



Town of Amherst
Regular Council Meeting
Agenda

Date: **June 28, 2021**
Time: **6:00 pm**
Location: **Zoom Virtual Meeting**

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1. CALL TO ORDER	
2. TERRITORIAL ACKNOWLEDGMENT	
"We [I] would like to begin by acknowledging that the land on which we gather is the traditional unceded territory of the Mi'kmaw Peoples."	
3. APPROVAL OF AGENDA/MINUTES	
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**Amherst Town Council
Special Meeting
Minutes**

Date: May 3, 2021
Time: 6:00 pm
Location: Zoom Virtual Meeting

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

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

Due to the COVID-19 pandemic this was a virtual meeting held via Zoom.

1. CALL TO ORDER

Mayor Kogon called the meeting to order.

2. REQUEST FOR DECISION

2.1 Youth Center Funding

Moved By Councillor Landry

Seconded By Councillor Emery

That Council approve the Memorandum of Understanding as presented between the Town of Amherst and Maggie's Place, and further authorize the Mayor and Interim CAO to sign it on the Town's behalf.

Motion Carried

3. ADJOURNMENT

Moved By Councillor Landry

Seconded By Councillor Emery

To adjourn the meeting.

Motion Carried

Kimberlee Jones
Town Clerk

David Kogon, MD
Mayor

**Town of Amherst
Public Hearing
Minutes**

Date: May 19, 2021
Time: 5:00 pm
Location: Zoom Virtual Meeting

Members Present Mayor David Kogon
Deputy Mayor Hal Davidson
Councillor George Baker
Councillor Sheila Christie
Councillor Dale Fawthrop
Councillor Leon Landry

Members Absent Councillor Lisa Emery

Staff Present Jason MacDonald, Interim CAO
Andrew Fisher, Manager of Planning & Strategic Initiatives
Kim Jones, Municipal Clerk
Natalie LeBlanc, Deputy Clerk

Others Present: Andrew Cameron, Ocean Breeze Estates, Applicant
Laura Paugh, Resident
Chris Sharpe, Resident

Due to the COVID-19 pandemic this was a virtual hearing held via Zoom.

1. Call to Order

Mayor Kogon called the Public Hearing to order.

2. Development Agreement - Lot 19-3B

2.1 Staff Report

Mr. Fisher reviewed the staff report as included in the agenda package.

2.2 Council Questions/Comments

Councillor Baker asked if there will be garages attached to the dwellings, to which Mr. Fisher replied no. He further asked if the developer was the owner of all the units, to which Mr. Fisher replied yes all but one.

Mayor Kogon asked if the units will be sold or will they be rentals. Mr. Fisher replied he did not believe it was the developer's intent to condominize the units.

2.3 Owner Questions/Comments

The owner thanked the Town for all of their assistance with the development, and invited any questions to which there were none.

2.4 Public Questions/Comments

There were no questions or concerns from the public.

3. Adjournment

There being nothing further the meeting was adjourned.

Kimberlee Jones, Municipal Clerk

David Kogon, MD
Mayor

**TOWN OF AMHERST
Regular Council Meeting**

Minutes

Date: May 25, 2021
Time: 6:00 pm
Location: Zoom Virtual Meeting

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

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

Due to the COVID-19 pandemic this was a virtual meeting held via Zoom.

1. CALL TO ORDER

Mayor Kogon called the meeting to order at 6:00 p.m.

2. TERRITORIAL ACKNOWLEDGMENT

Mayor Kogon gave the Territorial Acknowledgment.

3. APPROVAL OF AGENDA/MINUTES

3.1 Approval of the Agenda

Moved By Councillor Emery
Seconded By Councillor Christie
To approve the agenda as circulated.

Motion Carried

3.2 Approval of Minutes

Moved By Councillor Fawthrop
Seconded By Councillor Baker
To approve the minutes of the April 26, 2021 regular meeting of Council as circulated.

Motion Carried

4. REQUESTS FOR DECISION

4.1 Proceedings of Council Policy Amendment

Moved By Deputy Mayor Davidson
Seconded By Councillor Christie
That Council approve the amendments to the Proceedings of Council Policy.

Motion Carried

4.2 'A' Fresh Start

Councillor Emery declared a conflict of interest due to her involvement with the Cumberland Museum Society.

Moved By Councillor Christie

Seconded By Councillor Landry

That Council approve of the following 5 applications to proceed through the A Fresh Start program and submit a video presentation for consideration; Amherst Little League Baseball, Bridge Adult Service Centre, Cumberland Museum Society, Fundy Winds Marsh, Lillian Allbon Animal Shelter.

Motion Carried

4.3 Lot 19-3B Development Agreement Second Reading

Let the minutes show that Councillor Emery did not vote on this item as she was not in attendance at the public hearing.

Moved By Councillor Landry

Seconded By Councillor Christie

That Council give second and final reading of the proposed Development Agreement for Lot 19-3B.

Motion Carried

4.4 Development Agreement Discharge 8 Croft Street

Moved By Councillor Emery

Seconded By Deputy Mayor Davidson

That the request to discharge the 1991 development agreement for 8 Croft Street be approved by Council.

Motion Carried

4.5 New Subdivision Streets - Alternative to Complete Construction Draft Policy

Moved By Councillor Fawthrop

Seconded By Councillor Baker

That Council approve the policy to allow final subdivision approval prior to installation by the developer of an asphalt driving surface, subject to entering into an agreement and providing a performance surety.

Motion Carried

5. INTERNAL COMMITTEE REPORTS

5.1 Planning Advisory Committee - No Report

5.2 Amherst Board of Police Commissioners - No Report

5.3 Audit Committee - No Report

5.4 Amherst Youth Town Council - No Report

6. EXTERNAL COMMITTEE REPORTS

6.1 Cumberland Public Libraries - Fawthrop

Information item; no direction given or action required.

6.2 Cumberland YMCA - Fawthrop

Information item; no direction given or action required.

6.3 Cumberland Joint Services Management Authority - Emery

Information item; no direction given or action required.

6.4 Northern Region Solid Waste Committee - Baker

Information item; no direction given or action required.

6.5 L. A. Animal Shelter - Fawthrop

Information item; no direction given or action required.

6.6 Senior Safety - Emery

Information item; no direction given or action required.

6.7 Inter Municipal Tourism - No Report

6.8 Poverty Reduction - No Report

7. ADJOURNMENT

Moved By Councillor Baker

Seconded By Councillor Landry

To adjourn the meeting.

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon
Mayor

**Amherst Town Council
Special Meeting
Minutes**

Date: June 7, 2021
Time: 5:00 pm
Location: Zoom Virtual Meeting

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

Staff Present Jason MacDonald, Interim CAO
Michael Hunter, Chief Financial Officer
Dwayne Pike, Police Chief
Greg Jones, Fire Chief
Andrew Fisher, Manager of Planning & Strategic Initiatives
Sarah Wilson, Senior Accountant
Cheryl Laliberte, Community Well-Being Manager
Aaron Bourgeois, Operations Manager
Tom McCoag, Corporate Communications Officer
Kim Jones, Municipal Clerk
Natalie LeBlanc, Deputy Clerk

Due to the COVID-19 pandemic this was a virtual meeting held via Zoom.

1. CALL TO ORDER

Mayor Kogon called the meeting to order.

1.1 Interim CAO's Comments

The Interim CAO gave his budget comments.

1.2 Mayor's Comments

The Mayor gave his budget comments.

2. BUDGET RESOLUTIONS

2.1 Estimates of Revenues and Expenditures

Moved By Councillor Baker

Seconded By Councillor Fawthrop

THAT Council accepts the following estimates of the sums required by the Town of Amherst for the fiscal period ending March 31, 2022, prepared in accordance with Section 72 of the *Municipal Government Act*:

Revenues	
Taxes	\$ 13,789,966
Grants in Lieu of Taxes	290,610
Services Provided to Other Local Gov't	197,891
Sale of Services	1,469,374
Other Revenue from Own Sources	699,147
Unconditional Transfer	1,260,382
Conditional Transfers	338,200
Other Transfers	547,340
Total Revenues	\$ 18,592,910

Expenditures	
Corporate Services	\$ 2,643,339
Police	4,554,907
Fire	1,829,540
Economic Development	234,303
Recreation Facilities	1,457,339
Community Well Being	463,726
Operations	2,455,701
Planning	118,734
Strategic	200,000
Environmental Stewardship	46,987
Sewage	1,247,429
Solid Waste	591,795
Mandatory Provincial Support Area Rate	2,167,470
Community Support Area Rate	581,640
Total Expenditures	\$ 18,592,910

Motion Carried

2.2 General Tax Rate

Moved By Councillor Christie

Seconded By Councillor Landry

THEREFORE BE IT RESOLVED THAT for the Town of Amherst for the fiscal year ending March 31, 2022:

1. The general tax rates are as follows:

Residential / Resource	\$1.197 per \$100 of assessment
Commercial	\$3.997 per \$100 of assessment

AND THAT these taxes are due and payable on September 30, 2021 with interest to be charged on all final tax accounts outstanding on or after October 1, 2021 at the rate of 1% per month, 12% per annum.

Motion Carried

2.3 Area Rate - Community Support

Moved By Councillor Emery

Seconded By Deputy Mayor Davidson

WHEREAS the estimated expenditures for the community support for the 2021-22 fiscal period are \$382,160, net of own source funding in the amount of \$199,480.

THEREFORE BE IT RESOLVED THAT for the Town of Amherst for the fiscal year ending March 31, 2022, the Community Support Area Rate on all property assessments within the boundary of the Town of Amherst are as follows:

Residential / Resource	\$0.071 per \$100 of assessment
Commercial	\$0.071 per \$100 of assessment

AND THAT these area rates are due and payable on September 30, 2021 with interest to be charged on all final tax accounts outstanding on or after October 1, 2021 at the rate of 1% per month, 12% per annum.

Motion Carried

2.4 Community Support Grants - Grants to Organizations

Councillor Emery declared a conflict of interest due to her involvement with a number of the organizations.

Moved By Councillor Fawthrop

Seconded By Councillor Baker

That Council approves funding in the amount of \$103,325 under the Community Support Grants Policy as follows:

<u>Organization</u>	<u>Amount</u>
Amherst Little League Baseball Assoc.	\$ 1,500
Amherst Little League T-Ball Baseball	500
Autumn House	10,000
Cumberland County Museum	4,000
Cumberland Early Intervention Program	500
Seniors Safety Program	6,500
Sexual Health Centre for Cumberland	4,000
Multicultural Association of Cumberland	1,600
Fire Fit	5,000
Amherst Terry Fox Run	475
Amherst Little League Baseball Assoc. - field upgrades	5,000
Fundy Winds Marsh	4,000
Food Assistance Network	2,000
Eat Local Cumberland	1,000
After the School Bell Food Program	3,500
Maggie's Place - Youth Centre	33,750
NSCC	20,000
	\$ 103,325

* All grants are issued in accordance with the Community Support Grants Policy.

Motion Carried

2.5 Sanitary Sewer Rates

Moved By Councillor Landry

Seconded By Councillor Baker

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

THEREFORE BE IT RESOLVED THAT owners shall be billed for sewer services using one of the following methods effective April 1, 2021:

- **Metered Customers**

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

- **Residential: \$0.99 per cu. meter of metered water consumption as determined by the Amherst Water Utility;**

- **Commercial/Industrial/Institutional: \$0.49 per cu. meter of metered water consumption as determined by the Amherst Water Utility.**

- **Base Charges**

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

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

- **Non-Metered Customers**

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

Motion Carried

2.6 **Wastewater Treatment Facility Uniform Charge**

Moved By Deputy Mayor Davidson

Seconded By Councillor Landry

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2022, an amount to be raised for a portion of the debenture principal and interest payments for the wastewater treatment facility, a purpose for which the Town may expend funds; and

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

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

THEREFORE BE IT RESOLVED that a uniform charge of \$72.00 be levied for the fiscal year ending March 31, 2022 on each unmetered mobile home within a land leased community within the boundaries of the Town of Amherst, and that these uniform charges are due and payable on September 30, 2021 with interest to be charged on all final tax accounts outstanding on or after October 1, 2021 at the rate of 1% per month, 12% per annum.

Motion Carried

2.7 **Solid Waste Management Uniform Charge**

Moved By Councillor Baker

Seconded By Councillor Fawthrop

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2022, the amount of \$591,795 to be expended for the purpose of solid waste management, a purpose for which the Town may expend funds; and

WHEREAS \$591,495 is funded from the Solid Waste Management Uniform Charge; and

WHEREAS the Town collects solid waste from the approximately 3,197 residential premises with less than four dwelling units within the town; and

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

THEREFORE BE IT RESOLVED that a uniform charge of \$185.00 be levied for the fiscal year ending March 31, 2022 on each residential property within the boundaries of the Town of Amherst with less than four such dwelling units, and that these uniform charges are due and payable on September 30, 2021 with interest to be charged on all final tax accounts outstanding on or after October 1, 2021 at the rate of 1% per month, 12% per annum.

Motion Carried

2.8 Operating Budget - Water Utility

Moved By Councillor Christie

Seconded By Councillor Emery

That Council approves the 2021-2022 Amherst Water Utility Operating Budget of \$2,276,099 as presented.

Motion Carried

3. REQUEST FOR DECISION

3.1 General Borrowing Resolution

Moved By Councillor Emery

Seconded By Councillor Landry

That Council approves a general borrowing resolution in authorizing a line of credit in the amount of \$7.7 million with the Royal Bank of Canada to meet the current expenditures of the Town of Amherst for the year ending March 31, 2022.

Motion Carried

3.2 Salary Administration Policy

Moved By Councillor Fawthrop

Seconded By Deputy Mayor Davidson

That the Salary Administration Policy #4530-01 be amended as recommended, namely to add the position of Dangerous and Unsightly Premises Administrator and the position of Crime Prevention Coordinator (which is to be a 2-year term/pilot project).

Motion Carried

3.3 Capital Budget Amendment

Moved By Councillor Landry

Seconded By Councillor Christie

That Council approve of the addition of \$580,000 to the Capital Budget for the year ended March 31, 2022 for the following projects:

• North Adelaide Pulverize and Pave	\$200,000
• Victor Avenue Overlay	\$ 50,000
• Pender Street Overlay	\$ 40,000
• Industrial Park Drive CNR to Southgate	\$100,000
• Fire Station Parking Lot	\$ 80,000
• Central Avenue Overlay	\$ 75,000
• Robbs Basketball Court (Multi-purpose)	<u>\$ 35,000</u>
Total	<u>\$580,000</u>

Motion Carried

4. INFORMATION ITEMS

4.1 2021-22 Operating and Capital Budget Reports

Information item; no direction given or action required.

5. ADJOURNMENT

Moved By Councillor Emery

Seconded By Councillor Landry

To adjourn the meeting.

Motion Carried

Kimberlee Jones
Municipal Clerk

David Kogon, MD
Mayor

SYNOPSIS

Appointment of Chief Administrative Officer

Following the resignation of former CAO Greg Herrett, Council convened a CAO hiring committee consisting of Mayor Kogon, Deputy Mayor Davidson and Councillor Sheila Christie to fill the position.

Following an internal competition and interview process, the committee was pleased to recommend Jason MacDonald for the position.

Jason MacDonald has over 20 years of service to the Town of Amherst, in increasingly responsible roles, including serving as Deputy CAO – Operations for several years. As well, Jason has been serving as Interim CAO since April 2021.

MOTION:

That Council appoint Jason MacDonald as Chief Administrative Officer of the Town of Amherst effective immediately.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Kimberlee Jones, Municipal Clerk

DATE: June 28, 2021

SUBJECT: **Appointment of Chief Administrative Officer**

ORIGIN: The resignation of the former Chief Administrative Officer, Gregory Herrett, created a vacancy in the position of CAO. Interim CAO Jason MacDonald had been appointed Interim CAO at the April 8, 2021, Special Council while a hiring committee started the process of looking for a permanent replacement.

LEGISLATIVE AUTHORITY: MGA Section 28 (1) Subject to subsection (2), the council may employ a person to be the chief administrative officer for the municipality.

RECOMMENDATION: That Council appoint Jason MacDonald as Chief Administrative Officer of the Town of Amherst effective immediately.

BACKGROUND: Following the resignation of former CAO Greg Herrett, Council convened a CAO hiring committee consisting of Mayor Kogon, Deputy Mayor Davidson and Councillor Sheila Christie.

Following the process that was employed for the Chief of Police recruitment in 2018, it was decided to follow the similar process. The first step was an internal competition, including an interview, background check, where Jason MacDonald showed to be a suitable candidate.

Interim CAO Jason MacDonald has over 20 years of service, in increasingly responsible roles, with the Town of Amherst, including most recently Deputy CAO - Operations.

DISCUSSION: Council accepted the recommendation of the committee and authorized the committee to commence the process of negotiating a contract with Jason MacDonald. Further to a review of market value for similar positions in the province, the salary for Mr. MacDonald will be \$135,000 per year.

FINANCIAL IMPLICATIONS: There is no negative impact as CAO compensation is already included in the Town's approved operating budget

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications with respect to this appointment.



ENVIRONMENTAL IMPLICATIONS: There are no environmental implications with respect to this appointment.

COMMUNITY ENGAGEMENT: As a Human Resource issue, community engagement is not part of this process

ALTERNATIVES:

ATTACHMENTS:

Report prepared by: Kimberlee Jones, Municipal Clerk
Report and Financial approved by:

SYNOPSIS

July 1st

Out of respect for Indigenous Communities across our great nation and all Canadians who are grieving at this time, the Town of Amherst has decided that the time is not right to hold Canada Day celebrations. Rather we would encourage all residents to reflect on what has taken place across our country and how we can all move forward in a spirit of peace, truth and reconciliation. Canada was, is and will remain a great nation with much to be proud of and much to celebrate. The Town of Amherst is committed to working with our Indigenous peoples and all members and groups of our community to ensure that everyone can live in a peaceful, respectful, equitable manner and are able to reach their full potential.

By respectfully working together, we can ensure the strengths that make Canada the great nation it is are available to all of its citizens

MOTION: In support of our Indigenous communities, and out of respect for the grief they are feeling in the wake of the Residential School tragedy, we will pause our traditional July 1st events and instead support a day of quiet reflection.

And further that staff be directed to begin a discussion with the local indigenous community regarding a commemorative plaque or other type of appropriate recognition for the children lost.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Jason MacDonald, Chief Administrative Officer

DATE: June 28, 2021

SUBJECT: *July 1st*

ORIGIN: Events surrounding the tragic discoveries of former residential school properties

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

RECOMMENDATION: In support of our Indigenous communities, and out of respect for the grief they are feeling in the wake of the Residential School tragedy, we will pause our traditional July 1st events and instead support a day of quiet reflection.

And further that staff be directed to begin a discussion with the local indigenous community regarding a commemorative plaque or other type of appropriate recognition for the children lost.

BACKGROUND: As the depth of the horrible Residential Schools tragedy unfolds, many Canadian communities have decided that this year they will not proceed with regular July 1st festivities.

DISCUSSION: Due to Covid regulations, this years July 1st plans were all virtual, with no in-person gatherings. As such it was a much more low key event than in the past.

Instead, we will support a day of quiet reflection and would encourage all residents to reflect on what has taken place across our country and how we can all move forward in a spirit of peace, truth and reconciliation.

Canada was, is and will remain a great nation with much to be proud of and much to celebrate. And we hope individuals, families and friends will take the opportunity to spend their day together honoring the values of truth, peace and reconciliation.

FINANCIAL IMPLICATIONS: There were some upfront costs, however cost is not a factor in this decision.

SOCIAL JUSTICE IMPLICATIONS: Our community stands with our Indigenous peoples in their time of grief



ENVIRONMENTAL IMPLICATIONS: None

COMMUNITY ENGAGEMENT: Media release and social media updates

ALTERNATIVES: Proceed with virtual event

ATTACHMENTS:

Report prepared by:

Report and Financial approved by:

SYNOPSIS

'A' Fresh Start

"A" Fresh Start is a program offering grants to encourage new events and activities. Twice per year a sum of \$17,500 is available through an application and presentation process. In order to qualify the presentation, ideas must be for creative, new events or initiatives or ones enhance current programs.

At the May 25, 2021 meeting Council chose 5 finalists to submit video pitches for a share of the \$17,500 available in this round of A Fresh Start. The videos submitted were shared to our social media accounts and the public were invited to vote for their favorite. Voting was set up in a ranked system where you voted for your first choice, second choice etc.

The rankings are just one factor Council may consider when determining how to distribute the allotted funding. The total amount requested from the Top 5 totalled \$22,335.

There were 506 online votes, and no in person paper ballots cast. The ranking results of the public vote are as follows:

1 st place: Amherst Little League Baseball	1711 points
2 nd place: Bridge Adult Service Centre	1561 points
3 rd place: Cumberland Museum Society	1535 points
4 th place: Lillian Albon Animal Shelter	1428 points
5 th place: Fundy Winds Marsh	1355 points

MOTION:

That Council grant awards to the five finalists of the 'A' Fresh Start Program as follows:

Amherst Little League - 100% of request	\$ 5,000
Bridge Adult Service Center - 100% of request -	\$ 825
Cumberland Museum Society - 90% of request -	\$ 3,600
Lillian Albon Animal Shelter - 75% of request -	\$ 3,000
Fundy Winds Marsh - 60% of request -	<u>\$ 5,106</u>
for a total of	\$17,531

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Cheryl Laliberté, Community Well-Being Manager

DATE: June 28, 2021

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

ORIGIN: The 'A' Fresh Start Initiative – Community Support Grant happens twice a year, pursuant to Policy 72000-08. In order to qualify the presentation, idea, or use of the money must be for creative, new events or initiatives or that enhance current services or programs.

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

RECOMMENDATION: That Council forward the following grant awards to the five finalists of the 'A' Fresh Start Program to the June 28, 2021 regular Council meeting for approval.

Amherst Little League - 100% of request -	\$ 5,000
Bridge Adult Service Center - 100% of request -	\$ 825
Cumberland Museum Society - 90% of request -	\$ 3,600
Lillian Albon Animal Shelter - 75% of request -	\$ 3,000
Fundy Winds Marsh - 60% of request -	<u>\$ 5,106</u>
for a total of	\$17,531

BACKGROUND: At the May 25, 2021 meeting Council chose 5 finalists to submit video pitches for a share of the \$17,500 available in this round of A Fresh Start. The videos submitted were shared to our social media accounts and the public were invited to vote for their favorite. Voting was set up in a ranked system where you voted for your first choice, second choice etc. The rankings are just one factor Council may consider when determining how to distribute the allotted funding. However, it should be noted that Council makes the final decision on all A Fresh Start grants.

DISCUSSION: There were 506 online votes, and no in person paper ballots cast. The ranking results of the public vote are as follows:

1 st place: Amherst Little League Baseball	1711 points
2 nd place: Bridge Adult Service Centre	1561 points
3 rd place: Cumberland Museum Society	1535 points
4 th place: Lillian Albon Animal Shelter	1428 points
5 th place: Fundy Winds Marsh	1355 points



Council may also consider the quality of the application and presentation, creativity, impact on the community, etc.

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

COMMUNITY ENGAGEMENT: Amherst residents were able to vote either online or in-person.

ENVIRONMENTAL IMPLICATIONS: There are no environment implications.

ALTERNATIVES: Council has the final say on those rankings and the amounts given to the grant recipients.

ATTACHMENTS:

1. Community Support Grants Policy, 72000-08

Report prepared by: Cheryl Laliberté

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: **COMMUNITY SUPPORT GRANTS POLICY**

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

POLICY STATEMENT

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

POLICY OBJECTIVES

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

EXCLUSIONS

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

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

ALLOCATION OF FUNDS

5. Council is not obligated to:

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

SPECIAL CONSIDERATION

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

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

LIMITATIONS

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

PROGRAMS

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

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

- b) Sport and Physical Activity Grants and Assistance

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

- c) Festivals and Events Grants

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

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

APPLICATION PROCESS

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

APPROVAL PROCESS

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

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

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

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

AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

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

PAYMENT PROCESS

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

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

CONDITIONS

15. Grant recipients shall:

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

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

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

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

PUBLIC DISCLOSURE

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

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

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

(1) Applications

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

(2) Qualifying applications

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

(3) Selection Process

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

(4) Presentations

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

(5) Decision making

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

(c) Awards

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

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

Date: _____

REQUEST FOR FINANCIAL SUPPORT

1. ORGANIZATION INFORMATION:

Name of Organization: _____

Full Mailing Address: _____

Contact Person: _____

Email Address: _____

Telephone: _____

2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED \$ _____

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

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

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

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

NAME	FUNDING IF ANY

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



SYNOPSIS

Amherst Youth Town Council Appointments

Every year in accordance with the Youth Town Council Policy the Town seeks applications for membership on the AYTC. The AYTC policy allows for up to 12 members; two of which may be County residents. Returning members, having served at least one term on the Youth Council already are:

Serah Quinn, Olivia Pulsifer, Kennedy Allen, Aurelia Mitchell

This year, 7 students submitted applications to serve on the Council, with 1 applicant who was a previous member, who resides outside Amherst. There will be a total of 11 students serving. Applications have been evaluated and interviews have been conducted, resulting in the recommendation that the students listed below be appointed to the Youth Council for the 2021/2022 school year.

MOTION:

That Council reappoint the following Amherst Youth Town Council member to serve the second year of the two-year term:

Rowan Blanch Grade 10 County Resident

That Council appoint the following Amherst Youth Town Council new members:

Alexis Landry	Grade 7	Town Resident
Kendaylynn Brown	Grade 7	Town Resident
Leah Brunt	Grade 8	Town Resident
Madeleine Davage	Grade 8	Town Resident
Hallee Humphrey	Grade 9	Town Resident
Oskar Sigtryggsson	Grade 10	Town Resident

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Cheryl Laliberté, Community Well-Being Manager

DATE: June 28, 2021

SUBJECT: Appointments to Amherst Youth Town Council

ORIGIN: Annual appointment of members to the Amherst Youth Town Council

LEGISLATIVE AUTHORITY: Amherst Youth Town Council Policy, #10350-21

RECOMMENDATION: That Council reappoint the following Amherst Youth Town Council members to serve the second year of the two-year term:

Rowan Blanch Grade 10 County Resident

That Council appoint the following Amherst Youth Town Council new members:

Alexis Landry	Grade 7	Town Resident
Kendaylynn Brown	Grade 7	Town Resident
Leah Brunt	Grade 8	Town Resident
Madeleine Davage	Grade 8	Town Resident
Hallee Humphrey	Grade 9	Town Resident
Oskar Sigtryggsson	Grade 10	Town Resident

BACKGROUND: In accordance with the Youth Council Policy, there is an ability to accept up to 12 members; up to two of the members may be County residents. This year, 7 students expressed interest in serving in this capacity, with 1 applicant who was a previous member, residing outside Amherst. There will be a total of 11 students serving. Applications have been evaluated and interviews have been conducted, resulting in the recommendation that the students listed above be appointed to the Youth Council for the 2021/2022 school year:

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

Returning members, having served at least one term on the Youth Council already are:

Serah Quinn
Olivia Pulsifer
Kennedy Allen
Aurelia Mitchell



FINANCIAL IMPLICATIONS: The expenses associated with this committee are accounted for in the Community Well Being operating budget for the current fiscal year.

COMMUNITY ENGAGEMENT: Expressions of interest were solicited throughout the E. B. Chandler Junior High School, the Amherst Regional High School, and social media. An online application was also implemented this year.

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

ALTERNATIVES: These appointments are at Council's discretion; Council may choose to appoint all 7 applicants as suggested, or fewer.

ATTACHMENTS: 10350-21 Amherst Youth Town Council Policy

Report prepared by: Cheryl Laliberté
Report and Financial approved by:

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: Amherst Youth Town Council Policy

Minutes reference date: 25 May, 2010 24 October, 2011 25 November, 2013 23 October, 2017
25 June, 2018 26 April, 2021

PURPOSE:

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

BASIS:

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

ROLE OF COMMITTEE:

1. The Amherst Youth Town Council will identify and bring forward issues which have an impact on the youth of Amherst and, while *indirectly* under the control of the Town of Amherst, may be of sufficient significance to warrant the Town’s consideration or support.
2. The Amherst Youth Town Council shall encourage its members to become more familiar with the workings of local government through education, involvement and participation *in council meetings*.
3. The Amherst Youth Town Council will, through researching issues and presenting constructive solutions, act as a realistic advocate for the youth of our community.
4. The Amherst Youth Town Council will endeavor to participate actively in community events and activities, as well as host events they deem fit, in Amherst, and through this involvement, foster a positive image for all young people.
5. The Amherst Youth Town Council may address, foster discussion, or make recommendations to Town Council on issues that they believe need to be addressed for the benefit of the youth.

MEMBERSHIP:

1. The Council shall appoint members of the Amherst Youth Town Council by resolution.
2. The maximum number of appointees on the Amherst Youth Town Council is 12.
3. Members shall be students attending Amherst schools from grade 7 to 12 with a maximum of three members being county residents.
4. The term for citizen youth appointees shall be two years and members may be reappointed to the committee without limitations. Members who do not complete their two year term may be replaced, with their replacement finishing their term and eligible for reappointment without limitations. Citizen appointee terms shall commence in September of each year.
5. In April of each year, advertisement for expression of interest will be posted using appropriate media to reach youth. Council will appoint members for the new term in June of each year. Members will convene in September of each year.
6. The Town of Amherst is an inclusive and equitable organization. We value inclusivity & diversity in all areas of the workplace, including the Amherst Youth Town Council. We encourage membership from members of groups who are typically underrepresented and with historical and/or current barriers to equity.

MEETINGS:

1. Meetings will be scheduled by the *Junior Mayor*, in consultation with staff and fellow members. Generally, meetings will commence at 3:05pm at an accessible location.
2. The committee will meet bi-monthly or as required. Each month a member of the Amherst Youth Town Council will attend an Amherst Town Council regular meeting.
3. *All meetings are open to the public. If local organizations wish to present to the Amherst Youth Town Council they must previously inform the elected Junior Mayor of their presentation plans.
4. *All members of the Amherst Youth Town Council are required to notify a member of the executive committee if they are to miss a meeting. If two meetings are missed without regrets sent, the committee will discuss attendance improvement for that individual.

SYNOPSIS

Respecting Excessive Noise and Disturbances Bylaw – First Reading

Police routinely receive complaints concerning noise in our community.

A noise by-law can address noise and disturbances within town limits and the current draft addresses issues such as loud parties and music, idling vehicles/use of recreational vehicles, fireworks and any other noise that ‘unreasonably’ disturbs the peace and tranquility of the community. Police will have to use their discretion in determining what is unreasonable, taking into consideration the setting which may include the time of day and other circumstances. Ideally, corroborating evidence will help to determine how police should proceed. The proposed by-law will provide our police force with another avenue to deal with noise issues.

MOTION:

That Council give first reading of the Respecting Excessive Noise and Disturbances By-Law.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Dwayne Pike, Chief of Police

DATE: June 28th, 2021

SUBJECT: Respecting Excessive Noise and Disturbances By-Law First Reading

ORIGIN: December 14, 2020 Committee of the Whole

LEGISLATIVE AUTHORITY: MGA 172(1)(d) A council may make by-laws, for municipal purposes respecting nuisances, activities and things that, in the opinion of council, may be or may cause nuisances, including noise.

RECOMMENDATION: That Council give first reading of the Respecting Excessive Noise and Disturbances By-Law.

BACKGROUND: At the December 14th, 2020 Committee of the Whole meeting, Council was provided with a report in regards to questions about a noise bylaw to address concerns of loud mufflers. As a result of that conversation, my advice was that a noise bylaw would not sufficiently address muffler related complaints, but that Council may wish to discuss considering a bylaw to deal with other noise issues, just as many other municipalities our size and structure have done. As a result, similar by-laws were reviewed and a draft by-law was completed. Council was provided with a copy for any input/ideas/concerns they may have and was also submitted to legal counsel who provided recommendations. The recommendations from legal counsel have been incorporated into the newest draft.

DISCUSSION: Police routinely receive complaints concerning noise in our community. Outside of a bylaw, we have several options that may apply when dealing with noise complaints.

Criminal Code: Section 430(1)(c) of the Criminal Code makes it an offense to interfere with the 'lawful use and enjoyment of property'. In these cases, we have to specify how the behavior or problem interfered with the ability to enjoy property. Charges under the Criminal Code are usually reserved for the more serious of incidents.

Section 175(1) of the Criminal Code deals with 'Causing a disturbance' when the disturbance is at or near a public place. Disturbances can be a result of people fighting, screaming, shouting, swearing, singing, using insulting language or by being under the influence of drugs or alcohol.



Protection of Property Act: The Nova Scotia Protection of Property Act is a provincial statute that deals primarily with property issues such as trespassing. Section 7 of the Act deals with 'disturbing an occupier of premises' by either 'unreasonable' operation (for recreational purposes) of a Motor Vehicle or by disorderly conduct. For these matters, Police can issue a summary offense ticket.

The current draft by-law shares much of the same language and items from other noise by-laws including:

- **General Prohibition Section** that discourages any activity that 'unreasonably' disturbs the peace and tranquility of a neighbourhood. Such activities are listed in Schedule A and are 'presumed' to disturb the peace at all times.
- **Fixed Exemption Section** which covers activities that include any noise that is necessary as a result of emergency response activity (sirens, etc), noise as a result of emergency and essentials repairs or work, construction activities between specific hours that have appropriate permits, parades or similar activities which have been granted permission.
- **Granted Exemptions (by Council):** Council can grant exemption for activities that may normally not be permitted. This can include noise from industrial, commercial or even community activities. To aid in reviewing these requests, this section provides guidance in including what criteria council will use to make decisions on request:
 - Social or economic benefit of the proposed activity to the town;
 - The volume, nature, duration and consistency of the sound or noise from the activity;
 - The proximity and nature of abutting or adjacent land uses
 - Balancing the applicants interests against any negative effect resulting from the proposed exemption;
- **Penalty Section** which defines the fine amount as between \$200 and not exceeding \$2000.00 for each offense. Every new day in which the offense continues is considered a 'new day' in relation to the laying of charges under this by-law.

A noise by-law can address noise and disturbances within town limits and the current draft addresses issues such as loud parties and music, idling vehicles/use of recreational vehicles, fireworks and any other noise that 'unreasonably' disturbs the peace and tranquility of the community. Police will have to use their discretion in determining what is unreasonable, taking into consideration the setting which may include the time of day and other circumstances. Ideally, corroborating evidence will help to determine how police should proceed. Depending on the seriousness of the complaint, police may choose to proceed via another avenue which may include the criminal code or other provincial legislation.

FINANCIAL IMPLICATIONS: None that I am aware of.

SOCIAL JUSTICE IMPLICATIONS: None that I am aware of, with the exception of ensuring that decisions made when applying this by-law are made in a fair and just manner.



AMHERST TOWN COUNCIL

RFD# 2021041

Date: June 28, 2021

ENVIRONMENTAL IMPLICATIONS: Unwanted noise and disturbances can have a negative affect on the environment

COMMUNITY ENGAGEMENT: None at this time.

ALTERNATIVES: Do not send to first reading and rely on other legislation to deal with noises and disturbances in the community.

ATTACHMENTS: Draft Bylaw – “Amherst Noise and Disturbances By-law”

Report prepared by: Dwayne Pike, Chief of Police

Report and Financial approved by:



TOWN OF AMHERST
RESPECTING EXCESSIVE NOISE AND DISTURBANCES

The Town of Amherst under authority of the *Municipal Government Act*, in Section 172(1) (a), (c) and (d) authorizes a council to make by-laws for municipal purposes respecting the health, well-being, safety and protection of persons; persons and activities in public places and places open to the public; and nuisances, including burning, odours and fumes.

Short Title

- 1) This By-law may be cited as By-law #, the “Noise and Disturbances By-law”.

Interpretation

- 2) In this By-law

(a) "**CAO**" means the Chief Administrative Officer of the Town of Amherst;

(b) "**Construction**" includes erection, alteration, repair, dismantling and demolition of structures and includes structural maintenance, hammering, land clearing, moving of earth, rock or felled trees, rock breaking, grading, excavating, the laying of pipe or conduit whether above or below ground level, working with concrete, alteration or installation of any equipment, the structural installation of construction components or materials in any form whatsoever, the placing or removing of any construction related materials and includes any related work, but does not include blasting;

(c) "**Council**" means the Council of the Town of Amherst;

(d) "**Dwelling unit**" means self-contained living quarters fit for occupancy that are accessible from a private entrance, either outside the building or in a common area within the building, that are occupied, or if unoccupied are reasonably fit for occupancy, and that contain kitchen facilities within the unit, and have toilet facilities that are not shared with the occupants of other dwelling units;

"**Dwelling Unit**" also includes the real property upon which the dwelling unit is located as well as the lawns, yards and surrounding areas;

(e) "**Emergency Response Personnel**" includes police, fire departments or brigades, registered emergency service providers, search and rescue personnel, provincial, regional or municipal Emergency Measures Organizations, ambulance or emergency health service providers and includes volunteer or military personnel responding to an apparent conditional of emergency;

(f) **“Fireworks”** means any article containing a combustible or explosive composition or any substance or combination of substances prepared for, capable of, or discharged for the purposes of producing a pyrotechnical display which may or may not be proceeded by, accompanied with, or followed by an explosion, or an explosion without any pyrotechnical display;

(g) **“Municipality”** means the Town of Amherst;

(h) **“Police Officer”** means a member of the Amherst Police Department or a member of the Provincial Police as defined by Police Act, SNS 2004, c 31;

(i) **“Point of Reception”** means any point on the premises of a person where sound originating from other than those premises, is received;

(j) **“Premise”** means a tract of land or property which may include buildings;

(k) **“Occupant(s)”** shall mean anyone who resides at, or has care and control of a dwelling unit;

(l) **“Recreational Vehicle”** means any motor vehicle which is designed to be, or intended to be, used other than on a public highway or on the surface of the water and includes, without limiting the generality of the foregoing all-terrain vehicles, trail bikes and snowmobiles but does not include a motor home or travel trailer for the purposes of this By-Law;

General Prohibition

3.

(a) No person shall engage in any activity that unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood;

(b) Without limiting the generality of subsection (a), the activities listed in Schedule “A” during the prohibited times and places as set out therein are presumed to be activities that unreasonably disturb the peace and tranquility of a neighbourhood;

(c) In the absence of other evidence or by way of corroboration of other evidence, a summary conviction court may infer from the evidence of a peace officer relating to the conduct of a person or person, whether ascertained or not, that a disturbance described in paragraph 3(a) or Schedule “A” of this by-law was caused or occurred.

(d) No occupier of premises or a dwelling unit, or a person who has care of control of a premise or a dwelling unit shall permit any activity that is prohibited by this By-Law.

Fixed Exemptions

4. Except where noted, this by-law does not apply to:

- a) Emergency response personnel engaged in the execution of their emergency response duties;
- b) Persons acting at the request of emergency response personnel during an actual or apparent emergency condition;
- c) Persons involved in the repair of essential services such as electrical power, sewer systems, water distribution, and telephone services;
- d) Construction activities between the hours of 7:00am and 10:00pm for which all necessary permits have been obtained;
- e) Parades, processions or demonstrations for which a permit or permission has been granted by the Municipality or the traffic authority;
- f) Any community or community-group sponsored festival, jubilee, event or activity for which a permit or permission has been granted by the Municipality;
- g) Athletic, recreational or school activities in arenas, playing fields, courts, school grounds and the like between the hours of 7:00am and 12:00am;
- h) The reasonable ringing of a bell or chimes of a church:
- i) Noise relating to industrial or commercial activities that are occurring or located in Industrial or Commercial Zones.

Grant of Exemptions by Council

5. Any person may make application to Council to be granted an exemption from any of the provisions of this by-law with respect to the emission of noise from an industrial, institutional, commercial or community activity for which that person may otherwise be prosecuted. Council, by resolution, may refuse to grant the exemption or may grant the exemption applied for or any exemption of lesser effect. Any exemption so granted shall:
 - a) Specify a time period of not greater than 2 years for which the exemption shall be effective;
 - b) Shall be confirmed in writing by the CAO before becoming effective; and
 - c) Shall include such terms and conditions as Council deems appropriate
6. In deciding whether or not to grant an exemption under section 5 or in determining terms or conditions of the exemption, Council shall give consideration to:
 - a) The social or economic benefit of the proposed activity to the Municipality;

- b) The volume, nature, duration and consistency of noise emission from the proposed activity;
 - c) The proximity and nature of abutting or adjacent land uses;
 - d) The hours of operation of the proposed activity; and
 - e) Any other factor relevant to balancing the interests of the applicant in the proposed activity against the interests of those persons who might be disturbed by the proposed activity.
7. In those cases where an exemption is granted, Council may revoke the exemption if it believes that a breach of same has occurred;
8. Any alleged breach by the applicant of any of the terms and conditions of any exemption granted by Council shall be investigated by Municipality Staff and reported to Council in writing. Council shall determine whether or not a breach has occurred and where it has been determined that a breach has taken place, as much as five (5) days may be allowed for ceasing the activity.

Penalty

9. Every person who violates the provisions of this Part shall be liable to a penalty of not less than Two Hundred Dollars (\$200.00) and not exceeding Two Thousand Dollars (\$2,000.00) for each offence.
10. Every day during which an offence pursuant to section 9 continues is a separate offense.

Schedule "A"

Part 1 – Activities prohibited at all times

Activities that are presumed to unreasonably disturb the peace and tranquillity of a neighbourhood throughout the Municipality, and at all times, where the sound resulting therefrom is audible at a point of reception.

1. The operation of any combustion engine or pneumatic device without an effective exhaust in intake muffling device in good order and in constant operation;
2. The operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to an improperly secured load or equipment or inadequate maintenance;
3. The operation of a motor vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices;
4. The operation of any public address system, television set, radio, disc player, tape deck, phonograph or other electronic sound reproduction or amplification system if the resulting sound is audible beyond the bounds of the property where it is being created
5. The detonation or use of fireworks within the Municipality limits except where an exemption has been granted by Council;
6. Fighting, screaming, shouting that causes any loud and unnecessary noise;
7. The operation of a recreational vehicle within 30 meters of a residence except for the reason of operation for the purpose of parking or storage on one's own property;
8. Persistent barking, calling, whining or the making of any similar persistent noise-making by an animal;
9. The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a residential area unless;
 - a. Weather conditions justify the use of heating or refrigerating powered by the motor or engine for the safety and welfare of the operator, passenger or animals, or the preservation of perishable cargo, and where the vehicle is stationary for purposes of delivery or loading;
 - b. Prevailing low temperatures make longer idling periods necessary immediately after starting the engine

Part 2 – Activities prohibited any day before 7:00am and after 10:00pm

1. The operation outdoors of any power tool for domestic purposes other than snow removal

SYNOPSIS

Solar for Community Buildings Projects

Under the Solar for Community Buildings Program, the Nova Scotia Department of Energy awarded the Town's bids to install solar PV systems on the Fire and Police Stations and sell electricity to Nova Scotia Power through a 20-year power purchase agreement. Due to physical constraints on the roofs of both buildings, alternative ground-mounted locations have been identified at the town's water reservoir site and wastewater treatment facility. The alternative locations will require slightly higher capital costs but will remain well within the projected profitability margins of the projects.

MOTION:

That Council authorize the Mayor and CAO to sign agreements with Thermo Dynamics Ltd. to supply, install and commission two, 48 KW solar PV systems; and further,

That the system to be located on the Fire Station be relocated to a ground-mounted system at the Wastewater Treatment Facility, and the Capital Budget for this project be amended from \$183,414 to \$190,730 plus applicable tax; and further,

That the system to be located on the Police Station be relocated to a ground-mounted system at the town water reservoir property, and the Capital Budget for this project be amended from \$184,537 to \$190,730, plus applicable tax.

TO: Mayor Kogon and Members of Council

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

DATE: June 28, 2021

SUBJECT: Solar for Community Buildings – system relocation

ORIGIN: On April 23, 2019 Council passed the following motion:

That Amherst Town Council direct staff to apply for the Solar for Community Buildings Program for the 2019 application cycle.

LEGISLATIVE AUTHORITY: Municipal Government Act (MGA), section 65A(a) “the municipality may only spend money for municipal purposes if the expenditure is included in the municipality’s...capital budget.”.

RECOMMENDATION: That the following be approved by Council:

1. That the solar project to be located on the roof of the Police Station be relocated to a ground-mounted system at the town water reservoir property at 389 Willow Street, and the Capital Budget for this project be amended from \$184,537 to \$190,730, plus applicable tax.
2. That the system to be located on the roof of the Fire Station be relocated to a ground-mounted system at the Wastewater Treatment Facility, and the Capital Budget for this project be amended from \$183,414 to \$190,730 plus applicable tax.
3. That Council authorizes the Mayor and CAO to enter into the system supply, install and commission agreement with Thermo Dynamics Ltd. for both projects.

BACKGROUND: In September 2019, the Clean Foundation and the NS Department of Energy awarded the Town’s bid to install a solar PV system on the Fire and Police Stations and sell electricity to NSPI through a 20-year Power Purchase Agreement. The Alternative Resource Energy Authority (AREA) in partnership with Thermo Dynamics Ltd. (TDL) developed the bid for the town at no charge. Under the agreement TDL is responsible for the design, installation, and commissioning of the system in conjunction with NSPI. The successful bids are given two years to achieve commercial operation. This deadline is October 2021. The Town does not pay the full contract price until NSPI confirms that the system has achieved operation under the Power Purchase Agreement.



As mentioned, the bids were developed at no financial risk to the town using an established financial formula coupled with basic information about the building, but this did not include a detailed investigation of the building features. This method provided an opportunity to submit bids on multiple buildings and detailed project planning could take place over two years after award. After further investigation of the Fire and Police Stations the presence of natural gas lines on the roof made these locations unacceptable due to safety concerns. AREA did an analysis on other town buildings, but due to unfavorable roof pitch, shading and other factors, their energy production potential would not meet the desired profitability based on the established bid price.

Under the Solar for Community Building Program, a successful bid may be moved to a different location, but the bid price remains the same and the Power Purchase Agreement is reduced from 20 to 18 years. Multiple systems cannot be combined in a single location. Ground mounted systems are acceptable.

Working with AREA and TDL, Staff identified the field next to the town's water reservoir tanks, and the open area to the right of the access road leading to the Wastewater Treatment Facility (WWTF) as alternative locations. These locations were reviewed by Public Works and the Water Utility to identify any issues. The attached site plans show the approximate locations of the panels shown in blue. These locations were chosen as both are within 100 metres of a building with 3-phase power, have unobstructed sun exposure, and the chances that the town might need these spaces for a more productive use are low.

Ground-mounted solar panels are mounted on racks that are angled to maximize sun exposure. Another advantage over the roof mounted systems is the elimination of risk to the building's roof system, and the added cost for a roof system analysis by a structural engineer. The main disadvantage of ground mounted systems is the increased installation cost due the trenching for the rack mounts and the main electrical connection.

Attached are the profit projections for the Police and Fire Stations, followed by the ground mounted system. This information is summarized in the chart below. These projections take into account operating and maintenance costs, and include an estimated \$10,000 in connection cost that are subject to NSPI's site specific requirements. Please note that approximately 90% of the Operating costs are for financing at a conservative 3% (current Municipal Finance rate is approx. 1.5%). The town is not financing these projects, but rather is paying for them out of the Operating Stabilization Reserve. The revenue generated will go back into the Reserve until the project is repaid in approximately ten years. After the capital is paid, the revenue is over 90% profit.

	Police	Fire	Ground Mounts
Total AC Power output	48 KW	48 KW	48 KW
Estimated 20-year Output	1,517,583 kWh	1,531,742 kWh	1,423,339
Total Project Cost	\$184,537 + tax	\$183,414 + tax	\$190,730 + tax
Bid Price	22.1 cents/kWh	21.8 cents/KWh	22.1 & 21.8 cents
Total 20-yr revenue	\$335,386	\$333,154	\$314,558
Total 20-yr Operational Costs	\$276,803	\$275,166	\$246,318
Total 20-yr Net Profit	\$58,582	\$57,988	\$68,240
Margin	17.5%	17.4%	21.7%

This arrangement qualifies for alternative procurement as AREA offered the ability to submit bids at no up-front cost to the Town. Furthermore, AREA completed an RFP process and selected TDL as a solar PV system provider based their experience, expected costs, and ability to carry the risk and cost until the commercial operation is approved for multiple projects simultaneously. The combined purchase volume of multiple projects allows for premium equipment at a lower cost. Staff are not aware of any other entity that provide this type of arrangement.

Regarding warranties, the panels and racking have a 25-year warranty, and installation warranties of 2-years. The warranty period varies amongst different components within the system, but its generally 1-2 years. AREA have advised that typically with solar PV systems, any problems as likely to emerge within the first 2 years.

The attached is the agreement with TDL to design, install and commission the system at the water reservoir site. The terms will be identical for the WWTF. The agreement provides that TDL will provide the Town with a detailed project cost update that includes NSPI's interconnection requirements and any other costs. At this point the town will have the option to cancel one or both of projects if the costs exceed the ground mount financial model created by AREA.

DISCUSSION: The Solar for Community Buildings program is a unique opportunity to produce and sell green energy at a profit. The program is not only a solid financial investment but is a way to show leadership in emission reduction and addressing climate change.

FINANCIAL IMPLICATIONS: Capital Costs of \$381,460 + tax (\$190,730 x 2) for both projects to come from the Operating Reserve. The net profit margin range between 21.7% and 34%.

SOCIAL JUSTICE IMPLICATIONS: None specific to this issue.

ENVIRONMENTAL IMPLICATIONS: Adoption of renewable energy reduces GHG emissions.





REQUEST FOR DECISION

RFD# 2021047

Date: June 28, 2021

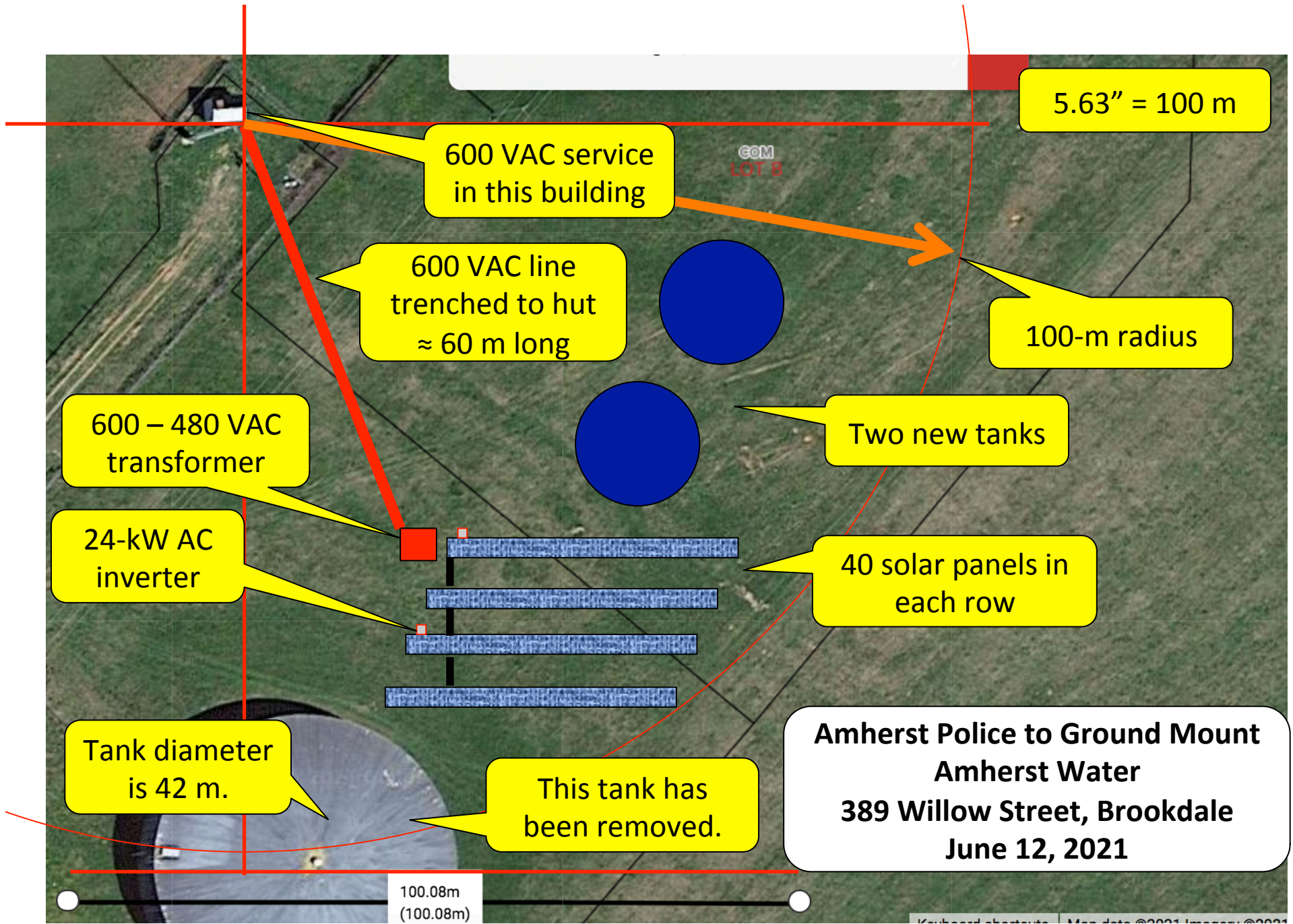
COMMUNITY ENGAGEMENT: While no public engagement has been part of this initiative yet, there may be future educational and promotional opportunities upon installation of the system.

ALTERNATIVES: 1) Do not move forward with one or both of the projects.
2) Direct staff to select a solar PV system installer through the regular procurement process.
3) Direct staff to provide more information.

ATTACHMENTS: 1) Site Plans; 2) Financial Projections; 3) TDL agreement

Report prepared by: Andrew Fisher
Report and Financial approved by:

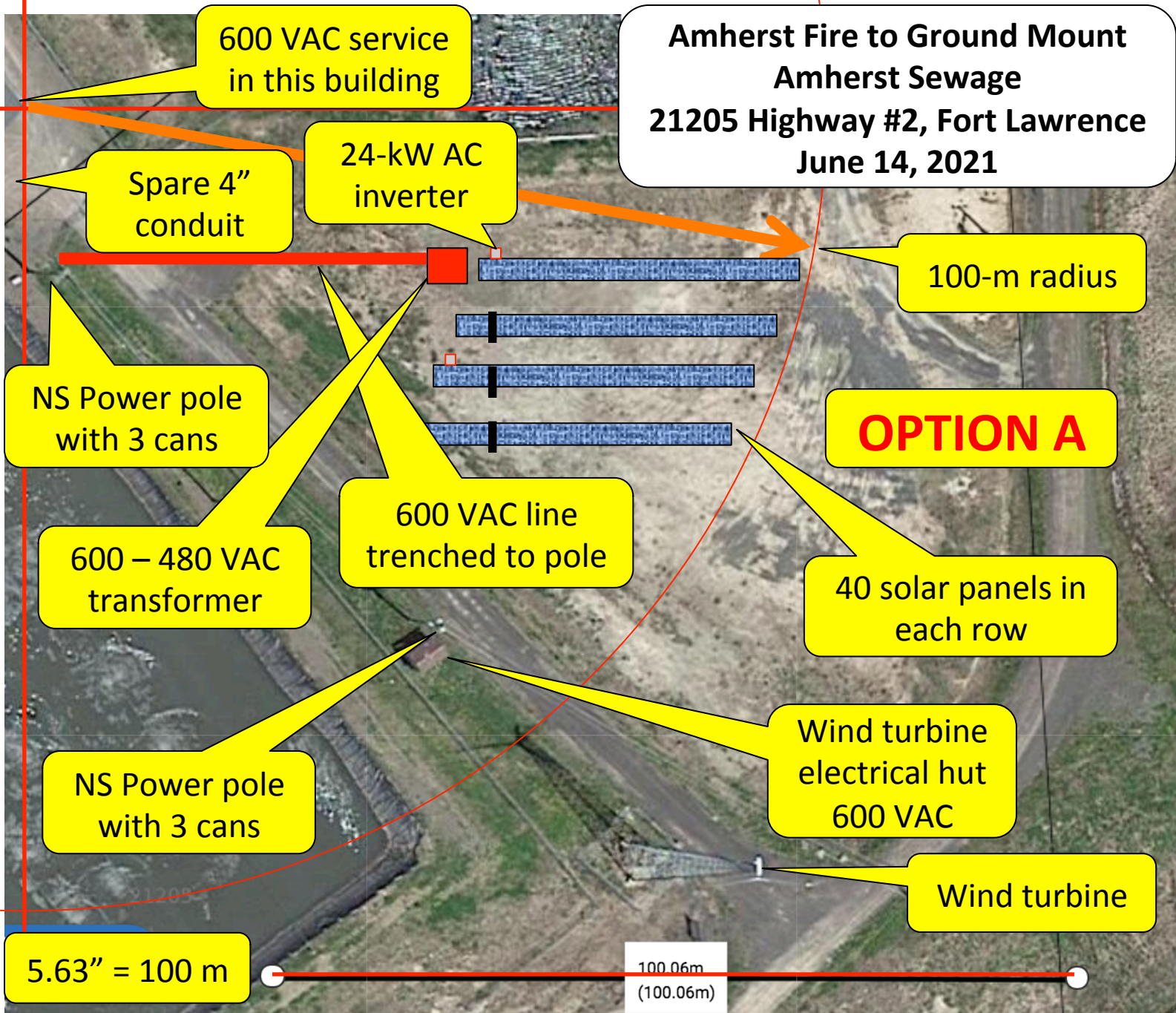




Notes – 389 Willow Street, Brookdale (Amherst)

- 100-amp disconnect is mounted outside on the east side of the building beside the NS Power meter
- #6 AWG runs from the meter to the transfer switch inside
- 225-amp splitter next to the transfer switch
- $48,000 \text{ W AC @ } 600 \text{ VAC} = 46.2 \text{ amps}$

**Amherst Fire to Ground Mount
Amherst Sewage
21205 Highway #2, Fort Lawrence
June 14, 2021**



600 VAC service
in this building

Spare 4"
conduit

24-kW AC
inverter

100-m radius

OPTION A

NS Power pole
with 3 cans

600 – 480 VAC
transformer

600 VAC line
trenched to pole

40 solar panels in
each row

NS Power pole
with 3 cans

Wind turbine
electrical hut
600 VAC

Wind turbine

5.63" = 100 m

100.06m
(100.06m)

**Amherst Fire to Ground Mount
Amherst Sewage
21205 Highway #2, Fort Lawrence
June 14, 2021**

24-kW AC
inverter

100-m radius

OPTION B

600 – 480 VAC
transformer

600 VAC line
trenched to hut

40 solar panels in
each row

NS Power pole
with 3 cans

Wind turbine
electrical hut
600 VAC

Wind turbine

5.63" = 100 m

100.06m
(100.06m)

Notes – 21205 Highway #2, Fort Lawrence (Amherst)

Option A

- IC inside the main building
- As with CoAPW, there is a spare conduit running from the NS Power pole to the main electrical room.
- Spare 20-amp breaker can be replaced with 60-amp breaker in the main electrical panel (busbar rated at 800 amps)

Option B

- IC at the wind turbine hut
- 600 – 480 transformer placed in the field or in the hut.
- Install PV IC equipment in parallel with the wind turbine IC equipment
- Second kWh meter installed beside the existing wind turbine kWh meter

Inflation 2%
MFC Interest Rate 3.0%
Price metric \$ 2.75 per kWp, DC

Bid Price 22.1 cents/kWh
NPV \$53,426.51
NPV as % CAPEX 28.0%

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Total	
Energy Production (kWh)		82960	82503	82046	81589	81131	80674	80217	79760	79303	78846	78389	77932	77474	77017	76560	76103	75646	75189	1423339	
Revenue		\$ 18,334	\$ 18,233	\$ 18,132	\$ 18,031	\$ 17,930	\$ 17,829	\$ 17,728	\$ 17,627	\$ 17,526	\$ 17,425	\$ 17,324	\$ 17,223	\$ 17,122	\$ 17,021	\$ 16,920	\$ 16,819	\$ 16,718	\$ 16,617	\$ 314,558	
O&M		\$ 727	\$ 741	\$ 756	\$ 771	\$ 786	\$ 802	\$ 818	\$ 835	\$ 851	\$ 868	\$ 886	\$ 903	\$ 921	\$ 940	\$ 959	\$ 978	\$ 997	\$ 1,017	\$ 15,557	
Financing		\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 230,761
Operational Costs		\$ 13,547	\$ 13,561	\$ 13,576	\$ 13,591	\$ 13,607	\$ 13,622	\$ 13,638	\$ 13,655	\$ 13,671	\$ 13,688	\$ 13,706	\$ 13,723	\$ 13,742	\$ 13,760	\$ 13,779	\$ 13,798	\$ 13,817	\$ 13,837	\$ 246,318	
Profit		\$ 4,788	\$ 4,672	\$ 4,556	\$ 4,440	\$ 4,324	\$ 4,207	\$ 4,090	\$ 3,972	\$ 3,855	\$ 3,737	\$ 3,618	\$ 3,499	\$ 3,380	\$ 3,261	\$ 3,141	\$ 3,021	\$ 2,900	\$ 2,779	\$ 68,240	

Proposal to Design and Install a Ground-Mounted Photovoltaic System for the Town of Amherst

Prepared for:
 The Town of Amherst (ToA)
 98 Victoria Street East, Amherst, Nova Scotia B4H 1X6

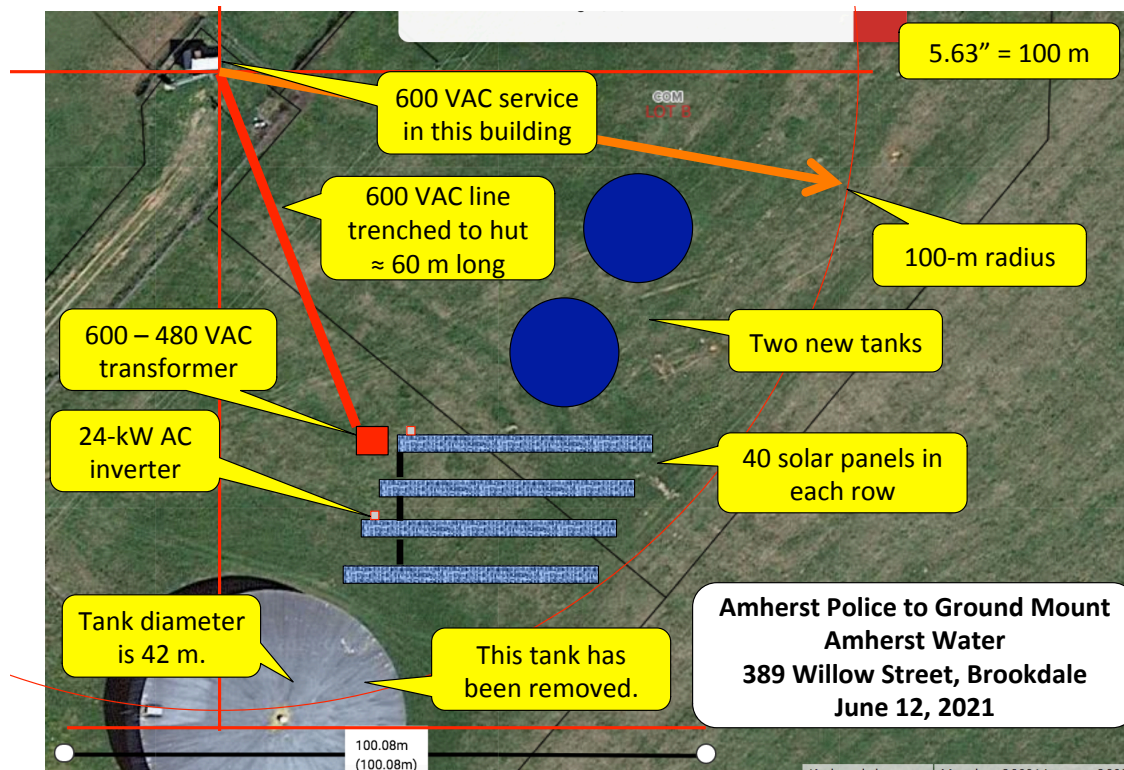
Prepared by:
 Thermo Dynamics Ltd. (TDL)
 101 Frazee Avenue, Dartmouth, Nova Scotia B3B 1Z4
 Tel: (902) 468-1001 Fax: (902) 468-1002
 Contact: Peter Allen

June 15, 2021

Project Description

This proposal replaces the proposals submitted by TDL to install photovoltaic (“PV”) systems TDL on the roof of the Amherst Police Department and the roof of the Amherst Fire Department. This proposal is for a ground-mounted system, of essentially the same kilowatt size, to be installed at the site of the town water facility at 389 Willow Street, Brookdale.

The location is depicted in the satellite photograph shown below.



The above satellite photograph is not a recent photograph. The water tank shown in the photograph in the lower left hand corner has been removed and has been replaced by the two smaller tanks.

The main components of the system are

- (i) one or more inverters, with a total AC power output of 48 kW
- (ii) PV modules with a total rated DC power output of 69 kW
- (iii) the mounting hardware required for the PV modules
- (iv) the electrical wiring on the PV side of the system and on the AC side of the system, excluding the interconnection to the Nova Scotia Power grid.

The estimated output from the PV system is 85,700 kWh (AC) per year. The electricity generated by the PV modules will be fed into the electrical system on the site.

The PV modules will be mounted on the ground facing approximately true south, at a slope of approximately 30 - 35 degrees to the horizontal. The PV modules will cover an area of approximately 600 square meters (including spacing between rows). The PV modules will be installed on a ballasted racking system. Fencing may be required around the array of PV modules, depending on the wishes of the local NS Power inspector. To date fencing of ground-mounted PV systems has not been required, however, some NS Power inspectors have suggested that they may require fencing. Trenching from the PV array to the main electrical panel on site may also be required. The extent of the trenching has not been determined, however, in the costing we have assigned a cost of \$4,000 for the trenching. If trenching costs are less, ToA will be credited with the savings; if trenching costs exceed \$4,000, ToA will be billed for the excess over \$4,000.

Timing of the Project

TDL is prepared to undertake the design and installation upon receipt of this signed proposal, and upon receipt of approval from NS Power. One to two months is required to obtain approval from NS Power for this project. TDL estimates that two months will be required to acquire all the system hardware, and another month is required to install the system and commission it.

System Price

The price shown below is for one ground-mounted system, as described above

Solar panels	\$61,920
Inverters	\$20,160
Balance of system	\$41,684
Direct labour	\$28,560
Cost of all permits, inspections	\$1,150
Overhead costs	\$5,780
Trenching	\$4,000
Travel	\$7,000
Total upfront installation costs	\$170,254
Sales tax (15%)	\$25,538



Total upfront installation costs **\$195,792**

Thermo Dynamics Ltd. proposes to design, supply and install the above system. The cost of the TDL-supplied system is **\$195,792.00 (one hundred and ninety-five thousand, and seven hundred, ninety-two dollars). This is the price for one ground-mounted system.**

Cost of connection to the NS Power grid

Additional electrical equipment, not included in the contract price, is required to connect the 480-VAC output from the inverters to the NS Power grid. This equipment may include, but is not limited to, transformer(s), AC switches/breakers, meter bases, meters, wiring and cables. TDL shall procure the equipment specified by NS Power for installation between the solar PV inverter and the NS Power distribution system, and invoice these costs (the interconnection costs) with receipts and without markup to TOA, at the time of a “passed” “final inspection by NS Power. TDL’s installation costs of such equipment is included in the direct labour costs shown above, with the exception of the connection of the PV system to the main electrical system in the building. This final connection shall be made by the electrician retained by ToA to undertake electrical work at this site, and one that is familiar with the electrical system at this site. This PV system requires 600 VAC, 3-phase service by NS Power.

TDL shall provide ToA with a detailed project installation cost that includes NSPI’s interconnection equipment as determined in Section 6 of the SOLAR PV PROJECT DEVELOPMENT, INSTALLATION AND COMMISSIONING AGREEMENT, and any other project cost including but not limited to any required trenching, fencing, site work, or communication equipment, and ToA may remove a solar PV system from Schedule A of the SOLAR PV PROJECT DEVELOPMENT, INSTALLATION AND COMMISSIONING AGREEMENT if the total project installation cost, including contingency, exceeds that estimated in the financial model used by AREA for the submission to the Program.

Payment Schedule

ToA shall pay to TDL the total contract price plus the interconnection costs shown above upon receipt of an invoice from TDL on the following schedule. Invoices not paid within 30 days of issuance are subject to an late payment charge of 2% per month.

- a) 90% of the total contract price upon TDL’s demonstrating that the project can achieve the inverter’s nameplate electrical production, when adjusted for the prevailing solar power available at the time of the testing;
- b) 10% of the total contract price and 100% of the interconnection costs upon NS Power’s written confirmation that the project has passed the “final inspection”.

Warranty on Workmanship

Thermo Dynamics Ltd. will provide a 2-year warranty on the workmanship of all the work undertaken by the employees of Thermo Dynamics Ltd. on this project. This warranty includes any adjustments that may be required if the concrete ballast blocks for the racking system sink to an extent such that the integrity of the racking system is compromised.



For Thermo Dynamics Ltd.

_____ Date _____

Peter Allen

For the Town of Amherst

I, the undersigned, understand and agree to the terms set forth in the above agreement. I agree to follow the payment schedule listed above, and will pay each installment within 30 days of receipt of invoice.

ToA accepts this proposal for one ground-mounted system.

_____ Date _____

SYNOPSIS

The Dr. & Mrs. H.E. Christie Community Foundation Disbursement to Amherst Little League

The Town received a request from Paul Mahaney, Executive Director of The Dr. & Mrs. H.E. Christie Community Foundation, to accept a \$12,500 donation to be used for Amherst Little League Baseball Club.

The Town is deemed to be a registered charity and can accept donations from other registered charities to use for children's programs in the community, such as Amherst Little League Baseball. The Town historically has accepted donations such as this as a qualified donee and forwards monies received to help fund local recreation activities for children's programs, such as Little League or Minor Hockey, for example.

MOTION:

That Council approve the acceptance of the donation from The Dr. & Mrs. H.E. Christie Community Foundation and disbursement to Amherst Little League Baseball Club, in accordance with the request of the donor.



AMHERST TOWN COUNCIL

RFD# 2021046

Date: June 28, 2021

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Michael Hunter, CPA, CA - CFO

DATE: June 28, 2021

SUBJECT: **Donation for Children’s Programs from The Dr. & Mrs. H.E. Christie Community Foundation**

ORIGIN: The Town received a request from Paul Mahaney, Executive Director of The Dr. & Mrs. H.E. Christie Community Foundation, to accept a \$12,500 donation to be used for Amherst Little League Baseball Club

LEGISLATIVE AUTHORITY: Specific Purpose Trust Fund - FRAM Sec 3(1)(a) – Section D Canada Revenue Agency Charity Guidelines

RECOMMENDATION: That Council approve the acceptance of the donation from The Dr. & Mrs. H.E. Christie Community Foundation and disbursement to Amherst Little League Baseball Club, in accordance with the request of the donor.

BACKGROUND: The Town is deemed to be a registered charity and can accept donations from other registered charities to use for children’s programs in the community. Amherst Little League Baseball is not a registered charity and does not qualify on it’s own to receive monies directly from another registered charity. The Town historically has accepted donations as a qualified donee and forwards monies received to help fund local recreation activities for children’s programs, such as Little League or Minor Hockey, for example.

DISCUSSION: Accepting the donation and forwarding the same to Amherst Little League Baseball will allow the Dr. & Mrs. H.E. Christie Community Foundation to make this generous donation leading to improved access to physical activity and group programming for Amherst and area youth.

FINANCIAL IMPLICATIONS: There are no financial implications to the Town.

COMMUNITY ENGAGEMENT: None required

ENVIRONMENTAL IMPLICATIONS: N/A

ALTERNATIVES: No real alternative, only a request to transfer funds.

ATTACHMENTS: Request



Report prepared by: Michael Hunter, Chief Financial Officer

Report and Financial approved by:

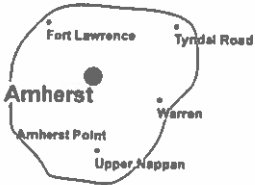
Christie - Smith Community Fund

consisting of

The Hugh E. Christie Fund and the Michael D. Smith Fund
administered by

The Dr. & Mrs. H.E. Christie Community Foundation

P.O. Box 986, Amherst, Nova Scotia B4H 4E1
Phone:(902)667-9650 E-mail: TCCF@eastlink.ca



Christie Fund



Smith Fund

Trustees:

David H. Christie

4 June, 2021

Morris J. Haugg

Town of Amherst
98 Victoria Street East
Amherst, NS
B4H 1X6

Jennifer Brennan

Barry MacLeod

Donna Fitzpatrick

Attn: Michael Hunter, CFO

Mark Carter

Dear Mike,

Linda Macleod

The Dr. & Mrs. H.E. Christie Community Foundation has approved a grant for the Amherst Little League Baseball Club in the amount of \$12,500.00, conditional on the Town of Amherst Council approving that they will receive this grant on the Club's behalf.

Could you have this request added to the Agenda for the next Council meeting? If approved, please let me know and I will get a cheque delivered to you at the Town Hall.

The contact for the baseball club is Mike LeBlanc at 902 664 9999 or email mandkleblanc@eastlink.ca.

Thank you for your assistance and looking forward to hearing from you.

Sincerely,

Paul A. Mahaney
Administrator

RECEIVED

JUN 10 2021

Corporate Services
Amherst, N.S.

SYNOPSIS

Capital Paving Tender

The recently approved capital budget includes an amount of approximately \$985,000 for a number of capital paving projects including the repaving of various streets, the repaving of the fire station parking lot and the resurfacing of the basketball courts at the Robbs complex. These projects will improve the driving condition of our streets and extend the useful life of these assets for an additional 10-15 years.

A tender for the capital paving program was issued with a closing date of June 15, 2021 for the fiscal year ended March 31, 2022. The following three bids were received (plus non-refundable taxes):

- Cumberland Paving \$ 669,530 + (24,000 provisional)
- Costin Paving and Contracting \$ 642,055 + (28,000 provisional)
- Classic Construction (2012) \$ 627,700 + (24,000 provisional)

The tender is a unit price contract based on estimated quantities the final cost will be determined by the actual quantities of material used, and will not exceed the budget amount.

MOTION:

That the award of the Capital Paving Tender (RFT-21-06) to the lowest compliant bidder, Classic Construction (2012), at their unit prices based on our estimated quantities in the total amount of \$627,700 plus \$24,000 for provisional items and non-refundable taxes, be approved by Council.



AMHERST TOWN COUNCIL

RFD# 2021049

Date: June 28, 2021

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Michael Hunter, CPA, CA - CFO

DATE: June 28, 2021

SUBJECT: Capital Paving Tender RFT-21-06

ORIGIN: Capital Budget for the year ended March 31, 2022

LEGISLATIVE AUTHORITY: 31700-01 Procurement Policy

RECOMMENDATION: That the award of the Capital Paving Tender (RFT-21-06) to the lowest compliant bidder, Classic Construction (2012), at their unit prices based on our estimated quantities in the total amount of \$ \$627,700 (plus \$24,000 in provisional items) plus HST, be approved by Council.

BACKGROUND: A tender for the capital paving program was issued with a closing date of June 15, 2021 for the fiscal year ended March 31, 2022. The following three bids were received (plus non-refundable taxes):

- Cumberland Paving \$ 669,530 + (24,000 provisional)
- Costin Paving and Contracting \$ 642,055 + (28,000 provisional)
- Classic Construction (2012) \$ 627,700 + (24,000 provisional)

DISCUSSION: The capital paving program for the year ended March 31, 2022, was approved by Council in the Capital Budget. Award of the tender at the June meeting will allow for completion of the work prior to September 30, 2021.

FINANCIAL IMPLICATIONS: The approved capital paving budget was \$985,000 including non-recoverable taxes for the year end March 31, 2022. The cost of the proposed work including non-refundable taxes and provisional items is \$679,632. The tender is a unit price contract based on estimated quantities the final cost will be determined by the actual quantities of material used, and will not exceed the budget amount.

COMMUNITY ENGAGEMENT: The Town issued a tender as per our Procurement Policy. A media release will be issued pending Council approval. Hand delivered written notices will be delivered to all affected residents and businesses.



ENVIRONMENTAL IMPLICATIONS: There are no direct environmental implications to the award of this contract. The repaving of streets with asphalt will generate greenhouse gas emissions, however there is little alternative if our street infrastructure is to be maintained.

The material that will be removed through the pulverization process will be recycled for either road bed material or used in future work such as trails.

SOCIAL JUSTICE IMPLICATIONS: There are no social justice implications to the award of this contract.

ALTERNATIVES: As all bidders were compliant with the tendering process, Council has no alternative to awarding the contract to the low bidder, unless the project were to be cancelled altogether.

ATTACHMENTS: None

Report prepared by: Michael Hunter, CPA, CA - CFO
Report and Financial approved by:

SYNOPSIS

Dangerous or Unsightly Premises Policy Amendments

The current version of the subject policy reflects a level of dangerous or unsightly premises enforcement that is primarily complaint-based rather than proactive. Council have committed to raising the service level for enforcement, which requires amendments to the policy to reflect that commitment.

The amendments include a requirement for a semi-annual survey of town streets by the Dangerous or Unsightly Premises Administrator to identify compliance issues. How compliance issues are prioritized has also been changed to reflect the semi-annual survey, while maintaining first priority for dangerous properties.

MOTION:

That Council approve the attached amendments to the Dangerous or Unsightly Premises Policy.

TO: Mayor Kogon and Members of Council

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

DATE: June 28, 2021

SUBJECT: Revisions to the Dangerous or Unightly Premises Policy

ORIGIN: Council's approval of the 2021/22 Operating Budget that provides for a dedicated Dangerous & Unightly Premises Administrator reflects a desire to be more proactive with enforcement.

LEGISLATIVE AUTHORITY: Part XV of the *Municipal Government Act* provides Council authority to ensure properties are maintained so as not to be dangerous or unsightly.

RECOMMENDATION: That the recommended revisions to the Dangerous or Unightly Premises Policy be approved.

BACKGROUND: The current version of the subject policy reflects a level of dangerous or unsightly premises enforcement that is primarily complaint based rather than proactive. For a number of years, Administrator duties have been Marc Buske's responsibility as he continued to train to become a fully accredited building inspector. The bulk of building inspections were done by county building inspection staff, which left time for Mr. Buske to undertake dangerous or unsightly premises Administrator duties. With Mr. Buske now fully certified for all building inspections, his time capacity to undertake Administrator duties has diminished. In addition, Council have committed to raising the service level for dangerous or unsightly premises enforcement. These factors result in a need to hire a full-time administrator and to make changes to the corresponding policy.

As shown in the draft revised policy, the recommended changes are found under the 'Enforcement' section. Staff recommend the following changes:

Replace:

20. *Enforcement of the Dangerous and Unightly Premises section of the MGA will primarily be on a complaint basis.*

With:

20. **The Administrator shall survey all streets at least twice per year, typically in spring and fall, to identify properties that fall within the definition of dangerous or unsightly as defined under the Municipal Government Act**



Remove Section 21 below as it relates to 'special collections pickup', which are no longer provided.

21. *The Administrator will follow up on any notices delivered by CJSMA staff in relation to materials left at the curb which did not qualify for the special collections pickup.*

Replace:

22. *The following priority will be followed when dealing with dangerous or unsightly files:*
- a. *Dangerous Properties*
 - b. *Complaints for properties on Arterial Streets*
 - c. *Complaints for properties on Collector Streets*
 - d. *Complaints for properties on Local Streets*

With:

22. **Dangerous or unsightly files will be prioritized as follows:**
- a. **Dangerous Properties**
 - b. **Properties for which a written complaint is received**
 - c. **Properties identified by the Administrator under section 20 of this Policy**

DISCUSSION: The new section 20 suggested above will require the Administrator to survey town streets at least twice annually in addition to acting on complaints received for specific properties. This proactive approach should reduce the volume of complaints and the severity of some cases as the offending properties will be identified earlier. The revised section 22 maintains first priority for dangerous properties and second priority for complaints, regardless of location. Staff feel that responding to a complaint is more important than the classification of the street.

FINANCIAL IMPLICATIONS: Council have committed to a full time Administrator in the 2021/22 Operating Budget.

SOCIAL JUSTICE IMPLICATIONS: While town staff will always try to work with property owners to achieve compliance in a cost-effective manner, in some cases the raised standards will have a financial impact on low-income property owners.

ENVIRONMENTAL IMPLICATIONS: Removal and proper disposal of garbage and unsanitary conditions will have positive environmental implications.

COMMUNITY ENGAGEMENT: The budget amendments to fund the full-time Administrator was communicated through the Budget media releases.

ALTERNATIVES: 1) Make no change to the policy; 2) Direct staff to make further changes to the policy.



REQUEST FOR DECISION

RFD# 2021042

Date: June 28, 2021

ATTACHMENTS: Revised Policy 66150-01

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



DEPARTMENT: PLANNING AND DEVELOPMENT

TITLE: **DANGEROUS OR UNSIGHTLY PREMISES POLICY**

Minutes reference date: 27 February 2006 26 May 2008 27 April 2009 26 April 2010
24 March 2014 29 March 2016

PURPOSE:

1. The purpose of this policy to delegate the Town's powers and set priority with regard to Part XV of the *Municipal Government Act* (Dangerous or Unsightly Premises).
2. Part XV of the *Municipal Government Act* states, "Every property in a municipality shall be maintained so as not to be dangerous or unsightly".

POLICY STATEMENT:

3. Council delegates its authority to declare a property as dangerous or unsightly to the Dangerous or Unsightly Premises Administrator. The Administrator will determine whether or not a property is considered dangerous or unsightly in accordance with the definition of such in the *Municipal Government Act*.
4. Council delegates its authority under the provisions of the Dangerous or Unsightly Premises contained in the *Municipal Government Act* to issue an order to demolish a building to the Planning Advisory Committee.
5. Council delegates its authority to bring into compliance a property which has been declared dangerous or unsightly to the Administrator. The Administrator will utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to achieve compliance.
6. Council retains its authority under the provisions of the Dangerous or Unsightly Premises provisions contained in the *Municipal Government Act* to conduct appeal hearings when an appeal is launched against an order to demolish a building issued by the Planning Advisory Committee.
7. Council delegates its authority to conduct appeal hearings when an appeal is launched against a decision of the Administrator to the Planning Advisory Committee.

ROLES:

Planning Advisory Committee:

8. Upon recommendation by the Administrator, the Planning Advisory Committee will make a decision on the issuance of an order to demolish a building.
9. Upon an appeal of a decision of the Administrator, the Planning Advisory Committee will determine if a property is dangerous or unsightly and any remedial action to be taken.

Administrator:

- 10. Receive all complaints in relation to this policy;
- 11. Conduct an initial investigation of the complaint and determine if the property is dangerous or unsightly in accordance with the relevant provisions contained within the *Municipal Government Act*;
- 12. Utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to bring a property into compliance;
- 13. Provide a monthly report to Council detailing number of complaints, number of open files, number of resolved files, type of infraction, etc.

COMPLAINTS:

- 14. Complaints shall be received in a written format either on a Town of Amherst Complaint Form or via letter or email. Each complaint must include the complainant's name and contact information. The complaint must be signed by complainant. Anonymous complaints will not be investigated.
- 15. Complaints shall contain specific information, including the address of property where the complaint exists, the date that the dangerous or unsightly condition existed and what specifically the complainant believes is causing the dangerous or unsightly condition.
- 16. Complaints may be received by staff or Council.
- 17. All complaints shall be submitted to the Administrator.
- 18. The Administrator shall acknowledge receipt of a complaint by regular mail to the complainant.
- 19. Complaints shall be considered confidential but are subject to Part XX of the *Municipal Government Act*, *Freedom of Information Protection of Privacy*.

ENFORCEMENT:

- ~~20. Enforcement of the Dangerous and Unsightly Premises section of the MGA will primarily be on a complaint basis.~~
- ~~21. The Administrator will follow up on any notices delivered by CJSMA staff in relation to materials left at the curb which did not qualify for the special collections pickup.~~
- ~~20. The Administrator shall survey all streets at least twice per year, typically in spring and fall, to identify properties that fall within the definition of dangerous or unsightly as defined under the *Municipal Government Act*~~

- ~~22-21.~~ The following priority will be followed when dealing with dangerous or unsightly files:
 - ~~a.~~ Dangerous Properties

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- [b. Properties for which a written complaint is received](#)
- [a-c. Properties identified by the Administrator under section 20 of this Policy.](#)
- ~~[b. Complaints for properties on Arterial Streets](#)~~
- ~~[c. Complaints for properties on Collector Streets](#)~~
- ~~[d. Complaints for properties on Local Streets](#)~~

HEARINGS:

- ~~23-22.~~ Notification of any hearing will be sent via registered mail no less than 10 days prior to the hearing. In cases where the owner cannot be located, notice of the hearing may be posted on the property no less than 10 days prior to the hearing.
- ~~24-23.~~ The complainant will be notified of the hearing in writing no less than seven days prior to the hearing.
- ~~25-24.~~ The Administrator's report will not be made public prior to the hearing.

APPEALS (OF ADMINISTRATOR DECISIONS):

- ~~26-25.~~ Any decision of the Administrator may be appealed to the Committee within seven days of such decision. Such appeal must be submitted in writing to the Chief Administrative Officer.
- ~~27-26.~~ Appeals may be lodged by the property owner or complainant.
- ~~28-27.~~ The Planning Advisory Committee may make any decision that the Administrator could have made.
- ~~29-28.~~ A decision of the Planning Advisory Committee is not appealable.

APPEALS (OF PLANNING ADVISORY COMMITTEE DECISIONS):

- ~~30-29.~~ Decisions of the Planning Advisory Committee in relation to the demolition of a building may be appealed to Amherst Town Council within seven days of such decision. Such appeal must be submitted in writing to the Chief Administrative Officer.
- ~~31-30.~~ Appeals may be lodged by the property owner or complainant.
- ~~32-31.~~ Council may make any decision that the Planning Advisory Committee could have made.
- ~~33-32.~~ A decision of Council is not appealable.

SYNOPSIS

Spring Street Paving

Included in the current capital budget is an amount of \$427,000 to rebuild Spring Street from Church to Croft Streets including the replacement of all underground infrastructure.

A tender for this project was issued with a closing date of June 15, 2021. The following three bids were received (including provisional items, and all non recoverable taxes):

Dexter Construction	\$748,822
Cumberland Paving	\$459,963
Bowsers Construction	\$373,891

The tender is a unit price contract based on estimated quantities. The final cost will be determined by the actual quantities of material used.

It is expected that the work will be completed by September 30, 2021.

MOTION:

That Council approve the award of tender RFT-21-18 Spring Street Infrastructure Renewal to the lowest compliant bidder, Bowsers' Construction, at their unit prices based on our estimated quantities, in the total amount of \$ 373,891 (including provisional items and all non-recoverable taxes).

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Michael Hunter, CPA, CA - CFO

DATE: June 28, 2021

SUBJECT: **Spring Street Infrastructure Renewal from Church to Croft**

ORIGIN: Capital Budget for the year ended March 31, 2022

LEGISLATIVE AUTHORITY: 31700-01 Procurement Policy

RECOMMENDATION: That the award of the tender RFT-21-18 Spring Street Infrastructure Renewal be awarded to the lowest compliant bidder, Bowers' Construction, at their unit prices based on our estimated quantities, in the total amount of \$ 373,891 (including provisional items and all non-recoverable taxes), be approved by Council.

BACKGROUND: A tender for the Spring Street Infrastructure Renewal was issued with a closing date of June 15, 2021. The following three bids were received (including provisional items, and all non recoverable taxes):

Dexter Construction \$748,822
Cumberland Paving \$459,963

Bowers Construction \$373,891

DISCUSSION: This project will be very similar to the Albion Street project (2020), however, in this case, all underground infrastructure will be replaced. The water and sewer mains will be replaced and tested, as well as replacing all water services to the property lines during the construction. Once the mains have been tested and put back into service, the street subgrade and asphalt will be replaced. It is expected that the work will be completed by September 30, 2021.

FINANCIAL IMPLICATIONS: The approved Spring Street Infrastructure Renewal project was for the amount of \$427,000, including non-recoverable taxes. The cost of the proposed work including non-refundable taxes and provisional items is \$373,891, with funding approved in the Capital Budget for the year ending March 31, 2022. The tender is a unit price contract based on estimated quantities. The final cost will be determined by the actual quantities of material used.

COMMUNITY ENGAGEMENT: Prior to construction work taking place, a public notification program will be undertaken.



ENVIRONMENTAL IMPLICATIONS: Replacing the water and sewer mains will reduce flow and quality issues and flushing would be reduced because of this. Reducing water main flushing would mean a marginal reduction in the amount of water that is used.

SOCIAL JUSTICE IMPLICATIONS:

ALTERNATIVES: As all bidders were compliant with the tendering process, the only alternative to awarding the contract to the low compliant bidder, is to cancel the tender.

ATTACHMENTS: None

Report prepared by: Ben Pitman, P. Eng., Town Engineer
Report and Financial approved by: Michael Hunter, CPA, CA - CFO

SYNOPSIS

Lions Park

Memorandum of Understanding

The Amherst Lions Club own the Lions Park property and have been making annual improvements to fully develop the park in cooperation with the Town of Amherst. With the installation of a basketball court this summer the final phase of the development plan will be complete. The focus will now be the operational requirements needed to operate and maintain the facility and identify the responsibilities and obligations of both parties. The agreement will help foster the positive working relationship between the Town and the Amherst Lions Club, while clearly identifying the roles of both parties with respect to maintenance obligations and future development of the park.

MOTION:

That Council approve the Memorandum of Understanding between the Lions Club and the Town of Amherst and authorize the Mayor and CAO to sign on the Town's behalf.

TO: Mayor Kogon and Members of Council

SUBMITTED BY: Corey Crocker, Recreation Facilities Manager

DATE: June 28, 2021

SUBJECT: Memorandum of Understanding - Lions Park Operation

ORIGIN: Following discussions about how the park should be operated and maintained, Town staff and the Lions Club mutually agree that entering into a Memorandum of Understanding (MOU) would be appropriate.

LEGISLATIVE AUTHORITY: MGA, Section 65 (ah) Power to expend money states: “The council may expend money required by the municipality for...public grounds, squares, halls museums, parks, tourist information centers, and community centers.”

RECOMMENDATION: That Council approve the Memorandum of Understanding between the Lions Club and the Town of Amherst and authorize the Mayor and CAO to sign on the Town’s behalf.

BACKGROUND: The Lions Club purchased the property from the Town of Amherst and have been making annual improvements to fully develop the park. With the installation of a basketball court this summer the final phase of their development plan will be complete. The focus will now be the operational requirements needed to operate and maintain the facility and identify the responsibilities and obligations of both parties. The agreement will help foster the positive working relationship between the Town and the Lions Club, while clearly identifying the roles of both parties with respect to maintenance obligations and future development of the park.

DISCUSSION: The attached MOU provides clarity of the role each party has in the continued development and daily operation of the park. Both parties are in agreement that an MOU is needed and both parties have had an opportunity to provide input. For the Town, entering into this MOU will ensure the Lions Park is maintained to the same level of service standard as all other Town owned parks and green spaces.

FINANCIAL IMPLICATIONS: There are no financial implications to this MOU in particular. The Town will continue to operate the park and the Club will contribute financially to its repair and improvements.

SOCIAL JUSTICE IMPLICATIONS: Parks provide users with a free to use space to be physically active. Green spaces are also associated with contributing to positive mental well being.

ENVIRONMENTAL IMPLICATIONS: There are no environmental implications.



COMMUNITY ENGAGEMENT: Park amenities and community events hosted at the park will be promoted via the Town's social media outlets.

ALTERNATIVES:

1. Direct staff to draft changes to the MOU.
2. Do not approve the MOU with the Lions Club at this time.

ATTACHMENTS: MOU between the Town of Amherst and the Amherst Lions Club

Report prepared by: Corey Crocker, Recreation Facilities Manager
Report and Financial approved by:



Memorandum of Understanding

THE TOWN OF AMHERST

(Hereinafter referred to as “the Town”)

AMHERST LIONS CLUB

AND

(Hereinafter referred to as “the Club”)

The Town and the Club co-developed phase one (development) of the Lions Park. The Park development commenced with the purchase of the land from the Town and will be completed when the last capital assets is completed this year. Phase two operation and maintenance is the subject of this MOU.

WHEREAS it is the mutual objective of the Town of Amherst and the Amherst Lions Club to continue a positive working relationship in regards to the continued development and operation of the park and both parties understand the outcomes listed below:

1. The Club agrees that the park should be integrated into the Town’s recreation plan to achieve maximum usage of the park’s facilities including daily scheduling and annual open and closing.
2. The Town will maintain the park as per the standards, policies and procedures established by the Town for all properties within the Town park system. For clarity this will include:
 - a. green space, flowers and trees;
 - b. cleaning of washrooms;
 - c. maintenance of the trails, tennis court, splash pad and other facilities within the park;
 - d. The Town shall make every reasonable effort to keep the Park for the pedestrian use only and keep vehicles off the field, except, insofar as vehicles are necessary to properly maintain the Parks and its facilities
3. The Club shall be responsible for all cost associated with replacing broken equipment.
4. The Town shall pay the property taxes on the property.



Internal Committee Report

Amherst Board of Police Commissioners

June 2021

The Amherst Board of Police Commissioners met on June 23, 2021 at 3:00 p.m. Items on the agenda included updates on the capital budget, strategic planning, and the mass casualty commission. An update on staffing was also provided.

The Chief's report was also reviewed as included in the agenda package.

Internal Committee Report

Amherst Youth Town Council

June 2021

In the month of May, the Amherst Youth Town Council (AYTC) had one virtual committee meeting on May 26th, via zoom at 3:00 pm. During this meeting, topics such as the youth survey, our application video, and planning next steps for the coming weeks were discussed.

- For the youth survey, the Amherst Youth Town Council decided to use the results from this year to work alongside some members and groups within the town to tackle the issues that are concerning youth. As mentioned in our last monthly report, the main issues shown in the youth survey revolved around mental health, poverty, climate change, and social justice.
- The AYTC also discussed the delivery and impact of the AYTC expression of interest video that was released near the end of April. This video was advertised through the AYTC Facebook and Instagram pages (@AmherstYouth) and by the E.B. Chandler & Amherst Regional High School student councils.
- Regarding next steps for the Amherst Youth Town Council, at the time of this committee meeting, the province was in lockdown but a few days after was the announcement of the reopening of schools and essential businesses. The AYTC discussed and decided to hold off on any physical initiatives until the provincial cases remained stable as well, and determined to have our next committee meeting after final assessments were complete for school in June.

External Committee Report

Cumberland Public Libraries

June 2021

Auditor's Report

Ms. Dickson of Jorgensen & Bickerton Chartered Accountants went over the audited statement and answered questions for the Board. The Board passed the 2020-21 auditor's report.

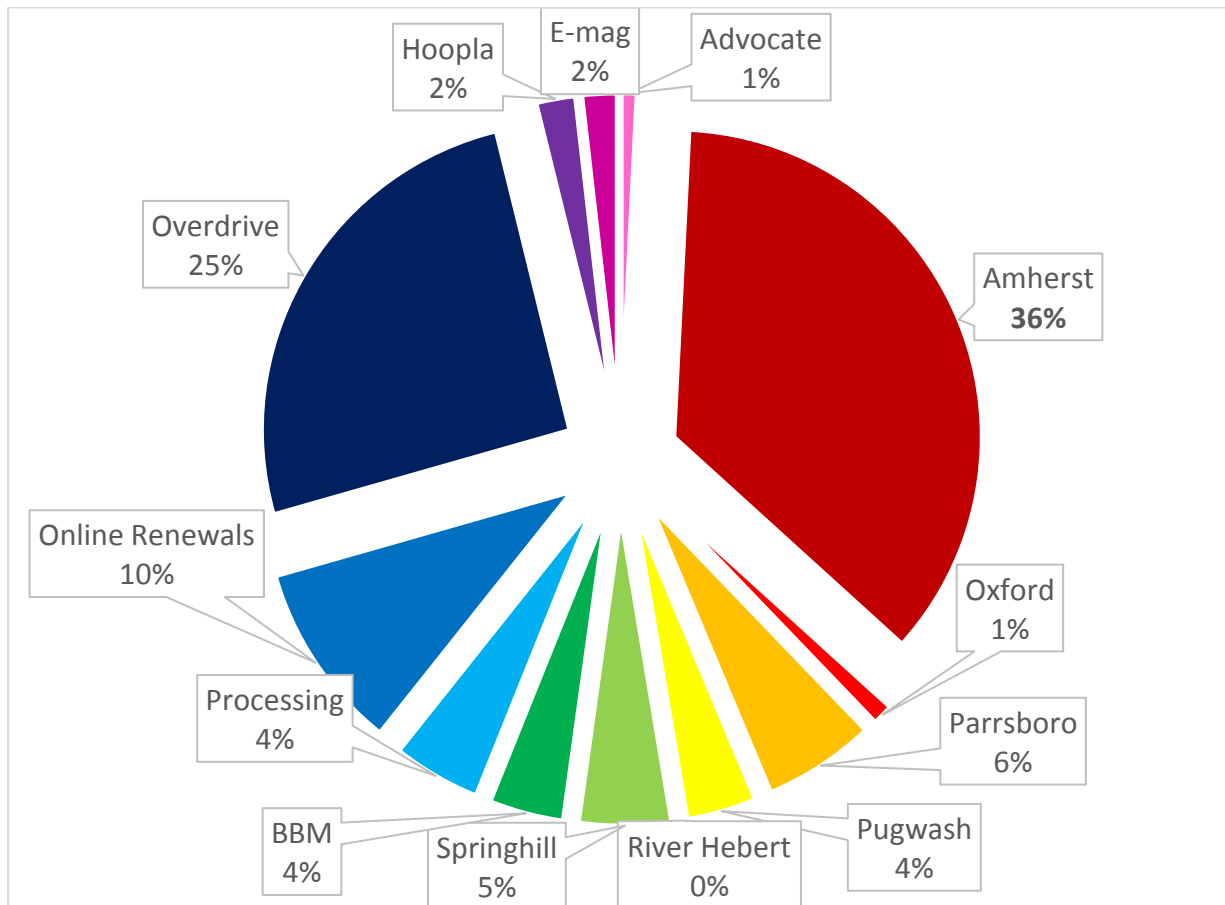
Financial Report

Ms. Corey provided the Board with the budget for the 2021-22 fiscal year. The Board requested some amendments be made so the budget will be sent to the Board for an email vote.

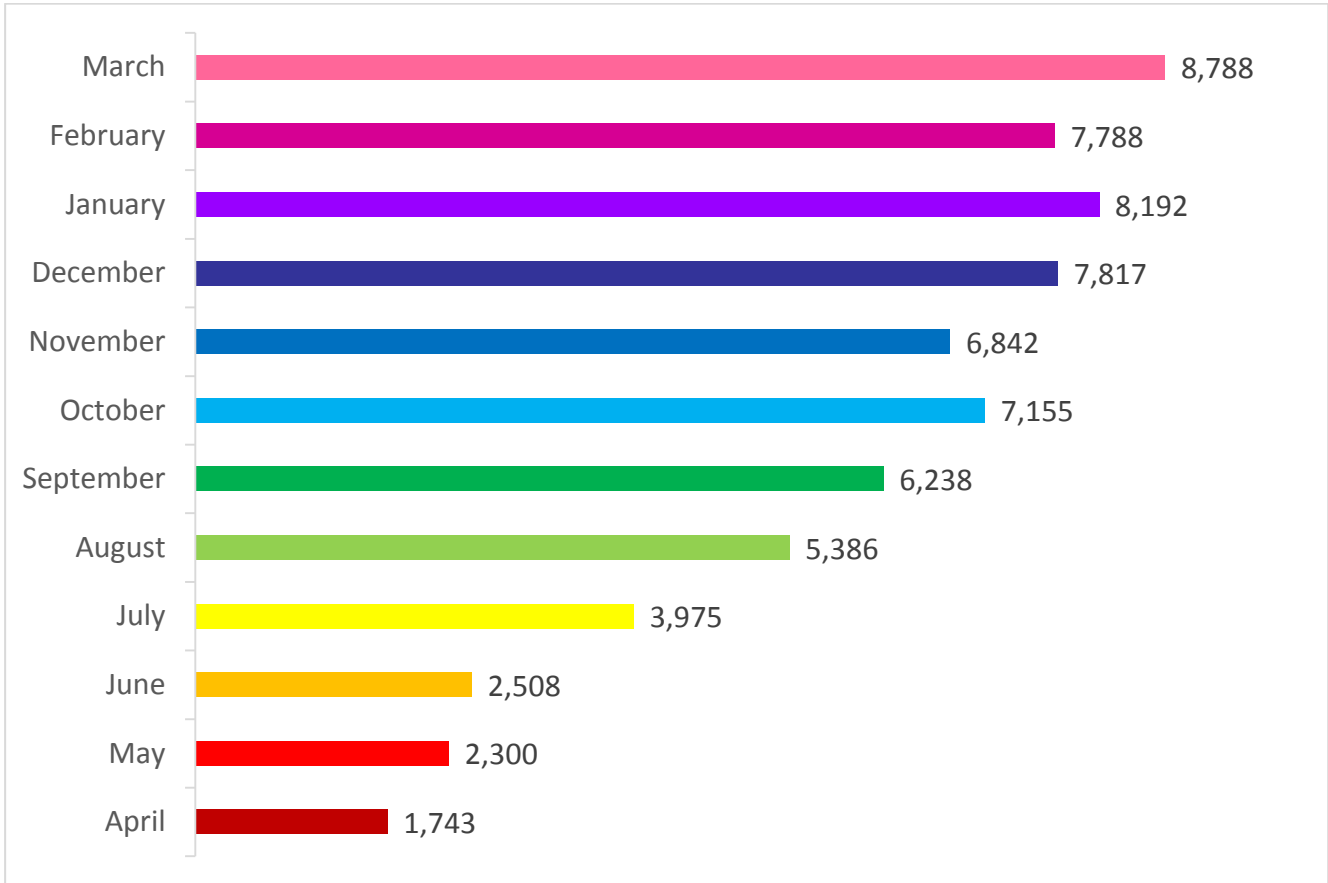
2020-21 Annual Statistics

During 2020-21, Cumberland Public Libraries signed out 68,782 items, including books, DVDs, magazines and more, and had over 27,000 visits to our libraries. The Four Fathers library signed out 24,705 items, had 20,099 visits.

Circulation by Branch:



Circulation by Month: March 21- April 20



During April and May the Library was closed to the public so we were sending patrons items using our Borrow by Mail Service. Patrons were also using our electronic resources. In June 2020 the Amherst branch opened for patrons to pick up holds.

Programs

Cumberland Public Libraries posted 299 programs on Facebook and had 49,529 views. From October 2020 to March 2021 we created 12 Take N Make craft kits with 1,521 participants.

A complete Cumberland Public Libraries Annual report will be available in August 2021.

Next Board meeting September 21, 2021.

External Committee Report

Cumberland YMCA

June 2021

It was with great excitement that the YMCA reopened its' door on June 16th. We were so happy to welcome some familiar faces back right away, including Councillor and long-time member Dale Fawthrop.

In addition to being able to resume regular programming at 50% capacity we will also be resuming our Community Kitchen Program as of June 23rd.

The Cumberland YMCA Annual Report is attached.



YMCA of Cumberland Annual Report 2020-2021

CEO Message

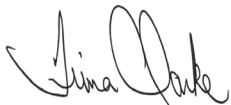
'In these challenging times, unprecedented, social distancing, self-isolating, quarantine, lockdown, uncharted waters, flatten the curve' ... and the list goes on. These buzzwords and phrases became the 'new normal' in 2020 and while they may aptly describe our reality since early 2020 they are not the words I will focus on when I reflect back on Covid-19 and its impact.

When the pandemic is in the rear view mirror I will remember how more stepped up rather than back, how kindness and compassion led the way, and how we as a community stood together even though we had to stand apart.

The pandemic is building our resiliency and perseverance, it is shining a spotlight on those we may have previously taken for granted, those that had to overcome their own fear to show up to work day after day to ensure we as a community were cared for, protected, fed and safe.

Throughout, the YMCA played a small role in supporting our community and I am proud of that role. I am proud to be a part of a team of people that provided childcare, packed food boxes, stayed connected to our members virtually, implemented additional cleaning measures, supported people with housing needs and greeted members or taught swim lessons while wearing a mask. The staff and volunteers ensured that if there was a need in the community and the YMCA could help, we did. Kindness, compassion, community, resiliency, perseverance; these are the buzzwords I will not only remember from the past year but also carry forward as we navigate our post pandemic recovery.

Thank you,



Trina Clarke
YMCA of Cumberland CEO



Board Chair Message

No one needs me to tell them how difficult the past year has been. But many may be surprised to learn how well our organization dealt with all of that adversity. In spite of all of the challenges we have faced the YMCA of Cumberland is fixed to emerge from the pandemic in a position of strength.

Covid 19 required us to adapt in many ways. Trina and all the members of the management team came together in a spectacular fashion. They controlled and minimized damages to the facility and the organization. They also took advantage of the situation to upgrade and create growth in a number of areas. They kept the membership engaged through the shut downs. Because of their hard work and imagination we will be ready to resume full operation with a growing enthusiastic membership and a good financial base. Thanks so much to all of you.

In spite of all of the hardship our staff performed admirably when called upon in the face of uncertainty and challenge. They adapted during the down times and kept us safe as we operated under the threat of the virus. We could not do this without all of you. Thank you for all your efforts and your continued commitment to doing such a great job. Our Y volunteers, board members and Y Service Club team also stuck together to help us through. Your continued support is greatly appreciated.

We have been very fortunate to have remained strong. Some YMCAs across Canada closed permanently during the pandemic. Our success was no accident. YMCA of Cumberland is built on a strong foundation of leadership, commitment and hard work. We should all be congratulating one another and preparing for a return to serving our community

Thank you,



Terry Farrell
YMCA of Cumberland Board Chair



What people are saying:



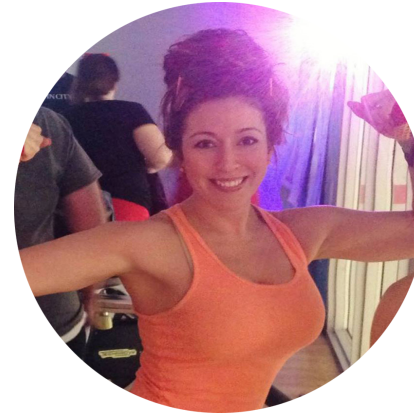
This past year has shown us that we have a very strong, powerful family at the Y. As an instructor and trainer I see that in the resilience and commitment of our instructors.

-Nina Hoffman
YMCA Instructor Trainer &
Volunteer



"From my perspective, nothing has had a greater positive impact on my daughter's life than the commitment shown by every single person contributing to the service provided by the Childcare Centre. Every person that contributes to this is a champion. You all have my upmost respect, gratitude, and admiration. From the bottom of my humbled heart. Thank you very much."

-Leon Landry
YMCA Child Care Parent



"I have been a member at the YMCA for as long as I can remember! It really is a feel-good place. I have developed many friendships through the Y, including the amazing staff members! They always greet you with a smile, encourage you, and make you feel welcome. Our YMCA is an extremely important part of the community and we need to continue to support it as much as possible! I LOVE my YMCA!!!"

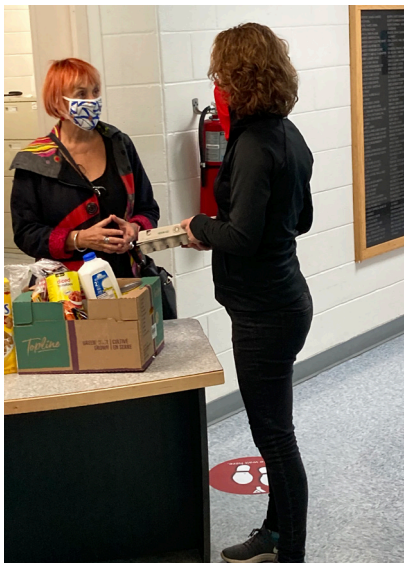
-Meagan Cormier,
YMCA Member & Donor



"Amherst is a smaller town with a huge heart. Whenever there is an identified need the people of Amherst rise to the occasion. The Y is always looking for and finding ways to support the people in the community. It was a pleasure to be part of that."

-Kevin & Jennifer Mapplebeck
Food Box Program Volunteers

Community outreach: As the fitness side of our YMCA moved to a digital platform in March 2020, we found ourselves asking: "What else does our community need during this time of uncertainty?"



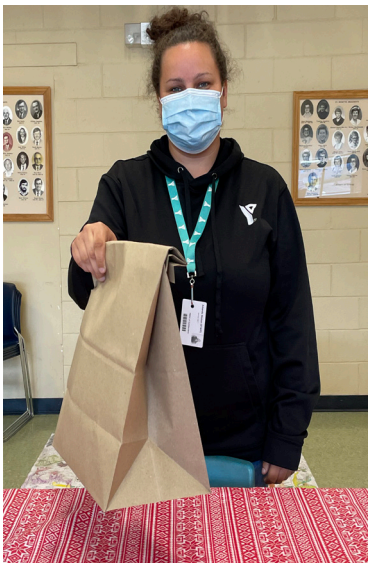
Lenore Zann, Member of Parliament learns about the food box program from Alison Lair, Manager of Community Development.



Emma Bickerton, a summer student with the YMCA packed and delivered the food boxes throughout summer 2020.



Fresh & Fun program participant, Ava, shows the meal that she prepared. Looks good!



Amanda Mollon, YMCA Outreach Worker, is seen here serving a take away meal as part of the Community Kitchen.



Ellen Gaudet, Diversion Support worker, led our Santas for Seniors Program.

Food security was a concern. Serving a county that has some of the highest poverty rates in our province, our Community Development team acted quickly to get food to people. Facing so many unknowns, including job loss, some people didn't qualify for food-bank support since they did not previously receive income assistance. Our team, armed with amazing volunteers, developed a program that delivered food boxes to 125 families over a 16-week period in all parts of Cumberland County.

It didn't stop there. Once the lockdown ended, the Community Development team found innovative ways to get food to people. The Fresh & Fun program provided food, meal plans and recipes to youth - teaching them about food and nutrition. 45 youth participated in the eight-week program.

Last fall, after a brief pause, our Community Kitchen program resumed as a take-out meal service. Those in need could stop by the Y between 12:00 - 1:00 p.m. every Wednesday for a meal.

Isolation caused by the pandemic can be especially hard for seniors. This is caused by a number of things including fear of exposure or family being unable to visit due to border closures, etc. During the 2020 holiday season, our Community Development department delivered gifts to more than 250 seniors throughout Cumberland County with help from volunteers and donations from community members and businesses.

The virtual Y!



There were so many unknowns when our facility closed on March 16, 2020 for our initial COVID-19 shutdown, but we didn't skip a beat when it came to keeping people moving. Thanks to our committed staff and volunteers we were live with more than 10 fitness classes per week within days of the worldwide lockdown and our fitness classes reached more than 120 people per week some as far away as the UK and New Zealand!



With the Child Care centre closed for the first wave of the global pandemic, our staff continued to foster the growth of many of our program participants by offering virtual story time, crafts, recipes and check-in calls!

Peace Medal Recipients

Each year, during the third week in November, YMCAs across Canada celebrate Peace Week. During Peace Week, we take time reflect on the peace-making efforts done both locally and globally. While celebrating all of the acts of peace, we call on members of our community to nominate local peacemakers.

This year, our peace medallion selection committee chose Joanne Cottrill and Colleen Dowe for their community-focused volunteerism:



Joanne received the Peace Medal for her relief work in Haiti. For the past 10 years, Joanne has been travelling to Haiti to help those in need. Joanne raises funds locally, in Pugwash, NS in part by collecting recyclables from the cottages of seasonal residents. At a school in one community, Joanne's fundraising efforts pays the daily lunch costs for 250 students, 25 staff and the salaries of two cooks. Joanne's work also helped to purchase a stove for the school, so they could move away from open outdoor fires.

Colleen's peacemaking work is local, and through it she has helped thousands of people. She chairs Empowering Beyond Barriers, a poverty reduction group, and has headed the Coats for Cumberland project for many years. This project ensures that children and adults have access to warm winter clothing. These are just a few of the things that Colleen leads, she works on many projects that enhance the well-being of our community with different groups, individuals and organizations throughout Cumberland County. This past year, Colleen worked on the School Food Box program during COVID-19 and showed up every week to help. Her passion and dedication to many, many other projects have made a marked difference for the quality of life to many residents of Cumberland County.



Employee Milestone



Staff member, Renee Lusby is celebrating **25 years** with the YMCA of Cumberland.

During her time with the YMCA, Renee has committed to nurturing the development of many children, giving them the best start possible.

Renee started with the Y in 1996 working on the membership front desk, from there she moved on to the youth centre and then with the child care department. Since working as an educator, Renee held a variety of positions, eventually moving on to managing the Child Care Department.

Thank you for making a difference in so many lives,

Renee.

Congratulations!

YMCA BOARD OF DIRECTORS

Terry Farrell, Chair
Pam Chenhall, Vice Chair
Kent Leslie, Treasurer
Christina Kelly, Secretary
Elizabeth Conrad, Director
Glenn MacDonald, Director
Loralee Landry, Director
Gillian Strong, Director
Victor Wright, Director
Donna Scott, Director
Dale Fawthrop, Past Chair & Town of Amherst Representative
Jennifer Houghtaling, Cumberland County Representative

YMCA STAFF LEADERSHIP

Trina Clarke, Chief Executive Officer
Renee Lusby, Manager of Child Care
Laura Ashley Farrow, Manager of Membership Programs & Services
Mark MacIntyre, Manager of Facilities
Jeff MacNeil, Manager of Development
Alison Lair, Manager of Community Development

Thank you!

Thank you to 307 donors who donated a combined amount of \$74,509 to our Annual Campaign!

These generous donations provided essential revenue during a time of uncertainty to a point of reopening where 1 in 5 people who access the Y are able to do so through our financial assistance program.

Financials

Statement of Operations Year ending March 31, 2021 (audited operating fund)	2021	2020
Total Revenue	2,440,686	2,370,014
Total Expenses	2,083,246	2,253,708
Excess of Revenue Over Expenses From Operations	357,440	116,306
Excess (deficiency) of revenue over expenses	215,965	(34,791)

Statement of Financial Position	2021	2020
Current assets	4,692,374	4,536,635
Net Assets	2,890,992	2,675,027
Total Liabilities	1,801,382	1,861,608

Total Assets	4,692,374	4,536,635
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The information for the fiscal year end is derived from the financial statements for 2020-2021, which were audited by Mclsaac Darragh, Chartered Professional Accountants. Our complete audited financial statements and T3010 Registered Charity Information Return, as filed with the Canada Revenue Agency, are available on our website:

www.ymcaofcumberland.com



Our Mission

The YMCA of Cumberland is a charitable organization responsible for the development of our local and global communities in spirit, mind and body.

Our Vision

As a respected charity, we are a recognized leader and essential partner in the development of strong and vibrant communities.

Our Values

Respect, Responsibility, Caring, Honesty, Inclusiveness.

YMCA of Cumberland

92 Church Street

Amherst, NS B4H 4A1

902-667-9112

www.ymcaofcumberland.com

Charitable registration #:

119307007RR0001

External Committee Report

Cumberland Joint Services Management Authority

June 2021

The Household Hazardous Waste Events scheduled for May and June had to be rescheduled due to COVID-19 and are now set to take place in July.

The Annual Compost Giveaway had to be postponed and will be held later in the summer or possibly the fall.

Staff have received notice that the Minister of Environment granted permission to the Cumberland Central Landfill to dispose of the backlog of recyclable materials at the landfill site.

CJSMA also now has a contract to send our container recyclables to Cape Breton.

Staff continue to have several calls from residents looking to clean up their neighborhood. The Enforcement Officer continues to conduct audits onsite and inspects loads coming into the facility.

External Committee Report

Northern Region Solid Waste Resource Committee

June 2021

A Northern Region Solid Waste Resource Committee was held on Friday, June 25th at 9:30a.m. via Zoom.

Items on the agenda included a status on the signing of the Northern Region Intermunicipal Agreement, updates from Regional Chairs, the Regional Coordinator Committee and the NS Manager/Directors Committee.

Updates were also provided on Regional Partners Education and Operational Programs.

The Grade 12 students Divert Scholarship was extended on week. 27 submissions were received, with the Northern Region having most submission (8).

External Committee Report

L.A. Animal Shelter

June 2021

May saw quite a few kittens being adopted! For the month we had a total of 32 adoptions – 31 kittens and 1 dog. We currently have 3 dogs and 37 cats and kittens housed at the shelter.

With the last round of changes to the Covid restrictions, we have been able to allow some volunteers back and are making appointments for clients that wish to come in.

June will be our last regularly scheduled board meeting until the fall.

Other than so many kittens finding homes, things are quiet at the shelter.

External Committee Report

Municipal Alcohol Project

June 2021

The MAP Committee met on June 1st at 1:30 via zoom

The committee has two new members, Karen LeBlanc of Maggie's Place and Cst. Wayne Gillam of Amherst Police Department

The group is pre-emptively preparing social media posts regarding safe entertaining and event tips for when the province re-opens from the COVID-19 pandemic.

There is an Expression of Interest from Public Health to have a provincial coalition around alcohol policy.

See attachment regarding alcohol home delivery without public consultation – this was something we were advocating against along with the local public health office.

The next meeting is July 6th 1:30 to 3:00 also via zoom.

Nova Scotia

NSLC home booze delivery likely to start in late summer without public health assessment

Injury Free Nova Scotia has asked for more study before service begins

[Emma Smith](#) · CBC News · Posted: May 28, 2021 2:41 PM AT | Last Updated: May 28



A spokesperson for the Nova Scotia Liquor Corporation said it's implementing a number of measures to ensure home delivery 'is offered as safely as possible.' (CBC)

The Nova Scotia Liquor Corporation says it expects to start [home delivery](#) of alcoholic beverages late this summer, with mandatory training for drivers and limits to when products can be dropped off.

But the Crown corporation says there are no plans to undertake a public health assessment before the service rolls out, something Injury Free Nova Scotia has suggested.

The non-profit group works to eliminate serious and preventable injuries in Nova Scotia.

Peri Lockhart, a health promotion consultant with the group, wants to see the NSLC hit pause while experts complete a health impact assessment that she said would be similar to an environmental impact assessment.

- [NSLC may offer home booze delivery later this year](#)

"Some things that can be included is, for example, where alcohol home delivery will include and not include, like, will it include campuses where we have youth of all ages? Will it include other spaces with vulnerable groups?" she told CBC Radio's *Information Morning* on Friday.

Lockhart said Injury Free Nova Scotia has heard from other community groups from Yarmouth County to Musquodoboit Harbour and "there's plenty of concern from different areas" about providing more access to alcohol.

NSLC says strategies 'promote responsible drinking'

Last fall, former Health Minister Leo Glavine [had his own concerns](#) about the proposed service, saying at the time that "availability and, very often, excessive consumption go hand in hand."

A spokesperson for the NSLC said the corporation has been working with provincial departments "which recommended a number of strategies to continue to promote responsible drinking."

"With these strategies in place, we do not plan to do a public health assessment," Beverley Ware wrote in an email to CBC News.

Ware said mandatory training for all delivery staff will help them determine who is underage or already intoxicated. There will also be "responsible consumption messaging with each

delivery."

Micco/MBW Courier has been awarded the delivery contract, and will have to track who they refuse and why, Ware said. The delivery program will also be monitored through an audit.

The NSLC said it will make sure the brand name used by Micco/MBW Courier "doesn't promote or imply excessive consumption."

Time limit on deliveries

There will also be limits on when alcohol can be delivered, Ware said.

Deliveries won't be made before noon or after 9 p.m., there will be shorter hours on Sundays and no delivery on holidays.

Home delivery of alcohol isn't a new concept in Nova Scotia, [especially during the pandemic](#) when more private breweries and wineries have used it as a source of revenue with restaurants and bars closed.

