



**Town of Amherst
Regular Council Meeting
Agenda**

Date: **Monday, November 26, 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 October 22, 2018 Regular Council	3 - 7
3.2.2 October 25, 2018 Special Council	8 - 8
4. REQUESTS FOR DECISION	
4.1 Travel Expense Policy & Hospitality Policy - CHRISTIE	9 - 27
4.2 CIBC Children's Foundation Funding - BYRNE	28 - 30
4.3 Capital Budget Amendment - Erncliff CNR Crossing - MACKENZIE	31 - 34
4.4 Downtown Parking Lot Leases - D. JONES	35 - 41
4.5 Planning Advisory Committee Citizen Appointment - RHINDRESS	42 - 43
4.6 Land Use Bylaw Amendment - Cannabis - First Reading - CHRISTIE	44 - 48
5. INFORMATION / DISCUSSION ITEMS	
5.1 Legal Opinion - Residency Status - HERRETT	49 - 49
5.2 Asphalt Plant Update - D. JONES	50 - 50

6.	INTERNAL COMMITTEE REPORTS	
6.1	Planning Advisory Committee - CHRISTIE	51 - 51
6.2	Amherst Board of Police Commissioners - BYRNE	52 - 52
6.3	Amherst Youth Town Council - AYTC Member	53 - 53
7.	EXTERNAL COMMITTEE REPORTS	
7.1	Cumberland Public Libraries - MACKENZIE	54 - 54
7.2	Cumberland YMCA - CHRISTIE	55 - 55
7.3	Cumberland Joint Services Management Authority - BYRNE	56 - 56
7.4	Northern Region Solid Waste Committee - No report	
7.5	L. A. Animal Shelter - No report	
7.6	Tourism Strategic Planning Committee - D. JONES	57 - 57
7.7	Senior Safety Committee - D. JONES	58 - 58
8.	ADJOURNMENT	

TOWN OF AMHERST
Regular Council Meeting
Minutes

Date: October 22, 2018
Time: 7:00 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 of Recreation
Greg Jones, Fire Chief
Natalie LeBlanc, Deputy Clerk
Tom McCoag, Corporate Communications Officer
Kim Jones, Municipal Clerk
Dwayne Pike, Acting Police Chief
Shelley Rector, Chief Financial Officer
Rebecca Taylor, Business Development Officer
Andrew Fisher, Manager of Planning & Strategic Initiatives

1. PUBLIC HEARING

Mayor Kogon called the Public Hearing to order at 6:45 p.m.

1.1 LUB / MPS Amendments - 283-295 Church Street - 2nd Reading

Mr. Fisher reviewed his staff report. No members of the public in attendance to speak for or against this matter.

1.2 Development Agreement Application - 99 West Victoria Street - 2nd Reading

Mr. Fisher reviewed his staff report. No members of the public in attendance to speak for or against this matter.

Mayor Kogon closed the Public Hearing at 6:55 p.m.

2. CALL TO ORDER

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

3. O CANADA

Roy Pettigrew did the singing of O Canada.

4. PRESENTATION

4.1 SOAR

Veronica Richards and Dr. Ryan Sommers, Medical Officer of Health, did a presentation on Poverty, Oral Health & Water Fluoridation. SOAR requested that Town leaders and staff participate in an education session on the value of community water fluoridation as a practice to address poverty and oral health in the Town of Amherst.

5. APPROVAL OF AGENDA/MINUTES

5.1 Approval of the Agenda

Moved By Councillor Byrne

Seconded By Councillor Blanch

To approve the agenda with addition 6.9 Residency Requirement.

Motion Carried

5.2 Approval of Minutes

Moved By Councillor Blanch

Seconded By Deputy Mayor Christie

To approve the minutes of the September 24, 2018 Council meeting.

Motion Carried

6. REQUESTS FOR DECISION

6.1 PACE Bylaw - 2nd Reading

Moved By Councillor Blanch

Seconded By Councillor MacKenzie

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

Motion Carried

6.2 Election of Deputy Mayor and Council Committees

Mayor Kogon called for nominations to the Office of Deputy Mayor. Councillor Rhindress was nominated by Councillor Jones; Deputy Mayor Christie was nominated by Councillor Byrne. Mayor Kogon called three times for further nominations. There being none, nominations ceased and voting was done by secret ballot. The CAO counted the ballots and determined the vote was in favour of Deputy Mayor Christie.

Moved By Councillor Byrne

Seconded By Councillor MacKenzie

That Deputy Mayor Christie be re-appointed to the Office of Deputy Mayor for the period November 1, 2018 to October 31, 2019.

Motion Carried

Moved By Councillor Byrne

Seconded By Councillor Blanch

That Council approve the following committee appointments for one-year terms ending October 31, 2019:

Mayor Kogon

- **Audit Committee**
- **Regional Emergency Management Committee**

Deputy Mayor Christie

- **Audit Committee**
- **Planning Advisory Committee**
- **Susan Taylor Theatre Advisory Committee**
- **YMCA Board of Directors**

Councillor Blanch

- **Audit Committee**
- **Amherst Board of Police Commissioners (October 31, 2019)**
- **Municipal Alcohol Project**
- **Tree Advisory Committee**
- **North Tyndal Wellfield Advisory Committee**
- **Planning Advisory Committee**

Councillor Byrne

- **Audit Committee**
- **Amherst Board of Police Commissioners (October 31, 2019)**
- **Cumberland Joint Services Management Authority (CJSMA)**
- **Regional Emergency Management Committee**

Councillor Jones

- **Audit Committee**

- Amherst Board of Police Commissioners (October 31, 2019)
- Senior Safety Advisory Group
- North Tyndal Wellfield Advisory Committee

Councillor MacKenzie

- Audit Committee
- Cumberland Public Libraries Board
- L.A. Animal Shelter

Councillor Rhindress

- Audit Committee
- Cumberland Joint Services Management Authority
- Northern Region Solid Waste Committee
- Planning Advisory Committee

AND FURTHER, that Councillor Byrne be appointed to the Amherst Board of Police Commissioners, ending October 31, 2019.

AND FURTHER, that all members of Council be appointed to the Committee of the Whole of Amherst Town Council.

Motion Carried

6.3 Austin Request to Discharge DA for Dickey Street

Moved By Councillor Jones

Seconded By Councillor MacKenzie

That Council discharge the Development Agreement Case NO. DA-2007-02 for PID 25041666.

Motion Carried

6.4 Gritty to Pretty Beautification Program

Moved By Councillor Byrne

Seconded By Deputy Mayor Christie

That Council approve the Gritty to Pretty Beautification Program, and authorize entering into the attached MOU with the Amherst & Area Chamber of Commerce.

Motion Carried

6.5 Amherst Youth Town Council Appointments

Moved By Councillor Blanch

Seconded By Councillor Byrne

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

- Reappoint returning member to serve a two-year term 2018-2019 and 2019-2020 - Jenna Clark; and
- Appoint new member to serve a two-year term - Samantha Dimichele.

Motion Carried

6.6 PAC Recommendation - 283-295 Church Street Rezone - 2nd Reading

Moved By Deputy Mayor Christie

Seconded By Councillor Jones

That Council approve second reading of a Bylaw P-1-8 to amend the Municipal Planning Strategy to change the designation of 283 & 295 Church Street (PID 25014648 & PID 25014655) from Industrial to Commercial on the Future Land Use Designations Map.

Motion Carried

Moved By Deputy Mayor Christie

Seconded By Councillor Blanch

That Council approve second reading of a Bylaw P-2-23 to amend the Land Use Bylaw to change the zoning of 283 & 295 Church Street (PID 25014648 & PID 25014655) from Industrial to Highway Commercial.

Motion Carried

6.7 **PAC Recommendation - 99 West Victoria Street Development Agreement - 2nd Reading**

Moved By Councillor MacKenzie

Seconded By Councillor Rhindress

That Council give second reading to the proposed Development Agreement for 99 West Victoria Street.

Motion Carried

6.8 **PAC Recommendation -LUB Amendment - Keeping of Chickens**

Moved By Councillor Rhindress

Seconded By Councillor Jones

That Council accept the recommendation of the Planning Advisory Committee and not amend the Land Use Bylaw to allow chickens within Town limits.

Against (1): Councillor Blanch

Motion Carried

6.9 **Residency Requirement**

Moved By Councillor Blanch

Seconded By Councillor Byrne

That Council direct the CAO to provide a report and seek a legal opinion on whether Councillor Jason Blanch continues to be ordinarily resident within the Town of Amherst and what options exist for Councillor Blanch and for Council should it be determined that he is not.

Motion Carried

7. **INTERNAL COMMITTEE REPORTS**

7.1 **Planning Advisory Committee**

Information item; no direction given or action required.

7.2 **Amherst Board of Police Commissioners**

No Report

7.3 **Amherst Youth Town Council**

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**

No Report

8.4 **Northern Region Solid Waste Committee**

No Report

8.5 **L. A. Animal Shelter**

Information item; no direction given or action required.

8.6 **NSFM Report**

Information item; no direction given or action required.

- 9. ADJOURNMENT**
Moved By Councillor Blanch
Seconded By Councillor Byrne
That the meeting adjourn at 8:08 p.m.

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

Amherst Town Council

Special Meeting

Minutes

Date: October 25, 2018
Time: 8:15 pm
Location: Community Credit Union Business Innovation Centre

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
Bill Schurman, Director Recreation
Natalie LeBlanc, Deputy Clerk
Tom McCoag, Corporate Communications Officer
Kim Jones, Municipal Clerk
Shelley Rector, Chief Financial Officer
Jennifer Bickerton, Culture, Events & Marketing Coordinator
Emily Wainwright, Administrative Assistant

1. CALL TO ORDER

Mayor Kogon called the meeting to order at 8:15 p.m.

2. REQUEST FOR DECISION

2.1 Community Support Grants - 'A' Fresh Start Initiative Award

Moved By Deputy Mayor Christie

Seconded By Councillor Rhindress

That Council approve the following awards based on the 'A' Fresh Start Initiative:

Amherst Area Heritage Trust:	<u>\$1,500</u>
The Sexual Health Centre for Cumberland County:	<u>\$3,000</u>
Amherst Valentine Run Committee:	<u>\$4,000</u>

Motion Carried

Mayor Kogon announced that the \$102 raised at the door through the sale of ballots will be donated to the 100th Anniversary of the Sea Cadets.

3. ADJOURNMENT

Moved By Councillor Jones

Seconded By Councillor MacKenzie

To adjourn the meeting at 8:20 p.m.

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

Synopsis

Expense Reimbursement and Hospitality Policy

Recent changes have been made to the Municipal Government Act introducing required content for Expense Reimbursement Policies and the requirement to have a Hospitality Policy.

The Town of Amherst has had a Travel Policy for many years. Regular updates have been made to it and it has served the Town well. However, with these new regulations, the Association of Municipal Administrators have provided new sample policies, after which both the recommended Expense Reimbursement and Hospitality Policies have been modeled.

The recommended policies comply with all requirements of the legislation and regulations.

MOTION:

That Council approve the proposed Expense Reimbursement Policy and Hospitality Policy, and further that the existing Travel Policy #3000-01 be repealed.

TO: Mayor Kogon and Members of Council

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

DATE: November 26, 2018

SUBJECT: **MGA/Regulation changes requiring changes to Travel/Hospitality Policies**

ORIGIN: Recent changes to the Municipal Government Act and Regulations introducing required content for Expense Reimbursement Policies and the requirement to have a Hospitality Policy.

LEGISLATIVE AUTHORITY: Bill 10 Amending the MGA such that:

- (3) Each municipality shall adopt an expense policy and a hospitality policy.
- (4) An expense policy must
 - (a) prohibit the municipality from reimbursing expense claims for alcohol purchases by an individual;
 - (b) identify the persons who have signing authority to authorize the reimbursement of an expense;
 - (c) where applicable, set out rules respecting the use of corporate credit cards;
 - (d) apply to every reportable individual in the municipality; and
 - (e) comply with the regulations.
- (5) A hospitality policy must
 - (a) establish the expenditures, including an alcohol purchase, that may be a hospitality expense;
 - (b) establish the approval process for authorizing hospitality expenses;
 - (c) establish the scope and applicability of the policy; and
 - (d) comply with the regulations.
- (6) An expense may only be reimbursed if that expense is authorized pursuant to the expense policy or the hospitality policy.
- (7) By the January 31st immediately following a regular election held under the Municipal Elections Act, the council shall review the expense and hospitality policies and, following a motion by the council, either re-adopt the policies or amend one or both of the policies and adopt the policies as amended

And Paragraph 3 of the Regulations to the Municipal Government Act – FRAM (Financial Reporting and Accounting Manual)



RECOMMENDATION: That the attached proposed Expense Reimbursement Policy and Hospitality Policy be approved by Council, and further that the existing Travel Policy #3000-01 be repealed.

BACKGROUND: After some high profile instances of expense irregularities in Nova Scotia municipalities, the Department of Municipal Affairs, the NSFAM and the AMA formed the Joint Accountability and Transparency Committee, which was tasked with reviewing the rules around expense approval and reporting for Nova Scotia Municipalities. The Committee, which included the writer, made several recommendations which resulted in amended legislation (MGA) and regulations (FRAM) clarifying and tightening the rules. The new regulations relating to expense and hospitality policies are attached for reference.

The Town of Amherst has had a Travel Policy for many years. Regular updates have been made to it and it has served the Town well. However, with these new regulations, the Association of Municipal Administrators have provided new sample policies, after which both the recommended Expense Reimbursement and Hospitality Policies have been modeled.

DISCUSSION: The recommended policies comply with all requirements of the legislation and regulations.

FINANCIAL IMPLICATIONS: While the adoption of these recommended policies will not have any direct, immediate budget implications, they will result in a strengthening of internal controls - making a positive contribution to the control environment.

COMMUNITY ENGAGEMENT: None at this time.

ENVIRONMENTAL IMPLICATIONS: None identified.

SOCIAL JUSTICE IMPLICATIONS: Ensures accountability and transparency for the use of tax payers dollars and the administration of the Town of Amherst.

ALTERNATIVES: With a requirement in regulation and legislation to have both of these policies Council has some latitude in content but the basic content is required.

ATTACHMENTS: Proposed Expense Reimbursement and Hospitality Policies, existing Travel Policy 3000-01, Excerpts from Financial Reporting & Accounting Manual, Policy 10350-26 Council Conference Attendance and Professional Development.

Report prepared by: GD Herrett, CPA,CA - CAO
Report and Financial approved by:

DEPARTMENT: CORPORATE SERVICES

TITLE: **Expense Reimbursement Policy**

Minutes reference date:

PURPOSE:

1. This policy safeguards the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses incurred by Council members, the Chief Administrative Officer (“CAO”), and Town of Amherst employees in relation to Town of Amherst business.

SIGNING AUTHORITY:

2. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Mayor	CAO/Designate
Members of Council & CAO	Mayor/Designate
Town Employees	Director or CAO/Designate

3. A Signing Authority may designate a second signing authority in their absence. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
4. A Signing Authority is prohibited from authorizing expenses incurred on their own behalf.

INDIVIDUAL RESPONSIBILITIES

5. Everyone who incurs an expense in relation to Town business is responsible for:
 - (1) familiarizing themselves and complying with the provisions of this policy;
 - (2) By April 1 of each year signing an acknowledgment document certifying that they have reviewed this policy and sought all clarifications necessary for a complete understanding of its provisions and their responsibilities pursuant to it. Failure to sign this acknowledgement document annually will disqualify the individual from claiming expenses for reimbursement under this policy until the document has been signed for that year.
 - (3) completing and submitting expense claims with necessary supporting documentation;
 - (4) Exercising reasonable diligence and are incurring expenses prudently and responsibly; and
 - (5) with respect to travel, cancelling reservations as required, safeguarding travel advances and funds provided, and considering alternatives to travel such as teleconferencing and videoconferencing.

PERMITTED EXPENSES

6. Subject to and in accordance with this policy, the following expenses incurred by a member of Council, the CAO or a Town employee are eligible for reimbursement:
 - (1) authorized travel within Nova Scotia, including transportation, accommodation and meal costs;
 - (2) pre-approved out-of-province travel, including transportation, accommodation and meal costs;
 - (3) approved training or continuing education costs.

AUTHORIZED TRAVEL

7. Council members shall be reimbursed for the reasonable expenses incurred in attending:
 - (1) conferences and professional development authorized by Policy 10350-26 Council Conference Attendance and Professional Development;
 - (2) meetings or conferences at which the Council member's attendance is authorized or requested by Council;
 - (3) a meeting of any Board, Commission, Committee or other organization to which the Council member has been appointed by Council, except that no reimbursement shall be provided by the Town if the Council member is entitled to reimbursement of expenses directly from the applicable organization;
 - (4) in the case of the Mayor and Deputy-Mayor or Designate, attendance at functions, meetings or conferences involving less than \$200 in reimbursable expenses in respect of which one or more municipal representatives has been invited or requested or would otherwise reasonably be expected to attend, unless Council has specifically directed the Mayor or Deputy-Mayor or Designate not to attend;
 - (5) in the case of a Councillor, attendance on behalf of the Town at a function identified in the previous subsection of this policy, involving less than \$200 in reimbursable expenses provided that such attendance is either at the request of the Mayor or Deputy-Mayor to attend in lieu of the Mayor or Deputy-Mayor; and
 - (6) a training or continuing education event in accordance with the provisions of this policy concerning training and education.
8. The CAO shall be reimbursed for the reasonable expenses pursuant to the CAO's employment contract.
9. An employee of the Town of Amherst shall be reimbursed for the reasonable expenses, if pre-approved, incurred:
 - (a) in the carrying out of the duties and responsibilities associated with their employment and duly authorized by the Director or CAO on the Prior Approval Form;
 - (b) for meetings, conferences, or professional development events at which the employee's attendance is authorized or is requested by the CAO;
 - (c) for attendance at a meeting of any Board, Commission, Committee or other organization to which the employee has been appointed, except that no reimbursement shall be provided

by the Town of Amherst if the employee is entitled to reimbursement of expenses directly from the applicable organization; and

- (d) at a training or continuing education event in accordance with the provisions of this policy concerning training or education.

OUT-OF-PROVINCE TRAVEL

10. All requests for out-of-province travel shall be made in writing and shall contain the following information:

- (a) the purpose and duration of the trip;
- (b) the location(s) to be visited;
- (c) the dates and times of arrival and departure;
- (d) any pre-paid transportation, meals, or accommodation; and
- (e) any other anticipated expenses.

11. All requests for out-of-province travel by Council members shall be reviewed by the CAO, Mayor or Designate who shall consider the necessity of travel based on the information provided.

12. All out-of-province travel by the CAO, other than that pursuant to the employment contract, shall be reviewed by the Mayor or Designate who shall follow the same guidelines established for Council members.

13. All requests for out-of-province travel by Town of Amherst employees shall be reviewed by the CAO, who shall follow the same guidelines established for Council members.

14. If a request for out-of-province travel is approved, and the Claimant (not Town of Amherst) pays all or some of the expenses for the travel, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this policy.

LIMITS ON REIMBURSEMENT OF EXPENSES

15. Notwithstanding any other provision of the policy, the following limits shall apply to the reimbursement of expenses:

- (1) subject to payment of per diem, a claimant shall only be reimbursed for costs that they have incurred;
- (2) the expenses of a Council member for political activity associated with election or re-election is not reimbursable by the Town of Amherst;
- (3) airplane travel shall be booked by Town of Amherst staff or shall only be reimbursed at the lowest rate which would have been available if Town of Amherst staff had booked the airfare. Reasonable costs for airport improvement or similar fees and luggage shall be reimbursed at actual costs.
- (4) accommodation costs shall be reimbursed at actual costs. Government rates should be obtained whenever possible. Hotel upgrades shall be at the personal expense of the

Claimant unless there are ergonomic necessities attributable to physical requirements included, but not limited to, wheel chair accessibility;

- (5) reimbursement for meals shall not exceed the per diem meal amounts set out in this policy, except in the case of out-of-province travel, in which event the applicable Signing Authority may authorize reimbursement of meals expenses at a comparable standard.
Reimbursement for meals shall not be claimed in respect of meals that are included as part of registration fees for conferences or seminars;
- (6) the cost of any alcoholic beverages shall not be reimbursed;
- (7) fees, deposits, interest and surcharges incurred on a personal credit card shall not be reimbursed;
- (8) when personal and Town of Amherst travel is combined, only documented expenses directly related to the Town of Amherst portion are reimbursable. Extended travel time and related expenses are at the traveler's own expense;
- (9) reimbursement shall not be provided for loss of personal effects; for medical and hospital treatment; for purchase of luggage, clothing and other personal equipment; or for personal services such as shoe shines, valet services, dry-cleaning, laundry, haircuts and other personal services;
- (10) there shall be no reimbursement of travel and related expense for individuals other than a Council member, the CAO, or an employee of the Town of Amherst;
- (11) there shall be no reimbursement for travel by a Council member within the Town of Amherst because such travel is deemed to be included in the part of the Council member's salary or remuneration that is an allowance for expenses incidental to the discharge of the duties of such persons as elected officers.

TRAVEL ADVANCES

16. Advances are not routinely approved. The following limits shall apply to the use of advances:

- (1) all advances must be approved by the CAO;
- (2) advances will only be issued where an overnight stay is required;
- (3) advances will not be made for less than \$200;
- (4) the CAO must not approve an advance unless the CAO is satisfied that there is a reasonable need for the advance;
- (5) upon completion of the travel for which an advance has been made, the recipient must complete an expense claim in relation to the travel costs that reconciles the amount of the advance with the actual reimbursable expenses incurred. The recipient must repay any part of the advance owing to the Town of Amherst within 10 days of completing the travel.

USE OF TOWN OF AMHERST CREDIT CARDS

17. The following limits shall apply to the use of Town of Amherst credit cards:

- (1) the use of travel advances is prohibited if the Claimant has a Town of Amherst credit card;
- (2) Town of Amherst credit cards, in respect of travel expenses, shall only be used for expenses that are permitted under this policy, and without limiting the generality of the foregoing, shall not be used for cash advances or personal expenses;

- (3) reimbursement to an individual for interest incurred on a Town of Amherst credit card is prohibited.

PER DIEM MEAL ALLOWANCES

18. For each day or part day when overnight accommodation forms part of an authorized expense, the Claimant shall be paid a meal allowance for each meal for which the Claimant is required to pay, in the amounts authorized from time to time as per diem meal allowances by the Province of Nova Scotia OR in the amount of \$12 for breakfast, \$17 for lunch, and \$26 for supper. This allowance includes gratuities and taxes.
19. Claimants whose religious beliefs or medical requirements prohibit them from consuming certain foods should be aware the appropriate meals can normally be obtained from caterers, provided that adequate notice of a special requirement is given. Should special dietary requirements negate the ability to participate in a meal that is provided free of cost, and as a result the Claimant must pay for a meal, they shall be paid a meal allowance for that meal.

KILOMETRAGE

20. The kilometrage allowance reimbursed for Claimants using personal vehicles for authorized travel shall be at the rate stipulated from time to time by the Province of Nova Scotia as the maximum kilometrage rate for its employees.
21. Where several Council members, the CAO, and/or employees of the Town of Amherst, or any combination thereof, attend the same meeting, conference or function, each shall make reasonable efforts to share a vehicle.

VEHICLE RENTALS

22. The cost of rental of a vehicle shall be a reimbursable expense in instances where:
- (1) reasonable ground transportation services such as public transit, taxis or hotel shuttles are unavailable; or
 - (2) two or more Council members, the CAO, and/or employees of the Town of Amherst or any combination thereof, are traveling together, and it is more economical than the combined cost of other reasonable ground transportation.
23. Compact, economical vehicles must be used unless three or more persons are travelling together, the bulk or weight of goods being transported necessitates a larger vehicle or a compact, economical vehicle is unavailable.
24. For the protection of the Claimant and the Town of Amherst, Claimants must ensure that adequate insurance (collision, comprehensive and third-party liability insurance) is in place for all drivers by either renting the vehicle using a personal credit card with an insurance option, or

by purchasing a policy from the rental agency. The applicable deductible must be the lowest available given the coverage described above.

EXPENSE CLAIMS

25. Expense claims must be submitted on the form provided from time to time by the Town of Amherst and shall be signed by the Claimant.
26. The business reason for each expense must be submitted with all expense claims and a detailed itemized receipt is required for all expense claims except:
 - (1) claims for per diem meal allowances;
 - (2) incidental expenses of less than \$30 for reasonable tips, bridge tokens, parking meters or coffee;
 - (3) claims for personal vehicle kilometrage for authorized travel.
27. If no receipt is available, a written attestation signed by the Claimant must be submitted to explain why the receipt is unavailable, and a description itemizing and confirming the expenses must be provided. Debit or credit card transaction records are not acceptable as receipts.
28. Expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
29. No expense claim shall be paid unless the claim is first approved for payment by the Signing Authority who has authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
 - (1) the claim is consistent with policy;
 - (2) the expenses claimed were necessarily incurred in the performance of municipal business;
 - (3) appropriate receipts are provided to support the claim, and the claim documentation is appropriately filed; and
 - (4) the expenses claimed have appropriate justification.
30. In considering an expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the Claimant, and may refuse to approve any claim or expense that the Signing Authority decides is unreasonable or not in compliance with this policy.
31. The use of petty cash to pay an expense claim is prohibited.

TIMEFRAME

32. A claim for reimbursement of an expense shall be submitted for approval within thirty (30) days of the expense being incurred.

33. Expenses must be submitted and charged to the year in which they occurred. Expenses cannot be carried forward to future years.

FRAUD, MISUSE OR MISAPPROPRIATION OF MUNICIPAL FUNDS

34. Fraudulent irregularity, misuse or misappropriation of Town of Amherst funds may result in disciplinary action up to and including termination of employment.
35. Suspicious activity and potential misuse of funds must be reported immediately to the CAO. If such activity relates to the CAO it must be reported immediately to the Mayor.

REPORTING REQUIREMENTS

36. Pursuant to section 65A of the *Municipal Government Act*, the CAO shall ensure that the Municipality does the following:
- (1) within 90 days of the end of each fiscal quarter, prepares and posts an expense report on the Town of Amherst website for the Mayor, CAO (including an employee of the Town of Amherst delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*) and each member of Council on their expenses regarding the following:
 - a. travel and travel related expenses, including transportation, accommodation and incidentals;
 - b. meals; and
 - c. training and education.
 - (2) On a monthly basis, posts the expense reports of each reportable individual on the Town of Amherst website on their expenses regarding the following:
 - a. travel and travel related expenses, including transportation, accommodation and incidentals;
 - b. meals; and
 - c. training and education.

REVIEW REQUIREMENTS

37. The Town of Amherst Audit Committee shall review the expense annual summary report, relevant to section 36, by October 31st of each year.
38. By the January 31st immediately following a regular election held under the *Municipal Elections Act*, Council shall review this policy and, following motion by Council, either re-adopt the policy or amend the policy and adopt the policy as amended.

DEPARTMENT: CORPORATE SERVICES

TITLE: **Hospitality Policy**

Minutes reference date:

POLICY STATEMENT:

1. The Town of Amherst recognizes that hospitality-related activities are, at times, necessary and legitimate expenses supporting the effective conduct of government business for reasons of diplomacy, protocol, business development or promotional advocacy.
2. The offering of hospitality will be done in such a manner so as to reflect the prudent stewardship of public funds. This policy safeguards the appropriate use of public funds through the establishment of uniform standards and procedures respecting Council members, the Chief Administrative Officer (“CAO”) and Town of Amherst employee hospitality claims.

POLICY OBJECTIVES

3. To provide direction and guidance with respect to the appropriate expensing of necessary hospitality expenses that support the Town of Amherst’s objectives.
4. To ensure hospitality is offered in an accountable, economical and consistent manner in the facilitation of government business and/or for reasons of diplomacy, protocol, business development or promotional advocacy.
5. To ensure taxpayers’ dollars are used prudently and responsibly with a focus on accountability and transparency.

HOSPITALITY AND HOSPITALITY EVENTS

6. A hospitality event is a reception, ceremony, conference, or other event that involves hosting individuals from outside the Town of Amherst. Hospitality may be offered under the following circumstances in accordance with this policy:
 - (1) hosting foreign dignitaries;
 - (2) engaging in official public matters with representatives from other governments, business, industry or labour leaders, or other community leaders;
 - (3) sponsoring or hosting conferences;
 - (4) hosting ceremonies / recognition events; and
 - (5) other official functions, as approved by the CAO, their designate or Town of Amherst Council.

SIGNING AUTHORITY

7. The following are the Signing Authority for the positions referred to, and shall be responsible for administering this policy with respect to the individuals in those positions:

Position	Signing Authority
Mayor	CAO/Designate
Members of Council & CAO	Mayor/ Designate
Town Employees	CAO/Designate

8. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
9. A Signing Authority is prohibited from authorizing payment of hospitality expenses incurred on their own behalf.

PRIOR AUTHORIZATION

10. Subject to this policy, all hospitality events require prior authorization.
11. A request for prior authorization for hospitality events requires the following information:
- (a) rationale/purpose of the event;
 - (b) estimated numbers of attendees and their respective affiliations;
 - (c) if alcohol is to be provided at the event, the reasons that the provision of alcohol is appropriate and warranted in the circumstances; and
 - (d) estimated itemized costs including gratuities and supplementary expenses.
12. Requests for hospitality events shall be reviewed by the appropriate Signing Authority as set out in paragraph 7 of this policy, who shall consider the value and benefit of the proposed event in relation to its cost in deciding whether to approve the hospitality event.
13. In instances where a hospitality event has been held without prior approval, claims for reimbursement must provide the details outlined above and also include a document outlining the reasons prior approval was not possible.

SERVING OF ALCOHOL

14. While the standard for hospitality is the provision of non-alcoholic beverages, the provision of alcohol in the context of hospitality for reasons of diplomacy, protocol, business development or promotional advocacy is deemed an acceptable expense in limited circumstances. Any request for approval to serve alcohol at a hospitality event must have prior approval by the appropriate Signing Authority, as set out in paragraph 7 of this policy.

15. The Town of Amherst and its employees and members of Council are expected to act responsibly in the use of public funds and in the care and well-being of themselves, other employees and their respective guests with respect to the serving of alcohol.
16. The Town of Amherst will demonstrate good judgement in the reasonableness of the quantity and expense of alcoholic beverages offered to guests.
17. If alcohol is provided at a hospitality event, food must be served.

GIFTS

18. For reasons of diplomacy, protocol, business development or promotional advocacy, the giving of token gifts to individuals outside of government (value not to exceed \$40.00) is sometimes appropriate. Any giving of gifts requires prior approval by the appropriate Signing Authority as set out in paragraph 7 of this policy.

CLAIMS FOR REIMBURSEMENT OF HOSPITALITY EXPENSES

19. By April 1 of each year any individual claiming reimbursement pursuant to this policy must sign an acknowledgment document certifying that they have reviewed this policy and sought all clarifications necessary for a complete understanding of its provisions and their responsibilities pursuant to it. Failure to sign this acknowledgement document annually will disqualify the individual from claiming expenses for reimbursement under this policy until the document has been signed for that year.
20. Claims for reimbursement of hospitality expenses must be submitted on the form provided from time to time by the Town of Amherst and shall be signed by the Claimant.
21. Hospitality expense claims must include the following:
 - (1) a copy of the signed prior authorization for the hospitality event for which the expense was incurred;
 - (2) the names and positions of the guests at the hospitality event;
 - (3) the business objective for the expense; and
 - (4) a detailed itemized receipt for the expense.
22. In instances where prior approval of the hospitality event was not possible, the hospitality expense claim must also provide the information required in paragraph 11 of this policy and an explanation of why prior approval was not possible.
23. If no receipt is available for a hospitality expense, a written attestation signed by the Claimant must be submitted to explain why the receipt is unavailable, and a description itemizing and confirming the expense must be provided. Debit or credit card transaction records are not acceptable as receipts.

24. Hospitality expenses incurred by one individual on behalf of another must be attributed to the individual for whom those expenses were incurred.
25. No hospitality expense claim shall be paid unless the claim is first approved for payment by the Signing Authority who has authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
- (1) the claim is consistent with this policy;
 - (2) the expenses claimed were necessarily incurred in the performance of municipal business;
 - (3) appropriate receipts are provided to support the claim, and that the claim documentation is appropriately filed; and
 - (4) the expenses claimed have appropriate justification.
26. In considering a hospitality expense claim for payment, a Signing Authority may request additional explanations, documentation or justification from the claimant, and may refuse to approve any claim or expense that did not have prior authorization and that the Signing Authority decides is unreasonable or not in compliance with this policy.
27. The use of petty cash to pay a hospitality expense claim is prohibited.

REPORTING REQUIREMENTS

28. Pursuant to s. 65A of the *Municipal Government Act*, the CAO shall ensure that the Town of Amherst does the following:
- (1) within ninety (90) days of the end of each fiscal quarter, prepares and posts a hospitality expense report on the Town of Amherst website that describes all of the hospitality expenses incurred by the Town of Amherst, including purchases of alcohol during the quarter.
 - (2) by September 30th of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the hospitality expense reports for the preceding fiscal year that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the Financial Reporting and Accounting Manual.
 - (3) On a monthly basis, posts the expense reports of each reportable individual on the Town of Amherst website on their expenses related to hospitality.

DEPARTMENT: ALL DEPARTMENTS

TITLE: TRAVEL POLICY

Minutes reference date: March 20, 1989, page 437

Revision dates: January 16, 1995, page 377

March 25, 2002, page 635

November 17, 1997, page 118

September 26, 2005, page 40

October 23, 2000, page 481

June 22, 2015

PURPOSE:

To set out a policy of the Town of Amherst to reimburse any authorized individual who is required to travel on Town business. An authorized individual could be an employee, elected official, appointed committee or commission member, etc.

POLICY:

The following travel expenses will be eligible for reimbursement from the Town, provided such expense is incurred in the course of carrying out duties and responsibilities associated with their employment and duly authorized by the Director or CAO on the Prior Approval Form (Schedule B).

1. **Town-owned Vehicle** – Upon approval of the Director, and if a Town-owned vehicle is available, the employee will use this vehicle for their travel needs. Persons authorized to drive Town-owned vehicles must have a valid driver's license. Employees shall not use Town-owned vehicles for personal travel.
2. **Privately Owned Vehicle** – The Town will reimburse any authorized individual for the use of privately owned vehicles on Town business. Reimbursement will be made using the Kilometrage and Transportation Allowance Rates for the Province of Nova Scotia (Section A – Regular Rates) in effect on the date of travel.
3. **Insurance** – To ensure that any authorized individual is adequately protected, privately owned vehicles used for Town business shall, as a minimum, have basic insurance coverage. The authorized individual is responsible for payment of their respective insurance premiums. When the use of a privately owned vehicle is authorized, the Director/CAO must ensure that the authorized individual is informed that the Employer assumes no financial responsibility beyond payment of the authorized kilometre rate and that, in the event of an accident, the Employer assumes no responsibility for the deductible amounts related to comprehensive or collision coverage.
4. **Accommodation** – Authorized individuals will be reimbursed for actual accommodation costs incurred while on Town business. Authorized individuals should request government rates whenever possible. Receipts are required for all accommodation charges.

Authorized individuals who use private accommodations while on Town business will be reimbursed \$30 per night. No receipt is required.

5. **Meals** – For each full day of travel, an authorized individual shall be reimbursed the total allowance shown on Schedule A for meals.

For partial days, the authorized individual shall be reimbursed at the separate meal allowance rates. Related amounts for partial days of travel shall be prorated according to the current meal breakdown. In order to claim for a full day, the employee/elected official must leave at 8:00 am or prior and return later than 6:00 pm.

Reimbursement for meals shall not be claimed where meals are included a part of registration fees for conferences or seminars, etc.

It is expected that from time to time Town Directors and above may incur costs to facilitate the conduct of official Town business. Such costs may include conference room rentals, equipment rentals, hospitality and other related service costs. Such costs shall be reimbursed and all such claims shall state the purpose of the costs and the number of persons involved. Receipts must be submitted and, where costs are significant, prior approval is required by the CAO.

6. **Air Travel** – The Town will reimburse for air travel and related fees (receipt required) at the economy rate to scheduled service airport nearest destination.
7. **Car Rental** – Reimbursement will be made for rental of car at destination. Attempts should be made to acquire economy type of transportation. (Receipts required.)
8. **Taxi/Bus** – Taxi/bus fares to and from accommodation to place of business as well as from airport to accommodation, etc. (Receipts required.)
9. **Park/Toll** – Highways and bridge tolls, parking fees. Receipts required if charges are over \$10 per day.
10. **Incidentals** - Where an authorized individual is travelling on the Town's business and overnight accommodations have been authorized and used, the authorized individual will be reimbursed an allowance as set out in Schedule A per overnight stay to cover miscellaneous out-of-pocket expenses.
11. **Registration fees** – Expenditures for conference registration, etc. (Receipt required.)
12. **Travel Advance** – The Town does not routinely issue travel advances. If there are extenuating circumstances, an advance may be approved by the CAO.
14. **Per Diem Allowance** – The mayor and/or designate(s), while on official Town business shall be allowed an amount equivalent to their normal wages and benefits paid by their employer(s). Arrangements shall be made between the Town and the employer to reimburse the employer directly for wages paid to the Mayor and/or designate(s) while absent from their office of employment on Town business. Such amounts shall not exceed the amounts actually expended by the employer. Town business shall not include attendance at conferences or seminars and must be approved by Council.
15. **Spouses** – The Town of Amherst is not responsible for the costs of travel, lodging, meals, registration, etc. of the spouses when they are accompanying the employee to a conference or meeting. Exceptions will be considered for events at which a spouse is normally expected to attend and prior approval of Council is obtained.

SCHEDULE A

SCHEDULE OF ALLOWABLE INCIDENTALS AND MEALS PER DIEM RATES

Incidentals: \$10 per overnight stay.

Meals: In order to claim breakfast, travel must commence before 8:00 am.
In order to claim dinner, travel must end after 6:00 pm.

Breakfast	\$12.00
Lunch	\$17.00
Dinner	\$26.00
Maximum daily allowance	\$55.00

The above amounts are inclusive of all taxes and gratuities.

SCHEDULE B

PRIOR APPROVAL FORM

1. Applicant's Name: _____

2. Present Position: _____

3. Department: _____

4. Proposed Conference, Course, Seminar: _____

5. Location: _____

6. Date: _____

7. I certify that I, as a minimum, will always have basic motor vehicle insurance coverage and that if for whatever reason I do not have insurance coverage, I will notify the Town in writing.

(signature) _____

8. Approved: _____

9. Rejected: _____

10. Subject to the following conditions, if any:

If this application is approved, expenses may be claimed in accordance with the Town's Travel Policy.

SCHEDULE C

TRAVEL ADVANCE REQUEST FORM

Name

Department

Destination

Purpose of Request

.....

.....

Dates Involved

Estimated Expenses: Registration \$

Travel \$

Accommodations \$

Meals \$

ESTIMATED TOTAL \$

Charge to: Signature:

Approved by: Date:

Synopsis

CIBC Children's Foundation Funding

The CIBC Children's Foundation has advised they wish to provide an \$8,000 donation to provide support of \$5,000 to the Fundy Hockey School and \$3,000 to Amherst Bantam Baseball. The CIBC Children's Foundation can only give grants to registered charitable organizations. Donations to Canadian municipalities qualify as charitable donations under the Income Tax Act.

The CIBC Children's Foundation's support for programs in the community is tremendous, and we are pleased to be able to facilitate its contributions in this manner.

MOTION:

That Council accept a donation of \$8,000 from the CIBC Children's Foundation to fund a corresponding contribution of \$5,000 to Fundy Hockey School, and \$3,000 to Amherst Bantam Baseball.



AMHERST TOWN COUCIL

RFD# 2018145

Date: November 26, 2018

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Shelley Rector, CPA, CMA – CFO

DATE: November 26, 2018

SUBJECT: Fundy Hockey School and Amherst Bantam Baseball – Funding from CIBC Children’s Foundation

ORIGIN: Correspondence from the CIBC Children’s Foundation that they will donate \$8, 000 to the Town provided that the Town, in turn, provides \$5,000 funding to Fundy Hockey School and \$3,000 to Amherst Bantam Baseball.

LEGISLATIVE AUTHORITY: Income Tax Act, Sections 118.1 and 110.1

RECOMMENDATION: That Council accept a donation of \$8,000 from the CIBC Children’s Foundation to fund a corresponding contribution of \$5,000 to Fundy Hockey School, and \$3,000 to Amherst Bantam Baseball.

BACKGROUND: The Town of Amherst supports the Fundy Hockey School by subsidizing the fees paid by youth in the community allowing a reduced registration fee. The Amherst Bantam Baseball were supported by the Town with a Community Support Grant to offset the cost of hosting the Junior Championships. The funds to the Amherst Bantam Baseball team are expected to defray costs from the Junior Championship while the funds to the Hockey School are to assist with ongoing programs.

DISCUSSION: The CIBC Children’s Foundation has advised they wish to support the \$5,000 funding to Fundy Hockey School and \$3,000 to Amherst Bantam Baseball. The CIBC Children’s Foundation can only give grants to registered charitable organizations. Donations to Canadian municipalities qualify as charitable donations under the Income Tax Act.

The CIBC Children’s Foundation’s support for programs in the community is tremendous, and we are pleased to be able to facilitate its contributions in this manner.

FINANCIAL IMPLICATIONS: There would be no financial implications for the Town in this transaction; it would be an ‘in and out’ entry. However, the financial implications for the Fundy Hockey School and Amherst Bantam Baseball program would be to improve its ability to provide a quality program for the community.

COMMUNITY ENGAGEMENT: No community engagement is contemplated in carrying out this request. The community engagement occurred between the Fundy Hockey School and Amherst Bantam Baseball and the CIBC Children’s Foundation.



ENVIRONMENTAL IMPLICATIONS: No environmental implications are anticipated with this business process.

SOCIAL JUSTICE IMPLICATIONS: Access to some community programs, by those who may be financially disadvantaged, have the potential to be enhanced by this initiative.

ALTERNATIVES: Decline this request.

ATTACHMENTS:

Report prepared by: Shelley Rector, Chief Financial Officer

Report and Financial approved by:

Synopsis

Erncliff Street CNR Crossing – Capital Budget Amendment

In May of this year staff were made aware that CN and the Town were required to make upgrades to 4 railway crossings within the Town due to changes made by Transport Canada to safety regulations at all CN street crossings across Canada. The street crossings impacted within Amherst include Industrial Park Drive, Chamberlain Street, Victoria Street and Erncliff Street.

Since that meeting CN has made an application to Transport Canada to help fund the cost of the new gates. The application was successful and under the Railway Safety Act the Road Authority (Town) is required to pay 12.5% of the project cost. In this case the project includes the installation of new gates and warning system at a total project cost of \$423,012. The Town's portion would be \$52,877. In order to qualify for the grant, the work has to be complete by March 31, 2019.

The current capital budget does not include funding for this project. However, we are proposing to reallocate funds and fund this project within existing capital budgeting funding.

MOTION:

That Council authorize approval of \$52,877 to be allocated in the current (2018/19) Capital Budget for the Town's contribution to the installation of new warning gates at the Erncliff Street railway crossing and that the Mayor and CAO be authorized to sign the attached Crossing Warning System Modification Agreement.



AMHERST TOWN COUNCIL

RFD# 2018146

Date: November 26, 2018

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Jason MacDonald, Deputy Chief Administrative Officer

DATE: November 26, 2018

SUBJECT: **Erncliff Railway Crossing Upgrades**

ORIGIN: May 15, 2018 Letter from Canadian National Railways.

LEGISLATIVE AUTHORITY: Municipal Government Act Section 65; The council may expend money required by the municipality for (aa) streets. Railway Safety Act.

RECOMMENDATION: That Council authorize approval of \$52,877 to be allocated in the current (2018/19) Capital Budget for the Town's contribution to the installation of new warning gates at the Erncliff Street railway crossing and that the Mayor and CAO be authorized to sign the attached Crossing Warning System Modification Agreement.

BACKGROUND: In May of this year staff were made aware that CN and the Town were required to make upgrades to 4 railway crossings within the Town. On June 8, 2018 staff met with CN representatives to provide information to the Town on the changes made by Transport Canada which affect safety regulations at all CN street crossings across Canada. The street crossings impacted include Industrial Park Drive, Chamberlain Street, Victoria Street and Erncliff Street.

DISCUSSION: Since that meeting CN has made an application to Transport Canada to help fund the cost of the new gates. The application was successful and under the Railway Safety Act the Road Authority (Town) is required to pay 12.5% of the project cost. In this case the project includes the installation of new gates and warning system at a total project cost of \$423,012. The Town's portion would be \$52,877. In order to qualify for the grant, the work has to be complete by March 31, 2019.

FINANCIAL IMPLICATIONS: The current capital budget does not include funding for this project. However, we are proposing to reallocate funds and fund this project within existing capital budgeting funding as follows:

- a) gas tax cannot be used to fund the railway project thus we are proposing to reallocate gas tax. Discussions with DMA have confirmed this is allowable with a motion from council.
- b) the Victoria Street sidewalk project was completed in-house thus the total project cost will be approximately \$35,000 rather than \$100,000 saving \$65,000 in gas tax.



- c) the unused gas tax from the Victoria Street sidewalk will be used to fund the portion of the Robert Angus Drive sidewalk that was to be funded from the Operating Reserve (\$32,220) and the Capital Reserve (\$12,500).
- d) This provides funding of \$44,720 to be used for the Ernclyff Street project from Operating and Capital Reserves leaving a balance of gas tax of \$20,280 to be used.
- e) Funding for the Racetrack Road project will be adjusted to use the remainder of the gas tax (\$20,280) and the operating reserve amount will be decreased.
- f) The remainder of the cost (\$8,157) can be taken from the funding for the Racetrack Road project that was coming from the operating reserve (this will decrease because of the gas tax).

This is summarized in the table below:

<u>Project</u>	<u>Current Funding</u>	<u>Proposed Funding</u>	<u>Reallocation Tally of Remaining Funding</u>
Victoria Street Sidewalk	\$100,000 Gas Tax	\$35,000 Gas Tax	\$65,000 Gas Tax
Robert Angus Drive Trail	\$17,780 Gas Tax \$12,500 Capital Reserve \$32,220 Operating Reserve	\$62,500 Gas Tax	\$12,500 Capital Reserve \$32,220 Operating Reserve \$20,280 Gas Tax (65,000-12,500-32,220)
Racetrack Road Pumping Station	\$35,000 Operating Reserve \$15,000 Sewer Operating	\$20,280 Gas Tax \$14,720 Operating Reserve \$15,000 Sewer Operating	\$12,500 Capital Reserve \$52,500 Operating Reserve \$0 Gas Tax
Ernclyff Rail Gates	-	\$12,500 Capital Reserve \$40,377 Operating Reserve	\$0 Capital Reserve \$12,123 Operating Reserve \$0 Gas Tax

<u>Funding</u>	<u>Current Capital Budget</u>	<u>Proposed</u>	<u>Difference</u>
Gas Tax	\$117,780	\$117,780	0
Capital Reserve	\$12,500	\$12,500	0
Operating Reserve	\$67,220	\$55,097	\$12,123
	\$197,500	\$185,377	\$12,123

COMMUNITY ENGAGEMENT: No community engagement has been undertaken for this project. The project will be administered by CN. A communications plan (including traffic detours) will be developed prior to construction being undertaken.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications to the addition of the new traffic gates and warning system.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications of installing warning gates at this rail way crossing.

ALTERNATIVES:

- (a) Close Erncliff Street. Closing the street on both sides of the rail line will not impact access to private property but it will make snow plowing operations cumbersome. In addition, residents of this area of Town would have to use Copp or Russell Streets to exit this area of Town, causing somewhat of an inconvenience. As there are still two exists, emergency vehicles will still have access at all times.
- (b) Request that the ban on train whistles approaching this crossing be lifted, as allowing the whistle will remove the requirement for the gates.

ATTACHMENTS: None

Report prepared by: Jason MacDonald, Deputy CAO

Report and Financial approved by:

Synopsis

Parking Lot Leases

The Town leases approximately 381 parking spots for public parking in the Downtown area. The current leases have expired. Historically we have provided maintenance as well as snow and ice management services for these lots. In addition, the Town would pay the property tax on the portion of the property attributed to the parking lot. This resulted in an average cost per stall as low as \$11.05 per year in one lot and as high as \$112 per year in another lot. Staff were given direction to procure public parking via a request for proposals.

The attached leases will see the Town continue to maintain the lots and clear snow from them. However the Town will no longer pay the property tax on the portion of the lot attributed to the parking lot. The proposed leases include a total of 368 parking spaces.

MOTION:

That Council approve the lease agreements for public parking lots and authorize the Mayor and CAO to sign them



AMHERST TOWN COUNCIL

RFD# 2018147

Date: November 26, 2018

TO: Mayor Kogon and Members of Amherst Town Council
SUBMITTED BY: Jason MacDonald, Deputy CAO, Operations
DATE: November 26, 2018
SUBJECT: Downtown Parking Lot Leases

ORIGIN: The Town has historically leased various parking lots in the Downtown in order to provide public parking. The current leases have expired. Staff were given direction to procure public parking via a request for proposals.

LEGISLATIVE AUTHORITY: Municipal Government Act Section 65; Power to Expend Money (x) Land and Buildings required for a public purpose and (ap) Parking Lots and parking structures.

RECOMMENDATION: That Council approve the lease agreements for public parking lots and authorize the Mayor and CAO to sign them.

DISCUSSION: The Town currently leases approximately 381 parking spots for public parking in the Downtown area. Historically we have provided maintenance as well as snow and ice management services for these lots. In addition, the Town would pay the property tax on the portion of the property attributed to the parking lot. This resulted in an average cost per stall as low as \$11.05 per year in one lot and as high as \$112 per year in another lot. Other lots did not cost anything as they were owned by religious institutions and taxes were exempt.

In order to bring fairness to the situation and open the possibility of leasing parking to the Town to all property owners, at the November 2017 Committee of the Whole, the following motion was passed:

Moved by Councillor Byrne, Seconded by Councillor MacKenzie: That Council direct staff to develop an RFP for the provision of public parking spaces within the downtown area for Council's approval.

The following chart indicates which parking lots were included in responses to the RFP, as well as the evaluation score. A total of 368 parking stalls are included in the submissions which compares favorably to the 381 currently leased. All parking lots, with the exception of 13 Church Street received good and similar scores. While most of the parking lots received a low (3-4) PASER rating of the asphalt condition, all lots can be safely operated for the life of the lease with general maintenance from Town staff.



Parking Lot	Location	# Spots	Total Score
Lions Club	Electric St	35	72
Minocha	12 LaPlanche (last row of Town Hall lot)	10	80
Dayles	129 E Victoria	43	84
Trinity	20 Havelock	40	89
Christ Church	Behind Town Hall	41	79
First Baptist	Behind Town Hall	59	95
Cumberland Invest	13 Church (Tim's Lot)	10	50
George Blanch Compass Realty	25 Prince Arthur	130	95

It should be noted that the owners of the previously leased 'movie theater lot', did not respond to the RFP. While this lot had a fairly high vacancy rate in the 2017 parking lot usage survey, staff suggest that we contact the owners to see if they are interested in leasing this lot under the same terms as the RFP.

In addition, there are two owners of the parking lot located at 13 Church Street (Tim Hortons Lot). There are 10 spaces owned by the owner of Tim Horton's building and 32 owned by the owners of the court house building located across Church Street from the lot. The property manager of the court house building indicated that as the building was in the process of being sold, the company was not in a position to enter into a new lease. However, he did indicate that the new purchaser would likely be interested in leasing these spaces.

The owner of the Tim Horton's building has indicated that he is interested, but would like the Town to pay the property tax on the property. Staff recommend against this arrangement, as it would cost the Town about \$100 / stall for a total of \$1000 per year. Agreeing to pay this amount would be unfair to the other lessees. Finally, without the adjacent lot owned by the courthouse building, the 10 spaces owned by the Tim Horton's building do not make sense to lease and operate.

FINANCIAL IMPLICATIONS: We currently pay a total of \$6002.65 for the parking lot leases (we pay the property tax amounts). Under the terms of the new leases, the Town would no longer pay the taxes, saving approximately \$6002.65 / year. Maintenance and snow clearing will likely be a similar cost.

COMMUNITY ENGAGEMENT: The RFP process was open to the public and advertised according to applicable policy and legislation. In addition, all current lease holders were specifically notified of the process and owners of all parking lots downtown were hand delivered notices. Once leases are signed, new signage can be considered.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications as a result of leasing the parking lots.

SOCIAL JUSTICE IMPLICATIONS: Once leases are signed, Town staff will determine the appropriateness and opportunity to best provide accessible parking in each of the lots.

ALTERNATIVES:

1. Do not enter into the lease agreements and do not operate public parking lots in the downtown, other than at Town owned facilities.

ATTACHMENTS:

1. Parking Lot Lease Template
2. Parking Lot Pictures

Report prepared by: Jason MacDonald, Deputy CAO, Operations

Report and Financial approved by:

THIS LEASE made this ___ day of _____, 2018.

B E T W E E N:

xxxxxxx of Amherst, at Amherst in the County of Cumberland, Province of Nova Scotia, hereinafter called "**the Landlord**",

- and -

TOWN OF AMHERST, a municipal corporation in the said County of Cumberland, hereinafter called "**the Tenant**",

WHEREAS the Landlord is the registered owner of certain lands known as the LaPlanche Street parking lot, being PID Number xxxxxxxx, (the "**Leased Lands**") as more particularly set out in Schedule "A" hereto;

AND WHEREAS the Tenant wishes to lease the Leased Lands for use of the parking lot situate thereon for the purpose of providing public parking;

NOW THEREFORE in consideration of the mutual covenants herein contained, the Landlord hereby leases to the Tenant and the Tenant hereby leases from the Landlord, the Leased Lands on the following terms and conditions:

1. The term of the lease shall be for a period of ten years, commencing on the date of execution of this lease, and ending on the tenth anniversary thereof.
2. Either party may terminate this lease on ninety days' written notice delivered to the other party as herein provided.
3. The Tenant shall pay to the Landlord the sum of \$1.00 as rent for the Term of the Lease, the receipt and sufficiency of which is hereby acknowledged by the Landlord.
4. During the Term of the Lease the Tenant shall have exclusive use of the Leased Lands, which shall be used by the Tenant as a public parking lot and for such other uses as the Tenant may deem appropriate from time to time.
5. During the Term the Tenant, at its own expense, and at its sole discretion, may make any alterations to the Leased Lands that it may deem necessary and/or beneficial, including but not limited to landscaping, erection of signs, informational displays and holiday lighting and displays. Upon the termination of the Lease the Tenant may, in its sole discretion, remove any personal property or fixtures it installed on Leased Lands, at its sole expense. Any personal property or fixtures remaining on the Leased Lands after the termination of the Lease shall become the property of the Landlord.
6. During the Term of the Lease the Tenant shall be responsible for the upkeep (maintenance and capital in nature) of the Leased Lands. The Tenant covenants to maintain the Leased Lands at reasonable commercial standards for public parking lots. The maintenance and capital expenditures shall be carried out by the Tenant at the Tenant's expense and at the Tenant's sole discretion, provided reasonable commercial standards are maintained.
7. The Tenant shall be responsible for keeping the Leased Lands clear of debris, and to remove snow and ice from the Leased Lands in accordance with the standards established by the Tenant's Department of Operational Services.
8. The Landlord covenants that during the Term of this Lease, the Tenant shall have quiet enjoyment of the Leased Lands and the Landlord shall not interfere with the right of the public to use the Leased Lands.

- 9. The Tenant shall maintain its own public liability insurance for the Leased Lands and its use thereof.
- 10. This agreement is not assignable by the Tenant. The Landlord may assign this Lease to its successor in title.
- 11. Any notice required or contemplated by any provision of this Lease shall be sufficiently given if addressed, in the case of the Landlord, to it at:

PO Box 637
Amherst, NS B4H 4B8

And in the case of the Tenant, to it at:

98 East Victoria Street
Amherst, NS B4H 1X6

Attention: Deputy CAO Operations of the Town of Amherst.

and delivered personally or mailed by prepared registered mail. Such a notice shall be deemed to have been received on the date of delivery.

- 12. This Lease shall be binding upon and shall enure to the benefit of the parties hereto and their respective heirs, administrators, executors, successors and permitted assigns, as the case may be.
- 13. This Lease may be executed in several counterparts and by way of facsimile executed copies, each of which when so executed shall be deemed to be an original and which counterparts together shall constitute one and the same instrument and notwithstanding the date of execution shall be deemed to bear date as of the date written in the beginning of this Lease.

IN WITNESS WHEREOF the parties hereto have executed these presents the day and year first hereinbefore written.

SIGNED, SEALED AND DELIVERED)

In the Presence of :)

xxxxxxxxxxxxxxxxxx

_____)

Per: _____

Name:

Position:

TOWN OF AMHERST

_____)

Mayor

Chief Administrative Officer

PROVINCE OF NOVA SCOTIA
COUNTY OF CUMBERLAND

ON THIS ___ day of _____, 20 ____, before me, the subscriber personally came and appeared _____, a subscribing witness to the foregoing Lease, who, having been by me duly sworn, made oath and said that Trinity St. Stephen's Church, one of the parties hereto, caused the foregoing Lease to be signed, sealed and delivered in _____ presence by its duly authorized officer.

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF CUMBERLAND

ON THIS ___ day of _____, 20 ____, before me, the subscriber personally came and appeared _____, a subscribing witness to the foregoing Lease, who, having been by me duly sworn, made oath and said that the Town of Amherst, one of the parties hereto, caused the foregoing Lease to be sealed and delivered by the Mayor and Chief Administrative Officer in _____ presence.

A Commissioner of the Supreme Court of Nova Scotia

Synopsis

Planning Advisory Committee Citizen Appointment

The Planning Advisory Committee has three citizen appointee members. One of these memberships expired March 31, 2018. Following a review of the PAC's structure, Council decided to keep the Committee structure of three Councillors and three citizen appointees. A notice was placed in the Amherst Newspaper on October 31, 2018 and on Town of Amherst social media advertising for this appointment with a November 9, 2018 deadline for applications.

MOTION:

That Council appoint Larry Pardy to the Planning Advisory Committee for a term ending March 31, 2021.



AMHERST TOWN COUNCIL

RFD# 2018152

Date: November 26, 2018

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Kimberlee Jones, Municipal Clerk

DATE: November 26, 2018

SUBJECT: Planning Advisory Committee – Citizen Appointment

ORIGIN: Membership of one of our PAC citizen appointees expired in March 2018.

LEGISLATIVE AUTHORITY: Planning Advisory Committee Policy.

RECOMMENDATION: That Council appoint Larry Pardy to the Planning Advisory Committee for a term ending March 31, 2021.

BACKGROUND: The Planning Advisory Committee has three citizen appointee members. One of these memberships expired March 31, 2018. Following a review of the PAC's structure, Council decided to keep the Committee structure of three Councillors and three citizen appointees.

DISCUSSION: The role of the Planning Advisory Committee is to advise Council respecting the preparation, or amendments to, the Town's Municipal Planning Strategy, Land Use Bylaw and Subdivision Bylaw, as well as other general land use planning matters. This Committee also hears appeals and makes decision with respect to Dangerous and Unightly Premises.

FINANCIAL IMPLICATIONS: There are no financial implications regarding committee appointments; they are volunteers.

COMMUNITY ENGAGEMENT: A notice was placed in the Amherst Newspaper on October 31, 2018 and on Town of Amherst social media advertising for this appointment, with a November 9, 2018 deadline for applications. We received two applications in total.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications.

ALTERNATIVES: Defer appointment of citizen members to a future meeting

ATTACHMENTS: Expressions of interest

Report prepared by: Kimberlee Jones, Municipal Clerk

Report and Financial approved by:



SYNOPSIS

Amendments to the Land Use Bylaw for Cannabis-related Land Uses.

The purpose of this motion is to introduce amendments to the Town's Land Use Bylaw to address the Federal Government's *Cannabis Act* that took effect October 17, 2018. The *Act* provides a legal framework for the production, distribution, sale, and possession of cannabis for medical and recreational purposes. At the same time, the Provincial Government's *Cannabis Control Act* regulates cannabis distribution and retail sales, and amends the *Smoke-Free Places Act* to control smoking cannabis in public places. Part of the role for Municipal Governments is to regulate where cannabis-related uses are appropriate.

The subject Land Use Bylaw amendment is intended to do the following:

- define licensed production facilities and allow them in industrial zones with minimum setback requirements from residential properties, parks, daycares, and religious institutions;
- Define cannabis retail sales and cannabis lounges so they are clearly prohibited uses in any zone.

The Planning Advisory Committee held an advertised public participation opportunity, and subsequently recommended that Council adopt the amendments as drafted.

MOTION:

That Council give First Reading to the Bylaw P-2-24 to amend the Land Use Bylaw to regulate cannabis-related uses as shown in the attachment, and schedule a Public Hearing for December 17, 2018.



AMHERST TOWN COUNCIL

RFD# 2018153

Date: November 26, 2018

TO: Mayor Kogon and Members of Amherst Town Council

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

DATE: November 26, 2018

SUBJECT: **LUB amendments for cannabis-related uses**

ORIGIN: September 2018 Committee of the Whole referred this issue to the Planning Advisory Committee. The PAC recommended that Council adopt the amendments.

LEGISLATIVE AUTHORITY: Municipal Government Act, Part VIII Planning and Development.

RECOMMENDATION: That Council give First Reading to the Bylaw P-2-24 to amend the Land Use Bylaw to regulate cannabis-related uses as shown in the attachment, and schedule a Public Hearing for December 17, 2018.

BACKGROUND: As a new land use, cannabis production facilities, retail sales and consumption venues are not addressed in the Town's planning documents. Licensed production facilities are strictly regulated by the Federal Government by requiring notice to local authorities, physical and personnel security, and good production practices. The Federal regulations do the following:

- prohibit any licensed activity in a dwelling;
- permit both indoor and outdoor cultivation, but permit only indoor storage and processing;
- require reasonable measures to prevent the escape of odours and pollen from indoor areas; and
- require physical and personnel security requirements, such as securing the perimeter to prevent unauthorized access with physical barriers and restricting who can access areas where cannabis is present.

Cannabis retail sales are only permitted through Nova Scotia Liquor Corporation outlets and online. Consumption venues and private retail sales are prohibited under the current provincial regulations. However, if provincial regulations were to change, under the current planning documents cannabis retail and consumption venues would be permitted in the Town's commercial zones. The attached amendment would do the following:

- define licensed production facilities and allow them in industrial zones with minimum setback requirements from residential properties, parks, daycares, and religious institutions;
- Define cannabis retail sales and cannabis lounges so they are clearly prohibited uses in any zone, except where operated by the NSLC.



FINANCIAL IMPLICATIONS: No direct financial implications have been identified.

COMMUNITY ENGAGEMENT: The PAC held a Public Participation Opportunity where no input from the public was received. Assuming Council passes First Reading of the amendment a Public Hearing will be required.

ENVIRONMENTAL IMPLICATIONS: The potential environmental impact relates to possible odours released from a licensed production facility. The minimum 70 metre setback to residential land and other sensitive uses is partly intended to mitigate this potential impact.

SOCIAL JUSTICE IMPLICATIONS: The proposed amendments are intended to mitigate the potential negative impacts of cannabis-related uses by establishing minimum separation distances, and limiting the risk of youth exposure. Conversely, the amendments will not place undue limitations on those wanting to consume or produce cannabis for a medical and/or recreation purpose.

ALTERNATIVES:

- 1) Do not adopt the amendment.
- 2) Adopt the amendment with changes.
- 3) Refer this matter back to the PAC for further review.

ATTACHMENTS: Proposed Land Use Bylaw Amendment.

Report prepared by Andrew Fisher
Report and Financial approved by:

Town of Amherst

By-Law P-2-24 to amend the Land Use By-Law, P-2

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of regulating cannabis-related uses.
2. In the Land Use By-law *Section 1.0 Definitions*, add section 17a that provides a definition for *Cannabis Production Facility*, add section 17b that provides a definition for *Cannabis Lounge*, and add section 17c that provides a definition for *Cannabis Retail Sales*.

17(a) **Cannabis Lounge** means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

17(b) **Cannabis Production Facility** means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

17(c) **Cannabis Retail Sales** means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public.

3. In the Land Use By-law, Section 8.0 General Provisions for Commercial Zones add section 8.1.4 as follows:

8.1.4 Cannabis-Related Uses

Notwithstanding any other provision in this Bylaw, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Commission (NSLC).

4. In the Land Use By-law, Section 8.2.1 Highway Commercial Zone Uses Permitted, add *Cannabis Lounges and Cannabis Retail Sales subject to section 8.1.4* to the list of permitted uses after the words '*Business and Professional Offices*', and before the words '*Commercial Recreation Centres*'.
5. In the Land Use By-law, Section 8.3.1 Downtown Zone Uses Permitted, add *Cannabis Lounges and Cannabis Retail Sales subject to section 8.1.4* to the list of permitted uses after the words '*Business and Professional Offices*', and before the words '*Commercial Recreation Centres*'.

6. In the Land Use By-law, Section 9.1 *Industrial Zone Uses Permitted*, add Cannabis Production Facility to the list of permitted uses

9.1 Industrial Zone Uses Permitted

The following uses shall be permitted in the Industrial Zone:

- Any manufacturing, industrial, assembly or warehousing operation
- Any activity connected with the automotive trade, excluding salvage yards
- Boat and Marine Supplies and Sales
- Building supply and equipment depots including the bulk storage of sand or gravel
- Railway uses
- Recycling Collection and Storage Facilities, excluding salvage yards
- Retail and office uses incidental to the main industrial use

Cannabis Production Facility, subject to section 9.6

7. In the Land Use By-law, add section 9.6 regarding Cannabis Production Facilities:

9.6 Cannabis Production Facilities

Where a lot containing a cannabis production facility abuts a lot

- (i) zoned or used for residential purposes, or
- (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

MEMORANDUM

TO: Mayor Kogon and Members of Council

FROM: Gregory D. Herrett, CPA, CA
Chief Administrative Officer

DATE: November 26, 2018

SUBJECT: Legal Opinion – Residency Status

At its October 22, 2018 regular meeting Council directed me to ***“to provide a report and seek a legal opinion on whether Councillor Jason Blanch continues to be ordinarily resident within the Town of Amherst and what options exist for Councillor Blanch and for Council should it be determined that he is not.”***

I can report that I retained Kevin Latimer, Q.C. of Cox & Palmer to provide an opinion on the issue. Specifically, counsel was asked to provide a professional opinion on whether Councillor Blanch meets the residency requirements set out in the *Municipal Elections Act* to continue as a Town Councillor. Counsel was also asked to provide commentary on recourse under the Act should a challenge be made to the Councillor’s qualifications to serve.

In an opinion letter received November 16, 2018, counsel ultimately opined based on the circumstances existing today that ***“The Councillor is ordinarily resident in Amherst within the meaning of the Act. He is therefore qualified to continue as a Town Councillor”***. Further, counsel advised that ***“should a challenge be made, by any party, to Councillor Blanch’s qualification to serve it would be required to be in the form of an application to the Supreme Court of Nova Scotia”*** under Section 166 of the *Municipal Elections Act*.

I reported to Council as directed at an in-camera meeting on November 19th. Council accepted that no further action was required at this time.

MEMORANDUM

TO: Mayor Kogon and Members of Council

FROM: Councillor Jones

DATE: November 26, 2018

SUBJECT: Asphalt Plant

On Tuesday I contacted our MLA referencing the local resident concerned about the early start up, air quality and the black & blue smoke requesting a meeting with her.

On Friday morning Councillor Rhindress and I met with MLA Elizabeth Smith-McCrossin, three executives from the Municipal Group of Companies (Dexter) which owns the plant and three representatives from the Department of the Environment and a neighborhood representative to discuss the concerns of local residents.

The Company representatives shared their plan to shut the plant down for the season and to make upgrades to reduce the blue smoke and the smell before the plant reopens in the spring. The company plans to establish a contact phone number for resident to call if they have any concerns once they reopen.

I felt the discussion we had that morning was productive and the commitment from the company to make improvements to air quality, emissions and better communicate with the residents is very encouraging.

Internal Committee Report

Planning Advisory Committee

November 2018

The Planning Advisory Committee held a Public Participation Opportunity on Monday, November 5th to consider amending the Land Use Bylaw for cannabis-related land uses.

The PAC also heard a presentation from staff recommending that 196 East Victoria Street be ordered for demolition.

The Planning Advisory Committee met again on Tuesday, November 13th, where the Committee passed a motion recommending that Council amend the Land Use Bylaw to regulate cannabis-related uses. The Committee also ordered the demolition of 196 East Victoria Street within 30 days. Failure by the property owner to do the work will result in the Town completing the work with all costs charged to the property owner's tax account.

The Planning Advisory Committee will hold a Public Participation Opportunity on Monday, December 3rd at which time the Committee will consider an application by the property owner of 150 East Victoria for a development agreement to permit the conversion of an existing motel to a 10-unit motel with six apartment units.

Internal Committee Report

Amherst Board of Police Commissioners

November 2018

The Amherst Board of Police Commissioners met on November 21st. Items on the agenda included the Swearing In of Commissioner Vince Byrne, a memo on cannabis and enforcement initiatives underway, an update on the Capital purchase of dispatch consoles, as well as the Chief's report.

Internal Committee Report

Amherst Youth Town Council

November 2018

Amherst Youth Town Council (AYTC) met twice during November, once on November 8th and once on November 22nd. At these meetings we focused our discussions on an upcoming Mental Health Week as well as the Smoke-Free Recreational Places By-Law (C-12).

In regards to the Mental Health Week, we are planning on having a week of awareness during January, the dates are to be decided. The goal of this week is to address issues that were raised during our survey last year, like a concern raised about access to mental health resources. This week will consist of information sessions as well as speakers with our focus being to bring awareness to mental health in Amherst and to reduce some of the stigma behind it.

Our conversations around the Smoke-Free Recreational Places By-Law was also sparked by the survey we conducted last year. In both of these meetings we looked at said by-law to see if there could be any improvements or changes. What we found was that the by-law was too vague and outdated on many of its terms. An example is how the by-law defines smoking, the by-law just includes lighting tobacco as smoking but we believe that cannabis, which we do know Council has considered, as well as e-cigarettes and vapes should be included in this by-law as well. We also had concerns about where smoking is not permitted. We do know that playgrounds are smoke-free but the by-law also says any outdoor properties maintained by the Town would be smoke-free which led us to question if sidewalks were included in that. By the end of the meeting we decided on three recommendations for Council. Including the extension of the definition of smoking the AYTC also would like to suggest to Council to extend the by-law to create a smoke-free area between the TD Canada Trust Bank and the Lawtons Drugs on Victoria Street, excluding all side streets. As well, we suggest that the Council should consider revisiting what is defined in the by-law as areas which are smoke-free in Amherst.

At our meetings this month we also discussed alternative penalties for anyone who violates by-laws which would include community service but the AYTC is still in discussions about exactly what we are looking to do with that.

Finally, the AYTC also participated in many of the holiday events this past month including the Christmas Parade, Light-Up and Boston Tree.

External Committee Report

Cumberland Public Libraries

November 2018

Financial Report

Ms. Corey provided Board members with copies of the Revenues and Expenditures for the Library and provided highlights

Provincial Appointees

Dale Fawthrop and Jane Wood, the Board's Provincial appointees, were advised that their terms would expire the end of November. Ms. Wood will not be resubmitting her name. Applications for new board members will be accepted until November 19th. Provincial appointees are chosen by the Executive Council Office in conjunction with the Department of Communities, Culture and Heritage.

Funding Review Update

The Board is still awaiting an announcement from the Department of Communities, Culture and Heritage about the current Funding Review. Ms. Corey spoke with Minister Glavine during the Nova Scotia Library Association conference in September and he indicated libraries would be happy.

Statistics

During the month of September, Cumberland Public Libraries signed out 8,500 items, 4,117 items in Amherst alone. This includes books, movies, TV shows, magazines and more.

Also in September, the Four Fathers Library held 15 programs for children and adults, with 293 people in attendance.

During the month of September there were 3769 visits to the Four Fathers Library.

The next Board meeting is scheduled for February 7, 2019.

External Committee Report

YMCA Report

November 2018

Board Members were given an interesting YMCA Facility Tour by Mark McIntyre, explaining the new pool tanking systems and various other equipment needed to fully operate the YMCA.

Membership:

- Total member numbers are: 995
Subsidized Members are: 166
- A comparison of this year to 2018 was completed on day passes/punch passes and compared with this year and 2017 to see where we were for those two options since they do not count in the member numbers. These numbers were shared with the board.

Child Care:

Numbers continue to exceed or be at budgeted levels for enrollments.

- Oxford school re-opened on Tuesday November 6, 2018 and the Afterschool program also began that day as well. (6 children).
- The afterschool flyer has been sent to the home and school for Oxford and the web site for the school to advertise the pre- primary as YMCA is now allow to accept the pre-primary children into the program.
- Pugwash afterschool update, still no teacher hired as they cannot find a level 2 teacher. The job was posted again.
- Friday Night Fun started on Friday, October 5, participation numbers are going well.

Ages 5-8 year olds – average of 42 each night, Ages 9-14 year olds – average of 34 each night

Fitness:

- Paint Nights, Line Dancing and Pickleball continue to have regular high attendance.
- Preliminary planning for youth STEM (Science, Technology, Engineering and Mathematics). This is a workshop / program that SuperNova (Dal U) is offering to community groups / organizations). Cooking workshops also underway for the new year.

Donations and Fundraising:

- Run: On Saturday, November 3, 2018, the Trider's Trail Run took place with 96 runners and 107 registered. The event will have a net profit of approximately \$2,600. The run had positive feedback from participants and we look forward to adding this event to our annual fundraisers. Peace Week: Peace Week took place November 17-24, 2018. Well-deserved Peace Medallions were presented to Paul Cormier and Andrew Wallis.

External Committee Report

Cumberland Joint Services Management Authority

November 2018

The CJSMA Board of Directors met November 22, 2018. A summary of the meeting follows:

1. The All Saints Anglican Church in Springhill has requested a discount on tipping fees for their pending demolition of the Church. The Board has granted a 25% discount on tipping fees by way of motion.
2. The Board discussed options for the long term handling and processing of recyclable materials. Board members will be given a detailed report on options by December 14, 2018, for discussion at future council meetings and/or a joint council meeting.

CJSMA staff are available to attend a future council meeting(s) upon request.

3. The CJSMA Source Separation Policy was amended to support the switch to dual stream recycling effective December 1, 2018

Next Meeting is scheduled for January 24, 2019 at Amherst Town Hall.

External Committee Report

Tourism Strategic Planning Committee

November 2018

Since my last report the Committee had a special meeting with Tourism Nova Scotia, who did a presentation on Tourism Nova Scotia Information & Opportunities. This gave an overview of the steps taken to encourage tourism, and what is being offered in this area.

The Committee reached out to the different communities to take part in the stakeholder engagement session. These sessions were attended by Industry stakeholders, Municipal staff, Councillors and Committee members. There were six engagement sessions held and topics of discussion included:

- Vision for tourism
- Current tourism strengths in the region
- Current gaps in the regions tourism product offerings
- Potential areas for tourism growth in the region
- Tourism concerns

After the engagement sessions were held the reports were compiled into a stakeholder engagement SWOT Summary Report:

- Strengths – 10
- Weaknesses -11
- Opportunities -14
- Threats – 10

With this information we will now move on to establish a Vision Statement and develop goals and objectives.

External Committee Report

Cumberland Senior Safety Report

November 2018

Cumberland Senior Safety Society met in the CANSA Boardroom on November 6, 2018.

Highlights from the Coordinator's report included:

1. 5 Week Senior Academy was held October 10th to November 7th with 30 people in attendance
2. Program, Services and Rebates expo was held at the Cumberland YMCA in Amherst with 30 people in attendance. Another expo was held November 14th in the County.
3. During September and October 20 one-on-one consultations were held on various subject matters.
4. Between May and August there were 10 home visits conducted. These visits were primarily to render assistance with application for miscellaneous services and forms.
5. Participation in Pumpkins for Poverty Campaign.
6. Participation and Community Awareness in the annual Coats for Cumberland Campaign.
7. Attendance at regular meetings and participation in committee meetings of various community organizations.