



**Town of Amherst
Regular Council Meeting
Agenda**

Date: Monday, November 28, 2016
Time: 7:00 p.m.
Location: Council Chambers, Town Hall

Pages

-
1. CALL TO ORDER
 2. O'CANADA (Kenzie Crossman)
 3. HEARINGS/PRESENTATIONS/PETITIONS
 - 3.1 Amherst and Area Trails Society (3695)
 - 3.2 Amherst Golf Club (3713)
 4. APPROVAL OF AGENDA/MINUTES
 - 4.1 Approval of the Agenda (4032)
 - 4.2 Approval of Minutes (4033)
 - 4.2.1 October 3, 2016 Regular Meeting 3 - 6
 - 4.2.2 October 12, 2016 Special Meeting 7 - 9
 - 4.2.3 November 1, 2016 Special Meeting 10 - 11
 5. REQUESTS FOR DECISION
 - 5.1 Signing Authority - Designated Councillor (3740) 12 - 15
 - 5.2 Parking Lot Snow Removal - RFP (3851) 16 - 18
 - 5.3 Council Appointments to Committees (3904) 19 - 21
 - 5.4 Citizen Appointments to the Audit Committee (3703) 22 - 27

5.5	Appointments to Amherst Youth Town Council (3878)	28 - 32
5.6	Multi Use Trail - Memorandum of Understanding (3138)	33 - 41
6.	INFORMATION / DISCUSSION ITEMS	
7.	INTERNAL COMMITTEE REPORTS	
7.1	Planning Advisory Committee (No Report)	
7.2	Amherst Board of Police Commissioners (No Report)	
7.3	Amherst Youth Town Council (No Report)	
8.	EXTERNAL COMMITTEE REPORTS	
8.1	Cumberland Public Libraries (No Report)	
8.2	Cumberland YMCA	42 - 42
8.3	Cumberland Joint Services Management Authority	43 - 44
8.4	Northern Region Solid Waste Committee	
8.5	L. A. Animal Shelter	
9.	ADJOURNMENT	

TOWN OF AMHERST

Regular Council Meeting

Minutes

Date of Meeting: Monday, October 03, 2016
Location: Council Chambers, Town Hall

Members Present: Mayor Robert Small
Deputy Mayor Terry Rhindress
Councillor George Baker
Councillor Frank Balcom
Councillor Robert Bird
Councillor Lisa Emery

Staff Present: Greg Herrett, CAO
Roger MacIsaac, Director CED
Jason MacDonald, Deputy CAO Operations
Vince Arbing, Treasurer
Bill Schurman, Director Recreation
Greg Jones, Fire Chief
Rebecca Purdy, Executive Assistant

1. CALL TO ORDER

Mayor Small called the meeting to order at 7:00 and welcomed those in attendance

2. O'CANADA

3. APPROVAL OF AGENDA/MINUTES

3.1. Approval of the Agenda (3655)

Moved By: Councillor George Baker

Seconded By: Councillor Frank Balcom

To approve the agenda with the addition of Snowmobile Friendly Community as item 4.7

Motion Carried

3.2. Approval of Minutes (3656)

Moved By: Deputy Mayor Terry Rhindress

Seconded By: Councillor George Baker

To approve the minutes of the June 27, 216 Regular Meeting, the July 13, 2016 Special Meeting, August 8, 2016 Special Meeting, August 8, 2016 Special meeting, August 9, 2016 Special meeting, September 2, 2016 Special meeting, and September 27, 2016 Special meeting.

Motion Carried

4. REQUESTS FOR DECISION

4.1. The Great Amherst Mystery (2163)

Deputy Mayor Rhindress declared a conflict and excused himself from the Council table for the discussion and decision on this agenda item.

Moved By: Councillor Frank Balcom

Seconded By: Councillor George Baker

That Council accept the proposal from Charlie Rhindress to brand Amherst as the home of The Great Amherst Mystery, and engage his services over a six month period ending not later than March 31, 2017 at a cost of \$10,000 to be funded from the approved 2016-17 Operating Budget

Motion Carried

4.2. Agreement with Marigold Centre (3599)

Moved By: Councillor Lisa Emery

Seconded By: Deputy Mayor Terry Rhindress

That Council approve entering into a Memorandum of Understanding between the Town of Amherst and the Cobequid Arts Council/Marigold Cultural Centre to work collaboratively on booking artists for shows

Motion Carried

4.3. Proposed Amendments to User Fee Policy 3470-03 (3587)

Moved By: Councillor Robert Bird

Seconded By: Councillor Frank Balcom

That Council approve the revised User Fees Policy, number 3470-03

Motion Carried

4.4. Christie Foundation Grant to CCMHA (3612)

Moved By: Councillor George Baker

Seconded By: Deputy Mayor Terry Rhindress

That Council approve funding in the amount of \$10,000 to the Cumberland County Minor Hockey Association to be funded by a donation of \$10,000 from the Christie Foundation

Motion Carried

4.5. Christie Foundation Grant to Gymnastics Club (3613)

Moved By: Councillor George Baker

Seconded By: Councillor Lisa Emery

That Council approve funding in the amount of \$10,000 to the Aerial Gymnastics Club to be funded by a donation of \$10,000 from the Christie Foundation

Motion Carried

4.6. CAO Performance Review Policy (3632)

Moved By: Councillor Frank Balcom

Seconded By: Councillor George Baker

That Council approve the CAO Performance Review Policy, number 10350-25, to formalize the current evaluation process, as recommended by the CAO Review Committee

Motion Carried

4.7. Snowmobile Friendly Community (added) (3138)

Councillor Bird explained that, during the September 26, 2016 Committee of the Whole meeting, Council approved a motion to make Amherst an ATV Friendly Community. There was an oversight at that time, in not making it Snowmobile Friendly as well. The purpose of the following motion is to correct that oversight, to make Amherst both ATV and Snowmobile friendly.

Moved By: Councillor Robert Bird

Seconded By: Councillor Lisa Emery

That staff be directed to prepare all policies and/or by-laws required to make Amherst Snowmobile and ATV Friendly Community for the November 2016 Committee of the Whole meeting for first reading, and further, that the Mayor write a letter of support requesting the Province of Nova Scotia amend the required statues to facilitate the legal access to trails, and that the Town of Amherst make a commitment to work with the Cumberland Snowmobile Club to connect Amherst with the existing trails in Nova Scotia and New Brunswick

Motion Carried

5. INFORMATION / DISCUSSION ITEMS

5.1. Correspondence from NS Health Authority (1785)

Councillor Emery read the letter regarding Council's decision to waive ice rental fees for youth programs at the Stadium. No action required.

6. INTERNAL COMMITTEE REPORTS

6.1. Amherst Youth Town Council (3657)

Councillor Balcom presented the Amherst Youth Town Council report included in the agenda. No action required.

7. EXTERNAL COMMITTEE REPORTS

7.1. Cumberland Public Libraries (3659)

Councillor Balcom presented the Cumberland Public Libraries report included in the agenda. No action required.

7.2. Cumberland Joint Services Management Authority (3658)

Deputy Mayor Rhindress presented the Cumberland Joint Services Management Authority report included in the agenda. No action required.

7.3. Northern Region Solid Waste (3665)

Councillor Baker presented the Northern Region report included in the agenda.

CAO added that the Minister's letter to the Regional Chairs has language that indicates the Province would like to do a study on centralizing, collaborating, or rationalizing solid waste. It seems to lead to the possibility that in the future there may be fewer solid waste facilities in the province. CJSMA is currently in the design/examination phase for a new cell; this issue really needs to be resolved before the CJSMA decides on whether to build it. Potential is there to be stuck with a stranded asset. We need to make sure that the decisions that CJSMA and the municipalities make are evidence based. However we also need to continue to provide a service.

8. ADJOURNMENT

Prior to the adjournment, the CAO recognized Roger Maclsaac on his retirement, this being Roger's last meeting of Council. He acknowledged Roger's contributions over his career with the Town.

Mayor Small presented plaques to Councillor Emery, Councillor Baker and Deputy Mayor Rhindress in appreciation of their services as Deputy Mayor over the past four years.

Mayor Small expressed his appreciation to Council and staff for the support and work during his terms as Mayor

Moved By: Deputy Mayor Terry Rhindress

Seconded By: Councillor Robert Bird

To adjourn at 7:55 PM

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

Robert Small
Mayor

Amherst Town Council

Special Meeting

Minutes

Date of Meeting: Wednesday, October 12, 2016
Location: Council Chambers, Town Hall

Members Present: Deputy Mayor Terry Rhindress
Councillor George Baker
Councillor Frank Balcom
Councillor Robert Bird
Councillor Lisa Emery

Members Absent: Mayor Robert Small

Staff Present: Greg Herrett, CAO
Jason MacDonald, Deputy CAO Operations
Vince Arbing, Treasurer
Rebecca Purdy, Executive Assistant
Ben Pitman, Engineer

1. CALL TO ORDER

In Mayor Small's absence, Deputy Mayor Rhindress chaired the meeting. The Call to Order was at 12:30 PM.

2. REQUEST FOR DECISION

2.1. RFPs - Engineering Design and Construction Management

2.1.1. Victoria Street Reconstruction (3674)

Moved By: Councillor Frank Balcom

Seconded By: Councillor George Baker

That Council accept the proposal for the East Victoria Street Reconstruction Engineering Services (RFP-16-22) from the highest scoring proponent, CBCL Limited, in the amount of \$48,640 plus HST for design, procurement, and project management services and a maximum of \$60,000 plus HST for construction inspection services (\$750 per day for 80 days) to be funded 50% from the Federal Government, 25% from the Provincial Government and 25% from the Town of Amherst long term debt. And further that the 2016 / 2017 Capital Budget be amended as described in Schedule A

Motion Carried

2.1.2. Station Street Storm Sewer (3675)

Moved By: Councillor George Baker

Seconded By: Councillor Lisa Emery

That Council accept the proposal for the Station Street Storm Sewer Separation Engineering Services (RFP-16-20) from the highest scoring proponent, RV Anderson Limited in the amount of \$57,884 plus HST for design, procurement, and project management services and a maximum of \$27,532 plus HST for construction inspection services (\$688.30 per day for 40 days) to be funded 50% by the federal government, 25% by the provincial government and 25% by the Town of Amherst long term debt. And that the 2016 / 2017 Capital Budget be amended as described in Schedule A

Motion Carried

2.1.3. Water Reservoir Replacement (3676)

Moved By: Councillor Lisa Emery

Seconded By: Councillor Frank Balcom

That Council accept the proposal for the Water Reservoir Replacement Engineering Services (RFP-16-21) from the highest scoring proponent, CBCL Limited, in the amount of \$173,100 plus HST for design, procurement, and project management services and a maximum of \$89,050 for construction inspection services (\$685 per day for 130 days) to be funded 50% by the federal government, 25% by the provincial government and 25% by the Town of Amherst long term debt. And that the 2016 / 2017 Capital Budget be amended as described in Schedule A

Motion Carried

2.1.4. Schedule A – Amendments to 2016-17 Capital Budget

The following is the "Schedule A" referred to in the three preceding motions.

SCHEDULE A

**Town of Amherst
2016/17 Capital Budget Amendment**

Projects	Estimated Gross Cost with Non Recoverable HST included	Source Financing			
		Federal Grant	Province of Nova Scotia Grant	Long Term Debt - General	Long Term Debt Water
WATER					
East Victoria Street ~ Rupert to Marshview reconstruction - (Water) design, procurement & project management	733,000	367,000	183,000	-	183,000

Water Reservoir Replacement - design, procurement and project management services	7,760,000	3,880,000	1,940,000	-	1,940,000
WATER TOTAL	8,493,000	4,247,000	2,123,000	-	2,123,000
LARGE MULTI-CATEGORY PROJECT					
East Victoria Street ~ Rupert to Marshview street reconstruction, sewer, storm sewer and curb - (General) design, procurement & project management	1,467,000	733,000	367,000	367,000	-
STORM SEWER					
Station Street ~ Storm water separation - design, procurement & project management services	1,650,000	825,000	412,500	412,500	-
GENERAL TOTAL	3,117,000	1,558,000	779,500	779,500	-
GRAND TOTAL WATER & GENERAL	11,610,000	5,805,000	2,902,500	779,500	2,123,000

3. ADJOURNMENT

Moved By: Councillor Lisa Emery
 Seconded By: Councillor George Baker
 To adjourn at 1:05 PM

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

Robert Small
 Mayor

Amherst Town Council

Special Meeting

Minutes

Date of Meeting: Tuesday, November 01, 2016
Location: Community Credit Union Business Innovation Centre

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

Staff Present: Greg Herrett, CAO
Ian Naylor, Police Chief
Jason MacDonald, Deputy CAO Operations
Vince Arbing, Treasurer
Bill Schurman, Director Recreation
Ben Pitman, Engineer
Greg Jones, Fire Chief
Rebecca Purdy, Executive Assistant

1. Call to Order

The CAO called the meeting to order and welcomed members of the incoming Council and the public. There were approximately 160 people in attendance

2. National Anthem - Julie Carde

The CAO called on Julie Carde to lead in the singing of O' Canada.

3. Opening Prayer - Father David Myles

Father David Myles offered an opening prayer.

4. Election Results

The CAO presented the results of the Municipal Election held on Saturday, October 15, 2016. As Clerk and in accordance with Section 129(1) of the *Municipal Elections Act*, for a four year term of office, he declared the following elected having received the largest number of votes cast:

For the Office of Mayor: David P. Kogon

For the Council (6 positions): Jason Blanch, Vince Byrne, Sheila Christie, Darrell Jones, Wayne MacKenzie, and Terry Rhindress.

5. Administration of Oaths & Code of Conduct (3699, 3700)

As Justice of the Peace for the Province of Nova Scotia, the CAO administered the Oaths of Office to the newly elected Mayor and Council. Each Council member also signed a Statement of Commitment to the Code of Conduct.

Once Sworn, Mayor Kogon assumed the role of Chair of the meeting.

6. Election of Deputy Mayor (3701)

Mayor Kogon opened the floor for nominations to the Office of Deputy Mayor.

Moved By: Councillor MacKenzie

Seconded By: Councillor Byrne

That Councillor Sheila Christie be nominated for the Office of Deputy Mayor

Motion Carried

Mayor Kogon asked three times for further nominations. There being none, he declared Councillor Christie acclaimed as the Deputy Mayor. This was ratified by the following motion:

Moved By: Councillor Jones

Seconded By: Councillor Byrne

That Councillor Sheila Christie be appointed as Deputy Mayor for a one-year term ending October 31, 2017

Motion Carried

7. Comments by Members of Council

Each Councillor was given an opportunity to make comments.

8. Comments by Mayor

Mayor Kogon addressed the audience and Council.

9. Adjournment

Moved By: Councillor Jones

Seconded By: Councillor Rhindress

To adjourn at 7:40 PM

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

David Kogon, MD
Mayor

Synopsis

Signing Authority – Designated Councillor

The Signing Authority Policy identifies individuals authorized to sign documents and cheques for the Town. Cheques require two signatures, one elected official (Mayor, Deputy Mayor or Designated Councillor) and one administrative official (either the CAO or Treasurer). In the event neither the Mayor nor the Deputy Mayor is available, identifying an alternate (Designated Councillor) may be of benefit in the timely issuance of cheques.

At the special meeting held November 1, Mayor and Council were sworn and the Deputy Mayor was appointed. Following this, a new Master Client Agreement with the Town's banking institution (signature card) was signed, identifying Mayor Kogon and Deputy Mayor Christie and authorizing them to sign bank documents on behalf of the Town. In the event Council wishes to identify a Designated Councillor, it will need to be made official by a motion of Council such as the one below, and each signing officer will have to sign a new Master Client Agreement with our banking institution.

MOTION :

That Council appoint _____ as the Designated Councillor for signing cheques, bank documents, etc., on behalf of the Town of Amherst, in accordance with the Town's Signing Authority Policy.



REGULAR COUNCIL

RFD# 2017058

Date: November 28, 2016

TO: Mayor Kogon and Members of Amherst Town Council

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

DATE: November 28, 2016

SUBJECT: Signing Authorities – Designated Councillor

ORIGIN:

2016 Municipal Election

LEGISLATIVE AUTHORITY:

Town of Amherst Signing Authority Policy, #03400-01

RECOMMENDATION:

No recommendation is being put forward; Council may leave the Mayor and Deputy Mayor as the two signing authorities or appoint a Designated Councillor as a third signing officer. Should the latter be Council's direction, a motion to appoint a Designated Councillor will be required.

BACKGROUND:

The Signing Authority Policy states:

All General, Payroll, Water, Stadium, Trust & Reserve Fund cheques, bank documents, etc., of the Town shall be signed by two signing officers. The signing officers of the Town shall be:

a) Mayor, Deputy Mayor, Designated Councillor (any one of them)

And

b) Town Manager/Town Clerk, or Treasurer/Deputy Clerk (any one of them).

DISCUSSION:

The purpose of the policy is to identify signing authorities for the Town. Cheques require two signatures, one elected official (Mayor, Deputy Mayor or Designated Councillor) and one administrative official (either the CAO or Treasurer). In the event neither the Mayor nor the Deputy Mayor is available, identifying an alternate (Designated Councillor) may be of benefit in the timely issuance of cheques.

At the special meeting held November 1, Mayor and Council were sworn and the Deputy Mayor was appointed. Following this, a new Master Client Agreement with RBC (signature card) was signed, identifying Mayor Kogon and Deputy Mayor Christie and authorizing them to sign bank documents on behalf of the Town. In the event Council wishes to identify a Designated Councillor, it will need to be made official by a motion of Council, and each signing officer will have to sign a new Master Client Agreement with RBC.



FINANCIAL IMPLICATIONS:

There are no financial implications to adding a Designated Councillor to the signing authorities.

COMMUNITY ENGAGEMENT:

This is an internal operation; no community engagement.

ENVIRONMENTAL IMPLICATIONS:

No environmental implications .

ALTERNATIVES:

1. Status quo, with the Mayor and Deputy Mayor as signing authorities
2. Appoint a Designated Councillor

ATTACHMENTS:

Signing Authority Policy, 03400-01

Report prepared by: Vince Arbing, Director of Finance
Report and Financial approved by:

DEPARTMENT: CORPORATE SERVICES

TITLE: **SIGNING AUTHORITY POLICY**

Minutes reference date: 21 September 1992
Revision dates: 25 September 1995; 25 March 1996; 21 May 1996; 12 December 2000; 25 November 2002
26 January 2015

PURPOSE:

To identify signing officers of the Town of Amherst

POLICY STATEMENT:

1. All documents signed under the seal of the Town shall be signed by the:
 - a) Mayor or Deputy Mayor (any one of them)And
 - b) Chief Administrative Officer/Town Clerk or Treasurer/Deputy Clerk (any one of them).

2. All General, Payroll, Water, Stadium, Trust and Reserve Fund cheques, bank documents, etc., of the Town shall be signed by two signing officers. The signing officers of the Town shall be:
 - a) Mayor, Deputy Mayor, Designated Councillor (any one of them)And
 - b) Chief Administrative Officer/Town Clerk, or Treasurer/Deputy Clerk (any one of them).

Synopsis

Parking Lot Snow Removal RFP

The Town annually issues a Request for Proposals (RFP) for clearing snow from public parking lots operated by the Town and parking lots at Town owned facilities, to engage private contractors to carry out such snow clearing to ensure they are cleared in a timely manner. The various packages are made up of the following parking lots:

Package A	Paramount Theatre; YMCA; 4 Havelock Street; Church St. Tennis Courts
Package B	King Street Lot; Electric Street Lot
Package C	Dominion Public Bldg; Community Credit Union Business Innovation Centre; Library
Package D	Stadium; Gould Street Lot; Dickey Park
Package E	Ratchford Street Lot (Behind Dayles); George Blanche Lot; Museum; Fire Station
Package F	Police Station (21 Havelock Street)

An RFP for was issued with three proposals submitted on six parking lot packages. For the 2015/16 season the proposals were based on a “per event” basis. For the 2016-17 year the proposals price snow events by amount cleared per event. This will ensure a more accurate cost for the level of service provided. Three proposals were received and evaluated, with the highest scoring being recommended. Staff have reviewed the equipment and manpower information submitted in the proposal from Baxter Trucking Ltd. And K. Lawrence & Sons Ltd. and are of the opinion that these companies have the resources to meet the performance standards contained within the RFP.

MOTION :

That Council accept the following proposals for snow clearing packages for the 2016 / 2017 snow removal season:

Package	Bidder	Bid Amount per Snow Event 5cm – 15 cm	Bid Amount Per Snow Event 16cm – 25cm	Bid Amount per Snow Event 26cm+
A	Baxter Trucking Ltd	\$425	\$685	\$900
B	Baxter Trucking Ltd	\$220	\$365	\$530
C	Baxter Trucking Ltd	\$295	\$485	\$680
D	Baxter Trucking Ltd	\$575	\$960	\$1,475
E	K. L. Carter & Son Ltd.	\$500	\$740	\$1,250
F	Baxter Trucking Ltd	\$130	\$200	\$270



REGULAR COUNCIL

RFD# 2017061

Date: 28 November 2016

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Jason MacDonald

DATE: November 28, 2016

SUBJECT: Parking Lot Snow Removal 2016/17 Season

ORIGIN:

The Town annually issues a Request for Proposals (RFP) for clearing of snow from public parking lots operated by the Town and parking lots at Town owned facilities, to engage private contractors to carry out such snow clearing to ensure they are cleared in a timely manner.

LEGISLATIVE AUTHORITY:

Municipal Government Act Section 65; Power to Expend Money (F) Snow and Ice Removal.

RECOMMENDATION:

That Council accept the following proposals for Parking Lot Snow Removal for the 2016/2017 snow removal season:

Package	Bidder	Bid Amount per Snow Event 5cm – 15 cm	Bid Amount Per Snow Event 16cm – 25cm	Bid Amount per Snow Event 26cm+
A	Baxter Trucking Ltd	\$425	\$685	\$900
B	Baxter Trucking Ltd	\$220	\$365	\$530
C	Baxter Trucking Ltd	\$295	\$485	\$680
D	Baxter Trucking Ltd	\$575	\$960	\$1,475
E	K. L. Carter & Son Ltd.	\$500	\$740	\$1,250
F	Baxter Trucking Ltd	\$130	\$200	\$270

BACKGROUND:

An RFP for snow clearing was issued with three proposals submitted on six parking lot packages. The following proposals were received and evaluated, with the highest scoring proposals in bold.

Package	Bidder	Bid Amount per Snow Event 5cm – 15 cm	Bid Amount Per Snow Event 16cm – 25cm	Bid Amount per Snow Event 26cm+
A	Baxter Trucking Ltd	\$425	\$685	\$900
B	Baxter Trucking Ltd	\$220	\$365	\$530
C	Baxter Trucking Ltd	\$295	\$485	\$680
D	Hawkes' Blueberries	\$675	\$1,425	\$2,750
D	Baxter Trucking Ltd	\$575	\$960	\$1,475
E	K. L. Carter & Son Ltd.	\$500	\$740	\$1,250
F	Baxter Trucking Ltd	\$130	\$200	\$270



DISCUSSION:

For the 2015/16 season the proposals were based on a “per event” basis. For the 2016-17 year, a further change was made to the RFP by having the proposals price snow events by amount cleared per event. This will ensure a more accurate cost for the level of service provided.

Staff have reviewed the equipment and manpower information submitted in the proposal from Baxter Trucking Ltd. And K. Lawrence & Sons Ltd. and are of the opinion that these companies have the resources to meet the performance standards contained within the RFP.

The various packages are made up of the following parking lots:

Package A	Paramount Theatre; YMCA; 4 Havelock Street; Church St. Tennis Courts
Package B	King Street Lot; Electric Street Lot
Package C	Dominion Public Building; Community Credit Union Business Innovation Centre; Four Fathers’ Library
Package D	Stadium; Gould Street Lot; Dickey Park
Package E	Ratchford Street Lot (Behind Dayles); George Blanche Lot; Museum; Fire Station
Package F	Police Station (21 Havelock Street)

FINANCIAL IMPLICATIONS:

The budget amount is \$37,000, which also includes hiring trucks for snow removal (downtown cleanups). The total cost will depend on the type of winter we have, including the number and severity of snowfall events.

COMMUNITY ENGAGEMENT:

As this is an operational issue community engagement is not contemplated others than the public procurement process.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications as a result of the snow removal operations within parking lots.

ALTERNATIVES:

That Council not award the packages as recommended and direct staff to clear the parking lots with our own resources. While this could potentially save some money, it would result in a decrease in the level of service for either parking lot snow removal or street clearing.

ATTACHMENTS:

No attachments are required.

Report prepared by: Jason MacDonald, Deputy CAO, Operations
Report and Financial approved by:

Synopsis

Council Committee Appointments

MOTION: That Council approve the following committee appointments for one-year terms ending October 31, 2017:

Mayor Kogon

- L. A. Animal Shelter
- Regional Emergency Management Committee

Deputy Mayor Christie

- Planning Advisory Committee
- Susan Taylor Theatre Advisory Committee
- VON Board of Directors
- YMCA Board of Directors

Councillor Blanch

- Amherst Board of Police Commissioners
- Municipal Alcohol Project
- Tree Advisory Committee
- Tyndall Wellfield Advisory Committee

Councillor Byrne

- Amherst Board of Police Commissioners
- Cumberland Joint Services Management Authority (CJSMA)
- Regional Emergency Management Committee

Councillor Jones

- Amherst Board of Police Commissioners
- Senior Safety Advisory Group
- Tyndall Wellfield Advisory Committee

Councillor MacKenzie

- Cumberland Public Libraries Board
- Planning Advisory Committee
- West Highlands Redevelopment Committee

Councillor Rhindress

- **Cumberland Joint Services Management Authority**
- **Northern Region Solid Waste Committee**
- **Planning Advisory Committee**
- **West Highlands Redevelopment Committee**

AND FURTHER, that all members of Council be appointed to the Committee of the Whole of Amherst Town Council, and to the Town of Amherst Audit Committee for terms ending October 31, 2017.

Proposed Council Committee Appointments, 1 November 2016 – 31 October 2017

	Kogon	Blanch	Byrne	Christie	Jones	Mackenzie	Rhindress
Anherst Board of Police Commiss		X	X		X		
Amherst Youth Town Council	See memo re: Terms of Reference						
Audit Committee	X	X	X	X	X	X	X
Committee of the Whole	X	X	X	X	X	X	X
Cumberland Public Libraries Board						X	
CJSMA			X				X
LA Animal Shelter	X						
Municipal Alcohol Project		X					
Northern Region Solid Waste							X
Planning Advisory Committee				X		X	X
Regional Emergency Management	X		X				
Senior Safety Advisory Group					X		
Susan Taylor Theatre Adv Com				X			
Tree Advisory Committee		X					
Tyndal Wellfield Advisory Comm		X			X		
VON				X			
West Highlands Redevelopment						X	X
YMCA Board of Directors				X			

Synopsis

Appointments to the Audit Committee

The Audit Committee Policy, #3500-05, was adopted by Council on March 29, 2016. It states that all members of Council are to be appointed to the committee, as well as two citizen members. The committee will increase both the reliability and credibility of financial reporting, enhance the independence of external auditors and influence the overall corporate tone for quality financial reporting, risk controls and ethical behaviour.

Over the summer, expressions of interest were sought from the community; however, as the terms of the citizen members were to commence in November, and with the municipal election in October, appointments were postponed until the new council was in place. Two qualified candidates, Jeff Brennan and Robert Small, submitting their names for consideration and are being recommended for appointment.

MOTION :

That Council appoint Jeff Brennan and Robert Small to the Town of Amherst Audit Committee for one year terms ending October 31, 2017.



REGULAR COUNCIL

RFD# 2017057

Date: November 28, 2016

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Vince Arbing, Director, Corporate Services

DATE: November 28, 2016

SUBJECT: Citizen Appointments to the Town of Amherst Audit Committee

ORIGIN:

On March 29, 2016, Council adopted a new Audit Committee Terms of Reference Policy, 3500-05. It states that all members of Council are to be appointed to the committee, as well as two citizen members. Initial terms for the citizen appointees will be for one year beginning November 1, 2016, and subsequent terms will be two years.

LEGISLATIVE AUTHORITY:

Municipal Government Act, Section 44; Audit Committee Terms of Reference Policy, 3500-05.

RECOMMENDATION:

That Council appoint Jeff Brennan and Robert Small to the Audit Committee for one-year terms expiring October 31, 2017.

BACKGROUND:

The Audit Committee Policy was adopted by Council on March 29, 2016. Over the summer, expressions of interest were sought from the community (a copy of the ad is attached) resulting in two qualified individuals submitting their names for consideration.

As the terms of the citizen members were to commence in November, and with the municipal election in October, appointments were postponed until the new council was in place.

DISCUSSION:

The policy states that "Citizen appointees shall possess knowledge and understanding of financial and investment matters." The two expressions of interest that were received, Jeff Brennan and Rob Small, both appear to meet these qualifications.

FINANCIAL IMPLICATIONS:

These are volunteer positions, so no financial implications will result from their appointments. However, the committee will increase both the reliability and credibility of financial reporting, enhance the independence of external auditors and influence the overall corporate tone for quality financial reporting, risk controls and ethical behaviour.



COMMUNITY ENGAGEMENT:

Expressions of interest were sought from the community via newspaper, the Town's website and social media.

ENVIRONMENTAL IMPLICATIONS:

No environmental implications are anticipated with these appointments.

ALTERNATIVES:

1. Appointing the two citizens (recommended);
2. Delay the appointments and continue to solicit expressions of interest;
3. Make no citizen appointments at this time.

ATTACHMENTS:

- Audit Committee Terms of Reference Policy, 3000-05

Report prepared by: Vince Arbing, Director, Corporate Services

Report and Financial approved by:

DEPARTMENT: Council and Corporate Services

TITLE: Audit Committee Terms of Reference

Minutes reference date: 29 March 2016

Purpose

1. The Audit Committee (the "Committee") assists Town Council ("Council") in fulfilling its oversight responsibilities relating to finance and audit matters delegated to management by Council.
2. In particular, the Committee assists Council by reviewing:
 - a. Key financial information that will be provided to the province or made public;
 - b. Strategic financial plans, operating and capital budgets;
 - c. External and/or internal audit activities;
 - d. The system of internal controls, risk management and financial information technology;
 - e. Cash and investment management activities;
 - f. Insurance coverage of significant risks and uncertainties;
 - g. Financial Condition Indicators.

Composition, Operations and Accountability

3. The Committee shall be comprised of all members of Council plus two citizen appointments. The Committee shall be appointed by Council.
4. The initial citizen appointments (effective November 1, 2016) will be for one-year terms, as a transitional measure, and subsequent citizen appointments will be for two-year terms. Citizen appointees shall possess knowledge and understanding of financial and investment matters.
5. The Chief Administrative Officer (CAO) of the Town or his or her appointee shall be the secretary of the Committee
6. The Chief Administrative Officer, Treasurer and Accountant shall be non-voting members of the Committee.
7. The Chair shall be a member of Council and shall be elected annually by the Committee.
8. The Committee shall meet at least four times each year. The Committee Chair will make periodic reports to Council on matters relating to the Committee's duties and responsibilities.
9. The Committee shall meet with the external auditors as it deems appropriate to consider any matter that the Committee or auditors determine should be brought to the attention of Council.
10. Through the CAO the Committee may request members of the Town's senior management to attend meetings of the Committee as deemed necessary.
11. The Committee provides open avenues of communication among management, employees, external auditors and Council.

Duties and Responsibilities

12. The Committee has the following responsibilities and will perform the following duties.

Financial Information

- a. The Committee will review the following financial information that will be provided to the Province or made public:
 - i. Annual audited financial statements;
 - ii. Management discussion and analysis that accompanies the audited financial statements
- b. Ensure that meaningful financial information regarding current financial results and up to date forecasts is received on a timely basis, and that it provides information required for decision making.
- c. Review quarterly internal financial reports.
- d. Review:
 - i. the appropriateness of accounting policies and financial reporting practices and any proposed changes thereto;
 - ii. any new or pending developments in accounting and reporting standards; and
 - iii. significant estimates contained in the financial statements and other financial information.
- e. The Committee will:
 - i. assess the performance of the external auditor;
 - ii. review and recommend that Council approve the engagement or reappointment of the external auditor as required;
 - iii. oversee the activities of the external auditor by:
 1. reviewing, assessing and receiving assurances as to the independence of the external auditor;
 2. reviewing the provision of non-audit services performed by the external auditor;
 3. reviewing the external audit plan including the engagement letter, materiality limits, staffing, timetable and proposed fees;
 4. if necessary, requesting to meet with the external auditor without management present;
 5. reviewing matters with respect to the conduct and reporting of the external audit with particular reference to any difficulties encountered or restrictions imposed by management; and
 6. receiving and reviewing the external auditor's:
 - a. audit report;
 - b. findings with respect to the appropriateness of accounting policies, management estimates and significant accounting and/or reporting issues;
 - c. management letter including managements responses thereto and the evaluation of the internal control system; and
 - d. other matters of relevance identified in the audit.

- f. The Committee will periodically evaluate the need for the establishment of an internal audit function and make appropriate recommendations to the Council.

Internal Control, Risk Management and Financial Information Systems

- g. The Committee will review:
- i. the system of internal control;
 - ii. financial policies;
 - iii. the strategic and financial risk assessment process to ensure that key strategic and financial risks are identified, assessed and risk mitigation strategies are implemented;
 - iv. financial information technology to ensure that it effectively supports or provides for current and future planning, financial activities;
 - v. the security of financial information, financial information technology and financial information disaster recovery plans; and
 - vi. compliance with financial statutory and regulatory obligations.

Investment Management Activity

- h. The Committee shall be responsible for the management of the Town's investment portfolio in accordance with paragraph 5 (c) of the Investment Policy, #03600-01.

Banking Services

- i. The Committee will periodically assess banking services and oversee the procurement of these services in accordance with Council policy.

Insurance Coverage of Significant Risks and Uncertainties

- j. The Committee will review the adequacy of insurance program and coverage for significant risks and uncertainties.

Terms of Reference for the Committee

13. The Committee will review its terms of reference annually.

Synopsis

Appointments to the Amherst Youth Town Council

In accordance with the Amherst Youth Town Council Policy, there is an ability to accept up to 12 members on the youth council; up to two of the members may be County residents. This year, 11 students expressed interest in serving in this capacity, with two applicants residing outside Amherst. Applications have been evaluated and interviews have been conducted, resulting in the recommendation that the students listed below be appointed to the Youth Council for the 2016-17 school year:

- Austin Coates, grade 8 returning for second year, enjoys the Junior Golf Program (County resident)
- Justin Bennett, grade 9, returning for second year, involved with Holy Family Parish Youth Group
- Keira Dyck, grade 9, returning for second year, enjoys participating in the school choir and band
- MacKenzie Sears, grade 9, returning for second year, involved with 1st Cumberland Ventures
- Allie Quinn Degenstein, grade 10, returning for fourth year, works with Showcase Productions
- Rohin Minocha-McKenney, grade 10, returning for second year, head of Athletics at ARHS
- Madelynn Carter, grade 12, returning for sixth year, head of ARHS Drama Club
- Olivia Pulsifer, grade 7, attends E.B. Chandler, volunteers with local CanSkate program
- Rajan McKenney, grade 8, attends E.B. Chandler, sits on Students Council
- Jenna Clarke, grade 8, attends E.B. Chandler, involved with We Act and Joy Club (County resident)
- Marilyn Nixon, grade 10, attends ARHS, enjoys playing sports and ARHS Athletics Department

MOTION :

That Council reappoint the following Amherst Youth Town Council members: Austin Coates, Justin Bennett, Keira Dyck, MacKenzie Sears, Alie Quinn Degenstein, Rohin Minocha-McKenney and Madelynn Carter, and appoint the following new members: Olivia Pulsifer, Rajan McKenney, Jenna Clarke and Marilyn Nixon to the Amherst Youth Town Council for 2016-17



REGULAR COUNCIL

RFD# 2017056

Date: November 28, 2016

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Bill Schurman, Director of Recreation

DATE: November 28, 2016

SUBJECT: Appointments to Amherst Youth Town Council

ORIGIN:

Annual appointment of members to the Amherst Youth Town Council

LEGISLATIVE AUTHORITY:

Amherst Youth Town Council Policy, #10350-21

RECOMMENDATION:

That Council reappoint the following Amherst Youth Town Council members: Austin Coates, Justin Bennett, Keira Dyck, MacKenzie Sears, Alie Quinn Degenstein, Rohin Minocha-McKenney and Madelynn Carter, and new members Olivia Pulsifer, Rajan McKenney, Jenna Clarke and Marilyn Nixon to the Amherst Youth Town Council for 2016-17.

BACKGROUND:

In accordance with the Youth Council Policy, there is an ability to accept up to 12 members; up to two of the members may be County residents. This year, 11 students expressed interest in serving in this capacity, with two applicants residing outside Amherst. Applications have been evaluated and interviews have been conducted, resulting in the recommendation that the students listed below be appointed to the Youth Council for the 2016-17 school year:

DISCUSSION:

Involving youth in the community adds value to youth development; it empowers our young people to be active participants in their community through positive engagement. The Amherst Youth Town Council also provides Council with a youth perspective on issues pertaining to the youth in Amherst.

Seven of the students who have applied are returning members, having served at least one term on the Youth Council already. They are:

- Austin Coates, grade 8 returning for second year, enjoys the Amherst Junior Golf Program, (County resident)
- Justin Bennett, grade 9, returning for second year, involved with Holy Family Parish Youth Group
- Keira Dyck, grade 9, returning for second year, enjoys participating in the school choir and band
- MacKenzie Sears, grade 9, returning for second year, involved with 1st Cumberland Ventures
- Allie Quinn Degenstein, grade 10, returning for fourth year, works with Showcase Productions
- Rohin Minocha-McKenney, grade 10, returning for second year, head of Athletics at ARHS
- Madelynn Carter, grade 12, returning for sixth year, head of ARHS Drama Club



The new applicants are:

- Olivia Pulsifer, grade 7, attends E.B. Chandler, volunteers with local CanSkate program
- Rajan McKenney, grade 8, attends E.B. Chandler, sits on Students Council
- Jenna Clarke, grade 8, attends E.B. Chandler, involved with We Act and Joy Club (County resident)
- Marilyn Nixon, grade 10, attends ARHS, enjoys playing sports and ARHS Athletics Department

FINANCIAL IMPLICATIONS:

The expenses associated with this committee are accounted for in the Recreation Department's operating budget for the current fiscal year.

COMMUNITY ENGAGEMENT:

Expressions of interest were solicited throughout the E. B. Chandler Junior High School and the Amherst Regional High School.

ENVIRONMENTAL IMPLICATIONS:

While there are no direct environmental implications with filling the positions on the Youth Council, involvement of the younger generation tends to support protection and preservation of the environment.

ALTERNATIVES:

These appointments are at Council's discretion; Council may choose to appoint all 11 members as suggested, or fewer.

ATTACHMENTS:

10350-21 Amherst Youth Town Council Policy

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

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: **Amherst Youth Town Council Policy**

Minutes reference date: 25 May, 2010 24 October 2011 25 November 2013

PURPOSE:

To establish a policy for the governance of the Amherst Youth Town Council.

BASIS:

The Amherst Youth Town Council will act as an advisory body to Town Council on those matters within the influence of the Town of Amherst which have an impact on the youth of the Town, regardless of their cultural and religious identity, socio-economic background, intellectual and physical abilities, sexuality or gender. The Amherst Youth Town Council will improve the image of the Town of Amherst by raising the profile of the Town's youth. The Council will create community awareness of youth facilities, youth services, youth organizations and the opportunities and programs they provide.

ROLE OF COMMITTEE:

1. The Amherst Youth Town Council will identify and bring forward issues which have impact on the youth of Amherst and, while not directly under the control of the Town of Amherst, may be of sufficient significance to warrant the Town's consideration or support.
2. The Amherst Youth Town Council shall encourage its members to become more familiar with the workings of local government through education, involvement and participation.
3. The Amherst Youth Town Council will, through researching issues and presenting constructive solutions, act as a realistic advocate for the youth of our community.
4. The Amherst Youth Town Council will endeavor to participate actively in community events and activities in Amherst and through this involvement, foster a positive image for all young people.
5. The Amherst Youth Town Council may address, foster discussion or make recommendations to Town Council on issues pertaining to all levels of government.

MEMBERSHIP:

1. The Council shall appoint members of the Amherst Youth Town Council by resolution.
2. The maximum number of appointees on the Amherst Youth Town Council is 12
3. Members shall be students attending Amherst schools from grade 7 to 12 with a maximum of two members being County residents
4. The term for citizen youth appointees shall be one year, and members may be re-appointed to the Committee without limitations. Citizen appointee terms shall commence November 1st annually
5. In September of each year, advertisements for expressions of interested will be posted using appropriate media to reach youth. Council will appoint members for the new term prior to the end of October each year.

MEETINGS:

1. Meetings will be scheduled by the chairperson in consultation with staff. Generally meetings will commence at 4:00 PM.
2. The committee will meet bi-monthly or as required. The Amherst Youth Town Council will meet on at least one occasion annually with Amherst Town Council. All meetings are open to the public.

Synopsis

Multi Use Trail - Memorandum of Understanding

Staff have been working with both Off Highway Vehicle (OHV) user groups, and the Amherst and Area Trail Society (representing many non-motorized trail users) to facilitate legal access to services within Town limits for motorized OHVs. This has been under direction from the previous Council.

A one-year shared use trail pilot project has been developed which, will provide a route for legal access for OHVs from the Eddy Road to the South Albion commercial area via the Industrial Park. The route was chosen to access gas, food, and lodging establishments, and maintain as much distance from residential areas as reasonably possible, all while utilizing existing informal trails and corridors.

The attached draft Memorandum of Understanding (MOU) prescribes the roles and responsibilities of the Town and the user groups. Access is granted over Town lands provided that the user groups obtain permission to access privately owned lands, including railway lands. The user groups are also responsible for providing liability insurance, trail signage, and ongoing maintenance. Individual motorized trail users must be an association member or have a recognized trail pass. These users must also obey the Off-Highway Vehicle Act, which requires licensing and insurance. The MOU term is one year, and may be renewed after a public consultation process to be determined by the Town.

MOTION :

That Council enter into a Memorandum of Understanding (MOU) with Cumberland County Riders ATV Club, Cumberland Snowmobile Club, and Amherst and Area Trail Society to initiate a one-year pilot project for a shared-use trail corridor, and authorize the Mayor and CAO to sign the MOU on behalf of the Town.



REGULAR COUNCIL

RFD# 2017063

Date: 28 November 2016

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Andrew Fisher, Planning & Economic Development

DATE: November 28, 2016

SUBJECT: Shared-Use Trail Access – Memorandum of Understanding

ORIGIN:

June 26, September 26, and October 3, 2016 motions of Council directing staff to make Amherst an ATV and snowmobile friendly community.

LEGISLATIVE AUTHORITY:

Section 14 (2) of the Off-highway Vehicles Act allows access for such vehicles on property not designated as a street, and where permission is given.

RECOMMENDATION:

That Council enter into a Memorandum of Understanding (MOU) to initiate a one-year pilot project for a shared-use trail corridor.

BACKGROUND:

Previous Council directed staff to facilitate legal access to services within Town limits for motorized Off-Highway Vehicles (OHVs). As such, staff have been working with both OHV user groups, and the Amherst & Area Trail Society (representing many non-motorized trail users) to develop a one-year shared use trail pilot project. The shared use trail provides a route for legal access for OHVs from the Eddy Road to the South Albion commercial area via the Industrial Park. The route was chosen to access gas, food, and lodging establishments, and maintain as much distance from residential areas as reasonably possible, all while utilizing existing informal trails and corridors.

The Memorandum of Understanding (MOU) prescribes the roles and responsibilities of the Town and the user groups. Access is granted over Town lands provided that the user groups obtain permission to access privately owned lands, including railway lands. The user groups are also responsible for providing liability insurance, trail signage, and ongoing maintenance. Individual motorized trail users must be an association member or have a recognized trail pass. These users must also obey the Off-Highway Vehicle Act, which requires licensing and insurance. The MOU term is one year, and may be renewed after a public consultation process to be determined by the Town.



DISCUSSION:

Allowing OHVs to access town commercial services will support local business growth and retention, and increase visitor traffic. The shared use trail will benefit non-motorized trail enthusiasts by increasing the amount of developed trail in and around Amherst.

FINANCIAL IMPLICATIONS:

Financial implications are minimal – some public works resources may be required to make adjustments to a ditch on Sackville Road.

COMMUNITY ENGAGEMENT:

Consultation with trail user groups is ongoing. A public input process at the end of the one-year pilot project is recommended.

ENVIRONMENTAL IMPLICATIONS:

Environmental implications are varied – motorized recreational vehicles do have an environmental impact; however, providing a designated trail may reduce damage to natural areas.

ALTERNATIVES:

- 1) reject the MOU, or
- 2) defer the MOU to staff for further changes to the document.

ATTACHMENTS:

MOU Shared Use Trail Access

Report prepared by: Andrew Fisher, Planner

Report and Financial approved by:

MEMORANDUM OF UNDERSTANDING SHARED USE TRAIL ACCESS

THIS MEMORANDUM OF UNDERSTANDING (MOU) made as of this _____ day of _____, 2016.

AMONG:

The **Town of Amherst**, a municipal body corporate pursuant to Section 8 of the Municipal Government Act (hereinafter called the "Town");

OF THE FIRST PART

AND

The **Cumberland County Riders ATV Club**, a society registered under the Societies Act of Nova Scotia (hereinafter called the "ATV Club");

AND

The **Cumberland Snowmobile Club**, a society registered under the Societies Act of Nova Scotia (hereinafter called the "Snowmobile Club");

AND

The **Amherst and Area Trail Society**, a society registered under the Societies Act of Nova Scotia (hereinafter called the "Trail Society")

(Collectively hereinafter called the "User Groups")

OF THE SECOND PART

WHEREAS the Town intends to grant access over Town-owned property for use by the User Groups on the route shown in Schedule "A" of this agreement, subject to the terms of this agreement;

AND WHEREAS the ATV Club is a member in good standing of the ATV Association of Nova Scotia;

AND WHEREAS the Snowmobile Club is a member in good standing of the Snowmobilers Association of Nova Scotia;

AND WHEREAS the Amherst and Area Trails Society is a member in good standing of the Nova Scotia Trails Federation.

THE PARTIES HERETO HAVE AGREED AS FOLLOWS:

1. Grant of User Groups

1.1 The Town hereby grants to the User Groups permission to enter, establish, maintain, groom, enforce, sign, and use that portion of Town-owned lands indicated in Schedule "A" for the purpose of establishing and operating a Shared Use Trail.

1.2 For the purposes of this MOU, Shared Use Trail is defined as a trail that permits more than one type of trail user at the same time or during different seasons and shall include pedestrians, cyclists, skiers, and Off Highway Vehicles as defined by the *Off-highway Vehicles Act. R.S., c.323, s.1*.

2. Term

2.1 Unless terminated or suspended, this MOU is valid for a period of one year, starting _____, and ending _____, and may be renewed subject to a review process to be determined by the Town.

3. Termination or Suspension

3.1 The Town may terminate or suspend this MOU at any time for any reason whatsoever following thirty (30) days written notice to the User Groups. All parties agree; however, that prior to terminating or suspending this MOU, mutual consultation and concerted effort will be made to seek a resolution.

3.2 The Town may terminate or suspend any individual party to this MOU at any time for any reason whatsoever following thirty (30) days written notice to the User Groups. Termination or suspension by the Town of any individual party to this MOU does not extend to the other parties. All parties agree; however, that prior to terminating or suspending any party to this MOU, mutual consultation and concerted effort will be made to seek a resolution.

3.3 The Town or the User Groups with permission from the Town, following notification of all parties, may close the Shared Use Trail, or any specific portion of the Shared Use Trail or related site, for a period which may be specified or indefinite, for any reason whatsoever. The Town and the User Groups shall promptly cooperate in the closure and the Town shall not be liable for any damage, expense or loss the User Groups may incur as a result of the closure.

3.4 Upon termination of this MOU, the Town may request, within a specified time period, that the User Groups remove any or all of the structures, fixtures, signage, facilities, and works which have been installed by the User Groups. Any such structures, fixtures, signage, facilities, and works not removed within the specified time period shall become the property of the Town and no compensation shall be payable to the User Groups.

4. Liability and Insurance

4.1 The Town shall not be liable for any injury or damage (including death) to the person or for the loss of or damage to the property of the User Groups attributable in any way to the performance of any act under this MOU.

4.2 The User Groups shall at all times indemnify and save harmless the Town, its officers, employees or agents, from and against all claims, demands, losses, costs, debts, damages, actions, suits or other proceedings by whomsoever made, sustained, brought or prosecuted, or from anything done or omitted by the User Groups, in any manner based upon, occasioned by or attributable to the execution of this MOU, unless such claims, etc., result from the negligence of any officer, employee or agent of the Town while acting within the scope of his or her duty or employment.

4.3 The User Groups, acting together or separately, shall provide and maintain during the term of this MOU General Liability insurance covering bodily injury, personal injury or death to any person and property damage, with the Town of Amherst named as an insured party. The minimum limit of coverage shall not be less than \$2,000,000 with respect to each occurrence or accident, \$2,000,000 annual aggregate on an occurrence (not claims made) basis.

4.4 The User Groups, acting together or separately, shall provide a certificate of insurance confirming the Town as an insured party to the policy, and shall provide thirty (30) days written notice to the Town should said policy or policies be cancelled.

5. Use of Third Party Lands

5.1 Where the route shown in Schedule 'A' requires access over lands not owned by the Town, the User Groups, acting together or separately, shall provide to the Town written confirmation of permission to access said lands.

5.2 Permission to access lands not owned by the Town must be for the purpose of operating a Shared Use Trail that includes use by non-motorized users.

6. Construction and Commencement

6.1 Any construction project on Town owned lands shall require prior approval by the Town.

7. Signage

7.1 The User Groups must submit to the Town a signage plan. The User Groups are responsible for posting and maintaining signs at the usual point of access, at all road crossings, and at any other hazards to warn users and users of the road crossings. At usual points of access, particularly at 'trail head' locations, signs must be erected to indicate that the route is a Shared Use Trail and stress desired behaviour of riders and clearly communicate which uses are allowed on the Shared Use Trail.

7.2 Signs shall be erected at regular intervals indicating the speed limit, as determined by the Town of Amherst Traffic Authority.

8. Ongoing Operation

8.1 All costs associated with the ongoing operation, maintenance, enforcement and use of Town owned lands subject this MOU shall be at the User Group's expense. The User Groups shall be responsible for providing all needed equipment, labour and materials to maintain the subject lands to ensure safe conditions.

8.2 During the period of the MOU the User Groups shall report to the Town immediately any damage, unauthorized entry or unsafe conditions at any of the lands subject to this MOU of which the User Groups have knowledge, whether or not such damage, unauthorized entry or condition was caused by the User Groups.

8.3 The User Groups shall actively work with the Town to minimize or mitigate any nuisance or damage to adjacent lands, whether Town owned or third party owned.

8.4 The User Groups acknowledge that different trail users may have different trail standard requirements, and that no individual user group shall have the authority through this MOU to impose standards on another user group.

9. Shared Use Trail User Responsibilities

9.1 Operators of off-highway vehicles on the Shared Use Trail shall:

- a) be a member in good standing of an approved Provincial Association, and / or have an approved trail permit;
- b) obey the posted speed limit and any other signage;
- c) not operate an off-highway vehicle if the noise level of the vehicle is higher than the level originally set by the manufacturer as per section 15A of the Off-Highway Vehicles Act;
- d) not be in violation of any other section of the Off-highway Vehicles Act, including but not limited to requirements for: training, license, registration, and insurance; and,
- e) comply with all applicable Federal, Provincial, and Municipal laws and regulations;

10. Enforcement

The User Groups shall, in cooperation with the appropriate authorities, submit a plan to promote safety and compliance.

11. Assignment

The User Groups agree that it may not assign nor transfer their rights and status under this MOU without the prior written consent of the Town, which consent may be withheld at the sole discretion of the Town.

SIGNED, SEALED AND DELIVERED

in the presence of

FOR THE TOWN OF AMHERST

David Kogon
Mayor

Gregory D. Herrett, CA
Chief Administrative Officer

FOR THE ATV CLUB

FOR THE SNOWMOBILE CLUB

FOR THE TRAIL SOCIETY

SCHEDULE 'A'



External Committee Report

Cumberland YMCA

November 28, 2016

The Youth Centre had its Grand Opening on November 24th. The YMCA is currently looking for volunteers to help run programs in this new space. A program schedule is being developed with a full range of programs being offered starting in January. During the month of December, the current Thursday Drop In and the Friday Night Fun program will utilize the new space and some trial programming will begin.

The “Try the Y” promotion has had over 100 people participate by the third week in November. “Try the Y” offers a free one week trial of the YMCA to anyone that has not been a member in the past year.

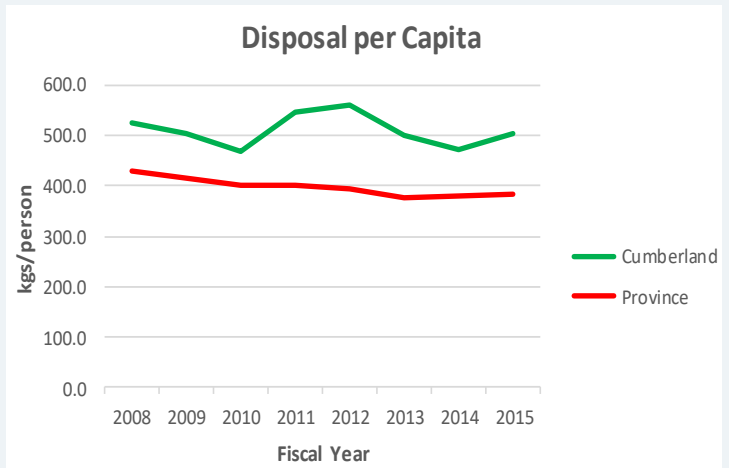
As of November 21st the YMCA has 1120 members, 215 of these are sponsored in some way through our subsidized membership program.



Solid Waste Matters

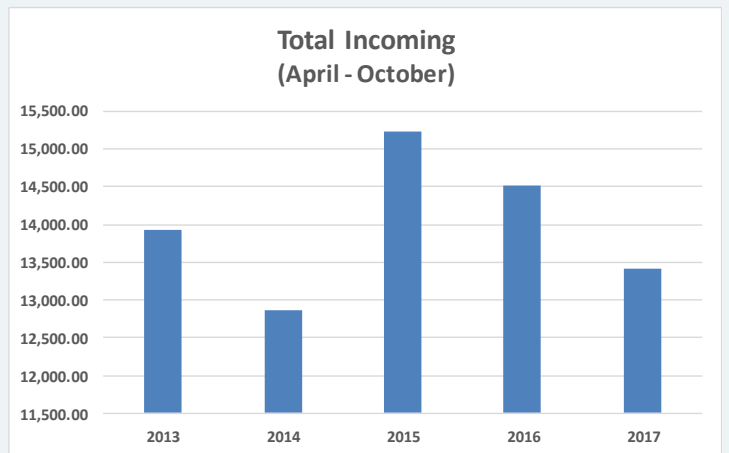
Provincial Efficiency Study

Nova Scotia Environment is now exploring the option of conducting the provincial Solid Waste Efficiency Study themselves. First, they would hire a consultant to identify the scope/terms of reference for the study, and write the RFP for the study. They would then hire another consultant to conduct the study. NSE wants the study completed no later than March 31, 2017.



New Cell Design

Landfill cell design work has begun, with the completion of a topographical survey and geotechnical analysis/report. This information is required before the actual design process can begin.



Budget 2017/2018

Staff will initiate budget preparations in mid November. The budget will be presented to the Board on January 19th.

Subject to Board approval, the budget will then be presented to our respective municipal partner's councils for approval.



Northern Region/CJSMA Board Appointments

We respectfully request that Northern Region representatives also be CJSMA Board representatives to ensure continuity and understanding in solid waste matters.

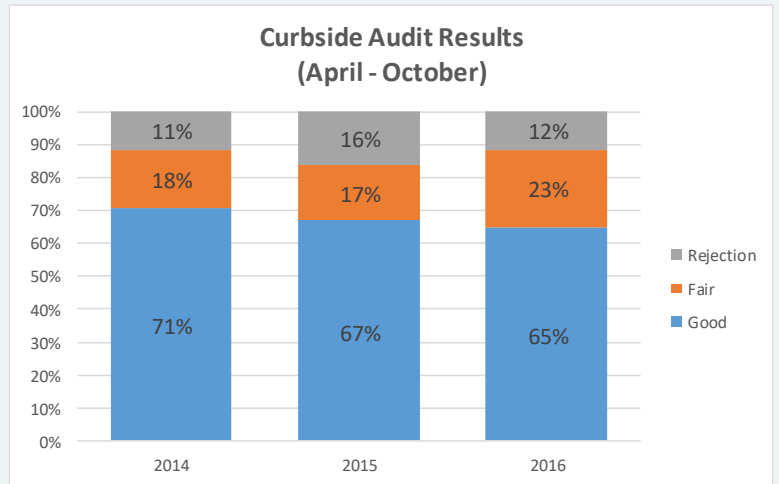


Your Partners in Waste Reduction



Education

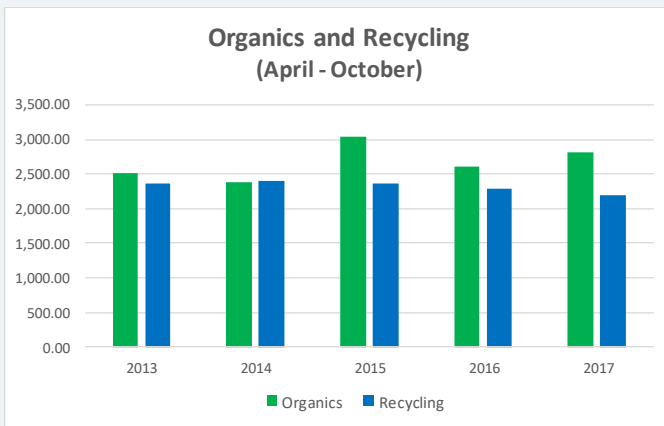
- In celebration of Waste Reduction Week, staff held an Open House Event on October 15th where residents were given a tour of the facilities by horse and wagon.
- Staff gave away reusable bags (donated by Divert NS) at Walmart and Superstore during Waste Reduction Week.
- CJSMA is hoping to launch the ReCollect App this month. This will allow residents to have online and mobile access to solid waste information.
- Staff participated in a Community Night at Spring Street Academy. This was an excellent way to touch base with a number of students and parents.
- Staff had lunch sessions with the students from River Hebert District School and Cumberland North Academy.



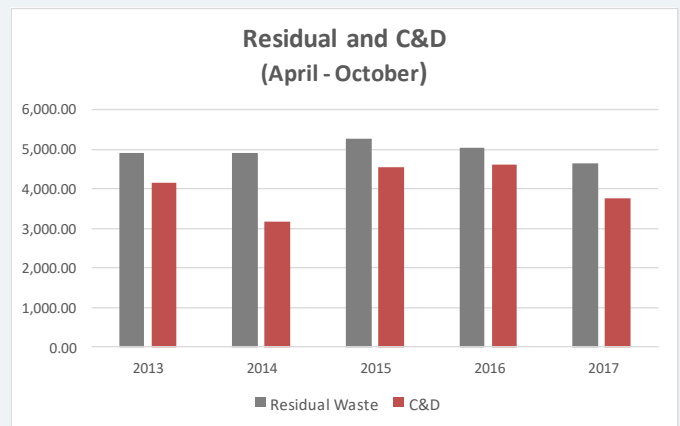
Enforcement

- The Enforcement Officer continues to conduct curbside and commercial audits.

Total Diverted



Total Disposed



Upcoming Meetings

Regional Coordinators	November 28, 2016	Elmsdale
CJSMA Board	December 8, 2016	County
Regional Chairs	December 9, 2016	Lower Sackville
CAO Advisory Committee	January 12, 2017	Amherst
Northern Region	TBD	Colchester
Managers & Directors	TBD	Truro
Solid Waste Priorities Group	TBD	Truro