



**Town of Amherst
Regular Council Meeting
Agenda**

Date: **Monday, September 24, 2018**
Time: **7:00 pm**
Location: **Council Chambers, Town Hall**

	Pages
1. CALL TO ORDER	
2. O'CANADA	
3. APPROVAL OF AGENDA/MINUTES	
3.1 Approval of the Agenda	
3.2 Approval of Minutes	
3.2.1 May 23, 2018 Special Council	3 - 10
3.2.2 June 25, 2018 Regular Council	11 - 15
3.2.3 July 23, 2018 Special Council	16 - 16
3.2.4 August 20, 2018 Special Council	17 - 17
4. REQUESTS FOR DECISION	
4.1 First Reading - 99 West Victoria Street Application for Development Agreement - RHINDRESS	18 - 29
4.2 First Reading - PACE Bylaw - BLANCH	30 - 35
4.3 Strategic Priorities Review - BYRNE	36 - 41
4.4 Community Support Grants Policy - CHRISTIE	42 - 52
4.5 Amherst Youth Town Council Appointments - MACKENZIE	53 - 57
4.6 Traffic Authority Policy Amendment - D. JONES	58 - 60
4.7 Cumberland YMCA Contribution Agreement - CHRISTIE	61 - 70

4.8	Heritage Gas Agreement - BLANCH	71 - 87
4.9	Audited Financial Statements - March 31, 2018 - RHINDRESS	88 - 91
4.10	Debenture Approval - D. JONES	92 - 95
4.11	Moving Funds from Operating to General Capital - RHINDRESS	96 - 98
5.	INFORMATION / DISCUSSION ITEMS	
5.1	Mobility Scooters and Motorized Wheelchairs - PIKE	99 - 108
6.	INTERNAL COMMITTEE REPORTS	
6.1	Planning Advisory Committee	109 - 109
6.2	Amherst Board of Police Commissioners	110 - 110
7.	EXTERNAL COMMITTEE REPORTS	
7.1	Cumberland Public Libraries - MACKENZIE	
7.2	Cumberland YMCA - CHRISTIE	111 - 111
7.3	Cumberland Joint Services Management Authority - BYRNE	112 - 112
7.4	Northern Region Solid Waste Committee - RHINDRESS	113 - 120
7.5	L. A. Animal Shelter - KOGON - No Report	
7.6	Joint Tourism Committee - JONES	
7.7	Senior Safety Report - JONES	121 - 122
7.8	NSFM Report - RHINDRESS	123 - 127
8.	ADJOURNMENT	

Amherst Town Council

Special Meeting

Minutes

Date: May 23, 2018
Time: 4:00 pm
Location: Council Chambers, Town Hall

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

Staff Present
Greg Herrett, CAO
Jason MacDonald, Deputy CAO Operations
Bill Schurman, Director Recreation
Greg Jones, Fire Chief
Tom McCoag, Corporate Communications Officer
Shelley Rector, Chief Financial Officer
Rebecca Taylor, Business Development Officer
Sarah Wilson, Manager of Financial Services
Natalie LeBlanc, Deputy Clerk

1. CALL TO ORDER

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

1.1 Mayor's Comments

I am pleased to present the Town's operating and capital budgets for the 2018/19 fiscal year. First, on behalf of all members of our Council, let me congratulate our senior management team and staff work in getting us to this point. Members of Council worked as a team and focused on council priorities while recognizing that there are pressures like inflation that impact on budgets.

Following a comprehensive operations and capital budget review process as well as ensuring Council's commitment to their strategic priorities has been reflected, the Town of Amherst has made the following changes:

1. A half cent increase in the Community Support Area Rate which is a minimal increase for residents that allows for reinvestment into the community.
2. The Tax Reduction Policy will be amended to allow for a \$450 reduction for those with an income of \$25,000 or less. Council recognizes the strain tax payers on limited and fixed incomes have paying their property taxes and would like to expand the household income credit to ensure fair and equitable treatment
3. An increase in the deed transfer tax from 1% to 1.25% of the purchase price. This increase has been ear-marked for poverty reduction and is expected to generate approximately \$50,000 annually.

In early January Council, along with senior management, participated in a very intense and well-coordinated exercise that allowed us to identify and prioritize the issues. Using input from many sources we were able to identify what importance to put on these issues and to a great degree the order in which to tackle them. Last year we had a strong focus on business which has continued with our new Business Development Officer. In addition, this year we are also focusing on other priorities like Poverty Reduction and Community Support.

Council is pleased to provide a budget that reflects the NOW Priorities and NEXT Directions outlined in the 2018 Strategic Priorities Plan.

We're also pleased to deliver:

- \$17,532,518 operating budget and \$2,988,703 capital budget that includes \$225,000 for active transportation links within the Town;

- The approval of \$84,180 worth of 2018-19 Community Support Grants, such as Bordertown Biker Bash, Fibre Arts Festival and Maggie's Place. (An event will be scheduled in June 2018 for Council to present the 2018-19 community support grants cheques.); and
- An investment of \$3,136,958 for capital for Water. The majority of which is part two of the reservoir project (including Willow Street watermain replacement).

I feel extremely optimistic about the next year for the Town of Amherst. This budget allows the Town to complete necessary infrastructure projects while minimizing tax increases. The Town is fortunate to be able to continue to deliver the level of services provided while minimizing tax increases even while the expenses of the Town continue to be impacted by inflation for items like wages, energy costs and more.

Now there are a series of motions to give effect to this year's budget. I'll ask our CAO to lead us through these.

1.2 CAO's Comments

I am pleased to present the Town's operating and capital budgets for the 2018/19 fiscal year for Council's consideration this evening. I do want to acknowledge and thank the senior management team for their work in the preparation of this year's budget. A special thanks to Sarah Wilson from the Corporate Services Department who played a significant role in the budget preparation this year.

Residential capped assessment grew by 0.1% this year representing \$429,700 in additional assessment yielding a minimal increase in residential tax revenue (\$7,000). Commercial assessment declined by 0.2%, representing about \$11,000 less in revenue.

On the expenditure side, estimated expenditures will decrease by about \$48,000 or 0.3%. This is mainly due to the removal of the CRDA wind-up costs from last year which are offset by wage and benefit increases due to contract negotiations and pension costs.

There have been some internal organizational changes which have resulted in some budget being reallocated between departments but does not affect the overall budget.

This budget has focused on the priorities of Council and specifically on increasing contributions to the Community and to support poverty reduction in Amherst.

A proposed change to the Tax Reduction Policy, increasing the credit available to \$450 for anyone having income of \$25,000 or less (and removing tiers) has been done. This was done within the existing budget, as not all of the budget was spent last year.

The fire protection charge that the Amherst Water Utility charges the Town, by order of the UARB, is set to increase by \$46,000.

Some reduction in cost has occurred for mandatory contributions to provincial agencies where we see an estimated decrease of \$129,000 for Housing and a \$17,000 increase in Education costs. Although there has been a decrease in expected budget numbers for housing, we do note that any expenditures over budget are required to be funded by the Town. Your worship, you will recall that Council approved the rate for the Provincial Mandatory Education Area Rate in February and was reduced from .41 cents to .39 cents.

Projected year-end financial results point to a balanced budget this year with Council focusing on strategic priorities in areas like active transportation, poverty reduction, community support and pension plan review.

This year's capital budget was once again prepared with reference to the various studies that have been completed over the past couple of years including the Asset Management Study, the Recreation Master Plan, the TIR assessment of the Town's street infrastructure and the Vehicle Replacement Plan. In addition, this year's budget references the Town's recently created Active Transportation Plan. The recommended capital budget is included in the budget document at page 15 and totals \$2,988,703 in general capital.

Last year the residential tax was held constant and the commercial tax was reduced. The recommended tax rates for the 2018/19 fiscal year are outlined on page 6 of the budget document. There is a half cent increase in the Community Support Area Rate to enable Council to provide additional support to the community. Although there is a change in the mix of rates, the overall result is that the total residential rate is proposed to increase to \$1.635 and the commercial rate is proposed to be increased to \$4.435.

We have modeled the change based on the average residential assessment for Amherst residents (\$103,814 in 2017/18 and \$103,873 in 2018/19). The details are at page 10 of the budget document (increase is a total of \$36.16 per household annually – that’s less than 10 cents per day)

In addition, deed transfer tax has been increased from 1% to 1.25%, effective July 1, 2018. The funds raised from this tax, estimated to be about \$50,000 annually, will be ear-marked for poverty reduction programs.

It is worth noting, Your Worship, that our ten year operating and capital models indicate that there are ongoing pressures expected on costs and revenues, and that Amherst needs to continue to be vigilant in ensuring the long term viability of the Town.

A final note: while the budget is being presented for approval today, there still remain a few items left for Council meetings in May and June to give full effect to entire plan. The Community Support Grants policy, the new Tax Exemption Policy, second reading of the Bylaw to Repeal the Tax Exemption Bylaw and amendments to the Deed Transfer Tax Bylaw will work their way through the next two regular meetings of Council.

2. BUDGET RESOLUTIONS

2.1 Estimates of Revenues and Expenditures

Moved By Councillor Blanch

Seconded By Deputy Mayor Christie

That Council accepts the following estimates of the sums required by the Town of Amherst for the fiscal period ending March 31, 2019, prepared in accordance with Section 72 of the *Municipal Government Act*:

Revenues	
Taxes	\$13,085,860
Grants in Lieu of Taxes	311,991
Services Provided to Other Local Gov't	188,208
Sale of Services	1,387,027
Other Revenue from Own Sources	642,270
Unconditional Transfers	1,260,382
Conditional Transfers	350,000
Other Transfers	306,780
Total Revenues	\$17,532,518

Expenditures	
Corporate Services	\$4,915,929
Police Services	4,213,492
Fire Protection Services	1,769,926
Operations	4,188,245
Planning	125,626
Community & Economic Development	319,047
Recreation	1,854,473
Strategic	145,780
Total Expenditures	\$17,532,518

2.2 General Tax Rate

Moved By Councillor Byrne
Seconded By Councillor MacKenzie

WHEREAS total estimated expenditures for the fiscal period are \$17,532,518; and

WHEREAS total estimated revenues, other than taxes to be levied are \$4,446,658 ; and

WHEREAS the balance of revenues required, \$13,085,860 must be rated;

THEREFORE BE IT RESOLVED THAT for the Town of Amherst for the fiscal year ending March 31, 2019:

1. The general tax rates are as follows:

Residential / Resource	\$1.18 per \$100 of assessment
Commercial	\$3.98 per \$100 of assessment

AND THAT these taxes are due and payable on September 28, 2018 with interest to be charged on all final tax accounts outstanding on or after October 1, 2018 at the rate of 1% per month, 12% per annum.

Motion Carried

2.3 Area Rates

2.3.1 Community Support – 2018/19 Area Rate

Moved By Deputy Mayor Christie
Seconded By Councillor Rhindress

WHEREAS the estimated community support for the 2018-19 fiscal period of \$344,752 must be rated;

THEREFORE BE IT RESOLVED THAT for the Town of Amherst for the fiscal year ending March 31, 2019, the Community Support Area Rate on all property assessments within the boundary of the Town of Amherst are as follows:

Residential / Resource	\$0.065 per \$100 of assessment
Commercial	\$0.065 per \$100 of assessment

AND THAT these area rates are due and payable on September 28, 2018 with interest to be charged on all final tax accounts outstanding on or after October 1, 2018 at the rate of 1% per month, 12% per annum.

Motion Carried

2.4 Sanitary Sewer Rates

Moved By Councillor Blanch
Seconded By Councillor Rhindress

WHEREAS Council is authorized by the Town of Amherst Sanitary Sewer Rates By-law to set rates for sewer services;

THEREFORE BE IT RESOLVED THAT owners shall be billed for sewer services using one of the following methods effective April 1, 2018:

• Metered Customers

Those owners whose water service is metered shall pay a usage charge:

- o Residential: \$0.99 per cu. meter of metered water consumption as determined by the Amherst Water Utility;
- o Commercial/Industrial/Institutional: \$0.49 per cu. meter of metered water consumption as determined by the Amherst Water Utility.
- o Base Charges

Those owners whose water service is metered shall pay a base charge quarterly. The quarterly base charge by meter size is:

5/8"	\$18.00
3/4"	\$27.00
1"	\$43.75
1 1/2"	\$86.00
2"	\$136.25
3"	\$271.25
4"	\$500.00

- Non-Metered Customers

For non-metered customers in unmetered mobile home parks, the park owner shall pay \$178.53 per dwelling unit per annum.

Motion Carried

2.5 Wastewater Treatment Facility Uniform Charge

Moved By Councillor MacKenzie

Seconded By Councillor Byrne

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2019, an amount to be raised for a portion of the debenture principal and interest payments for the wastewater treatment facility, a purpose for which the Town may expend funds; and

WHEREAS there are approximately 486 unmetered mobile homes within a land leased community within the boundaries of the Town of Amherst; and

WHEREAS the Council may, under paragraph 75(4)(b) of the *Municipal Government Act*, in lieu of levying an area rate, levy a uniform charge on each unmetered mobile home within a land leased community in the area;

THEREFORE BE IT RESOLVED that a uniform charge of \$72.00 be levied for the fiscal year ending March 31, 2019 on each unmetered mobile home within a land leased community within the boundaries of the Town of Amherst, and that these uniform charges are due and payable on September 28, 2018 with interest to be charged on all final tax accounts outstanding on or after October 1, 2018 at the rate of 1% per month, 12% per annum.

Motion Carried

2.6 Solid Waste Management Uniform Charge

Moved By Councillor Byrne

Seconded By Councillor Blanch

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2019, the amount of \$564,855 to be expended for the purpose of solid waste management, a purpose for which the Town may expend funds; and

WHEREAS \$564,855 is funded from the Solid Waste Management Uniform Charge; and

WHEREAS there are approximately 3,223 dwelling units within the boundaries of the Town of Amherst in residential premises with less than four such dwelling units; and

WHEREAS the Council may, under paragraph 75(4)(b) of the *Municipal Government Act*, in lieu of levying an area rate, levy a uniform charge on each property assessment in the area;

THEREFORE BE IT RESOLVED that a uniform charge of \$175.00 be levied for the fiscal year ending March 31, 2019 on each dwelling unit within the boundaries of the Town of Amherst in residential premises with less than four such dwelling units, and that these uniform charges are due and payable on September 28, 2018 with interest to be charged on all final tax accounts outstanding on or after October 1, 2018 at the rate of 1% per month, 12% per annum.

Motion Carried

2.7 Operating Budget - Water Utility

Moved By Councillor Jones

Seconded By Councillor MacKenzie

That Council approves the 2018-2019 Amherst Water Utility Operating Budget of \$2,154,099 as presented.

Motion Carried

2.8 Capital Budget - Town of Amherst & Amherst Water Utility

Moved By Councillor MacKenzie

Seconded By Councillor Rhindress

That Council approves the Town of Amherst General Capital Budget for the 2018-19 fiscal year as presented in the amount of \$2,988,703 and the Amherst Water Utility Capital Budget for the 2018-19 fiscal year in the amount of \$3,136,958 to be funded as follows:

	<u>Town of Amherst</u>		<u>Amherst Water Utility</u>
Capital from Revenue	\$ 590,000	Capital from Revenue	\$ 40,000
Gas Tax Funding	1,025,280	Water Capital (Depreciation)	191,234
Long Term Debt	535,000	Federal Grant – CWWF	1,343,988
Reserves	<u>838,423</u>	Provincial Grant – CWWF	690,919
Total	<u>\$ 2,988,703</u>	Long Term Debt	<u>870,817</u>
		Total	<u>\$ 3,136,958</u>

And further, that Council approve in principle the subsequent nine years' Capital Budget plan as presented:

Fiscal Year	General Capital	Water Capital
	Total Amount	Total Amount
2019 – 2020	2,811,750	483,750
2020 – 2021	2,082,500	388,750
2021 – 2022	2,584,000	235,000
2022 – 2023	1,638,250	296,000
2023 – 2024	1,613,250	225,000
2024 – 2025	1,605,250	200,000
2025 – 2026	1,399,000	265,000
2026 – 2027	1,608,000	375,000
2027 – 2028	1,548,000	385,000

To be clear, the second part of this motion contemplates the approval of the amounts for the years 2019-2020 to 2027-2028 for planning purposes only; this is not the authority to spend, nor is it necessarily the final and complete listing.

Motion Carried

3. REQUEST FOR DECISION

3.1 General Borrowing Resolution

Moved By Councillor Jones

Seconded By Deputy Mayor Christie

That Council approves a general borrowing resolution to authorize the borrowing of certain moneys from the Royal Bank of Canada to meet the current expenditures of the Town of Amherst for the year ending March 31, 2019.

Motion Carried

3.2 Tax Exemption Bylaw

Moved By Councillor Rhindress

Seconded By Councillor MacKenzie

That Council approve first reading of a bylaw to Repeal the Tax Exemption Bylaw B-1.

Motion Carried
Councillor Blanch Nay Vote

3.3 Tax Reduction Policy

Moved by Deputy Mayor Christie

Seconded by Councillor Byrne

That Council approves amendments to the Tax Reduction Policy 3800-02 to the following income levels and amounts:

- Less than \$25,000 - a credit of \$450

Motion Carried

3.4 User Fees Policy

Moved By Councillor Blanch

Seconded By Councillor MacKenzie

That Council approve the amended User Fees Policy 3470-03 Schedule A.

Motion Carried

3.5 Community Support Grants - Grants to Organizations

Moved By Councillor MacKenzie

Seconded By Deputy Mayor Christie

That Council approves funding in the amount of \$84,180 under the Community Support Grants Policy as follows:

Amherst Little League Baseball Association - included in Policy - \$1,500

Amherst Little League T-Ball Baseball - included in Policy - \$500

Autumn House - included in Policy - \$10,000

Cumberland Early Intervention Program - included in Policy - \$500

Food Assistance Network - included in Policy - \$2,000

LA Animal Shelter - included in Policy - \$10,000

LA Animal Shelter - additional funds requested - \$2,500

Sexual Health Centre for Cumberland - included in Policy - \$500

Amherst Minor Basketball - Coaching Clinic - \$300

Showcase Productions - Summer Theatre Music Camp - \$1,000

Canadian Cancer Society - Relay for Life funding for Stadium rental - \$1,800

Maritime Mosaic - Dayle's Block Party/Concert at Curling Club - \$1,500

Maggie's Place - Cooking Program for Dad's - \$4,630

Fibre Arts Festival Society - Fibre Arts Festival - \$3,000

Bordertown Biker Bash Committee - Biker Bash Festival - \$3,000

Cumberland Y Service Club - Cross Border Challenge - \$2,000

Seniors Safety Program - Support for Senior Safety Program - \$6,500

Cumberland County Museum - Cameras/Security System - \$4,000

Amherst Golf Club - Junior Program reduced fees - \$1,500

NSCC - Make Way Campaign student bursaries - \$20,000

Cumberland Health Care Foundation - Walking Track - \$5,000

Autism NS - Walk the Walk for Autism - \$950

Cumberland Health Care Auxiliary - Highland Fling - \$500

Cumberland Health Care Foundation -Adult Prom - \$1,000

And further that Council approves a five year commitment to the NSCC Make Way Campaign of \$20,000 per year (including this year) to fund Amherst resident students who demonstrate a financial need and who are attending an NSCC campus anywhere in Nova Scotia.

Motion Carried

3.6 Deed Transfer Tax Bylaw

Moved By Councillor Blanch

Seconded By Councillor Byrne

That Council approve first reading of a By-law to Amend the Deed Transfer Tax By-law, which changes the deed transfer tax rate from 1% to 1.25% of the sale price or value of property sold.

Motion Carried

3.7 Rambler Agreement

Deputy Mayor Christie declared a conflict of interest and left the meeting.

Moved By Councillor MacKenzie

Seconded By Councillor Blanch

That Council approve entering into an operating agreement with the Amherst Jr. "A" Hockey Club (the Ramblers) for the 2017-18, 2018-19, 2019-20 ice seasons, and authorizes the Mayor and CAO to sign the agreement on behalf of the Town.

Motion Carried

Deputy Mayor Christie returned to the meeting at this time.

- 3.8 CUPE Agreement
Moved by Councillor Jones
Seconded by Councillor Rhindress**

That Council approve the CUPE Local 1233 Collective Agreement.

Motion Carried
Councillor Blanch Nay Vote

4. INFORMATION ITEMS

- 4.1 2018-19 Operating and Capital Budget Report**

Information item; no direction given or action required.

5. ADJOURNMENT

- Moved By Councillor Jones
Seconded By Councillor Byrne**

To adjourn the meeting at 4:40 PM.

Motion Carried

Gregory D. Herrett, CPA, CA
Chief Administrative Officer

David Kogon, MD
Mayor

TOWN OF AMHERST
Regular Council Meeting
Minutes

Date: June 25, 2018
Time: 7:00 pm
Location: Council Chambers, Town Hall

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

Members Absent Councillor Jason Blanch

Staff Present Greg Herrett, CAO
Jason MacDonald, Deputy CAO Operations
Ian Naylor, Police Chief
Bill Schurman, Director Recreation
Greg Jones, Fire Chief
Shelley Rector, Chief Financial Officer
Tom McCoag, Corporate Communications Officer
Andrew Fisher, Manager of Planning & Strategic Initiatives
Kimberlee Jones, Municipal Clerk
Natalie LeBlanc, Deputy Clerk

1. CALL TO ORDER

Mayor Kogon called the meeting to order at 7:00 p.m.

2. O CANADA

Grace Thompson sang O Canada.

3. HEARINGS/PRESENTATIONS/PETITIONS

3.1 Electric Car Charging Station

An official opening of the Electric Car Charging Station was held.

David Stevenson of Tatamagouche was on hand for this. A strong supporter of renewable energy it has been a long-time dream of his to have charging stations around the province so “you could drive an electric car anywhere in Nova Scotia.” A retired educator, Stevenson is currently the president of Colchester-Cumberland Wind Field, a windfarm located between Tatamagouche and Earltown.

As a result of his work with the windfarm, he met David Swan, who is a director in the wind field and has 30 years of experience with electric cars. They in turn met up with a person in Saskatchewan who was working to put charging stations across the country. “We all had a personal appreciation of renewable energy and wanted to work towards the ability to fuel electric vehicles anywhere in the province.”

In 2012, Stevenson and Swan began their volunteer work to bring charging stations to various communities in the province. Their work has resulted in charging stations in Parrsboro, Masstown, Truro, New Glasgow, Antigonish and in the Valley. The charger Amherst is getting is one of the new chargers. It can charge any electric car out there. It’s a slow charger.

He praised Amherst for being innovative and supportive of renewable energy, which is the wave of the future and helps to cut down on the use of fossil fuels. He says the charger will attract visitors because electric car owners plan their trips around where charging stations are located.

3.2 Long Service Awards

The Mayor presented Long Service Awards to the following:

40 Years of Service – Scott White
30 Years of Service – Ben Pitman
Ian Naylor
20 Years of Service – Ken Pettigrew
Kathy Lake
Greg Herrett
Dwayne Pike
Kim Jones
10 Years of Service – Kevin Devine
Shane Mitchell
Rick MacKay
John Haggerty
Jean Jacklin
Jason Galloway

4. APPROVAL OF AGENDA/MINUTES

4.1 Approval of the Agenda

**Moved By Deputy Mayor Christie
Seconded By Councillor Byrne
To approve the agenda as circulated.**

Motion Carried

4.2 Approval of Minutes - 20180528

**Moved By Councillor Rhindress
Seconded By Councillor Jones
To approve the minutes of the May 28, 2018 regular meeting of Council.**

Motion Carried

5. REQUESTS FOR DECISION

5.1 Tax Exemption Bylaw to Repeal 2nd Reading

**Moved By Councillor Rhindress
Seconded By Councillor MacKenzie
That Council approve second reading of a bylaw to Repeal the Tax Exemption
Bylaw B-1.**

Motion Carried

5.2 Tax Exemption Policy

**Moved By Councillor Rhindress
Seconded By Councillor Byrne
That Council approve the Tax Exemption Policy which replaces the previous Tax
Exemption Bylaw.**

Motion Carried

5.3 Pension Plan Amendment

**Moved By Councillor Byrne
Seconded By Deputy Mayor Christie
That Council approve the proposed changes to the pension plan to ensure
compliance with the Nova Scotia Pension and Benefit Act.**

Motion Carried

- 5.4 **MPS & LUB Amendments**
 Moved By Deputy Mayor Christie
 Seconded By Councillor MacKenzie
 That Council give first reading to the amendments to the Municipal Planning Strategy Schedule 'A' Future Land Use Designations Map by changing 283 & 295 Church Street from Industrial to Highway Commercial, and an amendment the Land Use Bylaw Schedule 'A' Zoning Map by changing the same properties from the Industrial Zone to the Highway Commercial Zone, and further schedule a public hearing and second reading for the next regular meeting of Council.
- Motion Carried**
- 5.5 **Strategic Priorities**
 Moved By Deputy Mayor Christie
 Seconded By Councillor Jones
 That Council adopt the Strategic Priorities Chart for the July to September 2018 period.
- Motion Carried**
- 5.6 **Ice Helmet Policy**
 Moved By Councillor MacKenzie
 Seconded By Councillor Byrne
 That Council approve Ice Helmet Policy 72300-10 for the Amherst Stadium effective August 15, 2018.
- Motion Carried**
- 5.7 **AYTC Policy Recommendation**
 Moved By Councillor Rhindress
 Seconded By Councillor MacKenzie
 That Council approve the revised Amherst Youth Town Council (AYTC) Policy.
- Motion Carried**
- 5.8 **Dog Park**
 Moved By Councillor Jones
 Seconded By Councillor Rhindress
 That Council approve the scope of work required to develop a permanent off-leash dog park within Dickey Park, with the work to begin as soon as possible.
- Against (2): Deputy Mayor Christie, and Councillor Jones
Motion Carried
- 5.9 **REMO Plan**
 Moved By Councillor Byrne
 Seconded By Deputy Mayor Christie
 That Council accept this newly created Regional Emergency Management Plan (REMO).
- Motion Carried**
- 5.10 **East Pleasant Street Tender**
 Moved By Councillor Byrne
 Seconded By Deputy Mayor Christie
 That Council award the tender for the East Pleasant Street reconstruction project to Cumberland Paving and Contracting at their total unit price bid amount of \$825,315 plus HST. And further that staff be directed to negotiate a reduction in the amount of work to be completed, based on the unit prices submitted, in order to bring the actual costs of the project closer to the actual budgeted amount of \$805,000 including HST.
- Motion Carried**

5.11 Community Support Grants Policy

Moved By Deputy Mayor Christie

Seconded By Councillor Byrne

That Council approve the amendments to the Community Support Grant Policy 72000-08.

Against (1): Councillor Rhindress

Motion Carried

5.12 Cumberland County Physician Recruitment Committee Funding Proposal

Moved By Deputy Mayor Christie

Seconded By Councillor Rhindress

That Council approve the request for funding to support the Cumberland County Physician Recruitment Committee in an amount up to \$10,915, and give staff authority to draw these funds from the Operating Reserve.

Motion Carried

5.13 Multi Ethnic Sport Hall of Fame Funding Request

Moved By Councillor Jones

Seconded By Councillor MacKenzie

That Council make \$150 donations directly to the Heather Arseneau Scholarship and the Amherst Food Network in honor of the list of honorees for this event.

Motion Carried

5.14 Appointment of Acting Police Chief

Moved By Councillor Jones

Seconded By Councillor Rhindress

That Council appoint the current Deputy Chief of Police Dwayne Pike as Acting Chief of Police effective August 1, 2018 until such time as Council appoints a permanent replacement for Chief Naylor.

Motion Carried

6. INFORMATION / DISCUSSION ITEMS

No information or discussion items.

7. INTERNAL COMMITTEE REPORTS

7.1 Planning Advisory Committee

Information item; no direction given or action required.

7.2 Amherst Board of Police Commissioners

Information item; no direction given or action required.

8. EXTERNAL COMMITTEE REPORTS

8.1 Cumberland Public Libraries

Information item; no direction given or action required.

8.2 Cumberland YMCA

Information item; no direction given or action required.

8.3 Cumberland Joint Services Management Authority - Verbal Report

Information item; no direction given or action required.

8.4 Northern Region Solid Waste Committee

No report.

8.5 L. A. Animal Shelter

Information item; no direction given or action required.

9. ADJOURNMENT

**Moved By Councillor Jones
Seconded By Councillor MacKenzie
To adjourn the meeting at 7:50 p.m.**

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

TOWN OF AMHERST
Special Council Meeting
Minutes

Date: July 23, 2018
Time: 12:30 pm
Location: Council Chambers, Town Hall

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

Staff Present Jason MacDonald, Deputy CAO Operations
Tom McCoag, Corporate Communications Officer
Shelley Rector, Chief Financial Officer
Kimberlee Jones, Municipal Clerk
Emily Wainwright, Administrative Assistant

1. CALL TO ORDER

Mayor Kogon called the meeting to order at 12:31 PM.

2. REQUESTS FOR DECISION

2.1 Tender Award T-18-09 Willow Street Infrastructure Renewal

Moved By Councillor Blanch

Seconded By Councillor Byrne

That Council award the tender for the Willow Street Reconstruction Project to Beale and Inch Construction Limited at their total unit price bid amount of \$1,800,082.40 plus HST.

Motion Carried

3. ADJOURNMENT

Moved By Councillor Jones

Seconded By Councillor Rhindress

To adjourn the meeting at 12:37 PM.

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

TOWN OF AMHERST
Special Council Meeting
Minutes

Date: August 20, 2018
Time: 12:30 pm
Location: Council Chambers, Town Hall

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

Staff Present Greg Herrett, CAO
Kimberlee Jones, Municipal Clerk
Emily Wainwright, Administrative Assistant

1. CALL TO ORDER

Mayor Kogon called the meeting to order at 12:36 PM.

2. IN CAMERA

2.1

Moved By Councillor Blanch
Seconded By Deputy Mayor Christie
That Council move to an In Camera Session

Motion Carried

3. ADJOURNMENT

Moved By Councillor Jones
Seconded By Councillor Blanche
To Adjourn the Meeting at 1:47 PM.

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

Synopsis

Development Agreement Application

99 West Victoria Street

Development Agreement that would permit a garden suite (aka in-law suite) in the rear yard of the subject property. The Planning Advisory Committee held a Public Participation Opportunity on August 13, 2018, and subsequently passed a motion recommending that Council enter into the proposed Development Agreement.

MOTION:

That Council give first reading of the proposed Development Agreement for 99 West Victoria Street, and schedule a public hearing for October 22, 2018.



AMHERST TOWN COUNCIL

RFPD# 2018134

Date: September 24, 2018

SUBJECT: Application by the property owner of 99 West Victoria Street for a Development Agreement that would permit a garden suite (aka in-law suite) in the rear yard of the subject property.

RECOMMENDATION OF THE PLANNING ADVISORY COMMITTEE: That Council give first reading of the proposed Development Agreement for 99 West Victoria Street, and schedule a public hearing for October 22, 2018.

NEXT COURSE OF ACTION: Schedule a Public Hearing for October Council.

PLANNING DIRECTOR COMMENTS: The PAC recommendation corresponds to the Staff recommendation.

RECOMMENDATION: Report/Document: Attached X Available ___ Nil ___
Staff report to PAC.

KEY ISSUE(S) CONCEPTS DEFINED:

Site Details: The subject property is approximately 2,861 m² (0.7 acre), and contains a converted 2-unit dwelling, and two accessory buildings. The property is bordered by marshland to the west and north, with an adjacent single detached dwelling to the east. Single detached, and low-density apartment dwellings exist across the street. The subject property and those that surround it are zoned General Residential, except for nearby Liberty Lane, which is in the Mini Home Zone.

Proposal Details: The proposed single-story garden suite is 109 m² (1,176 sqft (42 ft. x 28 ft.)) in area and will be located approximately 14 m (46 ft) behind the main dwelling. At its nearest point, the garden suite would be located approximately 20 metres (65 ft.) from the dwelling next door. Please see the attached site plan and building elevations for further reference.

The existing driveway can accommodate approximately 6 vehicles, which exceeds the minimum requirements for parking under the LUB. The garden suite would be serviced separate from the main dwelling with water from West Victoria, and a separate sanitary connection would be made to the sewer main that runs along the back of the property.

RELEVANT POLICY:

As per LUB Section 3.8, staff confirm that notification was completed as per the Town's Public Notification Policy.

The following provides the Municipal Planning Strategy (MPS) policies most relevant to consideration of garden suites. Staff comment is provided below each section.

RP-14 *It shall be the intention of Council to permit Garden Suites in all Residential areas by Development Agreement. In negotiating such an agreement Council shall have regard for the following:*

- (a) *the garden suite be secondary to the main dwelling on the lot;*
- (b) *water and sewer services be provided independent from the main dwelling;*



- (c) two off street parking spaces be provided on the property;
- (d) the garden suite be a minimum of 1.2 metres from the side property lines;
- (e) the garden suite be a minimum of 6 metres from the rear property line;
- (f) the garden suite be a minimum of 1.2 metres from the main dwelling;
- (g) the garden suite not be located in the front yard of the property;
- (h) no home occupation, group home, boarding house, day care or other such secondary use be permitted on the property;
- (i) the development agreement be discharged should the garden suite be removed from the property.

The size and proposed location of the garden suite meets all the above noted criteria. Aside from a basement apartment (not listed in subsection (h)), there are no secondary uses on the property.

RP-11 *It shall be the intention of Council to encourage and promote the provision of affordable housing units within all residential areas of the Town by:*

- (a) *encouraging a mix of housing types and densities;*
- (b) *permitting secondary apartments in all dwelling units;*
- (c) *permitting a secondary residential structure (Garden Suite) on a lot;*
- (d) *cooperating with Federal and Provincial Governments to facilitate affordable housing within the Town.*

Garden suites address housing affordability by allowing seniors to remain independent longer while having family support close by. In addition to the affordability benefits, garden suites can also come with social benefits by reducing demand on local health and support services.

RP-8 *It shall be the intention of Council to encourage a mix of housing densities in all residential areas of town to encourage a mix of housing types and income groups in all residential areas.*

The proposed garden suite would add to, but would not stand out in, the existing mix of housing types and densities in this area.

A-5 *It shall be the intention of Council, when considering an amendment to this or any other planning document, including the entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:*

- (a) *That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.*
- (b) *That the proposal is not premature or inappropriate by reason of:*
 - (i) *the financial capability of the Town to absorb any costs relating to the development;*
 - (ii) *the adequacy of municipal water, sanitary sewer and storm sewer services;*
 - (iii) *the adequacy of road networks, in, adjacent to, or leading to the development;*
- (c) *That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:*
 - (i) *type of use;*
 - (ii) *height, bulk and lot coverage of any proposed building;*
 - (iii) *parking, traffic generation, access to and egress from the site;*
 - (iv) *any other matter of planning concern outlined in this strategy.*

Staff feel the proposed garden suite conforms to the intent of the Town's MPS, and other regulations. The potential for negative impact on the Town's financial capacity, infrastructure, or street networks is negligible. Given the size of the subject lot, ample separation from the adjacent dwelling, and ample parking, the impact on nearby land uses would also be negligible.

RESPONSE OPTIONS:

1. Give first reading of the development agreement and schedule a public hearing.
2. Reject the application
3. Defer a decision and direct staff to provide more information.

IMPLICATIONS OF PAC RECOMMENDATION:

GENERAL: The recommendation of the PAC, which followed an advertised Public Participation Session, is in general keeping with MPS policies.

FOLLOW UP ACTION: Hold a Public Hearing and consider Second Reading

COMMUNICATION: A Public Hearing will be advertised per the Policy for Public Participation and Notification.

OTHER COMMENTS:

Submitted by: Andrew Fisher, Manager of Planning & Strategic Initiatives
Reviewed by: CAO

To: Planning Advisory Committee
From: Andrew Fisher, Manager of Planning & Strategic Initiatives
Date: August 13, 2018
Subject: **99 West Victoria Street – Proposed Development Agreement to allow a garden suite.**

PROPOSAL

An application by the property owner of 99 West Victoria Street (PID# 25000589) for a development agreement that would permit a garden suite (aka In-law suite) in the rear yard of the subject property. A garden suite means an accessory building used as a single detached dwelling unit.

BACKGROUND

Site Details: The subject property is approximately 2,861 m² (0.7 acre), and contains a converted 2-unit dwelling, and two accessory buildings. The property is bordered by marshland to the west and north, with an adjacent single detached dwelling to the east. Single detached, and low-density apartment dwellings exist across the street. The subject property and those that surround it are zoned General Residential, except for nearby Liberty Lane, which is in the Mini Home Zone.

Proposal Details: The proposed single-story garden suite is 109 m² (1,176 sqft (42 ft. x 28 ft.)) in area and will be located approximately 14 m (46 ft) behind the main dwelling. At its nearest point, the garden suite would be located approximately 20 metres (65 ft.) from the dwelling next door. Please see the attached site plan and building elevations for further reference.

The existing driveway can accommodate approximately 6 vehicles, which exceeds the minimum requirements for parking under the LUB. The garden suite would be serviced separate from the main dwelling with water from West Victoria, and a separate sanitary connection would be made to the sewer main that runs along the back of the property.

RELEVANT POLICY AND DISCUSSION:

As per LUB Section 3.8, staff confirm that notification was completed as per the Town's Public Notification Policy.

The following provides the Municipal Planning Strategy (MPS) policies most relevant to consideration of garden suites. Staff comment is provided below each section.

RP-14 *It shall be the intention of Council to permit Garden Suites in all Residential areas by Development Agreement. In negotiating such an agreement Council shall have regard for the following:*

- (a) the garden suite be secondary to the main dwelling on the lot;*
- (b) water and sewer services be provided independent from the main dwelling;*
- (c) two off street parking spaces be provided on the property;*
- (d) the garden suite be a minimum of 1.2 metres from the side property lines;*
- (e) the garden suite be a minimum of 6 metres from the rear property line;*
- (f) the garden suite be a minimum of 1.2 metres from the main dwelling;*
- (g) the garden suite not be located in the front yard of the property;*
- (h) no home occupation, group home, boarding house, day care or other such secondary use be permitted on the property;*

(i) the development agreement be discharged should the garden suite be removed from the property.

The size and proposed location of the garden suite meets all the above noted criteria. Aside from a basement apartment (not listed in subsection (h)), there are no secondary uses on the property.

RP-11 *It shall be the intention of Council to encourage and promote the provision of affordable housing units within all residential areas of the Town by:*

- (a) encouraging a mix of housing types and densities;*
- (b) permitting secondary apartments in all dwelling units;*
- (c) permitting a secondary residential structure (Garden Suite) on a lot;*
- (d) cooperating with Federal and Provincial Governments to facilitate affordable housing within the Town.*

Garden suites address housing affordability by allowing seniors to remain independent longer while having family support close by. In addition to the affordability benefits, garden suites can also come with social benefits by reducing demand on local health and support services.

RP-8 *It shall be the intention of Council to encourage a mix of housing densities in all residential areas of town to encourage a mix of housing types and income groups in all residential areas.*

The proposed garden suite would add to, but would not stand out in, the existing mix of housing types and densities in this area.

A-5 *It shall be the intention of Council, when considering an amendment to this or any other planning document, including the entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:*

- (a) That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.*
- (b) That the proposal is not premature or inappropriate by reason of:*
 - (i) the financial capability of the Town to absorb any costs relating to the development;*
 - (ii) the adequacy of municipal water, sanitary sewer and storm sewer services;*
 - (iii) the adequacy of road networks, in, adjacent to, or leading to the development;*
- (c) That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:*
 - (i) type of use;*
 - (ii) height, bulk and lot coverage of any proposed building;*
 - (iii) parking, traffic generation, access to and egress from the site;*
 - (iv) any other matter of planning concern outlined in this strategy.*

Staff feel the proposed garden suite conforms to the intent of the Town's MPS, and other regulations. The potential for negative impact on the Town's financial capacity, infrastructure, or street networks is negligible. Given the size of the subject lot, ample separation from the adjacent dwelling, and ample parking, the impact on nearby land uses would also be negligible.

CONCLUSIONS:

The proposal generally conforms to the relevant policies of the MPS and LUB. Staff do not anticipate significant negative impacts on the surrounding neighbourhood.

OPTIONS:

- Option One: Recommend that Council enter into the proposed Development Agreement for 99 West Victoria Street as drafted by Staff, subject to any revisions that may arise during the public participation process.
- Option Two: Recommend to Council not to enter into the Development Agreement for 99 West Victoria Street, citing specific policies with which the proposal does not conform.
- Option Three: Defer the application and instruct Staff to provide more information or negotiate changes to the agreement.

STAFF RECOMMENDATION: Option One.

This Agreement made this _____ Day of _____ 2018.

Between:

Jeffrey Bembridge and Valarie Cousins (owner of property located at 99 West Victoria Street [PID 25000589], 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 permission pursuant to Policy RP- 14 of the Municipal Planning Strategy of the Town of Amherst, to locate a Garden Suite Dwelling on the property located at 99 West Victoria Street (PID 25000589).

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 meeting on the _____ Day of _____ 2018, approved the said Development Agreement, subject to the registered Owner of the land described herein entering into this Agreement;

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

- (a) Schedule 'A' - Terms and Conditions
- (b) Schedule 'B' - Site Plan
- (c) Schedule 'C' – Building Elevation

NOW THEREFORE THIS AGREEMENT WITNESSETH 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 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 B attached.
- 2) That the Owner may locate a Garden Suite Dwelling on said lands.
- 3) 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.
- 4) 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.

- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) This Agreement shall be discharged upon the Garden Suite being removed from the Lands.
- 7) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 8) 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 it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

SIGNED, SEALED AND DELIVERED

In the presence of

THE TOWN OF AMHERST

David Kogon MD, Mayor

Gregory D. Herrett, CAO

FOR THE OWNER

Valarie Cousins

Jeffrey Bembridge

Schedule A

99 West Victoria Street - Development Agreement

Terms and Conditions:

1.0 USE OF LAND AND BUILDINGS

- 1.1 The use of the property shall be limited to a converted two-unit main dwelling and one (1) Garden Suite dwelling in the approximate location as shown on Schedule 'B'.
- 1.2 A minimum of one (1) parking space shall be provided for each dwelling unit on the Lands.
- 1.3 Accessory buildings and uses may be permitted on the Lands in accordance with the *Town of Amherst Land Use Bylaw*.
- 1.4 The Garden Suite dwelling shall have dimensions of approximately 13 metres by 8.5 metres.
- 1.5 The Garden Suite dwelling shall generally conform to the designs shown on Schedule 'C'. Variations to the architectural details shall not be considered a substantial change to this agreement.

2.0 GENERAL REQUIREMENTS

- 2.1 The Owner shall keep the Lands and buildings and any portion thereof clean and in good repair. All elements of the development on the Lands shall be regularly maintained and kept in a tidy state, and free from unkept materials of any kind.
- 2.2 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties.
- 2.3 Solid waste management shall be in conformance with the Town of Amherst *Solid Waste Bylaw*.

SCHEDULE 'B'



Synopsis

PACE Bylaw

The proposed Bylaw to enable a Property Assessed Clean Energy (PACE) Program allows municipalities to offer financing to homeowners for energy efficiency retrofits that are payed back via their tax bill over a period of up to 10 years. Costs to provide the program are paid for by participants, and there are no costs to property owners who do not participate. The PACE program outlined above has become a common offering amongst NS municipalities, as it offers its residents a relatively low-cost option for financing energy efficiency retrofits.

MOTION:

That Council give first reading of the Town of Amherst By-law B-8 Respecting Charges for the Property Assessed Clean Energy Program.

TO: Mayor Kogon and Members of Council

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

DATE: September 24, 2018

SUBJECT: Partnership with the Cumberland Energy Authority

ORIGIN: Strategic Priority – Net Zero / Community Energy Strategy

LEGISLATIVE AUTHORITY: Municipal Government Act (MGA), section 81A (1) *The council may make by-laws imposing, fixing and providing methods of enforcing payment of charges for the financing and installation of any of the following on private property with the consent of the property owner: (a) equipment installed pursuant to an expenditure under clause 65 (aca): providing for, financing and installing energy-efficiency equipment on private property including, without restricting the generality of the foregoing, solar panels...*

RECOMMENDATION: That Council give first reading of the Town of Amherst By-law B-8 Respecting Charges for the Property Assessed Clean Energy Program.

BACKGROUND: The proposed Bylaw to enable a Property Assessed Clean Energy (PACE) Program allows municipalities to offer financing to homeowners for energy efficiency retrofits that are paid back via their tax bill over a period of up to 10 years. All costs to provide the program are paid for by participants, and there are no costs to property owners who do not participate. The same or similar program is already in place in other NS municipalities such as: Bridgewater, District of Lunenburg, Richmond County, HRM, and others. The Municipality of the County of Cumberland via the Cumberland Energy Authority is adopting the same program.

The program will work as follows:

1. customer registers for the program;
2. administrator (EfficiencyNS or Clean Foundation) confirms eligibility with the Town (tax accounts in good standing);
3. customer signs a PACE agreement;
4. customer books a certified energy audit;
5. customer chooses efficiency retrofit from audit report;
6. customer acquires quotes for retrofit and submits them to the administrator;
7. administrator assesses which costs are eligible based on the program's savings to debt ratio;
8. customer sends the administrator invoices from the contractor;
9. municipality pays the contractor, and the customer begins repayment.



The process for the Town to offer the program is to pass the proposed Bylaw, and enter into an agreement with Efficiency Nova Scotia or the Clean Foundation to administer and assist in marketing the program. There are other potential administration options but Efficiency and Clean are used by most municipalities. The established programs offered by both the aforementioned organizations are essentially the same with only minor differences.

The Town's responsibilities include providing the financing, confirming customer eligibility, and applying the appropriate tax liens. There is also a start-up cost (ie. on-boarding fees) of approximately \$14,000 payable to the administrator that covers setup of the program with Town staff, and a communications and marketing package. The Town can apply to the Provincial Department of Energy who offers a program to cover the start-up cost.

The Town must also determine the total amount to be used for financing the program, and/or number of residences that may participate in a given year. It is important to note that interest charged to the customer is intended to at least cover the Town's cost to finance the program.

DISCUSSION: The PACE program outlined above has become a common offering amongst NS municipalities, as it offers its residents a relatively low-cost way to finance energy efficiency retrofits. Aside from the initial start-up cost that can potentially be covered by the province, the Town's major financial responsibility is the total amount that can be financed. Other costs would be attributed to staff time to assist in communication of the program, verifying customer eligibility, and managing the loan repayment.

This initiative supports Council's priority to develop a community energy strategy, as the program is a common component of such strategies in other jurisdictions. This program was identified as one of the ways the Town can partner with the Cumberland Energy Authority, who plan to provide a dedicated staff member that would help customers to navigate the various programs intended to reduce their energy costs. Alternatively, the Town can offer the program independently from the Energy Authority.

FINANCIAL IMPLICATIONS: A start-up fee of approximately \$14,000 that may be covered by the NS Department of Energy. The Town must provide the up-front capital to finance the program.

COMMUNITY ENGAGEMENT: Public notice of the proposed bylaw is necessary prior to giving the bylaw second reading.

ENVIRONMENTAL IMPLICATIONS: Increased efficiency and adoption of renewable energy reduces GHG emissions.

ALTERNATIVES: 1) Do not adopt the Bylaw; 2) Defer first reading and direct staff to provide more information.

ATTACHMENTS:

- Draft PACE Bylaw.
- Frequently Asked Questions
- Sample Customer Agreement
- Sample Town/Administrator Agreement

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

**THE TOWN OF AMHERST BY-LAW B-8 RESPECTING
CHARGES FOR
THE PROPERTY ASSESSED CLEAN ENERGY PROGRAM**

TITLE

1. This Bylaw shall be known as “*The Property Assessed Clean Energy Program*” Bylaw.

PURPOSE

2. The purpose of this Bylaw is to enable financing of energy efficiency upgrades to qualifying residential properties within the Municipality.

DEFINITIONS

3. In this Bylaw:
- a) “Chief Administrative Officer” means the Chief Administrative Officer of the Municipality;
 - b) “Director of Finance” means the Director of Finance of the Municipality;
 - c) “Energy Efficiency Upgrade” means an installation that is permanently affixed to the property and which
 - i. Will result in improved energy efficiency and substantially reduced energy use;
 - ii. Meets or exceeds applicable energy efficiency standards established or approved by the Municipality; and
 - iii. Involves central ducted or ductless heat pumps or solar panels meeting specifications or having ENERGY STAR[®] certification, air sealing, insulating, ENERGY STAR[®] windows and doors, or such other energy efficiency upgrades as are approved and agreed in writing by the Municipality.
 - d) “Municipality” means the Town of Amherst;
 - e) “PACE Customer Agreement” means the written, signed Property Assessed Clean Energy Efficiency Program Customer Agreement between the owner of a qualifying property and the Municipality for financing of an Energy Efficiency Upgrade to the property.
 - f) “PACE Charge” means the Property Assessed Clean Energy improvement tax levied on the property pursuant to s.81A of the *Municipal Government Act*.
 - g) “PACE Program” means the program established by the Municipality under which owners of Qualifying Properties may apply for and obtain financing for Energy Efficiency Upgrades.
 - h) “Qualifying Property” means an owner-occupied residential property located within the Municipality, but does not include multi-unit residential or non-profit owned buildings and does not include business or industrial premises.

APPLICATION AND APPROVAL

4. An owner of a Qualifying Property within the Municipality who is not otherwise in default of any municipal taxes, rates or charges, may apply for Municipal financing of Energy Efficient Upgrades to the property.
5. Financing shall be subject to Municipal approval and execution of a PACE Customer Agreement with the owner of the Qualifying Property.

PAYMENT OF CHARGE

6. The PACE charge shall become payable in full on completion of installation of the Energy Efficiency Upgrade in accordance with the PACE Customer Agreement.
7. The Director of Finance shall maintain a separate account of all monies due for PACE charges levied pursuant to this By-law, identifying:
 - a. The names of the property owners and assessment, PID and civic address information of the subject property;
 - b. The amount of the PACE charge levied on the property;
 - c. The amount paid on the PACE charge.

LIEN

8. On completion of an Energy Efficiency Upgrade pursuant to a PACE Customer Agreement, the PACE Charge shall be levied against the property.
9. A PACE Charge imposed pursuant to this Bylaw constitutes a first lien on the subject property and has the same effect as rates and taxes under the *Assessment Act*.
10. A PACE Charge pursuant to this Bylaw is collectable in the same manner as rates and taxes under the *Assessment Act* and, at the option of the Director of Finance, is collectable at the same time and by the same proceedings as taxes.
11. The lien provided for in this Bylaw shall become effective on the date on which the Chief Administrative Officer files with the Director of Finance a certificate that the agreed improvement has been completed.
12. The lien provided for in this Bylaw shall remain in effect until the total charge, plus interest, has been paid in full.

INTEREST

13. Interest will be charged on PACE Charges at a rate of Municipal cost of borrowing plus 1% per annum.
14. Interest shall accrue on any PACE Charge or portion thereof which remain outstanding from the date of billing.
15. Interest is payable annually on the entire amount outstanding and unpaid, whether or not the owner has elected to pay by installments.

INSTALLMENT PAYMENTS

16. The owner of a Qualified Property may elect to pay the PACE Charge by equal installment payments over a period or not more than 10 years, as set out in the PACE Customer Agreement.
17. In the event of default of any installment payment under the PACE Customer Agreement, the entire outstanding balance shall be immediately due and payable.

EFFECTIVE DATE

This Bylaw shall come into effect on _____

THIS IS TO CERTIFY THAT the foregoing is a true and exact copy of a By-Law passed at a duly called meeting of the Town of Amherst held on the xxth day of ____A.D., 2018.

GIVEN under the hands of the Mayor and CAO and under the Corporate Seal of the Town of Amherst aforesaid, this xx day of _____, A.D., 2018.

Mayor

Municipal Clerk

STRATEGIC PRIORITIES CHART 2018 Priorities

CORPORATE PRIORITIES (Council/CAO)

July - September

NOW

1. **ECONOMIC GROWTH / SUSTAINABILITY:** Community Profile/Dashboard - July
2. **POVERTY REDUCTION:** Community Poverty Reduction Strat ToR – Council Direction - Sept
3. **AGING POPULATION / SENIORS NEEDS:** Engage Stakeholder group - Sept
4. **POLICING COSTS:** Process Mapping Support - July
5. **MARKETING:** Inventory of materials - Sept
6. **NET ZERO / COMMUNITY ENERGY STRATEGY:** Strategy ToR - Sept

NEXT

- **COMMUNITY ENERGY STRATEGY:** RFP or Draft
- **POVERTY REDUCTION:** Implement Council direction
- **SENIORS STRATEGY:** ID service gaps
- **MARKETING PROGRAM:** Inventory of materials
- **POLICING COSTS:** Internal service review
- **ECO GROWTH:** Website Comm property inventory

ADVOCACY/PARTNERSHIPS

- *Net Zero / Green Energy Projects*
- *Municipal Cooperation*
- *Isthmus Flood Risk*
- *Col. James Layton Ralston Armoury*

OPERATIONAL STRATEGIES (CAO/Staff)

Chief Administrative Officer (Greg)

1. **SERVICE CAPACITY REVIEW:** ToR - Aug
 2. **POLICING COSTS:** Project Oversight
- Municipal Cooperation
 - Succession Planning
 - Cannabis legalization

Manager, Planning & Strategic Initiatives (Andrew)

1. **Active Transportation Plan:** Implement Plan – May
 2. **NET ZERO/ COMM ENERGY STRAT:** ToR - July
- MPS/LUB review for Cannabis:
 - NSP Smart Grid Project: Implementation -
 - Oxford MPS: review -

Fire Chief (Greg)

1. **New Membership Mentorship:** Program - July
 2. **Organizational Security Strategy:** review documentation-July
 3. **Develop General Orders:** Implement - Oct
- Finalize Succession Plan: Complete -
 - Leadership program: Implement -
 - Live/simulated fire training: Virtual Trainer -

Director of Recreation (Bill)

1. **MARKETING PROGRAM: Inventory of Materials - Sept**
 2. **POVERTY REDUCTION: Need Council Dir - Sept**
 3. **AGING POP./SENIORS NEEDS: Seniors Strat - Jan**
- Healthy Communities: Committee goals/objectives
 - Communities in Bloom: Committee goals/objectives
 - Dog Park: Construction

Chief of Police (Ian)

1. **Succession/Staff Changes:** Sargent competition - Aug
 2. **Sexual assault investigations:** audit – July
 3. **Legalization of Cannabis:** readiness - Aug
- Departmental Wellness Program: CISM draft
 - Digitize personnel files: Action Plan
 - Quality Assurance Review:

CFO (Shelley)

1. **Policing Costs:** Process mapping Support - July
 2. **Performance measurement/management:** Process Mapping System - July
 3. **Customer Service Standards:** Action Plan - Oct
- Pension Plan Sustain Report: Research completed
 - Internal Control Documentation: Written Processes
 - E-Vendor Payment System: Running

Business Development Officer (Rebecca)

1. **ECONOMIC GROWTH/SUSTAIN:** Community Profile/Dashboard - July
 2. **Economic Development Strategy:** Sept 2018
 3. **CRM System for CCUBIC:** Running - July
- Tourism Committee Strategy: Entrance Sign Bylaw
 - Tourism Product development: Heritage tours
 - Industrial Park Biz Attraction: Market Study

DCAO Director of Operations (Jason)

1. **Asset Mngmt Plan:** Research Best Practice - Sept
 2. **Service Delivery Standards:** Update Standards – Sept
 3. **AT facility construction:** Sept
-

CODES: **BOLD CAPITALS** = NOW Priorities; **CAPITALS** = NEXT Priorities; *Italics* = Advocacy
Regular title case = Operational Strategies

STRATEGIC PRIORITIES CHART 2018 Priorities

CORPORATE PRIORITIES (Council/CAO)

August 10 Status Check-in

NOW

1. **ECONOMIC GROWTH / SUSTAINABILITY:** Community Profile/Dashboard – July (Draft by Aug 17)
2. **POVERTY REDUCTION:** Community Poverty Reduction Strat ToR – Council Direction - Sept
3. **AGING POPULATION / SENIORS NEEDS:** Engage Stakeholder group - Sept
4. **POLICING COSTS:** ~~Process Mapping Support – July~~
5. **MARKETING:** Inventory of materials - Sept
6. **NET ZERO / COMMUNITY ENERGY STRATEGY:** Strategy ToR – July (ToR for Staff discussion – Sept)

NEXT

- **COMMUNITY ENERGY STRATEGY:** RFP or Draft
- **POVERTY REDUCTION:** Implement Council direction
- **SENIORS STRATEGY:** ID service gaps
- **MARKETING PROGRAM:** Develop ToR for refresh
- **POLICING COSTS:** Internal service review
- **ECO GROWTH:** ~~Website Comm property inventory~~

ADVOCACY/PARTNERSHIPS

- *Net Zero / Green Energy Projects*
- *Municipal Cooperation*
- *Isthmus Flood Risk*
- *Col. James Layton Ralston Armoury*

OPERATIONAL STRATEGIES (CAO/Staff)

Chief Administrative Officer (Greg)

1. SERVICE CAPACITY REVIEW: ~~ToR – Aug~~
 2. **POLICING COSTS:** Project Oversight
- Municipal Cooperation
 - Succession Planning
 - Cannabis legalization

Manager, Planning & Strategic Initiatives (Andrew)

1. Active Transportation Plan: ~~Implement Plan – May~~
 2. **NET ZERO/ COMM ENERGY STRAT:** ToR - July
- MPS/LUB review for Cannabis: Report for COW - Sept
 - NSP Smart Grid Project: Implement – Waiting for NSPI
 - Oxford MPS: review -

Fire Chief (Greg)

1. ~~New Membership Mentorship: Program – July~~
 2. Organizational Security Strategy: ~~review documentation July~~
 3. Develop General Orders: Implement - Oct
- ~~Finalize Succession Plan: Complete –~~
 - ~~Leadership program: Implement –~~
 - Live/simulated fire training: Virtual Trainer -

Director of Recreation (Bill)

1. **MARKETING PROGRAM:** Inventory of Materials - Sept
 2. **POVERTY REDUCTION:** Need Council Dir - Sept
 3. **AGING POP./SENIORS NEEDS:** Seniors Strat - Jan
- Healthy Communities: Committee goals/objectives
 - Communities in Bloom: Committee goals/objectives
 - Dog Park: Construction

Chief of Police (Ian)

4. Succession/Staff Changes: ~~Sargent competition – Aug~~
 2. Sexual assault investigations: ~~audit – July (Delayed due to staff change -revised to Oct)~~
 3. Legalization of Cannabis: ~~readiness – Aug (Report to COW Sept)~~
- Departmental Wellness Program: CISM draft
 - Digitize personnel files: Action Plan
 - Quality Assurance Review:

CFO (Shelley)

1. **Policing Costs:** ~~Process mapping Support – July~~
 2. Performance measurement/management: ~~Process Mapping System – July~~
 3. Customer Service Standards: Action Plan - Oct
- Pension Plan Sustain Report: Research completed
 - Internal Control Documentation: Written Processes
 - E-Vendor Payment System: Running

Business Development Officer (Rebecca)

1. **ECONOMIC GROWTH/SUSTAIN:** Community Profile/Dashboard – July (draft review with CAO Sept6)
 2. Economic Development Strategy: Sept 2018
 3. ~~CRM System for CCUBIC: Running – July~~
- Tourism Committee Strategy: ~~Entrance Sign Bylaw~~
 - ~~Tourism Product development: Heritage tours~~
 - Industrial Park Biz Attraction: Market Study

DCAO Director of Operations (Jason)

1. Asset Mngmt Plan: Research Best Practice - Sept
 2. Service Delivery Standards: Update Standards – Sept
 3. AT facility construction: Sept (will continue into Nov)
-

CODES: **BOLD CAPITALS** = NOW Priorities; **CAPITALS** = NEXT Priorities; *Italics* = Advocacy
Regular title case = Operational Strategies

STRATEGIC PRIORITIES CHART 2018 Priorities

CORPORATE PRIORITIES (Council/CAO)

October - December

NOW

1. **ECONOMIC GROWTH / SUSTAINABILITY:** Community Profile/Dashboard to Council - Nov
2. **POVERTY REDUCTION:** Council discussion re stakeholder committee - Oct
3. **AGING POPULATION / SENIORS NEEDS:** Stakeholder meeting - Oct
4. **POLICING COSTS:** Internal Service Review (Phase I) - Oct
5. **MARKETING:** Develop ToR - Oct
6. **NET ZERO / COMMUNITY ENERGY STRATEGY:** Council Direction on ToR - Oct

NEXT

- **COMMUNITY ENERGY STRATEGY:** RFP or Draft
- **POVERTY REDUCTION:** Implement Council direction
- **SENIORS STRATEGY:** ID service gaps
- **MARKETING PROGRAM:** Council Direction on ToR
- **POLICING COSTS:** External Service Review (Phase II)
- **ECO GROWTH:** Ind Park Market Study - Dec

ADVOCACY/PARTNERSHIPS

- *Net Zero / Green Energy Projects*
- *Municipal Cooperation*
- *Isthmus Flood Risk*
- *Col. James Layton Ralston Armoury*

OPERATIONAL STRATEGIES (CAO/Staff)

Chief Administrative Officer (Greg)

1. **SERVICE CAPACITY REVIEW:** Council discussion - Oct
 2. **POLICING COSTS:** Project Oversight
- Municipal Cooperation
 - Succession Planning
 - Cannabis legalization: Council discussion - Oct

Manager, Planning & Strategic Initiatives (Andrew)

1. Active Transportation Plan: Wayfinding signage - Dec
 2. **NET ZERO/ COMM ENERGY STRAT:** Council Direction on ToR – Oct
 3. MPS/LUB amendments for Cannabis: PAC - Oct
- NSP Smart Grid Project: Implementation
 - Oxford MPS: review

Fire Chief (Greg)

1. Organizational Security Strategy: Complete - Nov
2. Develop General Orders: Implement - Oct
3. Live/simulated fire training: Virtual Trainer procured – Dec

Director of Recreation (Bill)

1. **MARKETING PROGRAM:** Develop ToR - Oct
 2. **POVERTY REDUCTION:** Council discussion - Oct
 3. **AGING POP./SENIORS NEEDS:** Council Discussion - Oct
- Healthy Communities: Committee goals/objectives
 - Communities in Bloom: Committee goals/objectives
 - Dog Park: Construction

Chief of Police (Dwayne)

1. Succession/Staff Changes: Promoted up to speed - Dec
 2. Sexual assault investigations: audit – Oct
 3. Legalization of Cannabis: Implement Council Direction - Nov
- Departmental Wellness Program: CISM draft
 - Digitize personnel files: Action Plan
 - Quality Assurance Review:

CFO (Shelley)

1. **Policing Costs:** Internal Service Review (Phase I) - Oct
 2. Performance measurement/management: Investigate Six Sigma training - Nov
 3. Customer Service Standards: Action Plan - Oct
- Pension Plan Sustain Report: Research completed
 - Internal Control Documentation: Written Processes
 - E-Vendor Payment System: Running

Business Development Officer (Rebecca)

1. **ECONOMIC GROWTH/SUSTAIN:** Community Economic Dashboard present to Council – Nov.
 2. Economic Development Strategy: Implementation Plan - Oct
 3. Industrial Park Biz Attraction: Market Study complete - Dec
- Tourism Strategy Committee: Strategy draft complete
 - Tourism Product development: app-based tour
 - Commercial Building Façade Improvement program

DCAO Director of Operations (Jason)

1. Asset Mngmt Plan: draft plan - Dec
 2. Service Delivery Standards: Sr. Mgmt review - Oct
 3. AT facility construction: Nov.
- Document long-term maintenance for capital assets

CODES: **BOLD CAPITALS** = NOW Priorities; **CAPITALS** = NEXT Priorities; *Italics* = Advocacy
Regular title case = Operational Strategies

Synopsis

Strategic Priorities Chart

Stemming from the priority setting exercise that began in December 2017 and further developed over the winter of 2018, the chart is a means to track progress on addressing Council's strategic priorities. The attached documents include the work plan for period of July to September, an August status check-in, and a work plan for October to December. The various plans and charts were reviewed at last week's public meeting of the Committee of the Whole.

MOTION:

That Council adopt the Strategic Priorities Chart for the October to December period.

TO: Mayor Kogon and Members of Council

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

DATE: September 24, 2018

SUBJECT: Strategic Priorities Chart

ORIGIN: 2018 Council Strategic Priority setting and tracking.

LEGISLATIVE AUTHORITY: MGA 30(3), The Council shall provide direction on the administration, plans, policies and programs of the municipality to the chief administrative officer.

RECOMMENDATION: That Council adopt the Strategic Priorities Chart for the October to December period.

BACKGROUND: Attached are three versions of the 2018 Strategic Priorities Chart:

1. July – September – approved by Council in June, this represents the actions to be taken to address the priorities over the three month period.
2. August 10 Status Check-in - the same information accepted by Council in June but coded as follows: **completed task**, **not complete but in progress**, due in the future, **and due but not started**. This chart is intended to provide a snapshot of the progress made on the priorities established by Council, and the operational priorities within each department.
3. October – December – the go forward actions to address the priorities over the next three months. Where tasks were shown completed in the August 10 chart (crossed out and highlighted), the task from the “NEXT” box is shown as the new “NOW” task.

DISCUSSION: Stemming from the priority setting exercise that began in December 2017 and further developed over the winter of 2018, the chart is a means to track progress on addressing Council’s strategic priorities. In general, the bullets are items that have been identified as a strategic priority for the respective departments that may also support Council’s priorities directly or indirectly.

Staff request that Council formally adopt the Strategic Priority Chart for the October to December period to ensure the priorities of Council are being appropriately addressed by the administration.

FINANCIAL IMPLICATIONS: Consideration for Council and Operational priorities have been integrated into the 2018/19 Budget.



COMMUNITY ENGAGEMENT: No specific engagement program is associated with this item.

ENVIRONMENTAL IMPLICATIONS: No implications specific to this item.

ALTERNATIVES: Do not adopt the Strategic Priorities Chart for October - December.

ATTACHMENTS:

1. Strategic Priorities Chart 2018 July - Sept.
2. Strategic Priorities Chart 2018 August 10 Check-in
3. Strategic Priorities Chart 2018 October - December

Report prepared by: A.Fisher

Report and Financial approved by:

Synopsis

Community Support Grants Policy

“A” Fresh Start Initiative

At the time that the annual budget was approved, Council also approved amendments to the Community Support Grants Policy which established the “A” Fresh Start Initiative which is aimed at encouraging organizations/individuals to develop new events within the Town of Amherst or enhance existing ones. The initiative would provide enhanced community support grants to the selected organizations/individuals. In preparing to implement the policy the Recreation Department has recommended some refinements to the Policy in the area of the amount of the awards, decision making and disbursement of awards. The proposed amendments are outlined in Schedule A to the policy attached.

MOTION:

It is recommended that Council approve amendments to the Community Support Grants Policy, 72000-08 to include the “A” Fresh Start Initiative.



AMHERST TOWN COUNCIL

RFD# 2018119

Date: September 28, 2018

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Bill Schurman, Director of Recreation

DATE: September 28, 2018

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

ORIGIN: 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.

LEGISLATIVE AUTHORITY: Authority is provided under Section 65, *Municipal Government Act*, as amended.

RECOMMENDATION: It is recommended that Council approve amendments to the Community Support Grants Policy, 72000-08 to include the "A" Fresh Start Initiative.

BACKGROUND: Council directed the Recreation Department to oversee the implementation of the "A" Fresh Start Initiative, which is aimed at encouraging organizations/individuals to develop new events within the Town of Amherst or enhance existing ones. The initiative would provide enhanced community support grants to the selected organizations/individuals.

Since then a news release on the initiative has been released and a committee, consisting of CAO Greg Herrett, CFO Shelley Rector, Recreation Director Bill Schurman and Culture and Marketing Coordinator Jennifer Bickerton, has met to set guidelines for the first "A" Fresh Start Initiative.

DISCUSSION: The total amount of community support grants available is up to \$17,500 this term. To qualify for the grant, the money sought by an organization/individual must be used for creative new events within the town, or major enhancements to an existing event. Organizations/individuals seeking a grant must be prepared to make a 10-minute presentation to the general public in October explaining why their event should receive a community support grant, how much money the project requires and how it will be spent. Members of the general public attending the October event, provided they are 16 years of age or older and have purchased a ballot for \$2, will get to vote on the quality of the presentation made by the organization/individual. (Note 1: It would be preferred that registered organizations apply for this grant, but non-registered groups or individuals may also apply.) (Note 2: The money raised through the purchase of the ballots will be donated to a charity of Amherst Town Council's choice.) The event for which a grant is sought must be completed by March 31, 2019.



Applications can be found online at amherst.ca or at Town Hall, located at 98 Victoria St., Amherst.

Applications will be accepted at Town Hall between September 5 and September 28. The committee will present the Top 5 applications to Council on or around October 1. The Top 5 applications will then be made public and a meeting to hear the presentations will be held at the Community Credit Union Business Innovation Centre on October 25, beginning at 6:30 p.m., with the results of the public vote regarding the quality of the presentation to Amherst Town Council on October 25. Council will then immediately hold a special Council meeting in order to determine the final placing of each organization/individual after considering the results from the presentation vote and other factors. Those receiving grants will receive 80 per cent of the funds in advance and the final 20 per cent upon receipt of a report that must be presented to the Town following the completion of the event. Those receiving grants agree the Town of Amherst will be recognized on any advertisement as a partner of the event and that copies of those advertisements will be provided to the Town.

FINANCIAL IMPLICATIONS: A maximum annual allocation of \$35,000 will be granted.

COMMUNITY ENGAGEMENT: A public meeting to hear the presentations of the Top 5 applicants will be advertised for October 25, 2018.

ENVIRONMENTAL IMPLICATIONS: There are no environment implications.

ALTERNATIVES: Council may choose not to approve these changes to the Community Support Grants Policy, 72000-08.

ATTACHMENTS:

1. Community Support Grants Policy, 72000-08
2. Memo – ‘A’ Fresh Start Initiative
3. ‘A’ Fresh Start Application

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

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: **COMMUNITY SUPPORT GRANTS POLICY**

Minutes reference date: 23 September 2013 27 October 2014 21 May 2015 25 June 2018

POLICY STATEMENT:

1. Amherst Town Council directs the operation of the Town through its approved policies. 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. 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 or the Government of Canada (e.g. health, social services, housing).
2. This program does not govern the following, which are separately administered:
 - * Tax Exemption for Non-Profit Organizations (full and partial tax exemption by-laws);
 - * Residential Property Tax Rebates (low-income homeowners).

AUTHORITY

3. Authority is provided under Section 65, *Municipal Government Act*, as amended.

APPLICATIONS FOR ASSISTANCE

4. All grant applications shall normally be submitted on the form provided by the Town. The Town of Amherst will not consider requests received as part of general (mass) mailing or telemarketing campaigns. Applications will be considered from groups that have had satisfied conditions and obligations from previous grants awarded to them and provided sufficient proof of their non-profit status. Funding applications will not be considered from the following:
 - ✓ Businesses
 - ✓ Hospitals, medical programs, treatment services or social services programs.
 - ✓ School Boards or quasi government organizations
 - ✓ Non-profit organizations for the purpose of funding accumulated deficits.
 - ✓ Any organization for the purpose of fund raising to distribute to other organizations/individuals
 - ✓ Organizations with political affiliations

Funding will not normally be provided to religious organizations where services include the promotion or required adherence to a particular belief.

Funding will also not normally be provided to fund raising campaigns of national charitable organizations.

Applicants are encouraged to submit applications to the Town of Amherst by March 1st^t in order to address the schedule under the Towns budget process.

SPECIAL CONSIDERATION

5. The current level of financial support to the Amherst Food Assistance Network, Cumberland Early Intervention Program, Sexual Health Centre for Cumberland County and Cumberland County Transition House (Autumn House), Senior's Safety Advisory Committee and Cumberland County Museum will be continued. Further applications requesting financial assistance in this category will not be considered. All organizations receiving financial assistance must annually file financial statements with the Town. Failure to do so will result in future funding being suspended.

POLICY COMPONENTS

6. A) **"A" Fresh Start**

See Appendix A – Maximum annual allocation \$17,500

B) **Recreation and Physical Activity Grants and Assistance**

(1) **Direct Recreation Programming Support**

Amounts may be appropriated under this program only when the organization provides an organized recreational opportunity through an organization recognized and registered with its relevant provincial umbrella organization. Support currently provided to the following organizations will be continued:

- Fundy Youth Soccer Association (Payment of Property Taxes)
- The current funding for Amherst Little League will continue and be included in our operations budget each year under Program Youth.
- The current funding for Amherst T-ball will continue and be included in our operations budget each year under Program Youth.

(2) **Financial Assistance to Teams Traveling to Provincial, National and International Competition**

Amounts may be appropriated under this program only when the team or individual applying meets the following applicable criteria:

- The team/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).

- The team is located in the Town of Amherst and is considered by the provincial or national umbrella organization to be the home for the team.
- Individuals playing for an Amherst Team do not qualify for funding support. Only the team qualifies to apply for funding.
- The individual is competing as an individual and has their principal residence in the Town of Amherst.

Maximum funding considered under this component will be \$500.00 for a team and \$250 for an Individual.

(3) Financial Assistance for hosting Invitational, Provincial and National Tournaments.

An organization or team hosting an Invitational Tournament in the Town of Amherst qualify for funding support under this policy.

Maximum funding considered will be \$250.00 for the host team or organization.

Organizations who have successfully applied to host a Provincial or National Tournament in the Town of Amherst qualify for funding under this policy.

Maximum funding considered will be \$500.00 for the host organization.

C) Festivals and Events Grants

1. The Town of Amherst recognizes that local festivals and events are an integral part of life in Amherst. The Town wants to encourage and support organizations that successfully organize and facilitate these events. It is recognized that there are many requirements to be successful, ranging from the financial capacity of the organizing body to facility requirements. Through this policy, the Town of Amherst will provide support to organizing bodies who demonstrate that their event or festival garners broad community support, significant participation up to 1000 people, and provides a unique experience not duplicated by other ongoing events, festivals or activities. The Town of Amherst will consider requests for financial assistance submitted.

Maximum funding considered under this component will be \$500.00

2. Major events and festivals in the community are designed to stimulate public participation and enhance the quality of life for our residents, while serving as an economic generator for the Town. These events will draw spectators from the Maritimes, nationally or internationally and increases the profile of our community. These events must be a minimum of three days in length and must be affiliated with a local community non-profit organization.

Maximum funding considered under this component will be determined by council upon reviewing the proposal and recommendations from staff.

EVALUATION CRITERIA for Festivals and Events Grants

Applications being considered for funding will be evaluated on the following criteria.

- a) Financial Need (20%)
 - a. Need for direct financial assistance from the Town is identified.
 - b. Other fund raising efforts identified and sources confirmed.
- b) Economic Impact (15%)
 - a. The event or activity promotes economic activity in the community
 - b. The event or activity positions the town to be destination for visitors.
 - c. Direct economic impact identified. (revenues generated by event; hotel rooms sold; local vendors utilized; volunteers mobilized; local purchased made; etc.
- c) Value of Event or Activity (50%)
 - a. Uniqueness of the experience to the community and is not a duplication of other activities.
 - b. Potential of audience numbers and participation levels (planned success levels)
 - c. Potential of event to become an annual marquis event.
 - d. Ability for the event or activity to become self-sufficient with little or no financial assistance from the Town.
- d) Organizational Strength (15%)
 - a. Strong and committed leadership with a clear focus
 - b. Proposals, budgets and action plans are clear, organize and well developed

Only applications scoring in excess of 60% will be considered for funding.

Authority of the Chief Administrative Officer

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)

GENERAL CONDITIONS

8. a) Applications received after the March 1st deadline are considered late. Late applications are reviewed only after the regular review. Each year the Town receives more applications than it can fund, so it is important for applications to be on time and contain the correct information.
- b) Awards are announced after the Town's budget has been approved (usually in May).
- c) Successful proponents shall agree for the Town to arrange a presentation of the community support grant with the media present and for the Town to use any photo images, videos or stories related to the community support grant in other forms of media as the Town deems fit.
- d) **An applicant must be a registered non-profit organization or charitable society. Part of the review process includes confirmation of registration by municipal staff.**
- e) Only one application per organization may be submitted in each funding year.
- f) Grants are not awarded for salary/wages of staff positions or board honoraria.
- g) Grant applications should be able to demonstrate active fundraising efforts to support the continuation of a program, project or service.
- h) Grants may be awarded with certain terms and conditions. The letter of award will state if any particular restrictions apply to the grant. Funding may be revoked for failure to comply with terms and conditions.
- i) Awards may be issued in full (the usual practice) or can be paid in instalments. The letter of award will state if a holdback applies to the grant.
- j) In rare circumstances, an applicant's eligibility may be suspended for a specified time period for misappropriation of funds, failure to report, or misrepresentation.
- k) At the end of a project or the organization's year-end, grant recipients **must** submit a report and/or financial statement to the Town

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; up to twice per year.
- (b) Organizations may only be chosen once a year
- (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.
 - 1. Public vote on top 5– council then votes on final ranking of all 5.
 - a. ~~1st place- Up to \$8,000.00~~
 - b. ~~2nd place- Up to \$4,500.00~~
 - c. ~~3rd place- Up to \$3,000.00~~
 - d. ~~4th place- Up to \$1,250.00~~
 - e. ~~5th place- Up to \$750.00~~
 - (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.

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? (Community Event; Tournament - Provincial / National / Invitational; Festival, 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: _____



Synopsis

Amherst Youth Town Council Appointments

In accordance with the Amherst Youth Town Council Policy, a total of 12 youth can be appointed to the AYTC with up to 3 youth residing in the County of Cumberland. Appointments effective for the 2018-19 school year are for two-year terms. Involving youth in the community adds value to the community and youth development. It empowers youth to be engaged and provides the opportunity for a voice, as well as influencing decisions regarding youth issues. The AYTC is the voice for youth to Town Council.

MOTION:

That Council approve the following appointments to the Amherst Youth Town Council:

- **Reappoint returning members to serve a two-year term, 2018-19 and 2019-20:**
 - **Rohin Minocha-McKenney**
 - **Allie Degenstein**
 - **Olivia Pulsifer**
 - **Rajan McKenney**
 - **Mason Carter**
 - **Grace Doncaster**
 - **Braeden Lines**

- **Appoint new members to serve a two-year term:**
 - **Salem Dimichele**
 - **Adrianna O'Quinn**
 - **Dan Osborne**

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Bill Schurman, Director of Recreation

DATE: September 24, 2018

SUBJECT: Amherst Youth Town Council – Annual Appointments

ORIGIN: Annual appointments to the Amherst Youth Town Council.

LEGISLATIVE AUTHORITY: Authority is provided under Policy 10350-21, Amherst Youth Town Council.

RECOMMENDATION: That Council approve the following appointments to the Amherst Youth Town Council:

- Reappoint returning members to serve a two-year term, 2018-19 and 2019-20:
 - o Rohin Minocha-McKenney
 - o Allie Degenstein
 - o Olivia Pulsifer
 - o Rajan McKenney
 - o Mason Carter
 - o Grace Doncaster
 - o Braeden Lines

- Appoint new members to serve a two-year term:
 - o Salem Dimichele
 - o Adrianna O’Quinn
 - o Dan Osborne

BACKGROUND: In accordance with the Amherst Youth Town Council Policy, a total of 12 youth can be appointed to the AYTC with up to 3 youth residing in the County of Cumberland. Appointments effective for the 2018-19 school year are for two-year terms.

DISCUSSION: Involving youth in the community adds value to the community and youth development. It empowers youth to be engaged and provides the opportunity for a voice, as well as influencing decisions regarding youth issues. The AYTC is the voice for youth to Town Council.



- Reappointments:
 - o Rohin Minocha-McKenney Grade 12 – Amherst Resident
 - o Allie Degenstein Grade 12 – Amherst Resident
 - o Olivia Pulsifer Grade 9 – Amherst Resident
 - o Rajan McKenney Grade 10 – Amherst Resident
 - o Mason Carter Grade 12 – County Resident
 - o Grace Doncaster Grade 10 – Amherst Resident
 - o Braeden Lines Grade 10 – Amherst Resident

- New Appointments Recommended:
 - o Salem Dimichele Grade 7 – Amherst Resident
 - o Adrianna O’Quinn Grade 12 – County Resident
 - o Dan Osborne Grade 10 – Amherst Resident

FINANCIAL IMPLICATIONS: None

COMMUNITY ENGAGEMENT: Expressions of interest were solicited through media, including social media. By policy, there remains two positions open on the AYTC. Efforts will continue to attract applications.

ENVIRONMENTAL IMPLICATIONS: None

ALTERNATIVES: Appointments to the AYTC are at Councils discretion.
ATTACHMENTS: AYTC 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 October 23, 2017
25 June, 2018

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 an impact on the youth of Amherst and, while *indirectly* 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 *in council meetings*.
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, as well as host events they deem fit, 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 that they believe need to be addressed for the benefit of the youth.

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 three members being county residents.
4. The term for citizen youth appointees shall be two years and members may be reappointed to the committee without limitations. Members who do not complete their two year term may be replaced, with their replacement finishing their term and eligible for reappointment without limitations. Citizen appointee terms shall commence November 1st annually.
5. In June of each year, advertisement for expression of interest 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 *Junior Mayor*, in consultation with staff and fellow members. Generally, meetings will commence at 3:05pm at an accessible location.
2. The committee will meet bi-monthly or as required. Each month a member of the Amherst Youth Town Council will attend an Amherst Town Council regular meeting.
3. *All meetings are open to the public. If local organizations wish to present to the Amherst Youth Town Council they must previously inform the elected Junior Mayor of their presentation plans.
4. *All members of the Amherst Youth Town Council are required to notify a member of the executive committee if they are to miss a meeting. If two meetings are missed without regrets sent, the committee will discuss attendance improvement for that individual.

Synopsis

Traffic Authority Policy Amendment

The existing policy identifies the former Chief of Police Ian Naylor as the Traffic Authority. Chief Naylor retired at the end of July 2018. Currently Dwayne Pike is Acting Chief of Police and as such serves as the Traffic Authority. The amendment proposed to the existing policy will give authority to whomever is currently serving in the capacity of the Chief of Police.

MOTION:

That Council approve amendments to the Traffic Authority Policy #68000-03 which remove the specific name of Ian Naylor and instead simply refer to the office of Chief of Police.



AMHERST TOWN COUNCIL

RFD# 2018132

Date: September 24, 2018

TO: Mayor Kogon and Members of Council
SUBMITTED BY: Greg Herrett, CPA, CA - CAO
DATE: September 24, 2018
SUBJECT: Amendment to the Traffic Authority Policy # 68000-03

ORIGIN: Review of Policies

LEGISLATIVE AUTHORITY: Policy 68000-03; MGA 47 (1) The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

RECOMMENDATION: That Council approve amendments to the Traffic Authority Policy.

BACKGROUND: The existing policy identifies the former Chief of Police Ian Naylor as the Traffic Authority. Chief Naylor retired at the end of July 2018. Currently Dwayne Pike is Acting Chief of Police and as such serves as the Traffic Authority. The amendment proposed to the existing policy will give authority to whomever is currently serving in the capacity of the Chief of Police.

DISCUSSION: This amendment is a matter of house keeping with the policy and ensures clarity as to the office of Traffic Authority resting with the current Chief of Police.

FINANCIAL IMPLICATIONS: No financial implications

COMMUNITY ENGAGEMENT: Media Release

ENVIRONMENTAL IMPLICATIONS: No environmental implications

ALTERNATIVES: 1) Do not amend the Policy;
2) Appoint someone other than the Chief of Police as the Traffic Authority.

ATTACHMENTS: Traffic Authority Policy #68000-03

Report prepared by: Greg Herrett, CPA, CA, CAO

Report and Financial approved by:



DEPARTMENT: PUBLIC PROTECTION AND SAFETY SERVICES

TITLE: **Traffic Authority for the Town of Amherst**

Minutes reference date: 24 February 2014

PURPOSE OF THE POLICY:

Section 311(2) of the *Municipal Government Act* authorizes Council to appoint a Traffic Authority.

POLICY STATEMENT:

The Police Chief ~~Ian Naylor~~ is hereby appointed as the Traffic Authority for the Town of Amherst.

Synopsis

Cumberland YMCA Contribution Agreement

The 2018/19 operating and capital budgets, passed by Council on May 23/18 included a change in the nature of support to the Cumberland YMCA. Previously, the Town provided a range of in kind services including solid waste collection, water rate absorption and accounting services as well as a reimbursement of operating costs related to the swimming pool. These in kind services had an estimated fair market value of just under \$100,000. With the new budget this support has been changed to an annual cash contribution of \$100,000. During consultations with the Cumberland YMCA leading up to this change, the Town committed to negotiating a long term funding agreement with the Cumberland YMCA. Our CAO and the YMCA CEO have negotiated this new agreement, the YMCA Board has approved it and Council has reviewed it in an in-camera Committee of the Whole meeting.

The agreement provides for annual contributions of \$100,000, adjusted for inflation, as well a number of reporting requirements and the continuation of a seat on the YMCA Board for a member of Town Council.

MOTION:

That Council approve the contribution agreement with the Cumberland YMCA and authorize the Mayor and CAO to sign the agreement.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Gregory D. Herrett, CPA, CA – Chief Administrative Officer

DATE: September 24, 2018

SUBJECT: Cumberland YMCA Contribution Agreement

ORIGIN: The 2018/19 operating and capital budgets, passed by Council on May 23/18 changing the nature of financial support to the Cumberland YMCA.

LEGISLATIVE AUTHORITY: MGA Section 65 (au) authorizing grants to organizations

RECOMMENDATION: That Council approve the contribution agreement with the Cumberland YMCA .

BACKGROUND: The 2018/19 operating and capital budgets, passed by Council on May 23/18 included a change in the nature of support to the Cumberland YMCA. Previously, the Town provided a range of in kind services including solid waste collection, water rate absorption and accounting services as well as a reimbursement of operating costs related to the swimming pool. With the new budget this support has been changed to an annual cash contribution of \$100,000. During consultations with the Cumberland YMCA leading up to this change, the Town committed to negotiating a long term funding agreement with the Cumberland YMCA.

A copy of the RFD from the Council budget discussions is attached as background.

DISCUSSION: The CAO met with YMCA CEO Trina Clarke on several occasions over the summer and has negotiated the attached agreement. Ms. Clarke has also agreed to recommend the agreement for approval to the YMCA Board at its next meeting.

The essential elements of the agreement are:

- a. A five year term with a provision to negotiating an extension or new agreement at the end of the term
- b. A number of reporting requirements detailed in the agreement
- c. A seat on the Board for a member of Council
- d. Annual contribution of \$100,000, adjusted annually for inflation

FINANCIAL IMPLICATIONS: Financial implications are outlined in the April 18, 2018 RFD attached.



COMMUNITY ENGAGEMENT: Cumberland YMCA was consulted and participated in the negotiation of this agreement

ENVIRONMENTAL IMPLICATIONS: None identified at this time

ALTERNATIVES:

- 1) Approve the draft agreement as recommended;
- 2) Decline to approve the agreement and make the cash contributions without an agreement;
- 3) Provide direction on changes to the agreement.

ATTACHMENTS:

- 1) Draft contribution agreement
- 2) April 18, 2018 RFD detailing the financial implications of the change.

Report prepared by: G.D. Herrett, CPA, CA – Chief Administrative Officer

Report and Financial approved by:

THIS FUNDING AGREEMENT dated the 1st day of September, 2018.

BETWEEN:

THE TOWN OF AMHERST, and the Municipal Corporation with its head office located at 98 East Victoria Street, Amherst, Nova Scotia (the "Town")

OF THE FIRST PART

-and-

THE CUMBERLAND YMCA, a Society incorporated pursuant to the Societies Act of Nova Scotia ("the Cumberland YMCA")

OF THE SECOND PART

WHEREAS the Town has been requested by the Cumberland YMCA to provide financial assistance in order to maintain its level of services to the Community;

AND WHEREAS the parties to this Agreement wish to ensure that the Cumberland YMCA continues to remain financially sustainable;

AND WHEREAS the parties to this agreement wish to set out their respective rights and obligations with respect to the provision of said funding;

IN CONSIDERATION of the premises and the mutual covenants contained in this Agreement, and other good and valuable consideration, the parties agree as follows:

1. Effective Date

1.1 The parties agree to enter into this funding agreement, effective the day of the 1st day of September 2018, and subject to the terms, conditions and stipulations set forth herein.

2. Term of Agreement

2.1 Term. Subject to any provisions contained herein, this Agreement shall be in effect from the date set out herein, up to and including March 31, 2024.

2.2 End of Funds. Notwithstanding anything in this Agreement, the Town shall not be obligated to provide funds pursuant to this Agreement after March 2024.

2.3 The parties shall, no later than October 1, 2023, meet with the purpose of negotiating either an extension to this agreement or a completely new agreement.

3. Requirements

3.1 As the basis of this funding is the financial need of the Cumberland YMCA, the Cumberland YMCA undertakes to provide the Town with reports, including but not limited to quarterly statements of revenue and expenditures, an annual report on program and services, strategic, risk management and business plans as they are

updated, board meeting minutes on a quarterly basis, annual audited financial statements and other information reasonably requested by the Town from time to time.

- 3.2 The Cumberland YMCA recognizes that the pool is an integral part of its organization and funding and agrees to keep the pool open, operational and utilized to deliver programs to the Community.
- 3.3 The Cumberland YMCA agrees that it will, through its Board of Directors, continue to develop, implement, and revise its strategies, risk management and business plans based on its financial position and assessment of community needs.
- 3.4 The Cumberland YMCA agrees that a member of the Town's Council shall be a member of the Cumberland YMCA Board of Directors.
- 3.5 The Town shall not be obligated to provide funds pursuant to this Agreement should the Cumberland YMCA become unsustainable, as evidenced by significant program reduction or partial or complete facility closure.

4. Funds

- 4.1 The Town agrees during the term of this Agreement, and subject to the conditions contained herein, to provide to the Cumberland YMCA a contribution to its operational requirements.
- 4.2 The parties agree that the maximum operational funding to be provided to the Cumberland YMCA is \$100,000 annually (subject to CPI indexing described below) payable in four equal installments on April 1, July 1, October 1 and January 1 of each year.
- 4.3 The maximum annual funding shall be adjusted on April 1 of each year during the life of the Agreement by the year over year change in the Consumer Price Index – all items NS calculated at December of the preceding year.

5. Transition

- 5.1 The Town has provided accounting services up to and including the July 2018 month end.
- 5.2 The Town will continue to provide payroll services up to December 31, 2018 including the preparation of T4's for the 2018 year.
- 5.3 The Town will absorb water and sewer costs up to and including August 31, 2018.
- 5.4 The Town will absorb solid waste costs up to and including August 31, 2018.
- 5.5 The Town will make a cash payment to the Cumberland YMCA of \$16,667 on the signing of the Agreement representing the pro-rated amount for the months of August and September 2018. Regular quarterly payments shall commence on October 1, 2018.

6. Insurance

- 6.1 The Cumberland YMCA shall put in effect and maintain in full force and effect or cause to be put in full force and effect and maintained for the period during which this

Agreement is in effect all the necessary property and liability insurance that would be considered appropriate, and further agrees to provide to the Town upon request, written proof of the same.

6.2 In no event shall the Town be liable for:

(a) Any bodily injury, death or property damages to the Cumberland YMCA, its employees, agents or consultants or for any claim, demand or action by any Third Party against the Cumberland YMCA, its employees, agents or consultant, arising out of or in any way related to this Agreement; nor

(b) Any incidental, indirect, special or consequential damages, or any loss of use, revenue or profit to the Cumberland YMCA, its employees, agents or consultants arising out of or in any way related to this Agreement.

6.3 The Cumberland YMCA agrees to indemnify and hold harmless the Town, its officers, employees or agents from and against all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever brought or prosecuted in any manner based upon, or occasioned by any injury to persons, damage to or loss or destruction of property, caused by or arising directly or indirectly in any way related to this Agreement.

7. Default and Termination

7.1 The Town may declare in writing that an "Event of Default" has occurred if the Cumberland YMCA has not complied with any condition, undertaking or material term in this Agreement. The Town will not declare in writing that an "Event of Default" has occurred unless it has first consulted with the Cumberland YMCA, and requested that the default be rectified within a specified time frame.

7.2 The Town may withdraw its notice of an "Event of Default" if the Cumberland YMCA, within the time frame specified by the Town, either corrects the condition or event or demonstrates to the satisfaction of the Town that it has taken such steps as necessary to correct the condition.

7.3 If the Town declares that an "Event of Default" has occurred, which has not been satisfactorily addressed by the Cumberland YMCA, it may immediately terminate or suspend its obligations to pay funds under this Agreement. If the Town suspends payment, it may in its sole and absolute discretion pay the suspended funds, at some future time, if the Town is satisfied that the default has been cured.

8. Notice

8.1 Any notice, information or document provided for under this Agreement will be effectively given if delivered or sent by letter, postage or other charges prepaid, or by facsimile or email. Any notice that is delivered will have been received on delivery; and

any notice mailed shall be deemed to have been received on the third (3) calendar day following the date upon which it was mailed.

DRAFT

8.2 Notice can be given at the following addresses:

(a) To the Town:
Chief Administrative Officer
PO Box 516
Amherst, NS
B4H 4A1

(b) To the Cumberland YMCA:
Executive Director
99 Church Street
Amherst, NS
B4H 3B3

9. Governing Law

9.1 This Agreement and the application or interpretation of it shall be governed exclusively by the terms and by the laws of the Province of Nova Scotia.

10. Time

10.1 Time shall be of the essence of this Agreement.

11. Headings

11.1 The headings appearing throughout this Agreement shall not form part of this Agreement. The parties desire that this Agreement shall be given a broad and liberal interpretation.

12. Severability

12.1 Each provision of this Agreement shall be severable. If any provision of this Agreement that is not a fundamental term is found to be or become invalid or unenforceable, in whole or in part, it will be deemed to be severable and will be deleted from this Agreement, but all other terms and conditions will continue to be valid and enforceable.

13. Waiver

13.1 The failure of the Town to insist in one or more instances on performance by the Cumberland YMCA of any of the terms or conditions of this Agreement shall not be construed as a waiver of the Town's right to require further performance of any such terms or conditions, and the obligations of the Cumberland YMCA with respect to such performance shall continue in full force and effect.

14. No Authority to Represent

14.1 Nothing in this Agreement is to be construed as authorizing one party to contract for or incur any obligation on behalf of the other to act as agent for the other.

15. Agreement Binding

This Agreement shall ensure to the benefit of and be binding on the respective representatives and assigns of each of the parties to it.

IN WITNESS WHEREOF this Agreement has been executed by the parties as of the ____ day of _____, 2018.

Gregory D. Herrett, CAO
Town of Amherst

Witness

David Kogon, Mayor
Town of Amherst

Witness

Trina Clarke, Executive Director
Cumberland YMCA

Witness

Charles Seymour, Chair
Cumberland YMCA Board of Directors

Witness



AMHERST TOWN COUNCIL

RFD# 2018082

Date: April 18, 2018

TO: Mayor Kogon and Members of Amherst Town Council
SUBMITTED BY: Gregory D. Herrett, CPA, CA, Chief Administrative Officer
DATE: April 18, 2018
SUBJECT: **YMCA Financial Services**

ORIGIN: 2018-19 Operating Budget

LEGISLATIVE AUTHORITY: MGA Section 65 Power to Expend Money (au) a grant or contribution to (v) any charitable, nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting or social organization within the Province

RECOMMENDATION: That Council authorize the CAO to advise the YMCA that the Town will no longer provide in-kind services but will instead issue a grant to the YMCA.

BACKGROUND: For several years now the Town has been providing the following in-kind services to the YMCA:

- Financial Services including payroll, accounts payable and financial reporting services \$ 27,000
 - Solid Waste Disposal 7,000
 - Water 8,000
 - Snow Removal 2,800
- 44,800

In addition to the in-kind services, the Town also pays the YMCA \$0.01 on the tax rate (currently \$52,682) to maintain a pool in the community. 52,682
\$ 97,482

This gives the Town the opportunity to highlight value of services provided to the YMCA. The contribution is more transparent when a cheque is presented. In addition to the \$100,000, the Town will continue to pay \$58,000 for the community swim program.

FINANCIAL IMPLICATIONS: The Town will have to write a cheque to the YMCA for the value of the in-kind services. All of the above amounts have been allowed for in the proposed 2018-19 operating budget.

COMMUNITY ENGAGEMENT: No community engagement at this time.

ENVIRONMENTAL IMPLICATIONS: None

ALTERNATIVES: Continue to have staff provide in-kind financial services to the YMCA.

ATTACHMENTS: None

Report prepared by: Vince Arbing, CPA, CA, Treasurer

Report and Financial approved by:



Synopsis

Heritage Gas Memorandum of Understanding

Under the current operating agreement between Heritage Gas and the Town, Heritage Gas is responsible to restore Town streets in accordance with the Town's policies, applicable to Heritage's operations.

Heritage staff have indicated that due to the low volume of asphalt restoration work they are required to do in the Town, they sometimes find scheduling of this work difficult. Furthermore, as Heritage service cuts are waiting to be patched the Town receives inquiries from the public and often tops up the gravel in the cuts to ensure an acceptable driving surface is provided until the asphalt is properly repaired. Having the Town include the Heritage service cuts within our contract for asphalt patching will allow the Heritage service cuts to be repaired in a more timely manner. Ultimately, Town staff would prefer to be in charge of the Heritage service cut restoration as the Town is ultimately responsible to the public for the condition of the streets.

MOTION:

That Council enter into the Memorandum of Understanding with Heritage Gas for the provision of asphalt patching services.



AMHERST TOWN COUNCIL

RFD# 2018123

Date: September 24, 2018

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Jason MacDonald, Deputy CAO

DATE: September 24, 2018

SUBJECT: Heritage Gas Memorandum of Understanding

ORIGIN: Various discussions with Heritage Gas representatives.

LEGISLATIVE AUTHORITY: MGA Section 61 (1) A municipality may enter into an agreement with any person for the provision of a service or a capital facility that the municipality is authorized to provide.

RECOMMENDATION: That Council approve entering into the memorandum of understanding between the Town of Amherst and Heritage Gas for the provision of asphalt patching services.

BACKGROUND: Under the current operating agreement between Heritage Gas and the Town, Heritage is responsible to restore Town streets in accordance with the Town's policies, applicable to Heritage's operations.

DISCUSSION: Heritage staff have indicated that due to the low volume of asphalt restoration work they are required to do in the Town, they sometimes find scheduling of this work difficult with local asphalt contractors. Furthermore, as Heritage service cuts are waiting to be patched the Town receives inquiries from the public and often tops up the gravel in the cuts to ensure an acceptable driving surface is provided until the asphalt is properly repaired. Having the Town include the Heritage service cuts within our contract for asphalt patching will allow the Heritage service cuts to be repaired in a more timely manner. Furthermore, Town staff would prefer to be in charge of the Heritage service cut restoration as the Town is ultimately responsible to the public for the condition of the streets.

FINANCIAL IMPLICATIONS: The number of Heritage service cuts varies from year to year, but is generally in the range of 5 -10. This would equate to approximately \$1,500 - \$3,000 in additional revenue for the Town.

COMMUNITY ENGAGEMENT: As this issue involves a contract negotiation, it is not subject to community engagement at this time.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications to entering into the memorandum of understanding.



ALTERNATIVES:

1. Do not enter into the memorandum of understanding.

ATTACHMENTS: Heritage Gas Operating Agreement.

Report prepared by: Jason MacDonald, Deputy CAO

Report and Financial approved by:

Memorandum of Understanding

THE TOWN OF AMHERST

(Hereinafter referred to as “the Town”)

AND

HERITAGE GAS LIMITED

(Hereinafter referred to as “Heritage”)

WHEREAS the Town and Heritage have signed a five-year Municipal Access Operating Agreement;

AND WHEREAS Section 6.2 of the above-mentioned agreement indicates that “Heritage is responsible to restore Streets in accordance with the Town’s policies, applicable to Heritage’s operations, as amended from time to time”;

AND WHEREAS the Town annually enters into a contract with an asphalt paving company for asphalt patching repair within Town Streets;

AND WHEREAS both parties agree that it is more efficient to have Heritage street service cuts repaired under the above-mentioned contract;

THEREFORE it is agreed that:

1. The Town will coordinate the street restoration required of Heritage under Section 6.2 of the Municipal Access Operating Agreement, through the Town’s contract for asphalt patching;
2. Heritage will pay the cost of the street repair as determined by the contract for asphalt patching, plus an administrative fee of 15%;
3. The Town will provide to Heritage the annual asphalt patching contract pricing within 30 days of the tender award, and Heritage will have 30 days to confirm their intent to continue with this memorandum of understanding for that construction season;
4. All other terms of the Municipal Access Operating Agreement remain in effect;
5. This memorandum of understanding is in effect for the length of the Municipal Access Operating Agreement signed by both parties (December 31, 2021).
6. Either party may terminate this memorandum of understanding by providing 3 months written notice to the other party.

IN WITNESS WHEREOF the parties have executed this Memorandum of Understanding by their duly authorized officers this _____ day of _____, 2018.

AMHERST MUNICIPAL OPERATING ACCESS AGREEMENT – 2017-2021

THIS MUNICIPAL OPERATING ACCESS AGREEMENT - made this 27th day of February, 2017

BETWEEN:

TOWN OF AMHERST

(hereinafter called the "Town")

-and-

HERITAGE GAS LIMITED

(hereinafter called "Heritage")

WHEREAS the award of the natural gas distribution franchise to Heritage by the Nova Scotia Utility and Review Board was approved by the Province of Nova Scotia by Order in Council dated February 21, 2003 granting Heritage a full regulation class franchise for the construction and operation of a natural gas distribution system in certain areas of Nova Scotia;

AND WHEREAS the Town holds title to the Streets within the Town which it maintains;

AND WHEREAS Heritage wishes to use municipal streets for the installation and operation of a Gas Distribution System;

AND WHEREAS the Town approved in May, 2005 the terms and conditions of the first Municipal Operating Access Agreement ("MOAA") for the period June 1, 2005 to December 31, 2010; and subsequent agreement for the January 1, 2011 to December 31, 2016 time period;

AND WHEREAS the Town and Heritage wish to enter into a new MOAA for a further period of time;

THEREFORE, in consideration of the mutual terms, conditions and covenants contained herein, the parties agree as follows:

Definitions

1. In this Agreement,
 - a. "Engineer" means the Engineer as defined by the Municipal Government Act (Nova Scotia).
 - b. "Gas Distribution System" includes any pipe, pipeline, main, service, trap, vent, vault, manhole, meter, gauge, regulator, valve, appliance, attachment, and any other property located or to be located in, upon, along, across, under or over the Streets of the Town and used or useful in transportation, transmission or distribution of natural gas.
 - c. "Locate" means the process conducted by Heritage to determine the underground location of a natural gas pipeline prior to excavation or disturbance of earth and soil.
 - d. "NSUARB" means the Nova Scotia Utility and Review Board.
 - e. "Permit and Locate Form" means that form used by Heritage to identify specifics and location of infrastructure for customer service connections.

AMHERST MUNICIPAL OPERATING ACCESS AGREEMENT – 2017-2021

- f. "Gross negligence" means a conscious and voluntary disregard of the need to use reasonable care, and shall include situations where the Town neglects to request locate information as required by the Regulations made pursuant to the Pipeline Act.
- g. "Project" refers to planned annual construction programs of natural gas pipelines by Heritage.
- h. "Street" means Street as defined by the Municipal Government Act and for the purposes of this Agreement includes the public streets, street right of ways, highways, roads, lanes, sidewalks, and thoroughfares as the same now or may hereafter exist within the Town.
- i. "Town" means the Town of Amherst.

License and Consent

- 2. (1) The Town hereby grants Heritage an exclusive encroachment license for use of its Streets for the purpose of constructing, operating and maintaining the Gas Distribution System.
- (2) This Agreement does not grant a right to attach gas lines to municipally owned bridges; such attachments are subject to the approval of the Engineer on a case by case basis.
- (3) The grant of the license is subject to the terms and conditions of this Agreement, and compliance with all federal, provincial and municipal laws including CSA Code Z662, Pipeline Regulations (Nova Scotia), and applicable By-laws of the Town as amended from time to time.
- (4) To the best of its ability, the Town shall endeavour to notify Heritage well in advance of any proposed municipal law changes that affect this Agreement, and to facilitate consultations between Heritage and the Town regarding the contents of such municipal law changes.
- (5) Without limiting the generality of the foregoing, Heritage confirms that it will comply with all requirements of the Nova Scotia Occupational Health and Safety Act with regard to its Gas Distribution System.

Term of Agreement

- 3. (1) This Municipal Operating Access Agreement shall be for a period of five (5) years (the "Term") commencing on the January 1, 2017 until December 31, 2021, subject to the earlier abandonment of said franchise, in which case this Agreement shall automatically terminate on the date of the abandonment except as otherwise provided by this Agreement.
- (2) Six months prior to the expiry of the Term, the parties shall enter into negotiations to renew this Agreement upon such terms and conditions as may be agreed. In the event parties do not agree on the terms and conditions of a renewal agreement prior to one month before the end of the Term, the matter shall be determined by the NSUARB pursuant to Section 78 of the Public Utilities Act (Nova Scotia) and Section 9 of the Gas Distribution Act (Nova Scotia). The parties agree that in the interim, in such case, the terms and conditions of this Agreement shall govern until such time that an order is issued on the matter by the NSUARB.

AMHERST MUNICIPAL OPERATING ACCESS AGREEMENT – 2017-2021

Training

4. Heritage commits to providing training at no cost to the Town with respect to natural gas awareness and emergency response issues for appropriate Town engineering and operations staff, building/street inspectors and emergency services including fire and police personnel relating to the Gas Distribution System.

Construction Schedule

5. (1) The Town and Heritage each recognize the benefits of joint infrastructure planning between the Town and Heritage. Heritage shall continue the open dialogue process with the Engineer to ensure natural gas project planning is current and the Town shall continue the open dialogue with Heritage to ensure project planning is current. At a minimum, Heritage shall meet with the Engineer, before December 31st of each year, for the purpose of exchanging known or proposed plans of both the Gas Distribution System and the Town's service systems for the following year.
- (2) The Town and Heritage shall jointly promote the "Call Before You Dig" safety program within each organization and the public during the annual construction season and on any other pertinent occasion. The Town shall, at no cost to Heritage, take an active role in promoting Call Before You Dig and excavation safety both within municipal departments and to third parties working in the Street.
- (3) Unless with express approval from the Engineer, no construction shall take place in the travelled portion of the Town's right-of-way after October 31 of each calendar year.

Design

6. (1) The Engineer shall be the final approval authority for the location of all portions of the Gas Distribution System located within municipal Streets, which approval shall not be unreasonably withheld. The location and installation of the Gas Distribution System shall be consistent with applicable Canadian gas codes including CSA Z662 as amended from time to time.
- (2) Heritage is responsible to restore Streets in accordance with the Town's policies, applicable to Heritage operations, as amended from time to time. Notwithstanding the generality of the foregoing, where a pavement cut is made on a Street that has been paved within the previous five (5) years, the Town may, at the sole discretion of the Engineer, apply more stringent specifications to the surface restoration requirements for that Street.

Permits

7. (1) In accordance with the Town's permitting requirements, Heritage shall annually obtain a Street Breaking Permit for every project where the Gas Distribution System is proposed to be installed within the Town. A Street Breaking Permit will remain in force until the project is completed.
- (2) Notwithstanding any other provision herein, Heritage or its contractor shall also provide refundable performance security to the Town in the estimated amount of Street

AMHERST MUNICIPAL OPERATING ACCESS AGREEMENT – 2017-2021

restoration costs to guarantee the restoration of Streets to the satisfaction of the Engineer.

- (3) With respect to construction scheduling, the Town will require Heritage or its contractor to follow the Town's policy that will minimize potential traffic and related disruptions to businesses. Construction should be coordinated with the Town's capital budget projects.
- (4) If service connections are not installed during initial construction of the Gas Distribution System on a Street, then Heritage will submit to the Town a copy of Heritage's Permit and Locate Form prior to the construction and installation of the customer service connection. This Form shall be submitted to the Town, on a best effort basis, at least 10 days prior to the construction of the customer service connection.

Fees

8. (1) In accordance with section 7 above, the following fee structure will apply and supersede the Town's Street Breaking Policy as it relates to fee for the issuance of Street Breaking Permits to Heritage. The following fees reflect the Town's costs related to the Engineering, administration and inspection of natural gas project conducted by Heritage within the Town:
 - (a) The Street Breaking Policy fee structure of \$500.00 for each Street cut will apply to the installation of natural gas pipelines;
 - (b) No Street Breaking fee shall be applied to the construction of a service line that is installed at the same time as the natural gas pipeline to which it is connected; and
 - (c) Total Street Breaking fees applied to service line installations shall not exceed \$5,000.00 for a given year.

Damage to Municipal Property

9. (1) If any portion of any Street or municipal infrastructure is damaged by reason of defects in any portion of the Gas Distribution System, or by reason of any other cause arising directly from the installation or presence of the Gas Distribution System, Heritage shall, at its own cost and expense, immediately repair any such damage and restore such portion of such damaged Street to as good or better condition than existed before such defect or other cause of damage occurred, such work to be done under the direction and to the satisfaction of the Engineer.
- (2) Heritage agrees that trees on municipal property are to be protected at all times. The Gas Distribution System is to be designed on the premise that, unless approved by the Engineer, municipal trees are not to be adversely affected by the installation or operation of the Gas Distribution System.
- (3) If any tree is damaged or destroyed by reason of a defect in any portion of the Gas Distribution System, or by reason of any other cause arising directly from the construction or the operation of the Gas Distribution System, Heritage shall, at its own cost and expense, repair such damage or replace such trees under the direction and to the satisfaction of the Engineer.

AMHERST MUNICIPAL OPERATING ACCESS AGREEMENT – 2017-2021

Emergency Response

10. (1) Heritage shall provide:
 - (a) to the Engineer a list of emergency contact personnel from Heritage available at all times and shall ensure that the aforementioned list is always current;
 - (b) an electronic copy of Heritage's Emergency Response Manual; and
 - (c) a person to liaise in developing the joint Emergency Measures gas response program.
- (2) It is agreed that the Emergency Measures gas response program shall be reviewed periodically by appropriate representatives of the Town and Heritage.

Record Information and GIS

11. (1) Heritage shall provide, at its expense, to the Town record drawings in an electronic format compatible with the Town's corporate geographic information system (GIS) within three (3) months of the end of construction season each year, or as requested by the Town.
- (2) Both parties are aware that the steel pipelines constructed by Heritage are located in xyz Geographic coordinate system using total station surveying equipment and/or Global Positioning System, whereas PE mains are located only in xy coordinates by measuring offsets from above-ground landmarks.
- (3) The Town shall provide, at its expense, to Heritage existing GIS information that may assist in the development of the natural Gas Distribution System. The GIS information will be used solely by Heritage for the planning and construction of natural gas pipelines and shall not be distributed to any party not associated with Heritage projects within the Town.

Locate Requirement

12. (1) The Town shall request line locates for all municipal activities associated with ground disturbance, soil excavation or sign installations that could result in damage to buried natural gas pipelines, including but not limited to light standard and sign installation, traffic loop modifications, tree planting, and any other municipal project undertaken by the Town.
- (2) Upon receiving a request from the Town, Heritage shall, at no cost to the Town and using reasonable best efforts, provide locations of its Gas Distribution System:
 - (a) Within one (1) hours in the event of an emergency;
 - (b) Within twelve (12) hours in the event of a priority request;
 - (c) Within forty-eight (48) hours in all other cases.

AMHERST MUNICIPAL OPERATING ACCESS AGREEMENT – 2017-2021

Relocations

13. (1) Subject to 13(2) upon receipt of one hundred and twenty (120) days notice from the Town, Heritage, at its own expense, shall relocate its Gas Distribution System within a Street, or perform any other work in connection with the Street as may be required by the Town for municipal purposes or by law. In case of an emergency, Heritage shall respond promptly in accordance to the provisions of its Emergency Response Manual referred to in section 10 above.
- (2) Where any part of the Gas Distribution System relocated in accordance with this section is located other than on a bridge, viaduct or structure, the costs of relocation shall be shared between the Town and Heritage on the basis of the total relocation costs, excluding the value of any upgrading of the Gas Distribution System, and deducting any contribution paid to Heritage by others in respect to such relocation as follows:
 - (a) where the relocation is a result of Streets work or conflicts in elevation with any sewer or water main crossing(s) and occurs within two years of the installation of the portion of the Gas Distribution System to be relocated, the costs shall be paid 100% by the Town;
 - (b) where the relocation is a result of Streets work or conflicts in elevation with any sewer or water main crossing(s) and occurs after the end of the second year following the installation of the portion of the Gas Distribution System to be relocated, but not more than five years, the costs shall be shared 65% by Heritage and 35% by the Town;
 - (c) where the relocation is a result of Streets work or conflicts in elevation with any sewer or water main crossing(s) and occurs after the end of the fifth year following the installation of the portion of the Gas Distribution System to be relocated, the costs shall be paid 100% by Heritage; and
 - (d) where the relocation is a result of any municipal infrastructure other than Streets work, water mains or conflicts in elevation with any sewer crossing(s), the costs shall be paid 100% by the Town.
- (3) Heritage shall not be required to bear the expense of any removal or relocation made at the request of the Town on behalf or for the benefit of any private developer or other third party.
- (4) At the request of the Engineer, Heritage shall structurally support any portion of its Gas Distribution System at its own cost, where necessary, as part of the process of implementing any municipal improvements.

Warranty Concerning Condition of Streets

14. The Town has made no representations or warranties as to the state of repair of the Streets or the suitability of the Streets for any business, activity or purpose whatsoever and Heritage hereby agrees to install pipelines within Streets on an "as is" basis.

AMHERST MUNICIPAL OPERATING ACCESS AGREEMENT -- 2017-2021

Liability

15. (1) Except for the gross negligence of the Town, Heritage agrees that the Town is not responsible, either directly or indirectly, for any damage to the Gas Distribution System that may result from the activities of the Town, its officers, employees, contractors or agents. The Town assumes responsibility and will reimburse Heritage for any and all loss or damage caused to the Gas Distribution System due to the Town's own gross negligence.
- (2) Except for the negligence of Heritage, the Town agrees that Heritage is not responsible, either directly or indirectly, for any damage to the Municipality's facilities located on, in or under the Street that may result from the activities of Heritage, its officers, employees, contractors or agents. Heritage assumes responsibility and will reimburse the Municipality for any and all loss or damage caused to the Street due to Heritage's own negligence.
- (3) Notwithstanding subsections (1) and (2), Heritage and the Town are not liable one to the other either on the basis of gross negligence or on any other basis for any consequential or economic losses due to the actions of the other party, its agents or employees working in, under, over, along, upon or across the Streets and roads or other owned or occupied property of the Town, or to the Gas Distribution System.

Indemnification

16. (1) Save and except for loss or damage caused by the gross negligence of the Town, Heritage covenants and agrees to indemnify and save harmless the Town's agents, officers, elected officials, employees and assigns from any and all losses, claims, including any claim for injurious affection, charges, damages and expenses which the Town may at anytime bear, sustain or suffer, by reason, or on account of the placement, installation, relocation, maintenance or use of Heritage facilities in, on, under, over, along or across a Street or road, and Heritage will, upon demand and at its own sole risk and expense, defend any and all suits, actions or other legal proceedings which may be brought or instituted by third persons against the Town on any such claim, demand or cause of action, and will pay and satisfy any judgment or decree which may be rendered against the Town for any and all legal expenses incurred in connection therewith. Heritage's obligation to indemnify and save harmless the Town shall survive the termination of this Agreement.
- (2) Subject to the provisions of this Agreement, the Town covenants and agrees to indemnify and save harmless Heritage's agents, officers, employees and assigns from any and all losses, claims, including any claim for injurious affection, charges, damages and expenses which Heritage may at any time bear, sustain or suffer, by reason, or on account of the gross negligence of the Town and the Town will, upon demand and at its own sole risk and expense, defend any and all suits, actions or other legal proceedings which may be brought or instituted by third persons against Heritage on any such claim, demand or cause of action, and will pay and satisfy any judgment or decree which may be rendered against Heritage for any and all legal expenses incurred in connection therewith. The Town's obligation to indemnify and save harmless Heritage shall survive the termination of this Agreement.

AMHERST MUNICIPAL OPERATING ACCESS AGREEMENT – 2017-2021

Insurance

17. Heritage confirms that it has and shall maintain insurance in sufficient amount and description as will protect Heritage from claims for damages, personal injury including death, and for claims for property damage which may arise from Heritage's operations in the Town under this Agreement, including the use or maintenance of its Gas Distribution System in its Streets or any act or omission of Heritage's agents or employees while engaged in the work of placing, maintaining, renewing or removing any portion of its Gas Distribution System and such coverage shall include all costs, charges and expenses reasonably incurred with any injury or damage. Heritage confirms that the insurance that it presently has meets the requirements of the terms and conditions of its franchise grant pursuant to the Gas Distribution Regulations. A copy of the Heritage's insurance policy will be made available upon written request of the Town.

Abandonment or Discontinued Use of Pipeline Infrastructure

18. In the event of the abandonment or the discontinued use of all or any part of the Gas Distribution System, any removal is subject to the consent of the Town but subject always to any overriding direction or order of the NSUARB.

Assignment

19. This Agreement may be transferred or assigned by Heritage with the approval of the NSUARB and with the consent of the Town, which consent shall not be unreasonably withheld.

Breach

20. The Town and Heritage agree that should Heritage or the Town materially fail to carry out any of the terms, covenants and conditions herein contained or default in any of its obligations under the terms hereof and fail within thirty (30) days after receiving written notice from the other party to correct any such failure which is capable of correction, then this Agreement may, at the option of the non-defaulting party, and subject to the approval of the NSUARB, thereupon be terminated by giving written notice to be effective upon receipt, provided that Heritage shall continue to be liable to the Town for all payments due and obligations incurred under this Agreement prior to such termination.

Agreement Interpretation

21. Subject to the right of either party to apply to the NSUARB for the resolution of disputes arising under this Agreement, the Town and Heritage agree that any disputes concerning the interpretation or application of this Agreement shall be resolved through arbitration pursuant to the terms of the Commercial Arbitration Act, Stats. N.S. 1999, c.5.

Termination

22. Subject to the approval of the NSUARB, if this Agreement is terminated by the Town pursuant to section 20, all the unfulfilled covenants, indemnities and obligations of Heritage hereunder shall survive such termination.



Synopsis

Audited Financial Statements Town of Amherst (Consolidated) Amherst Water Utility (Non Consolidated)

At a meeting of the Audit Committee held Tuesday, September 18, 2018, the Town's Chief Financial Officer, Shelley Rector presented the audited financial statements and audit report for both the Town of Amherst and the Amherst Water Utility for the fiscal year ended March 31, 2018. The statements were prepared by Town staff and audited by the firm Jorgensen Bickerton.

The Audit Committee passed motions recommending that Council approve the audited financial statements for both the Town and the Water Utility.

MOTION :

That Council accept the Audited Consolidated Financial Statements for the Town of Amherst, and the Non Consolidated Financial Statements for the Amherst Water Utility for the fiscal year ending March 31, 2018 which have been audited by the firm Jorgensen Bickerton, as recommended by the Audit Committee.

And

MOTION : In keeping with the philosophy of minimizing debt, the Town Council approve a change in the method of funding various Water Capial Projects totaling \$197,297 from debt financing to Capital from Revenue from the Water Operating fund, as recommended by the Audit Committee.



AMHERST TOWN COUNCIL

RFD# 2018135

Date: September 24, 2017

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Shelley Rector, CPA, CMA – CFO/Treasurer

DATE: September 24, 2018

SUBJECT: Audited Financial Statements

ORIGIN:

Year-end financial statements prepared in compliance with all relevant provincial and federal legislation.

LEGISLATIVE AUTHORITY:

Section 42 (4) of the Municipal Government Act (MGA) requires that the auditor's report be filed with the Council and the Minister by September 30 of each year.

RECOMMENDATION:

That Council accept the Audited Consolidated Financial Statements for the Town of Amherst, and the Non-Consolidated Financial Statements for the Amherst Water Utility for the fiscal year ending March 31, 2018 which have been audited by the firm Jorgensen Bickerton, as recommended by the Audit Committee. We are also recommending that in keeping with the philosophy of minimizing debt, Council approve an increase in Capital from Revenue of \$197,297 from the Water Operating fund for the funding of various Water Capital Projects, as recommended by the Audit Committee.

BACKGROUND:

At a meeting of the Audit Committee held Tuesday, September 18, 2017 the Town's CFO, Shelley Rector, presented the audited financial statements and audit report for the Town of Amherst and the Amherst Water Utility for the fiscal year ended March 31, 2018. The statements were prepared by Town staff and audited by the firm Jorgensen Bickerton.

DISCUSSION:

There were operating surpluses in both the general and water operating funds. Reserve levels and the Town's Financial Condition Index (FCI) scores remain strong. The Town, as any municipal unit, must remain vigilant in terms of monitoring not only the operating and capital budgets but also the external environment

FINANCIAL IMPLICATIONS:

The financial statements and our estimated FCI scores show that we are in good shape financially

COMMUNITY ENGAGEMENT: Audited financial statements will be forwarded to the Province and made available to the public via the website.



ENVIRONMENTAL IMPLICATIONS: n/a

ALTERNATIVES: Decline accepting the audited financial statements and refer them back to staff for further clarification.

ATTACHMENTS:

Report prepared by: Shelley Rector, CPA, CMA, Treasurer
Report and Financial approved by:

Synopsis

Debenture Approval

A Temporary Borrowing Resolution related to The East Victoria and Station Street projects was approved by Council on January 22, 2018 and by the Minister of Municipal Affairs on March 1, 2018 in the amount of \$1,712,500. The actual amount required now that the projects are complete is \$916,677. There were other capital projects that were listed on the Temporary Borrowing Resolution that the Town was able to fund through the water utility and general operating year end surpluses as well as the Operating Reserve. The pre-approval resolution sets the maximum interest rate at 5.5%, the amount of \$916,677, and the term (15 years).

MOTION:

That Council approve the attached Resolution for Pre-Approval of Debenture Issuance in the amount of \$916,677 for the long term financing of the water main replacement and street reconstruction of East Victoria Street from Rupert to civic # 250 and the storm water separation on Station Street.



AMHERST TOWN COUNCIL

RFD# 2018126

Date: September 24, 2018

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Shelley Rector, CPA, CMA – Chief Financial Officer

DATE: September 24, 2018

SUBJECT: Resolution for Pre-Approval of Debenture Issuance

ORIGIN: 2017-18 Capital Budget

LEGISLATIVE AUTHORITY: The Municipal Government Act (MGA) Section 91 gives Council the authority to pre-approve the parameters for debenture issue, by setting a maximum interest rate and establishing the period over which the loan will be repaid, subject to the approval of the Minister of Municipal Affairs.

RECOMMENDATION: That Council approve the Resolution for Pre-Approval of Debenture Issuance in the amount of \$916,677 for the long term financing of the water main replacement and street reconstruction of East Victoria Street from Rupert to civic # 250 and the storm water separation on Station Street.

BACKGROUND: Municipalities requiring debenture funds from the Municipal Finance Corporation (MFC) in the fall of 2018 are required to make a written commitment by October 19, 2018. This is the time for the Town to secure the long-term borrowing for the water main replacement (\$145,000) and street reconstruction (\$367,000) of East Victoria Street from Rupert to civic # 250 and the storm water separation on Station Street (\$404,677).

The pre-approval resolution sets the maximum interest rate at 5.5%, the amount of \$916,677, and the term (15 years).

DISCUSSION: A Temporary Borrowing Resolution related to these projects was approved by Council on January 22, 2018 and by the Minister of Municipal Affairs on March 1, 2018 in the amount of \$1,712,500. The actual amount required now that the projects are complete is \$916,677. There were other capital projects that were listed on the Temporary Borrowing Resolution that the Town was able to fund through the water utility and general operating year end surpluses as well as the Operating Reserve.

FINANCIAL IMPLICATIONS: Annual debenture principal and interest payments commencing in 2019.

COMMUNITY ENGAGEMENT: This is the established process of borrowing from the Municipal Finance Corporation; as with all borrowing for capital purposes by a municipality, it will require the approval of the Minister of Municipal Affairs. No community engagement is required in this process.

ENVIRONMENTAL IMPLICATIONS: There are no specific environmental implications associated with this borrowing.



ALTERNATIVES: Refer the long term funding of the projects back to staff for further review and recommendation.

ATTACHMENTS:

Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rates
Copy of the Temporary Borrowing Resolution approved by the Minister on March 1, 2018.

Report prepared by: Shelley Rector, CPA, CMA – Chief Financial Officer

Report and Financial approved by:

Name of Unit: TOWN OF AMHERST

Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

WHEREAS Section 91 of the *Municipal Government Act* provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (hereinafter "the Minister);

AND WHEREAS the resolution of council to borrow for the capital purposes of: water systems and Wastewater facilities and storm water systems required for a municipal purpose was approved by the Minister on the 1st day of March, 2018;

AND WHEREAS clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the *Municipal Government Act*, the **Town of Amherst** borrow by the issue and sale of debentures a sum or sums not exceeding **\$916,677.00 (nine hundred and sixteen thousand, six hundred and seventy-seven dollars)**, for a period not to exceed **15 (fifteen)** years, subject to the approval of the Minister;

THAT the sum be borrowed by the issue and sale of debentures of the **Town of Amherst** in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of **5.5%**;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the Town of Amherst held on the 24th day of September, 2018.

GIVEN under the hands of the Mayor and the Clerk of the Town of Amherst this ____ day of _____, 2018.

Mayor

Clerk

Synopsis

Moving Funds from Operating Reserve to General Capital

At March 31, 2018 the recently purchased fire truck had long term debt as its funding source on the capital budget, in the amount of \$527,907. For year-end purposes the fire truck was bridge financed with long term debt anticipated to be borrowed in the fall of 2018. The surplus at March 31, 2018 of \$472,237 plus \$55,670 from the Operating Reserve would pay for the truck avoiding, long term borrowing.

We need a resolution from Council to withdraw the funds from Operating Reserve and transfer them to the General Capital fund. This resolution would allow us to ensure proper matching of the funds with the expenditures. We note Council will have saved \$379,607 in debt repayment interest between this purchase and the use of last year's surplus funds to pay for the Community Credit Union Business Information Center and Mill Street per the May 29, 2018 Council meeting.

MOTION:

That Council approve the resolution to withdraw \$527,907 from the Operating Reserve and transfer it to the General Capital fund for the 2017/18 capital purchase of a fire truck.



AMHERST TOWN COUNCIL

RFD# 20180127

Date: September 24, 2018

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Shelley Rector, CPA, CMA – Chief Financial Officer

DATE: September 24, 2018

SUBJECT: Moving Funds from Operating Reserve to General Capital Fund

ORIGIN: Budget and Operating from 2017-18 carried forward to 2018-19.

LEGISLATIVE AUTHORITY: Financial Reporting and Accounting Manual (FRAM) 3.16(d)

RECOMMENDATION: That Council approve the resolution to withdraw \$527,907 from the Operating Reserve and transfer it to the General Capital fund for the 2017/18 capital purchase of a fire truck.

BACKGROUND: At March 31, 2018 the fire truck had long term debt as its funding source on the capital budget, in the amount of \$527,907.

For year-end purposes the fire truck was bridge financed with long term debt anticipated to be borrowed in the fall of 2018.

The surplus at March 31, 2018 was \$472,237 for the general fund, \$79,200 for sewer and \$6,561 for solid waste for a total overall surplus of \$557,998. The surplus funds were transferred to Operating Reserve in their designated accounts (sewer and solid waste segregated).

DISCUSSION: There are two options for the financing of the fire truck:

1. Issue a debenture for the fire truck in the amount of \$527,907. If a debenture was issued, it is estimated that interest over a fifteen year term would be \$168,929.
2. Use funds from the 2017/18 general surplus as well as other unrestricted funds in Operating Reserve to pay for the fire truck.

The fire truck is currently in the General Capital fund not funded. We need a resolution from Council to withdraw the funds from Operating Reserve and transfer them to the General Capital fund. This resolution would allow us to ensure proper matching of the funds with the expenditures.

Of interest for Council, if option 2 is chosen, Council will have saved \$379,607 in debt repayment interest between this purchase and the use of the surplus funds to pay for the Community Credit Union Business Information Center and Mill Street per the May 29, 2018 Council meeting.



Per the information in the Debenture approval package, it makes sense to use long-term borrowing for the water main replacement (\$145,000) and street reconstruction (\$367,000) of East Victoria Street from Rupert to civic # 250 and the storm water separation on Station Street (\$404,677) as the useful life of these project exceeds the borrowing period of the debt. Staff attempt to match borrowing periods with useful life whenever possible.

FINANCIAL IMPLICATIONS: Significant long term interest savings as noted above.

COMMUNITY ENGAGEMENT: No community engagement required.

ENVIRONMENTAL IMPLICATIONS: None

ALTERNATIVES: Issue long term debt to pay for the fire truck.

ATTACHMENTS: None

Report prepared by: Shelley Rector
Report and Financial approved by: Shelley Rector



AMHERST POLICE DEPARTMENT

21 HAVELOCK STREET • AMHERST, NS • NOVA SCOTIA B4H -0E5 • (902) 667-8600 • FAX: (902) 667-0268

MEMORANDUM

To: Amherst Board of Police Commissioners

From: Acting Chief Dwayne Pike

RE: Motorized Scooter Strategy

Date: 2018-09-19

In the fall of 2017, Council directed that police to prepare a report on the laws/regulations that govern the use of motorized scooters on Nova Scotia highways and roads. This was in relation to safety concerns and local practices that have been observed.

On January 11, 2018 Chief Naylor provided his report to Council. I have attached his written report. Since that time, Cst Tom Wood has been tasked with developing our Motorized Scooter Strategy. The strategy designed was a combination of education and measured enforcement.

Constable Wood developed a 2 page Mobility Scooter & Wheelchair Fact sheet. This fact sheet (attached) provided information on the regulations regarding the use of mobility scooters and safety tips for users. These fact sheets were distributed to retailers who sold/rented or lent mobility scooters with the purpose of supplying the information to their clients. He also had discussions with the retailers and educated them on the Motor Vehicle Act.

In addition to this, a media release was prepared and sent to the media (attached). This article, while posted in the paper, was also posted online and shared via social medial, including the Town of Amherst Facebook and APD Facebook profiles.

Constable Wood also did two Public Service Announcements for both CKDH and CFTA.

Continuing with the education strategy, Cst Wood attended and spoke to staff and clients at several senior care homes and several senior housing areas including the following:

Centennial Villa 258 Church Street
White Birches 189 Fox Ranch Road
Centennial Manor 81 West Victoria Street
Fort Cumberland Manor 144 East Victoria Street
Tantramar Place 20 North Adelaide Street
Ridgeview Terrace 48 Summit
Lakeside Manor 1419 Blair Road
Marshview Estates
Gladstone Avenue

Victoria Manor 14 West Victoria Street
Shannex 189 Willow Street
Shiretown 2 Acadia Street
Havelock Terrace 64 Havelock Street
Marshview Terrace 7 Summit
Poplar Manor 6 Poplar
West Highland Manor 3 Anson Avenue
Long Leah Court
Sandstone Crescent and Paradise Avenue Area

During his patrols, he also stopped and spoke to several users, explaining the initiative and educating them about the Motor Vehicle Act and providing safety tips.

Constable Wood provided presentations to each of the 4 police platoons, explaining the initiative and its goals and providing materials and education to each of our members. Patrols were asked to stop motorized scooter users who were using the road and advise them of the requirement to use the sidewalk. As a result, our patrol members have also been stopping and speaking with users and providing them with the information on the initiative and strategy.

The information that Cst Wood compiled was provided to the RCMP so that they could also initiate change. Senior Safety Coordinator Ray Bristol was also provided with information and the fact sheet to distribute.

Most motorized scooter users were compliant and understood the concerns. Their main concern was that sidewalks are too bumpy when using a scooter.

Moving forward we will continue with this initiative by educating the public and keeping on top of legislation that is likely to be changing with the rewriting of the Motor Vehicle Act.

Dwayne Pike, Acting Chief
Amherst Police Department



AMHERST POLICE DEPARTMENT

21 HAVELOCK ST § AMHERST, NOVA SCOTIA § B4H 0E5 § (902) 667-7227 § FAX:(902) 667-0268

MEMORANDUM

DATE: 18-01-11
TO: Mayor and Council
FROM: Chief Ian Naylor
RE: Motorized Wheel Chairs - Scooters

The use of motorized wheelchairs on streets is covered under the Motor Vehicle Act. Under the Act persons in wheel chairs are considered pedestrians.

*“Pedestrian” means a person afoot and **includes a person in a wheelchair** and a person riding on a motorized cart designed for and being used to transport golfers and equipment over a golf course while travelling from one part of it to another in a crosswalk marked for the purpose on the roadway and approved by a traffic authority appointed pursuant to this Act.” (Emphasis added)*

The definition does not specify types of wheelchairs therefore all wheelchairs are included. For the purposes of the Motor Vehicle Act mobility scooters, commonly referred to as “rascal scooters”, are considered wheelchairs.

In an August 2017 news article on a serious accident between a mobility scooter and a vehicle on Highway 1 near Middleton NS, Brian Taylor, media relations for the Department of Transportation and Infrastructure renewal states:

“When it comes to the rules of the road, mobility scooters and wheelchair users are considered pedestrians under the motor vehicle act. In the legislation, the definition of a pedestrian includes a person in a wheelchair. It does not specify if the wheelchair is manually operated or motorized. Therefore, electric wheelchairs and rascal style scooters for those mobility issues would be considered pedestrians and must follow the rules of the road applicable to a pedestrian”.

FAQ

Can they be operated on a sidewalk?

Yes. In fact, they are required to operate on a sidewalk when one is “provided”. Section 127 (2) states: “*Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent highway.*” (Emphasis added)

What if the sidewalk is not suitable for a wheelchair/scooter?

The Act is silent on this issue. Officers are required to assess each case based on its unique circumstances. The term “provided” is subject to interpretation and could be interpreted to mean the sidewalk must be in a condition required for the wheelchair to operate relatively easily and safely. Sidewalks in a condition which does not provide a practical and safe operation of a wheelchair/scooter require officers to use discretion when assessing whether operating on the street is a violation of the Act.

Can they be operated on a street?

Yes, but only when no sidewalk is “provided”.

When legally able to travel on a street are they to travel on the right hand side of the street with the flow of traffic, or travel on the left hand side of the street facing traffic?

This is open to interpretation and discretion. The Act says on the left hand side facing traffic. They are considered pedestrians and Section 127 (3) states “*Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.*” The meaning of “when practicable” can be interpreted to include “*when safe to do so.*” I have spoken with other police officers and TIR staff and all agree it is too dangerous for wheelchairs and mobility scooters to travel facing traffic. The dangers of travelling facing traffic, makes it impracticable to travel in the direction facing oncoming traffic. Officer discretion can be applied when compliance with a law would place an individual in a position of significant risk of injury or death. The consensus of police officers I have spoken to is it is too dangerous to travel facing traffic and tickets are not issued for travelling with the flow of traffic.

Is there a requirement to have lights, or reflective signage?

There are no requirements.

Is the Province going to amend the Motor Vehicle Act to address and clarify issues around the electric wheelchairs and mobility scooters?

There is a provincial committee which is reviewing the current Act and making some changes. I have made inquiries and the initial indications are the issue of wheelchairs and mobility scooters is not being reviewed. TIR is following up on this specific question for me. As of the date of

submitting this report I have not heard back. Should I receive additional information prior to the January 15th COW I will provide a verbal update.

STRATEGY GOING FORWARD

Until the legislation is amended police will continue to rely on discretion and common sense. In addition we feel a strategy which includes public education and measured enforcement is the most effective method of improving safety.

Cst. Tom Wood will be tasked to develop and implement the education strategy. S/Sgt White will develop and oversee the enforcement strategy. Any enforcement initiative will have a measured approach. The overall emphasis will be on education. The education strategy would include meeting with operators of the wheelchairs/mobility scooters to seek their input, and partnerships with local agencies and stakeholders such as the Department of Health, nursing homes, retailers of the wheelchairs/mobility scooters, Cumberland Seniors Safety Coordinator and the Town of Amherst.

K. Ian Naylor
Chief of Police



MOBILITY SCOOTERS & WHEEL CHAIRS FACTS AND SAFETY TIPS



FACTS

- Motorized mobility scooter and wheelchair users are considered pedestrians under the Motor Vehicle Act.
- Like pedestrians, Motorized mobility scooters and wheelchairs must use sidewalks when available. In the absence of a sidewalk, they must travel on the left side of the road or its shoulder, facing traffic.
- If the condition of a sidewalk is not suitable (snow/ice), the scooter/wheelchair can be operated on the road.

SAFETY TIPS

- When travelling on the roadway, travel on the left hand portion of the road, or its shoulder, facing traffic. Be mindful of vehicles coming towards you and stick as close to the edge of the roadway as possible.
- When possible cross at marked crosswalks or traffic lights.
- Don't enter the roadway from between parked cars.
- When crossing at a crosswalk or corner, make eye contact with drivers and wait for any approaching vehicles to come to a complete stop before you move onto the roadway.
- Increase your visibility. Wear a brightly coloured vest or light coloured clothes. Reflective strips or lights will also help. A flag will also make you more visible.
- Do not enter a crosswalk when you see the flashing "Do Not Walk" symbol. If you already started to cross, complete your crossing in safety.
- Be mindful of traffic turning into and leaving driveways or turning at intersections.
- Share the sidewalk respectfully with other pedestrians.
- Riding on the roadway, especially in high traffic areas (like Robert Angus Drive) should be avoided if possible. Consider alternate, less busy areas.
- Ensure your battery is fully charged for your trip. Amherst has several hills which can be challenging for scooters with a low battery. You do not want to lose battery power in the middle of your trip.
- Inform other mobility scooter users of the proper rules of the road.



Amherst Police Department
21 Havelock Street,
Amherst NS
PH: 902-667-8600

←	ig- Celebrating everything special about Amherst (/news/local/celebrating-everything-special-about-amherst-234364/	Porter, Smith attending U-16 girls Canadian baseball (/sports/porter-smith-attending-u-16-girls-canadian-baseball-tourney-	Fast track fiasco →
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Motorized mobility scooters FAQs

Cumberland News Now
Published: Jun 15 at 9:40 a.m.

Facebook Twitter More 73



[Police Beat with Const. Tom Wood']

Police Beat with Const. Tom Wood

According to the government of Nova Scotia, more than one in four Nova Scotians will be 65 years and older in a little more than a decade from now.

With our aging population, we will see an increase in the use of motorized mobility scooters in our community.

I have already noticed an increase in the use of scooters in Amherst. I have also seen an increase in the number of questions we receive in relation to the rules for operating the scooters.

In this article, I will address the most common FAQs.

Are mobility scooters considered pedestrians or a vehicle?

When it comes to the rules of the road, mobility scooter and wheelchair users are considered pedestrians under the motor vehicle act. In the legislation, the definition of a pedestrian includes a person in a wheelchair. It does not specify if the wheelchair is manually operated or motorized. Therefore, electric wheelchairs and mobility scooters are considered pedestrians and must follow the rules of the road applicable to a pedestrian.

Can they be operated on a sidewalk?

Yes, they can. In fact, they are required to operate on a sidewalk when one is "provided". Section 127 (2) of the Motor Vehicle Act states: "Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent highway." This means, motorized mobility scooters and wheelchairs must be used on sidewalks where a sidewalk is available.

What if the condition of the sidewalk is not suitable to operate a mobility scooter?

If the sidewalk cannot be used, the mobility scooter can be operated on the road. An example of when a sidewalk may not be suitable is during winter weather conditions. While the Town provides an excellent snow clearing service there are times when snow/ice make the sidewalks impassable for scooters.

Can they be operated on a street? If yes, do you travel with or against the flow of traffic?

Yes, but only when no sidewalk is "provided." In the absence of a sidewalk, mobility scooters are to be driven on the left side of the road facing traffic.

As I mentioned previously, scooters are considered pedestrians. Section 127 (3) of the Motor Vehicle Act states: "Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction."

I have noticed several of our mobility scooters travelling on the roadway are going with the flow of traffic. I have also observed scooters driving down the middle of Robert Angus Drive. I can't emphasize enough how dangerous this is! First of all, there is a sidewalk on Robert Angus Drive, so scooters are required to operate on the sidewalk. If the sidewalk is impassable due to snow or slush, then please look for an alternate way to travel. I wouldn't recommend driving a scooter on Robert Angus Drive facing traffic either. While I respect and believe in accessibility for all, there are times when safety trumps all other considerations.

Some tips to think about before travelling on your wheelchair or mobility scooter.

Do not cross between parked cars because typically the chair user will be seated low and drivers will not be able to see you.

When crossing at a corner or crosswalk, make eye contact with drivers and wait for any approaching vehicles to stop before you move onto the roadway.

Increase your visibility. Wear a brightly coloured vest or light-coloured clothing. Reflective strips on the scooter or lights will also help with visibility. A flag on the scooter will make you more visible.

Do not enter a crosswalk when you see the flashing "Do Not Walk" symbol. If you have already started to cross, complete your crossing in safety.

Be mindful of traffic turning at intersections or vehicles leaving driveways.

Share the sidewalk respectfully with other pedestrians.

Ensure your battery is fully charged for your trip. Amherst has several hills which can be challenging for a scooter with a low battery. Our officers have rescued several residents whose mobility scooters have failed on the hills.

This article is just one of several initiatives the Amherst Police Department is taking this summer to raise awareness and promote the safe use and operation of mobility scooters. Our department will be working with various stakeholders to help educate our community about the rules surrounding the use of mobility scooters. We will be reaching out to those who rely on mobility scooters and operate them on our streets and sidewalks. Our officers will also be speaking to scooter operators who are observed operating in a manner that does not comply with the regulations. Our goal is to improve safety for mobility scooter operators and to reduce or prevent accidents involving mobility scooters.

If you have any questions regarding today's article, or if you have a topic you would like to suggest for Police Beat, please contact me at 902-667-7227.

Until next time Stay Safe!

Const. Tom Wood is the crime prevention officer with the Amherst Police Department.

More community stories



Internal Committee Report

Planning Advisory Committee

September 2018

The Planning Advisory Committee held a Public Participation Opportunity on Monday, August 13th to consider an application for a development agreement at 99 West Victoria Street that would permit a garden suite (in-law suite). The PAC also considered a draft LUB amendment that would allow the keeping of chickens. A Public Participation Opportunity on this matter will be held at the October meeting of the Planning Advisory Committee.

The Planning Advisory Committee also met on September 11th to consider two orders for demolition. Due to the unsafe conditions of both properties, the Committee ordered that both properties be demolished and backfilled with all work to be done by the property owner. Failure to do the work will result in the Town completing the work, with all costs charged to the property owner's tax account.

Internal Committee Report

Amherst Board of Police Commissioners

September 2018

The Amherst Board of Police Commissioners met on September 19th. Items on the agenda included a report on mobility scooters and motorized wheelchairs, as well as the Chief's report.

The next regular meeting of the Commissioners is scheduled for Wednesday, October 24, 2018 at 3 PM.

YMCA

September 2018

Much of the meeting was spent on review of the final Draft of the new Funding agreement between the Town of Amherst and the YMCA.

This new agreement provides for \$100,000.00 in yearly funding instead of the Town of Amherst providing “In-kind “Services. This new agreement will enable the YMCA to get be in charge of their own service agreements, and be able to negotiate potential savings as such as the new financial agreement with Moncton YMCA for shared financial services.

Information items:

Membership:

- Membership: As of August 28, 2018 is **771**.
- **154** are sponsored members. This time in 2017 membership numbers were 797 with 181 sponsored members.

Child Care:

- Specialty camps for the month of July and August were near to full capacity numbers, which was wonderful.
- For **September** the full day Childcare numbers are 69
- **Afterschool programs for September:**

With the announcement from Oxford, concerning the school, The YMCA is in the process of looking to re-locate to the Nazarene’s Church in Oxford.

Donations and Fundraising

- During the summer months the Y had the book sale fundraiser, and hosted the Salt Dash 5K Fun Run in Pugwash as a part of Harbour Fest. This event brought in a net of approximately \$1,400.00
-

Facility

- Pool shutdown began August 24, this year the old sand filter had to be removed and the new smaller units installed. The pool deck had a paint refresh as well and they are adding to the space over the next few months with more signage and banners to further brighten the space.
- The staff was thanked on behalf of the board for all of their hard work with the cleaning that went on during this time. Very much appreciated.



CUMBERLAND JOINT SERVICES MANAGEMENT AUTHORITY
SOLID WASTE SERVICES

External Committee Report – September 20, 2018

Inter-Municipal Agreement (IMA)

Board Directors made a motion to refer the IMA back to the participating municipal units for further review based on Mr. David Reid's comments and to have a response as soon as reasonably possible.

Divert NS Landfill Audits

Mrs. Rioux conducted a presentation on the 2017 Landfill Audit. Overall Cumberland is comparable. NSE is developing a plan involving education, an enforcement action plan, and follow up. Mrs. Rioux has not heard any more discussion on their plan since November.

Recycling Update

CJSMA conducted a trial to pre-sort backlogged material into dual stream. It was determined that this was not efficient and would be very costly to process the backlog. Within the last few days Scotia has received 30% more capacity and will be able to accept more material.

Extended Producer Responsibility (EPR)

Instead of asking each municipal unit for a motion of support, NSFMA will be seeking support for EPR via the resolution process.

Meeting with MLAs

A meeting was held with Chair Byrne, Mr. Rayworth and MLA's Elizabeth Smith-McCrossin and Tory Rushton. The intent of the meeting was to discuss the letter to Minister Rankin on April 10, and to emphasize the geographic benefits to the Cumberland Central Landfill site and the opportunity EPR may present. The meeting went well.

Next Meeting

November 22, 2018 at 5:30 pm

Northern Region Waste-Resource Committee

Meeting Minutes
September 7, 2018

The regular meeting of the Northern Region Waste-Resource Committee was called to order at 1:00 p.m. on Friday, September 7, 2018 at 15 Commerce Court, Elmsdale (East Hants) by Tom Taggart.

Present – Elected Officials

Tom Taggart, Colchester (Chair)
Tom Chisholm, Truro
Terry Rhindress, Amherst
Eldon Hebb, East Hants
Ernie Gilbert, Cumberland
Mary Commo, Stewiacke

Present – Staff

Andrea Trask, East Hants
Jesse Hulsman, East Hants
Stephen Rayworth, Cumberland Joint Services
Darlyne Proctor, Colchester
Jessica Rushton, Colchester
Wayne Wamboldt, Colchester
Douglas Bak, Stewiacke
Jann McFarlane, Colchester

Regrets

Tom Kay, Oxford
Brenda Rioux, Cumberland Joint Services
Jason MacDonald, Amherst
Deborah Searle, Colchester

Approval of Agenda

MOVED by Councillor Terry Rhindress and seconded by Councillor Mary Commo to approve.

MOTION CARRIED

Approval of Minutes

MOVED by Councillor Tom Chisholm, and seconded by Councillor Ernie Gilbert to approve the minutes of Friday, July 6, 2018.

MOTION CARRIED

Regional Staff Presentation – Ban Standards Discussion

At the July committee meeting staff were directed to meet and discuss options for a pro-active positioning (with reasonable recommendations for consideration) to Nova Scotia Environment related to the development of Ban Standards for Solid Waste. Regional staff met on July 24th in Kempton. Staff that attended included Andrea Trask, Stephen Rayworth, Brenda Rioux, Wayne Wamboldt, Deborah Searle, and Jessica Rushton.

The committee reviewed the notes from the meeting and requested a change to drafted suggestion #2.

MOVED by Councillor Tom Chisholm, and seconded by Councillor Eldon Hebb to approve a letter to Nova Scotia Environment, and associated partners, the Northern Region's pro-active positioning related to the development of Ban Standards for Solid Waste, with edits to Suggestion #2 as discussed.

MOTION CARRIED

Regional Chairs Committee Update

****No meetings were held over the summer. Next meeting is an information session only on the C&D Discussion Paper on September 14****

1. Priorities Group

a. Efficiency Study

Mr. Rayworth reported that while the main committee hasn't met, the sub-committee (municipal representatives) have been working behind the scenes to get the data in for the efficiency study. At the time of the meeting there were a few municipalities that had not submitted data, and a few of those were uncooperative. (Note: Since our meeting we understand some movement on participation is ongoing).

Nothing more to report until the data is all in.

b. EPR for PPP

The committee continues to work on their schedule related to communication and outreach. Currently they are engaged in discussions with larger businesses in NS that are already participants in other jurisdictions and seeking their input on a NS model.

There is a NSFM resolution drafted and circulated. This will be discussed at the fall conference.

2. Nova Scotia Environment – C&D Consultation

Committee members are reminded that the closing date to submit a response to this discussion paper is Friday, September 28th. All municipalities and regions are encouraged to respond.

The Regional Chairs Committee will have NSE staff in to review and discuss the discussion paper on Friday, September 14th (Lower Sackville).

Regional Coordinator Committee – Update

****No meetings were held over the summer. Next meeting is Wednesday September 12 in Amherst.****

Regional Coordinators will be attending a tour/meeting in Moncton with UOMA (Used Oil Management Association) on Tuesday September 11th to learn about who they are and how their program works. This is in advance of the expected regulation changes in 2019 – which municipalities have been championing for several years.

Managers/Directors Committee – Update

Ms. Trask reported that a sub-committee was created to review one of the Regional Chairs S.M.A.R.T Goals, these goals were the output from the November 2017 workshop. The sub-committee was tasked to consider options for diversion credit funding payment options. To-date the committee has outlined sixteen (16) options. The sub-committee will present these notes to the Managers/Directors Committee ahead of presenting to Regional Chairs. Funding is a political discussion/debate and therefore the sub-committee will not present a recommendation only the findings.

The intent of this goal was to determine if, after 20+ years of the current funding payment method, if there was a better option to support all regions/municipalities.

Regional Partner – Updates

Cumberland Joint Services Management Authority

Brenda Rioux, Waste Reduction Coordinator

Education

- Staff gave a presentation to the Summer Reading Club at the Amherst Library. The presentation focused on proper source separation which was followed by a game of Jeopardy. It was great to see how knowledgeable the kids are when it comes to the environment and sorting.
- Staff visited food service establishments in the Pugwash/Wallace area.
- Staff also visited food service establishments in the Amherst area.
- Staff delivered source separation signs to businesses.
- Staff provided source separation signs for containers for the Biker Bash weekend.

- Newsletters for the Town of Amherst and Oxford have been mailed out to residents.
- Our second round of HHW Events will be held in September. We will also be holding a Shred Event along with our HHW Event in Amherst.
- Staff are participating in the Compost Council Pumpkin Growing Contest. This is the first year that we have participated in this event. We have the plants next to the scale house and it seems to be a great way to showcase our compost.



Administration

Staff awarded the tender for a new loader for our compost facility to Toromont Cat.

Enforcement

- The Enforcement Office continues to inspect materials curbside as well as onsite.
- In the next 6 months our Enforcement Officer will be focusing on curbside recycling audits as we implement dual stream recycling.

Municipality of Colchester

Prepared by Deborah Searle, Environmental & Education Officer

Education



August 22 & 23, Waste Reduction Team had a booth at the Nova Scotia Provincial Exhibition, in Truro.

- July 12th staff attended a Village of Bible Hill, summer camp giving a presentation and organizing a sorting relay game for children.
- Assisted Adopt Highway Group with creating a display for the Colchester East Hants Library. It was displayed for a three-week period.
- Staff are working with the Colchester Christian Academy to prepare their new school for the upcoming year with waste separation and signage support.

Administration

- July 10th, Education Officer attended Marine Waste Committee meeting in Mahone Bay.
- The Town of Truro, Stewiacke and Municipality of Colchester have jointly tendered a five-year residential collection contract. It closed on August 22 and is expected to be awarded in September. Each Municipal unit will be awarding independently. There were two bids received.
- Residential green carts that have been ordered in May have not been received due to manufacturing issues. This is causing a lot of frustration with staff and the public. Last notice was that they would be in production in October.
- Two summer students have completed their 16-week work term. They will be missed.

Enforcement

- Almost 250 cracked green carts have been washed out by 360 Bin Cleaning then processed for recycling.
- An open burning of solid waste Summary Offence Ticket has been issued – deadline of October 12 is the plea date.
- Currently processing two flow control Summary Offence Tickets on the exportation of waste out of county boundaries with the same company.

Municipality of East Hants

Andrea Trask, Manager of Solid Waste

Education

- Staff presented at the summer day camps (run by the Recreation & Culture Department). Our messaging this year focus on reducing waste and reuse options. Our activity was making their own reusable bags.
- Social media messaging for the summer included:
 - Curbside Collection Services
 - BBQ Season Reminders
 - Check before you Chuck – Sorting Reminders

Curbside Collection

Are you a seasonal resident of East Hants?

Wondering how the summer construction season will impact garbage collection?

Are there any delays on my collection route today?

Keep up to date on your solid waste collection by signing up for alerts at easthants.ca/solid-waste

Whether you are subject to seasonal curbside collection, need a reminder of when to put the garbage out or want to be kept up to date on some delays, sign up for waste alerts today. <http://www.easthants.ca>

BBQ SEASON HAS ARRIVED!
Practice your waste reduction skills around the grill while having a great time!

THE PREP

- **Know your numbers:** If you are planning to have a few people over, try and get a good idea of how many are coming. This way you will prepare the right amount of food.
- **Check the fridge first:** Before heading to the grocery store, see what you have on hand and build your menu on these items.
- **Make a grocery list:** Know what you need and stick to that list.
- **At the store:** When buying food, pick items that can be made into other dishes too.
- **Hosting a Party?** Be clear with guests on what and how much to bring. Share with your guests that you want to reduce food waste and lots of leftovers – they are sure to appreciate the intent.

THE PARTY

- **Use paper plates, bowls, and cups:** Having a large event – go with paper plates and napkins (they can be composted) and recyclable mugs.
- **Use paper compostable bags:** Use paper compostable bags for compost and have a tote set out for dishes.
- **While composting:** While composting and recycling has been a way of life in NS for 20+ years, some of your guests may be new to put ways. Have some simple signage up to help them sort their waste.

THE PACK UP

- **Load leftovers quickly and store well:** to get the most out of your leftovers.
- **Bundle up leftovers and send home with guests.**

When in doubt check out our Waste Wizard at: easthants.ca/solid-waste
Sign up for service alerts for your home's curbside collection tool.

"When in Doubt, Check before you Chuck"

Following a lot of the East Hants Waste Management Centre's (EMCC) feedback, we are adding bulk of common household products that require special handling considerations for proper disposal.

easthants.ca/solid-waste

- **Batteries:** For items so small they can be a BMS hazard. Batteries can be dropped off for recycling at the Waste Management Centre or visit www.easthants.ca for battery and cellphone drop-off locations near you.
- **Medical Needles or Sharps:** Every pharmacy in Nova Scotia offers free sharps containers, and will take full ones back.
- **Pressurized Containers:** These do not belong in the garbage or recycling. Please drop-off at one of our mobile community events or at the Waste Management Centre year-round.
- **Paints:** Leftover paint and empty paint cans are accepted at ENVIRO-DEPOTS, designated retailers, and at the Waste Management Centre.
- **Household Cleaners:** If you have no use for a particular cleaner, offer it to a family member or neighbour. If not, they are accepted at our mobile community events or at the Waste Management Centre. Many of the products are in plastic containers which can be recycled when empty.
- **Pharmaceuticals:** Never flush old medicinal! Return unused or expired medications to your local pharmacy for proper disposal.

Administration

- The East Hants Waste Management Centre Waste/Recycling Transfer Station rebuild has been awarded to BIRD Construction. The team will be mobilizing September 7 – 9 with work beginning right away.
- 400 green carts arrived in August, and are currently being delivered to those on our wait list (we ran out a few months ago).
- Over 400 tonnes of clean wood was chipped by Halifax C&D and removed in August. The contract price was \$25/tonne + \$1000 float fee for equipment.
- Staff submitted the annual Datacall report (July).

Enforcement

- The Waste Compliance Officer has been busy this with illegal dumpsite investigations. From April 1 – August 31 there have been 31 sites actioned for clean-up.
- General solid waste complaints resolved without penalty = 33 YTD
- Effort on following up from collection daily run sheets continues. This includes clean-up orders for collection boxes (broken, full of loose material, etc.), locations flagged as over the limit.

Other Business

SWANA Safety Showcase

Staff reminded the Committee of the upcoming Atlantic Canada Chapter of SWANA will 1 ½ day safety showcase on October 3-4, 2018 in Dartmouth. More information can be found at <http://www.atcanswana.org/>

Correspondence

None.

Next Meeting

The next general meeting date will be determined, once the Regional Chair Committee schedule is set. Staff will send out a doodle poll to determine the best date. The next meeting will be held in Cumberland County (location TBD).

Adjournment

Meeting was adjourned at 3:05p.m. by Tom Taggart.

Minutes submitted by: Andrea Trask

Approved by: [Name]

Cumberland Seniors Safety Society Report

September 2018

At the Society's Annual General Meeting, Bernice Vance was elected new Chairperson.

The Coordinator Ray Bristol gave his report. He has been very busy promoting the Seniors Safety Society, this year to date there have been 19 events with over 455 people reached.

The Society has been reaching out to other organizations to see if they may be interested in having a member on the Board.

In the coming months the Society will be starting to work on their new budget.

Submitted by Councillor Jones

Tourism Strategic Planning Committee

September 2018

The Committee held their first meeting on May 10, 2018. Some of the objectives of the group are:

- Raise awareness, familiarize people with the area
- Capture International Audience
- Take a formal, themed approach
- Develop an App of Cumberland
- Entice people to get off Highway at both ends, give them an awesome experience
- Branding
- Create dynamic online presence
- Cross Promotions
- Maximize online presence
- Promote the area more effectively
- Design a regional map utilizing images of Cumberland assets

After a presentation from Tourism Nova Scotia on their three priority markets which are: **The Cultural Explorer, The Authentic Experienter** and **The Free Spirit** the Committee by a consensus decided to adopt the same three priority markets. The Committee also looked at current Tourism Trends, Identifying Demand Generators (Travel Motivators) and Demand Supporters, and other groups to determine business and experiences in Cumberland County that would qualify as market ready. A few of the examples that were mentioned:

Fiber Arts Festival
Cross Border Challenge
Jost
Advocate Boat Tours
Fundy Geological Museum

The group then looked at what the top five demand Generators would be:

Culinary and Beverages
Outdoors Adventures (waterfalls, skilling, ATV, boat tours)
Scenic Trails and Nature Viewing
Festivals and Events
“World Class” Experiences and Sites

The Committee also reviewed the Inventory of Accommodations and Campgrounds that we have in our Tourism asset inventory. We also want to look at other important and Unique Experiences (Hidden Gems).

We will be doing Tourism Engagement session with local groups in September. We also have a meeting with Tourism Nova Scotia Oct 3, 2018.

If you have any questions about this Committee please let me know.

Councillor Jones



NOVA SCOTIA
FEDERATION OF
MUNICIPALITIES

MUNICIPAL MATTERS—

NSFM'S E-News-Letter

September 12, 2018

[ChangeUp Grants are Now Open—Apply by September 26th](#)

Inspirit's \$10,000 ChangeUp grants support people from across the country to lead creative, solutions-focused projects that address discrimination and prejudice in their communities. Project teams should be led by individuals aged 18-34 with lived experiences of the issues and communities the project is focused on. We are looking for projects that implement strategies to open minds and shift attitudes that perpetuate prejudice and exclusion based on ethnicity, race or religion; and/or create spaces for communities to deepen capacities and develop solutions that build resiliency. We seek to support the development of effective, connected, and influential change leaders.

Please reach out to [Sanaa Ali-Mohammed](#) if you have questions about your eligibility or application.

[Visit the Website for more information.](#) [\(Click here to return to top.\)](#)

[FCM's Green Municipal Fund Delivers Results and Builds Capacity](#)

FCM's Green Municipal Fund (GMF) 2017–2018 Annual Report shows how GMF helps cities and communities of all sizes across Canada reach their sustainability goals, enhance the quality of life of their residents, and provide cleaner air, water and land. Learn how GMF supports municipalities through funding, training, knowledge-sharing and more. [Read the annual report.](#) [\(Click here to return to top.\)](#)

[Low Carbon Communities Launched to Help Municipalities Save Money and Reduce Emissions](#)

On Monday September 10th, the Nova Scotia Department of Energy and Mines launched Low Carbon Communities, a new flexible funding initiative that will help local groups create new ideas for clean energy.

The Low Carbon Communities initiative has been designed to help jump-start projects and activities by funding the development of feasibility studies and plans, engagement activities, and the demonstration of a variety of low-carbon initiatives.

The program is now accepting applications from municipalities, Mi'kmaw communities and not-for-profit organizations that work directly with community groups. The deadline to submit your complete application is end of day October 12th, 2018.

Successful applicants will receive up to \$75,000 to a maximum of 75 per cent of project costs. Provincial funds can be used to leverage additional funding.

[A full description including project eligibility, funding guidelines, a list of potential funding partners and the application is available here.](#)

We have been informed the province is hoping to offer another round of funding in the future.

For more information, contact:

Low Carbon Communities Coordinator

NS Department of Energy and Mines

lowcarboncommunities@novascotia.ca [\(Click here to return to top.\)](#)

Nova Scotia Asset Management Program Update to Announce the Availability of Data Collection Tools and Resources

Since the data from the first Nova Scotia Asset Management Pilot Project was collected, the Department of Municipal Affairs has been working with its consulting partners to improve/update the associated tools and resources based on feedback received through the sister registry project.

As a result, the linear data collection tools and resources developed from the first Pilot Project are now ready/available for use!

These tools and resources (including a linear data collection spreadsheet and an accompanying standard operating procedure (SOP) with a preliminary condition assessment guide) are intended to support Nova Scotia's municipalities with infrastructure planning by providing guidance for collecting asset data in a standardized way, which is the first key step towards effective asset management.

To receive the linear data collection package/associated instructions (including, additional program background information as well as contact details for interim technical support), please contact:

Jennifer Duncan (Engineer, Department of Municipal Affairs):

jennifer.duncan@novascotia.ca [\(Click here to return to top.\)](#)

Bill 10 to End Liquor Prohibition Plebiscites

Bill 10 was introduced in the Nova Scotia Legislature yesterday. It will amend the *Liquor Control Act* to remove the need to use plebiscites to end liquor prohibition in Nova Scotian communities. After the change, municipalities will be able to change liquor laws by council vote and will retain the ability to place restrictions on the sale and consumption of alcohol through zoning and bylaws.

Communities were given the option to stay dry when province-wide prohibition ended in 1929. Since that time, hundreds of communities have used the plebiscite mechanism to give up their dry status. But no community has voted to stay completely dry in over 20 years. The last

three plebiscites were held this May, and cost between \$6,000 and \$15,000 each. ([Click here to return to top.](#))

Model Expense and Model Hospitality Policy

The Association of Municipal Administrators, NS is pleased to announce the [Model Expense Reimbursement Policy](#) and [Model Hospitality Policy](#). These model policies have been reviewed by the Department of Municipal Affairs (DMA) to ensure that they conform to provincial regulations. They have also been reviewed by municipal solicitor Charles Thompson of Burchell-MacDougall.

These policies will guide municipalities as they report the expenses of elected officials online. ([Click here to return to top.](#))

AMANS 2018 Conference

October 16-19, 2018, Inverary Resort, Baddeck, NS. ([Click here for more information and to register.](#))
([Click here to return to top.](#))

Atlantic Mayors' Congress

October 17-19, 2018, St. John's, NL. Please mark you calendar for St. John's NL. It has been a while since we have met in Newfoundland and Labrador. It is great to be returning to the capital.

Mayor Breen and the host committee are putting together an exciting event and engaging agenda. If you have an item for our agenda please pass it along with your recommendations for presentation. We begin with a reception Wednesday evening followed by a full day agenda Thursday, a keynote dinner Thursday evening and a half day meeting on Friday.

We will be meeting in the St. John's Convention Centre. We have booked a block of rooms at the adjoining Delta Hotel. Here is contact information to book your room.

Direct link [Book your group rate for Atlantic Mayors Congress](#)

Our hotel contact is Kim Finley 709-570-1608 or kim.finley@whg.com

Your RSVP to Mark Kerrigan, Executive Director, will be a great help: atlanticmayors@gmail.com ([Click here to return to top.](#))

National Trust Conference 2018

The 2018 National Trust Conference is headed to Fredericton later this year (October 18-20, 2018) and it features many workshops/sessions of interest to government officials of all levels. Here is just a sampling:

- Keynote by Glen Murray (Current Executive Director of the Pembina Institute, Former Mayor of Winnipeg and Ontario Minister of the Environment) on how capitalizing on historic buildings and districts makes social, economic, and environmental sense
- Plenary session with Daniel Abramson (Boston University) and Annmarie Adams (McGill University) on turning the tide on our culture of disposable buildings

- Sessions featuring developers, planners, and elected municipal officials on the roles of the public and private sectors in heritage development
- Special workshops on Implementing Digital Heritage Inventories and Surveys, and Downtown Revitalization

Visit our website to see the full schedule: www.nationaltrustconference.ca. [\(Click here to return to top.\)](#)

Rick Hansen Foundation Accessibility Training Program

Nova Scotia's Accessibility Act was proclaimed in September 2017 with a goal to make the province accessible by 2030. Later this month, the Nova Scotia Accessibility Directorate will be releasing a Government of Nova Scotia Accessibility Strategy and Implementation Plan, outlining how the province will achieve this goal. Once prescribed under the Act, municipalities will also be required to produce accessibility plans within one year.

Ensuring the built environment is accessible to persons with disabilities will be a key component of municipal accessibility plans. The Rick Hansen Foundation (RHF) has developed a universal accessibility standard in the built environment through an RHF Accessibility Certification program, similar to LEED certification.

This fall, the Nova Scotia Community College (NSCC) will be delivering The Rick Hansen Foundation Accessibility Certification Assessor Training Course, and is targeting the course to municipal staff. Participants in this course will learn how to evaluate the accessibility of buildings and sites by identifying barriers for persons with physical, sensory, learning and developmental disabilities.

Recognizing the value of ensuring that municipal staff are trained to identify accessibility gaps in the built environment, the Government of Nova Scotia will be covering half (\$550) of the \$1,100 registration cost of the upcoming course (note that travel costs are to be covered by the municipality). The course will be held at the NSCC Waterfront Campus in Dartmouth.

For further information on The Rick Hansen Foundation Accessibility Certification Assessor Training Course, please visit the NSCC website [here](#). To receive an application form to the course, please email RHFAC@nsc.ca. [\(Click here to return to top.\)](#)

Canadian Rural and Remote Housing and Homeless Symposium 2018

October 24-26, 2018, Canmore, AB. [Click here for more information.](#) [\(Click here to return to top.\)](#)

NSFM 2018 Conference

November 6-9, 2018, Westin Nova Scotian Hotel, Halifax, NS. [Event Program and Registration Package now available.](#) [\(Click here to return to top.\)](#)

AMANS HR Module Labour Law, HR Policy and Benefits Plan

November 16th, 2018. Click [here](#) for more information. [\(Click here to return to top.\)](#)

AMANS Financial Management 3—for Elected Officials

November 22nd – 23rd, 2018, Location to be determined. Click [here](#) for more information. ([Click here to return to top.](#))