation to out-of-province vehicles or of people suspected of not self-isolating. While it can be difficult in some cases to prove non-compliance, in many of these cases, we have determined people appear to have been in compliance.

Stolen Vehicle: A 26-year-old female has been arrested and charged with possession of property obtained by crime when she was found in possession of a vehicle that had been reported as stolen on March 29th. On April 7th, the vehicle was spotted at a local business and the female was arrested. She is scheduled to appear in court at a later date to answer to the charges.

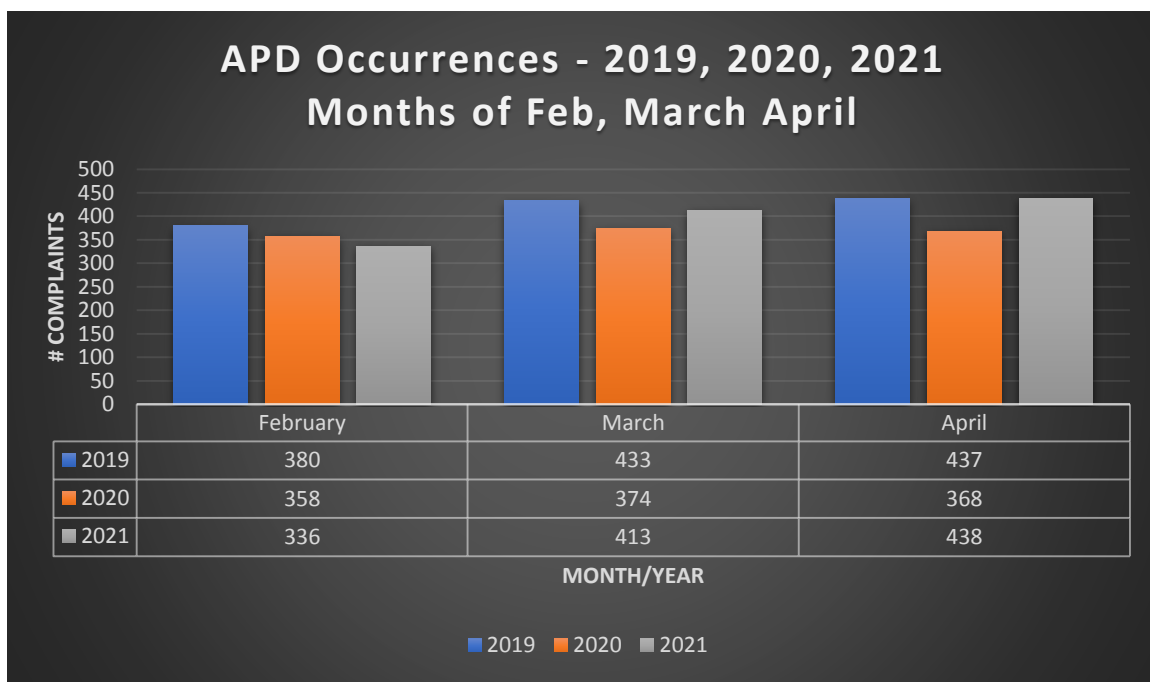
Damage to Property: On April 10th, Police responded to Spring Street Academy in relation to a complaint of broken windows. Six windows had been broken in the school overnight. Police have been reviewing video footage and doing neighbourhood checks for any possible information that could lead to the identification of those responsible. A window at a nearby residence was also broken during the same time frame.

CRIME PREVENTION/SCHOOL RESOURCE

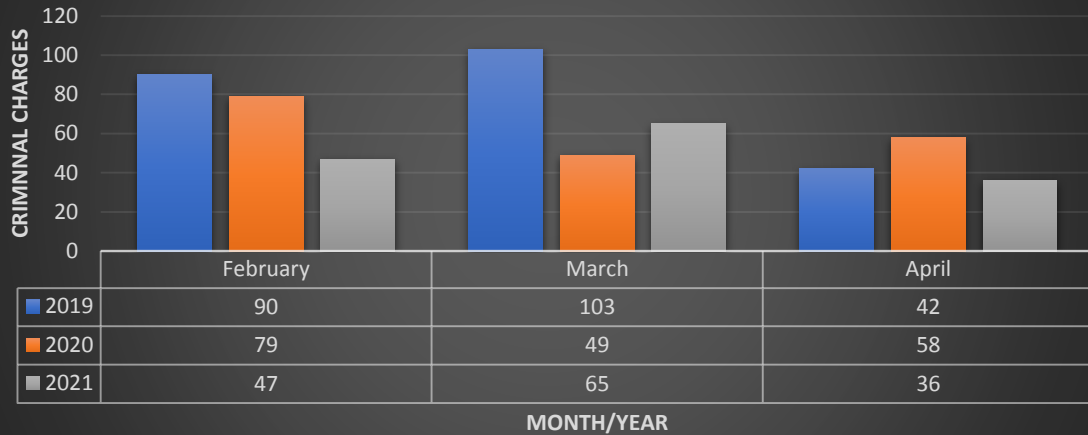
Through the month both Cst Harrison and Cst Gillam continued to engage with the schools and in crime prevention initiatives, but with the rise in covid-19 cases, these continue to be through online platforms such as Zoom, Skype or Teams. Constable Gilliam is also settling into his position and has been assigned numerous files and initiatives which he is familiarizing himself with. As the schools are doing online learning, both officers will be supporting the platoons and focusing on other community initiatives.

OPERATIONAL STATS – APRIL 2021

Occurrences:	438	Criminal Code Charges:	36
Impaired by Alcohol:	2	CDSA:	0
Impaired by Drug:	0	CBCA:	0
Traffic Tickets:	35	PPA:	1
HPA:	1	Traffic Written Warnings:	7
Vehicle Checks:	134	LCA:	2
Foot Patrol Hours:	15 hrs 23 min	Bike Patrol Hours:	0



Criminal Charges 2019, 2020, 2021 Feb, March, April



2019 2020 2021

Monthly Departmental Report

Fire Department

May 2021

RESPONSE #'s (April)

Town of Amherst – 16 events

- 2 Motor Vehicle Accident
- 1 Structure fire
- 4 Smell of smoke / Air quality check
- 6 Monitored alarm activations
- 2 Open burn / Wildland
- 1 Wood Burning Appliance

Contract area (District 2) – 5 events

- 3 Motor Vehicle Accidents
- 1 Flue fire
- 1 Wildland fire / Open land

OPERATIONAL UPDATE

The department continues to monitor the current pandemic environment and adapts our operational objectives to meet the changing needs. This includes adjusting the way we provide services, to ensuring that we respect the physical distancing requirements and provisions of the provincial requirements. I continue to maintain situational awareness and engagement with my local, provincial and national colleagues on the impacts and best practices associated with this pandemic. One of the main challenges that we are currently facing is the inability to have face to face conversations, training and social events.

WEEKLY TRAINING & PROFESSIONAL DEVELOPMENT

Since mid-April, all in person training sessions and meetings have been cancelled for the department. The department continues to focus its training on leadership and operational development through video conferencing and by thinking outside the box.

UPCOMING EVENTS

During these unprecedented times the ability to hold community events has been greatly affected. The Amherst Fire Fighters Association usually hold the “Annual Fire Fighter’s ladder sit” in June, which is postponed and the “Scott fire fit competition” that was rescheduled from last year and was to be held in July, will be postponed.

RECRUITMENT

The fire department is always looking for new members to join our team. For more information on becoming a member of the Amherst fire department, please call the Amherst Fire Station, speak to any Amherst fire fighter or go to www.amherst.ca/volunteer-firefighter.

Monthly Departmental Report

Planning & Strategic Initiatives

May 2021

With the onset of spring, planning staff and building inspection services are receiving high volumes of permit applications, as well as general inquiries related to land development. Spring has also brought a high volume of property complaints under the dangerous & unsightly regulations. Staff are working to investigate and respond to these complaints.

A public hearing will be held May 19th to consider a development agreement for a portion of the former Dickey Street School property that will allow construction of three, 6-unit townhouse dwellings on the property.

Land preparation for the 2 MW solar farm to be located in the Industrial Park is starting. Although delayed, regulatory approval with respect to the project's rate structure should be made public in the near future. Once approval is complete, NSPI will begin promoting participation in the project to town residents and businesses.

At its March regular meeting, Council approved the 'Top 10' list of Priority Areas and Projects. Staff have been working on these priorities and will be bringing updates to, and seeking further direction from Council in the coming months.

Planning staff continue to provide planning and development services for the Town of Oxford.

Monthly Report

Business Development

May 2021

Business Supports

Posting local business information and daily promotion continues on the Amherst Loves You Back Facebook page.

The Business Development Officer hosted a Business Coffee chat on April 14 to give business professionals an opportunity to share any issues or challenges they are facing as well as collaborate and connect with other businesses. Six people were in attendance. Labour force challenges were discussed as some are having a hard time filling seasonal job vacancies. There was also a brief discussion on tourism and opportunities on partnering with other businesses and offering tour packages to visitors. The BDO shared information with businesses on how to post job vacancies on the NSCC and Mount Allison University online job boards to attract student workers.

Two Mind Your Business Cumberland Workshops were hosted in April focusing on marketing. They were very well attended and received. 20 businesses registered for the 'What is Social Media Marketing?' workshop and 34 participants attended the "How to Create Eye-Catching Graphics workshop".

The Cumberland Region Community Economic Development Strategy was accepted by Council at the April 26, 2021 Council meeting.

New Business Recognition certificates were presented to 6 new businesses: The Cumberland County Animal Hospital, Boss Brows by Lexy, The Balcony Candy Shoppe, DownHome Foot Care & Health Services, Dee's T&R Massage, and Rejuvic Hair Lounge received certificates from a member of council and the business was promoted on social media.

People Attraction

Weekly ads are posted on Facebook, Instagram and Twitter promoting Amherst as a great place to live work and play, encouraging people to come home to Amherst and create a life they'll love.

Labour Force

The Pitch Yourself competition was launched April 6 for students in grades 10-12 in Cumberland County. This competition is in partnership with the Town of Amherst and the Cumberland Business Connector. The purpose of this competition is to help students find employment and develop basic job searching skills.

Community Vibrancy

The Gritty to Pretty program for 2020-21 is now complete with the final report submitted to the province. Total funding received for the program was \$12,500. Eight local commercial property owners received funding through the Gritty to Pretty program for façade improvements to the outside of their buildings including paint, windows, doors, signs and lighting upgrades.