

**Minutes of a Regular Meeting of Amherst Town Council  
Held in Council Chambers  
Monday, April 26, 2010 at 7:00 PM**

**PRESENT:** Mayor Robert Small  
Deputy Mayor Terry Rhindress  
Councillor Robert Angel  
Councillor George Baker  
Councillor Robert Bird  
Councillor Dale Fawthrop  
Councillor David March  
Greg Herrett, CAO

**ATTENDING:** Jason MacDonald, Director of Planning and Engineering  
Bill Crossman, Fire Chief  
Vince Arbing, Treasurer  
Roger MacIsaac, Director of Community & Economic Development  
Ben Pitman, Director of Transportation and Public Works  
Kim Jones, Policy, Research and Human Resources  
Rebecca Purdy, Executive Assistant

**1. O CANADA**

**2. HEARINGS / PETITIONS / PRESENTATIONS**

**2.1 Public Hearing: Proposed Development Agreement - 3 Spring Street**

Mayor Small called the public hearing to order and requested a report from Jason MacDonald, Director of Planning and Engineering Services to give his report. He reported that the DA as written satisfies all the concerns of the MPS. Mayor Small asked if Council had any questions or concerns; they did not. He asked for presentations from the public; there were none. He asked the CAO if there was any correspondence; there was not. The public hearing was concluded.

**3. CALL TO ORDER**

**3.1 Amendments to the Agenda**

**3.2 Approval of Agenda **M-1004-01**  
Moved by Councillor March, seconded by Councillor Baker to approve the agenda as presented.**

**MOTION CARRIED**

**3.3 Approval of Minutes **M-1004-02**  
Moved by Deputy Mayor Rhindress, seconded by Councillor Fawthrop to approve the minutes of the March 29, 2010 regular meeting as circulated.**

**MOTION CARRIED**

**4. REQUESTS FOR DECISION**

**4.1 Development Agreement at 2<sup>nd</sup> Reading: 3 Spring Street, RFD#2010028 **M-1004-03**  
Moved by Councillor Angel, seconded by Councillor Baker that Council approve second reading to a development agreement to convert the first floor of the building located at 3 Spring Street into two apartment units.**

**MOTION CARRIED**

Case No. DA-2010-01

This Agreement made this \_\_\_\_\_ Day of \_\_\_\_\_ 2010.

Between:

Alfred Clarke, Owners of property located at 3 Spring Street (PID #25031477), hereinafter called the Owner  
Of the one part

- and-

The Town of Amherst, a body corporate hereinafter called the Town  
Of the other part

WHEREAS the Owner wishes to obtain permission pursuant to Policy CP-15 of the municipal Planning Strategy of the Town of Amherst, to convert existing commercial floor space into two ground floor residential dwelling units within a portion of the building on property located at 3 Spring Street (PID 25031477).

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

AND WHEREAS the Council of the Town, at its meeting on the 26<sup>th</sup> Day of April 2010, approved the said development agreement subject to the registered owner of the land described herein entering into this agreement;

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

- 1) That the Owner is the registered owner of the aforesaid lands in the Town of Amherst, hereinafter called the lands. The aforesaid lots are the only lands in the Town of Amherst to which this agreement applies, and the lands are illustrated in the plan shown on Schedule B attached hereto and forming part of this agreement.
- 2) That the owner may construct two ground floor dwelling units on the said lands, subject to the following Schedules A and B, attached.
- 3) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this agreement.
- 4) Should the owner fail to act in accordance with any aspect of this agreement, the Town shall retain the right to discharge the agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 5) The Town shall issue the necessary permit for the development upon the expiration of the appeal period specified for development agreements in the Municipal Government Act, Section 249, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.

SIGNED, SEALED AND DELIVERED

**Schedule A**

**3 Spring Street - Development Agreement**

Terms and Conditions:

1. The use of the property shall be limited to a total of four dwelling units, and approximately 110 m<sup>2</sup> of commercial floor space.
2. The bulk and height of the building shall be in general conformance with elevations shown on Schedule C.
3. The exterior of the two storey portion of the building shall be a uniform material and colour, to the satisfaction of the Development Officer.
4. Solid waste management shall be in conformance with the town solid waste bylaw, with receptacles located in the rear yard, and shall be enclosed and secured from unauthorized access by humans and rodents.
5. Street access and driveway location shall be substantially as shown on Schedule B, and to the satisfaction of the Development Officer.
6. One parking space shall be provided on the site for each dwelling unit, generally in accordance with Schedule B.
7. Except where walkways are provided, asphalt shall be removed in the area between the Spring Street right of way and the front wall of the residential portion of the building, generally in accordance with Schedule B.
8. Water, sanitary sewer and storm sewer services shall be provided in accordance with any rules and regulations of the Town of Amherst and the National Building Code.
9. Signage on the residential portion of the building shall not exceed that which is permitted on residential properties in the Land Use Bylaw.
10. All areas not used for buildings, parking or driveways shall be landscaped with grass or other such vegetation. Existing tree and shrub vegetation is permitted.
11. No outdoor storage shall be permitted on the property.
12. Exterior lighting shall be carefully designed to not shine directly onto adjacent properties, including ornamental lighting along the driveway.

**4.2 2010-2011 Capital and Operating Budget RFD#2010043**

**M-1004-04**

CAO's Comments on the Budget

It is my pleasure to present the Operating and Capital Budgets for the 2010/2011 fiscal year for Council's consideration this evening. I do want to take this opportunity to recognize and thank the staff members who have put so much time into this effort over the past few months.

As has been the case for the past few years, this year's budget includes a five year capital plan, but Council will only be formally approving Year One of that plan.

As is always the case, there are a number of factors impacting the budget for the year ahead of us.

Residential market value assessment grew by just 5.2% this year. However, the assessment cap program significantly restricted the use of that increase for taxation. This year almost 80% of our residential assessment qualified for the cap, resulting in \$40.1 million in assessment and a revenue loss of \$670,609. The good news is that even with the cap, residential assessment grew by 2.9%.

Commercial assessment grew by 5.2% but the ongoing phase out of the Business Occupancy assessment and tax resulted in an assessment reduction of \$8.6 million and a revenue loss of over \$380,000 which is reflected in a corresponding increase in the commercial rate.

Over all, expenditures are projected to rise by just 2%. On an organization-wide basis, wages and benefits are up by approximately \$371,000 or 5.6% (which includes an allowance for two new positions), administrative costs are up by .5% or \$4,100; building and facility costs are up .3% or \$2,200, vehicle and equipment costs fall 13%.

Debt service costs are projected to come in at \$991,812 resulting in a healthy ratio of debt to own-source revenue of approximately 7.57%

Mayor's Comments on the Budget:

I, too, want to thank all of those involved in the budget process this year, including the members of Council. This is another exciting year for our town and for this Council. We are putting forward our largest ever capital budget in the amount of \$15,969,998 which includes the largest capital project ever taken on by the Town, the new sewage treatment plant at a price tag of \$10.9 million.

<b>STRATEGIC PRIORITIES</b>	<b>\$1,320,000</b>
• Downtown Action Plan	\$750,000
• Skate Board Park	\$400,000
• Dickey Park Redevelopment	\$170,000
<b>EQUIPMENT</b>	<b>\$ 55,000</b>
• Vehicle for Building Inspection	\$ 20,000
• Hot Asphalt Patcher	\$ 35,000
<b>STREETS</b>	<b>\$732,602</b>
• East Pleasant (carry over)	\$ 5,000
• Pinehurst & Cambridge	\$ 16,300 (reimburse Roymac)
• Ratchford Street Parking Lot	\$ 70,000
• Cornwall St (Hickman-James)	\$ 93,000 (asphalt overlay)
• East Pleasant (Albion-Central)	\$ 88,793 (widen & curb)
• Havelock (Victoria-Prince Arthur)	\$ 40,000 (cold mill & paving)
• Poplar (Albion-Central)	\$150,000 (cold mill & paving; curb)
• Townshend (Donald-Charles)	\$198,329 (reconstruction; paving; curb)
• Lord Amherst Drive	\$ 62,000
<b>SIDEWALKS</b>	<b>\$232,048</b>
• Robert Angus Drive	\$ 1,250 (extension deficiencies / carryover)
• East Pleasant (Albion-Central)	\$ 44,797 (replace existing asphalt)
• Townshend (Charles-Donald)	\$ 70,596 (new asphalt sidewalk)
• Spring (Abbey-Willow)	\$ 71,500 (concrete)
• Walking Trail (Motor-Lamy)	\$ 11,631 (North Town Collector)
• Walking Trail (Lamy-Derby)	\$ 32,274 (North Town Collector)
<b>STORM SEWER</b>	<b>\$ 64,104</b>
• Townshend (Donald-Charles)	\$ 65,104 (replace corrugated)
<b>SANITARY SEWER</b>	<b>\$11,693,194</b>
• Environmental Risk Assessment	\$177,000 (for STP – carry over)
• Aboiteau Relocation (if required)	\$658,274 (carry over funding)
• Sewage Treatment Plant	\$10,237,420 (Construction - carry over)
• Sewage Treatment Plant	\$303,000 (Administration – carry over)
• Wind Turbine	\$317,500
<b>CORPORATE SERVICES</b>	<b>\$ 20,000</b>
• Asset Management Software	\$ 20,000

<b>ECONOMIC DEVELOPMENT</b>	<b>\$ 1,514,000</b>
• Replace 2002 Zero Turn Mower	\$ 14,000
• Replace 1997 Chev ½ ton truck	\$ 18,000
• Digital signage system Stadium	\$ 32,000
• LED light replacement	\$1,400,000
• YMCA Capital contribution	\$ 50,000
<b>FIRE DEPARTMENT</b>	<b>\$165,100</b>
• Thermal Imaging Camera	\$ 15,000
• Natural Gas Conversion	\$ 57,000
• Chassis Replacement	\$ 93,100 (Rescue Unit)
<b>POLICE DEPARTMENT</b>	<b>\$ 103,950</b>
• Generator	\$ 31,550
• Radio Repeater	\$ 10,000
• Portable Radios & Mic's	\$ 14,800
• Defibrillators	\$ 20,000
• Cameras for Cell Block	\$ 27,600

If I could summarize this budget, I would call it "The Staying on Track" budget which reflects the strategic priorities council set two years ago.

This budget will see the continual improvements to the town in many ways, as we improve infrastructure, implement "greener" initiatives, improve our landscape within the town, offer improved services to all our residents, while working hard to maintain our tax rate.

With the construction of the Amherst Waste Water Treatment facility over the next two years, this will see the largest infrastructure project implemented in the history of our town. In addition, projects for the complete street replacement of Townsend Avenue, Phase 2 of East Pleasant represent major expenditures in infrastructure. We also will continue our street paving and patching expenditures.

This year our plans include the complete replacement of all street lights to a "greener" technology of LED lights. This project provides several benefits to our town, in terms of improved lighting which provides safety/security for our residents, it provides long term payback for lower costs of operations which contributes to reducing our carbon footprint, which is a global strategy by all governments. We hope to have a more formal announcement in the coming weeks.

If you are not familiar with the plans that council recently adopted to support our town, our plan includes the development of a trail system, which will provide our residents with the opportunity to walk along our marsh area and eventually connect to our downtown. This year, we are proceeding with the development of this trail along the toe of the Marsh which we call the North Town collector section. This will become a great area for people to walk, run and enjoy the scenic beauty of our Marsh area.

Council has heard from the both our business and residential community whether it is developers, construction contractors and those building or developing real estate, that Amherst needs to strengthen our staffing for building permits and support for development, therefore we are adding a building inspector to our staff to help provide improve these services while taking care of other issues that the town is focused on.

In addition, this year we are planning to complete two more of our strategic initiatives which are the Dickey Park revitalization project and the construction of Amherst's Skate Park. We are awaiting word on provincial funding for the Skate Park but we hope to hear positive news in the next few weeks, while a Citizens Group has organized to raise funds from our community to support this project.

As you know, our challenge is to take "Small" steps in growth to allow our town to continue to prosper, encourage people to live in Amherst with the confidence that Amherst is a great place to live, work and play.

Another positive change the town has made this year is our tendering process which historically started after the budget approval process was completed. This always caused projects to have a late start in the calendar year, thus making last summer, fall and sometime early winter, before projects were completed. This year, we have initiated the tenders in advance of our final budget approval, to permit a more accurate cost estimate of the project to occur and to also start projects within the town earlier in the year.

Recent statistics indicate that Amherst is one of the few places in Nova Scotia that has experienced growth, while other areas of Nova Scotia, are having to deal with the downward spiral of out-migration, job losses and significant increases in tax rates.

I want to take this opportunity to recognize and thank our CAO Greg Herrett, Senior Management Team and all of town workers whether you work in the police or fire service, public works, parks or work at town hall, your efforts are much appreciated.

Looking ahead a few months, Town Council and the Town Management team will be once again reviewing the strategic plan this fall to determine what's next in strategic priorities that we want to complete in the coming year or two. We will re-set the plan and start working towards it.

We are very proud of our town and will continue to work hard to make this town a great place to live, work and play.

All of this very positive activity does, as I have hinted, come with a price tag.

Residential tax rates will remain at \$1.67. On the commercial side, the continued phase out of the BO required an increase of 29 cents, so the commercial rate comes to \$4.60. In large part, the increased commercial tax is offset by the drop in Business Occupancy.

Cost increases in tipping fees at the Cumberland Central Landfill have necessitated a \$5 increase in the solid waste uniform charge from \$165 to \$170.

Costs are also up in the sewer department, necessitating a slight increase in that area as residential rates go from 75 to 77 cents per cubic metre, and commercial increases from 37 to 38 cents per cubic metre. This is an area where, quite frankly, we should expect to see further increases in future years as the operating costs of the new sewage treatment plant come on line. The uniform charge for the sewage treatment plant remains at \$28. We project that this will allow us to defray debt service related to the project as well as some of the initial capital costs.

Thank you. Now, there are a number of Council resolutions necessary to give effect to this budget.

- a. **Estimates of Revenues & Expenditures** **M-1004-05**  
**Moved by Councillor Fawthrop, seconded by Deputy Mayor Rhindress that Council accept the following estimates of the sums required by the Town of Amherst for the fiscal period ending March 31, 2011, prepared in accordance with Section 72 of the *Municipal Government Act*:**

<b>Revenues</b>	
Taxes	\$ 12,325,460.
Grants in Lieu of Taxes	297,129.
Services Provided to Other Local Gov't	213,410.
Sale of Services	1,104,556.
Other Revenue from Own Sources	468,390.
Unconditional Transfers	1,224,017.
Conditional Transfers	324,100.
<b>Total Revenues</b>	<b>\$ 15,957,062.</b>

<b>Expenditures</b>	
Corporate Services	3,914,064.
Police Services	3,837,033.
Fire Protection Services	1,545,756.
Operational Services	3,208,620.
Planning	1,486,256.
Community & Economic Development	1,965,333.
<b>Total Expenditures</b>	<b>\$ 15,957,062.</b>

**MOTION CARRIED**

- b. **2010-2011 Tax Rates** **M-1004-06**  
**The following resolution was moved by Councillor March, seconded by Councillor Baker:**

**WHEREAS total estimated expenditures for the fiscal period are \$15,957,062; and**

**WHEREAS total estimated revenues, other than taxes to be levied are \$3,631,602; and**

**WHEREAS the balance of revenues required, \$12,325,460 must be rated;**

**THEREFORE BE IT RESOLVED THAT the tax rates for the Town of Amherst for the fiscal year ending March 31, 2011 are as follows:**

Residential	\$1.67 per \$100 of assessment
Non-residential	\$4.60 per \$100 of assessment

AND THAT these taxes are due and payable on September 30, 2010 with interest to be charged on all final tax accounts outstanding on or after October 1, 2010 at the rate of 1% per month, 12% per annum.

MOTION CARRIED

c. Sewer Rates Resolution M-1004-07

The following resolution was moved by Councillor Baker and seconded by Councillor Fawthrop:

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:

- Metered Customers  
Those owners whose water service is metered shall pay a usage charge:
  - Residential: \$0.77 per cu. meter of metered water consumption as determined by the Amherst Water Utility;
  - Commercial/Industrial/Institutional: \$0.38 per cu. meter of metered water consumption as determined by the Amherst Water Utility.
- Non-Metered Customers  
For non-metered customers in unmetered mobile home parks, the park owner shall pay \$139.45 per dwelling unit per annum.

For unmetered residential customers, there shall be a flat charge of \$209.52 per annum.

MOTION CARRIED

d. Sewage Treatment Plant Uniform Charge M-1004-08

The following resolution was moved by Deputy Mayor Rhindress and seconded by Councillor Angel:

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2011, an amount to be raised and transferred to reserves for the capital cost of a new sewage treatment plant, a purpose for which the Town may expend funds; and

WHEREAS there are approximately 3,982 eligible property assessments within the boundaries of the Town of Amherst; and

WHEREAS the Council may, under paragraph 75(4)(a) 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 \$28.00 be levied for the fiscal year ending March 31, 2011 on each property assessment within the boundaries of the Town of Amherst on residential and commercial properties, excluding vacant residential and commercial properties with their own assessment account number that are under 10 meters in width, and excluding properties that do not have municipal street frontage, and that these uniform charges are due and payable on September 30, 2010 with interest to be charged on all final tax accounts outstanding on or after October 1, 2010 at the rate of 1% per month, 12% per annum.

MOTION CARRIED

e. Solid Waste Management Uniform Charge M-1004-09

The following resolution was moved by Councillor Angel and seconded by Councillor Bird:

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2011, the amount of \$532,884 to be expended for the purpose of solid waste management, a purpose for which the Town may expend funds; and

WHEREAS there are approximately 3,135 dwelling units within the boundaries of the Town of Amherst in residential premises with less than four such dwelling units; and

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

THEREFORE BE IT RESOLVED that a uniform charge of \$170.00 be levied for the fiscal year ending March 31, 2011 on each dwelling unit within the boundaries of the Town of Amherst in residential premises with less than four such dwelling units, and that these uniform charges are due and payable on September 30, 2010 with interest to be charged on all final tax accounts outstanding on or after October 1, 2010 at the rate of 1% per month, 12% per annum.

MOTION CARRIED

- f. DARS Area Rates M-1004-10  
The following resolution was moved by Councillor Bird and seconded by Councillor Fawthrop:

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2011 the amount of \$41,548.00 to be disbursed to the Downtown Amherst Revitalization Society to be used for the benefit of the Merchants of the downtown area, a purpose for which the Town may expend funds;

AND WHEREAS the taxable assessment in the area formerly known as the Amherst Business Improvement District Commission area is as follows:

Commercial	\$14,705,500
Business Occupancy	\$1,355,200

AND WHEREAS the Council may, under subsection 75(2) of the *Municipal Government Act*, recover annually from the area as much of that sum as Council considers advisable to collect in any one fiscal year by an area rate of so much on the dollar on the assessed value of the taxable property or occupancy assessment in the area;

THEREFORE BE IT RESOLVED THAT an area rate be levied for the fiscal year ending March 31, 2011 as follows:

Commercial	\$0.23 per \$100 of Assessment
Business Occupancy	\$0.57 per \$100 of Assessment

on all commercial and business occupancy assessment in the area formerly known as the Amherst Business Improvement District Commission area and that these taxes are due and payable on September 30, 2010 with interest to be charged on all final tax accounts outstanding on or after October 1, 2010 at the rate of 1% per month, 12% per annum.

MOTION CARRIED

- g. General Borrowing Resolution M-1004-11  
*The following borrowing resolution is to authorize the borrowing of certain moneys from the Royal Bank of Canada to meet the current expenditure of the Corporation of the Town of Amherst (hereinafter called "the Corporation") for the year ending March 31, 2011;*

Moved by Councillor Fawthrop, seconded by Councillor March:

WHEREAS it is necessary to borrow the sum of \$2,000,000 from the Royal Bank of Canada to meet the new current expenditure of the Corporation until such time as the taxes to be levied therefore can be collected;

BE IT THEREFORE RESOLVED by the Municipal Council of the Corporation as follows:

1. THAT the Mayor and the Treasurer of the Corporation be, and they are hereby authorized under the seal of the Corporation to borrow from the Royal Bank of Canada up to the sum of Two Million Dollars as the same may be required from time to time to meet the now current expenditure of the Corporation which said expenditure has been duly authorized by Council; and

2. THAT the said Mayor with the Treasurer aforesaid, be, and they are hereby authorized to pay or allow to the said bank, interest on the sum of **Two Million Dollars** at a rate of Royal Bank Prime minus ¼% per annum, which may be paid or allowed in advance by way of discount or otherwise howsoever as they may deem best; and
3. THAT the said sum of \$2,000,000 so to be borrowed shall be made payable on or before the 31<sup>st</sup> day of March, 2011, and the promissory note or notes of the Corporation, if any, given therefore, if made payable before the said 31<sup>st</sup> day of March, 2011, may be renewed by the said Mayor and Treasurer from time to time, but no renewal thereof shall fall due later than the said 31<sup>st</sup> day of March, 2011; and
4. THAT the said promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Mayor and Treasurer of the Corporation be given from time to time as required, in security for the amounts borrowed from time to time under the provisions of this resolution; and
5. THAT giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only in indebtedness.

**MOTION CARRIED**

- h. **2010-2011 Capital Budget and Five Year Projected Capital Budget M-1004-12**  
 Moved by Councillor March seconded by Councillor Baker that Council approve the 2010-2011 General Capital budget as presented, totaling \$15,891,998 to be funded as follows:

Capital borrowing	\$ 1,177,874
Capital from revenue	689,730
Transfers from reserves	376,264
Grants	1,926,186
Federal Gas Tax	250,000
Fundraising	90,000
Capital Reserve Carryover Items	11,381,944
<b>Total</b>	<b>\$ 15,891,998</b>

And further, that Council approve in principle, the following General Capital budgets:

<b>Fiscal Year</b>	<b>Total Amount</b>
2011 – 2012	\$ 8,165,950
2012 – 2013	1,384,000
2013 – 2014	1,271,000
2014 - 2015	816,000

**MOTION CARRIED**

*To be clear, this motion contemplates the approval of the amounts for the years 2011-2012 to 2014-2015 for planning purposes only; this is not the authority to spend, nor is it necessarily the final and complete listing.*

- i. **Temporary Borrowing Resolution M-1004-13**  
 The following resolution was moved by Councillor Baker and seconded by Deputy Mayor Rhindress:

**WHEREAS** Section 66 of the *Municipal Government Act* provides that the Town of Amherst, subject to the approval of the Minister of Service Nova Scotia and Municipal Relations, may borrow to expend funds for capital purposes authorized by statute;

**AND WHEREAS** clause 65 of the *Municipal Government Act* authorizes the Town of Amherst to expend funds for the capital purposes of:

- Streets, culverts, sidewalks and curbs;
- Equipment;
- Wastewater facilities and stormwater systems;
- Wind Turbine and LED light replacement;



AND WHEREAS the specific amounts and descriptions of the projects are contained in Schedule "A";

BE IT THEREFORE RESOLVED THAT under the authority of Section 66 of the Municipal Government Act, the Town borrow a sum or sums not exceeding one million one hundred seventy-seven thousand eight hundred seventy-four dollars (\$1,177,874) for the purpose set out above, subject to the approval of the Minister of Service Nova Scotia and Municipal Relations;

THAT the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the *Municipal Government Act* and that the Town borrow from time to time a sum or sums not exceeding one million one hundred seventy-seven thousand eight hundred seventy-four dollars (\$1,177,874) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve Months (12) from the date of the approval of the Minister of Service Nova Scotia and Municipal Relations of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

MOTION CARRIED

SCHEDULE A  
File No. 10/11 – Various Purposes

<u>EQUIPMENT</u>	
Building Inspection/Unsightly Car	\$ 20,000
<u>STREETS</u>	
Pinehurst & Cambridge, Cornwall St – Hickman to James St East Pleasant – Albion to Central, Townshend Ave – Donald to Charles	254,577
<u>SIDEWALKS</u>	
Spring – Abbey to Willow	44,797
<u>WIND TURBINE</u>	
	158,500
<u>LED</u>	
Light replacement	700,000
	<u>\$1,177,874</u>

- 4.3 Centre First Implementation Plan, RFD#2010042 M-1004-14  
Moved by Councillor March, seconded by Councillor Fawthrop that Council approve Centre First – Downtown Amherst Action Strategy Implementation Plan presented in RFD#2010042.

MOTION CARRIED

- 4.4 Salary Administration Policy, RFD#2010044 & 2010045 M-1004-15 & 16

Moved by Councillor Fawthrop, seconded by Councillor March that Council approve an amendment to the Salary Administration Policy #04530-01 to add the position of "Building Inspector II" to Appendix B, Classification Grid, at Level 6.

MOTION CARRIED

Moved by Councillor Fawthrop, seconded by Deputy Mayor Rhindress that Council approve an amendment to the Salary Administration Policy #04530-01 to add the position of "Physical Activity Coordinator" to Appendix B, Classification Grid, at Level 5.

MOTION CARRIED

**TOWN OF AMHERST POLICY NUMBER 04530-01  
SALARY ADMINISTRATION**

**APPENDIX B**

**Job Classifications**

Level 12	Vacant
Level 11	Town Treasurer Director - Community & Economic Development Director of Planning & Engineering Services Director of Transportation & Public works
Level 10	Fire Chief
Level 9	Vacant
Level 8	Public Works Foreman Engineering Services Manager Planner
Level 7	Community Program Director Building Inspector Technology Officer Transportation Foreman Accountant
Level 6	Executive Assistant - Executive Office Administrative Assistant – Policy, Research, Human Resources & Special Projects Firefighters/Inspectors CED marketing/Special Events Geographic Information Systems Technician Building Inspector II
Level 5	Revenue Officer Firefighters Engineering Technician Executive Assistant - Corporate Services Executive Assistant – Planning & Engineering Services Executive Assistant - Community & Economic Development Maintenance Supervisor - Recreation Facilities Physical Activity Coordinator
Level 4	Transportation & Public Works Clerk/Secretary Human Resource Officer Accounts Payable Clerk Water/Sewer Billing Clerk
Level 3	Cashier/Receptionist - Corporate Services Technology Assistant Dispatcher By-law Enforcement Officer
Level 2	Vacant
Level 1	Vacant

- 4.5 **User Fees Policy Annual Review, RFD#2010037** **M-1004-17**  
**Moved by Councillor Angel, seconded by Councillor March that Council approve amendments to the Town of Amherst User Fees Policy, #03470-03 and its Schedules as recommended by staff.**

**MOTION CARRIED**

**TOWN OF AMHERST POLICY NUMBER 03470-03  
USER FEES**

**PURPOSE:**

To establish a schedule of user fees for Council to review for appropriateness and to revise if necessary during the annual budgeting process.

**POLICY STATEMENT:**

It is appropriate for Council to charge fees, as authorized under the Municipal Government Act, in the Town's Bylaws, Policies and Procedures in order to defray its administrative costs. In order to allow for a systematic and thorough evaluation of those fees, a comprehensive schedule of User Fees with applicable tax status has been established. The responsibility for the accuracy of Schedule shall rest with the department to which a fee applies. Any additions/deletions to the Schedule will be updated by the Executive Office. Those fees legislated under Provincial and/or Federal Acts and Authorities will also be shown on the schedules for completeness, but will not be subject to change by Council.

**OBJECTIVES:**

To make the administration of the cost recovery portion of the Town's Bylaws, Policies and Procedures more efficient and to determine the impact on each year's projected revenues during the budget process. By combining all of the fees in one document, the review will be more visible and complete.

**TOWN OF AMHERST  
USER FEES POLICY, SCHEDULE A**

**Policy 3470-03**

<b>Corporate Services</b>		
<b>SERVICE/PRODUCT/ADMINISTRATIVE</b>	<b>FEE</b>	<b>HST STATUS</b>
Photocopies	.25/copy	Plus HST
Tax Certificates	\$50.00	Includes HST
Use of Facilities (Cumberland Memorial Bldg)	\$50.00/day	Plus HST
NSF Cheques	\$20.00	HST Exempt

<b>By-Law Fees Collected by Corporate Services</b>		
<b>C-9 Taxi By-Law, Schedule C</b>		
Taxi Cab License	\$25/yr	HST Exempt
Taxi License Transfer	\$10	HST Exempt
Taxi Driver License	\$5/yr	HST Exempt
<b>C-4 Dogs</b>		
Tags	\$15/yr	HST Exempt
Lost Tag Replacement	\$10	HST Exempt
Registered Kennel	\$25/yr	HST Exempt
Euthanasia	\$50	Plus HST
Capturing Dog Running at Large	\$10	Plus HST
Boarding of Dog	\$10/24 hr	Plus HST
<b>C-11 False Alarms</b>		
After 2 <sup>nd</sup> Notice	\$50/alarm	HST Exempt

<b>Operational Services</b>		
It is not the intention of the policy to rent Town of Amherst equipment to the general public; these rates and the availability of this equipment are contemplated for use by commercial concerns only.		
<b>Equipment Charge out Rates</b>	<b>Rate per Hour</b>	<b>HST Status</b>
Backhoe	\$90.70*	Plus HST
CAT Loader	\$95.98*	Plus HST
1-ton trucks/Service trucks	\$44.23*	Plus HST
3-5 ton trucks	\$64.00*	Plus HST
Street Sweeper	\$100.00*	Plus HST
Trackless	\$60.00*	Plus HST
Sewer Camera	\$100.00*	Plus HST
Line Locator	\$50.00*	Plus HST
Hole Hog	\$45.00*	Plus HST
Vermeer Brush Chipper	\$60.00*	Plus HST
Steamer	\$30.00*	Plus HST
Compressor	\$17.00	Plus HST
Trash Pump	\$1500	Plus HST
Diaphragm Pump	\$15.00	Plus HST
Overhead charges extra – see procedure		
* Price includes one operator and fuel during normal working hours; overtime labour rates are extra.		

<b>Operational Services By-Laws</b>		
<b>D-3 Sewer Use By-Law</b>		
One Connection	\$750.00	Plus HST
Storm Sewer Connection (if done at the same time as sewer connection)	\$250.00	Plus HST
<b>D-19 Sanitary Sewer Rates By-Law - By Council Resolution, April 26, 2010</b>		
Residential Metered Customers	\$ .77/m <sup>3</sup>	Exempt
Commercial/Industrial/Institutional metered customers	\$ .38/m <sup>3</sup>	Exempt
Non-metered Mobile Home Park Owner	\$139.45/dwelling unit/year	Exempt
Unmetered Residential Customers	Flat charge /yr \$209.52	Exempt

<b>Other</b>		
Sanitary Sewer Charge for Sewage Treatment Plant billed on Tax Bill	\$28.00/yr	Exempt
Solid Waste Collection billed on Tax Bill	\$170.00 /year	Exempt

<b>Services/Products – Operational Services</b>		
Parking Space Rental – Yearly	\$200.00	Plus HST
Parking Space Rental – Monthly	\$20.00	Plus HST
Street Breaking Permit (Policy 31600-08)	\$500.00	Plus HST
Commercial Sewer Service (Policy 31600-14) Estimated by Engineer and final adjustment when work is done	Cost of Service	Plus HST

<b>Planning and Development Department</b>		
Zoning Confirmation Letter	\$50.00	HST Exempt
Copy of Land Use Bylaw or Municipal Planning Strategy	\$20.00	HST Exempt
Copy of Zoning Map (11 x 17)	\$5.00	HST Exempt
Copy of Zoning Map (50 cm x 60 cm)	\$10.00	HST Exempt

Application to Amend the Land Use Bylaw	\$200.00	HST Exempt
Application for a Development Agreement	\$200.00	HST Exempt
Application to Amend the Municipal Planning Strategy	\$300.00	HST Exempt
Application for a Variance or Site Plan	\$75.00	HST Exempt
Creation of Mapping Document	\$60.00/hr (including 10 lineal metres of maps)	Plus HST
Print Existing Map – less than 50 cm x 50 cm	\$25.00	Plus HST
Print Existing Map – more than 50 cm x 50 cm	\$50.00	Plus HST
<b>Building Permits</b>		
New residential buildings, community centres, churches	\$50.00 + \$0.12 per square foot	HST Exempt
New Commercial, Industrial or other building not listed	\$50.00 + \$0.17 per square foot	HST Exempt
All alterations or repairs	\$50.00 + 0.25% of value	HST Exempt
Decks, accessory buildings and farm buildings	\$50.00 + \$0.04 per square foot	HST Exempt
Demolition	\$20.00	HST Exempt

<b>Police Department</b>		
Commissioner of Oaths Signing	\$15.98	HST Exempt
Commissioner of Oaths Signing – Child Abuse Register for Amherst citizens to participate as volunteers for community organizations	Waived	N/A
Criminal Record Check	\$11.40	HST Included
Criminal Record Check for Amherst citizens to participate as volunteers for community organizations	Waived	N/A
Serial # Verification (homemade trailers)	\$10.00	Plus HST
Fingerprints (for non-criminal reasons)	\$10.00	Plus HST
Accident Reports	\$10.70	HST Exempt
Taxi License Photo	\$10.00	Plus HST

<b>Fire Department</b>		
Firefighter	\$20.00/hour	HST Exempt
Apparatus	\$200.00/in use; \$100.00/standby	HST Exempt
Standby Jaws of Life Alarm	\$350.00	HST Exempt
Meters	\$50.00/hr	HST Exempt
Saws	\$50.00/hr	HST Exempt
Lighting System	\$25.00/hr	HST Exempt
Generator	\$25.00/hr	HST Exempt
Foam – All Types	\$125.00/jug	HST Exempt
Specialized Suits – Hazmat	Replacement cost	HST Exempt
PPE (bunker gear)	Replacement cost	HST Exempt
Fire Extinguisher Training	\$300.00 up to 15 people	Plus HST
Fire Inspections	\$75.00/hr	Plus HST
Inspection Confirmation Letter	\$50.00	HST Exempt

<b>Community &amp; Economic Development Department</b>		
<b>Ice Time/Stadium</b>		
Early Bird (6:00 – 8:15 am)	\$62.00/hr	Incl. HST
Fair Time (8:30 am – 5:00 pm)	\$83.00/hr	Incl. HST
Prime Time (after 5:00 pm)	\$137.00/hr	Incl. HST
Youth Rate	\$105.00/hr	Incl. HST
<b>Photocopies/Stadium (Policy 72000-06)</b>		
8 ½ X 11 (Town Paper)	\$0.10/copy	Plus HST
8 ½ X 14 (Town Paper)	\$0.15/copy	Plus HST
11 X 17 (Town Paper)	\$0.25/copy	Plus HST
8 ½ X 11 (own paper)	\$0.05/copy	Plus HST
8 ½ X 14 (own paper)	\$0.05/copy	Plus HST
11 X 17 (own paper)	\$0.10/copy	Plus HST
<b>Ballfield User Policy (Policy 72300-01)</b>		
Lights	\$18/diamond/game	HST Included
Tournament Fee	\$100/day	HST Included
Tournament Lights	\$30/day	HST Included
<b>Stadium Advertising Rates plus artwork, design and production</b>		
Ice logos	\$400.00	Plus HST
Dasherboard	\$400.00	Plus HST
Wall Signage (4X6)	\$400.00	Plus HST
Ice Making Machine	\$2,500.00	Plus HST
Red and Blue Line – per line (not per side)	\$100.00	Plus HST
Stairs Kick Plates	3 for \$150.00	Plus HST
Score clock Small	\$600.00	Plus HST
Score clock Large	\$850.00	Plus HST

<b>Off Season Stadium Rentals</b>		
Rink Floor Only	\$40.00 per hr or \$600.00 for full day	HST Included
Entire Facility including meeting rooms, team rooms	\$750.00 per day	HST Included
2 <sup>nd</sup> Floor meeting room and lounge	\$50.00 per hour or \$150.00 per day	HST Included

<b>Beer/Liquor Concession Robb Centennial Park (Policy 72300-05)</b>		
Concession only. NSAGA requirements responsibility of organizing committee	\$100.00/day	HST Included

<b>Equipment Rental – Stadium (Policy 72300-09)</b>		
Portable PA (non-profit organization)	\$20.00/day	Plus HST
Portable PA (other)	\$40.00/day	Plus HST
Ice paint spray equipment (with qualified employee)	\$50.00/job plus labour & transportation	Plus HST

<b>Municipal Government Act Fees – FOI-POP Section 466, MGA</b>		
The fees charged for access to information under Part XX of the MGA (Freedom of Information and Protection of Privacy) shall be in accordance with the Freedom of Information and Protection of Privacy Regulations of Nova Scotia, as amended from time to time.		

Note: “All rates and charges with respect to the Amherst Water Utility will be in accordance with the schedule of rates for water and water services as approved by the Utility and Review Board of Nova Scotia from time to time and as reflected in the Order of the Board.”

- 4.6 **Dangerous or Unsightly Premises Policy, RFD#2010041** **M-1004-18**  
**Moved by Councillor Bird, seconded by Councillor March that Council approve amendments to the Town of Amherst Dangerous or Unsightly Premises Committee Policy, #66150-01 as recommended by staff.**

**MOTION CARRIED**

## **TOWN OF AMHERST DANGEROUS OR UNSIGHTLY PREMISES**

**Policy 66150-01**

### **PURPOSE:**

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).

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:**

1. Council delegates its authority 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.
2. 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 Dangerous or Unsightly Premises Committee.
3. 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.
4. 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 Committee.
5. Council delegates its authority to conduct appeal hearings when an appeal is launched against a decision of the Administrator to the Dangerous or Unsightly Premises Committee.

### **MEMBERSHIP:**

1. The Council shall appoint members of the Dangerous or Unsightly Premises Committee by resolution.
2. Membership shall include three members of Town Council and two members of the public.
3. The term for members shall be two years, and members may be re-appointed to the Committee.
4. Calls for interest for public membership on the Committee will be advertised locally.

5. At the beginning of the first meeting of each fiscal year the Committee will elect a chairperson as well as a vice-chairperson. Individuals may be re-elected for consecutive terms.

**ROLES:**

**Committee:**

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

**Administrator:**

1. Receive all complaints in relation to this policy;
2. 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;
3. Utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to bring a property into compliance;
4. Set the agenda for Committee meetings;
5. Provide a monthly report to Council detailing number of complaints, number of open files, number of resolved files, type of infraction, etc.

**COMPLAINTS:**

1. 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.
2. 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.
3. Complaints may be received by staff or Council.
4. All complaints shall be submitted to the Planning and Engineering Services Department.
5. The Administrator shall acknowledge receipt of a complaint by regular mail to the complainant.
6. Complaints shall be considered confidential but are subject to Part XX of the *Municipal Government Act, Freedom of Information Protection of Privacy*.

**ENFORCEMENT:**

1. Staff will proactively enforce this policy on all streets within the Town.
2. After the annual spring special solid waste collections are completed, the Administrator will conduct a survey of all streets to determine which properties fall within the definition of dangerous or unsightly as contained within the Municipal Government Act.
3. Once the above survey of all streets is complete, the Administrator will create a priority list of unsightly properties, as outlined in the Dangerous or Unsightly Premises Procedure. Properties with a higher priority will be processed first.
4. In addition to the initial survey above, the Administrator will periodically survey all streets within Town to determine which properties fall within the definition of dangerous or unsightly as contained within the Municipal Government Act.

**COMMITTEE MEETINGS:**

1. Committee meetings will be scheduled when an appeal is launched of a decision made by the Administrator; when the Administrator recommends a building to be demolished, or upon the request of the Chair, CAO or Director.
2. The Administrator's report will not be made public prior to the hearing.

**HEARINGS:**

1. 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.

2. The complainant will be notified of the hearing in writing no less than seven days prior to the hearing.

**APPEALS (OF ADMINISTRATOR DECISIONS):**

1. Any decision of the Administrator may be appealed to the Committee within 7 days of such decision. Such appeal must be submitted in writing to the Chief Administrative Officer.
2. Appeals may be lodged by the property owner or complainant.
3. The Committee may make any decision that the Administrator could have made.
4. A decision of Committee is not appealable.

**APPEALS (OF COMMITTEE DECISIONS):**

1. Any decision of the Committee may be appealed to Amherst Town Council within 7 days of such decision. Such appeal must be submitted in writing to the Chief Administrative Officer.
2. Appeals may be lodged by the property owner or complainant.
3. Council may make any decision that the Committee could have made.
4. A decision of Council is not appealable.

**4.7 Grants to Organizations, RFD#2010034 M-1004-19**

**Moved by Councillor Baker, seconded by Deputy Mayor Rhindress that Council approve the following grants totalling \$20,528 to organizations, and that staff be directed to disburse such funds to the organizations as indicated.**

<u>ORGANIZATION</u>	<u>AMOUNT</u>
Amherst Food Assistance Network	2,000
Amherst Little League	1,500
Autumn House	10,000
Cumberland Co Museum	4,000
Cumberland Early Intervention Program	1,000
Sexual Health Center for Cumb Co	500
Showcase Productions Society	1,000
 <u>Covered Separately Under Agreements</u>	
T-Bar	500
Soccer(in-kind, we pay property taxes on former Dolan property	28
<b>TOTAL</b>	<b><u>\$ 20,528</u></b>

**MOTION CARRIED**

**4.8 Funding Request: Fundy Senior Games, RFD#2010033 M-1004-20**

**Moved by Deputy Mayor Rhindress, seconded by Councillor Fawthrop that Council authorize financial assistance in the amount of \$500 to the 2010 Fundy Senior Games being hosted in Amherst from June 8 to 10 this year.**

**MOTION CARRIED**

**4.8 Tender: Crew Cab & Chassis for Fire Dept, RFD#2010038 M-1004-21**

**Moved by Councillor Bird, seconded by Councillor Baker that Council approve the low tender from Universal Truck & Trailer in the amount of \$80,750 plus HST for 1 2011 Freightliner M2-106 chassis with funding to come from the Capital Reserve, as approved in the 2010-2011 Capital Budget.**

**MOTION CARRIED**

**4.9 Tender: Gravel Products, RFD#2010039 M-1004-22**

**Moved by Councillor Angel, seconded by Councillor March that Council award the gravel tender to Blairco at their unit bid prices for each type of gravel:**

- Type 2 Gravel           \$ 10.80 per tonne
- Type 1S Gravel       \$ 10.80 per tonne
- Stone 6mm to 20mm   \$ 16.90 per tonne
- Sand                     \$ 14.90 per tonne

**MOTION CARRIED**

**4.10 Tender: Asphalt Patching, RFD#2010040 M-1004-23**

Every year the Town requires contracted asphalt patching services to address pot holes, utility cuts and curb repairs. This year tenders for asphalt patching services closed on March 24, 2010, subject to approval of the 2010-2011 budget. The following two bids were received, based on estimated tonnages and unit costs. It is Town practice to keep tonnages within budgeted amounts. Transportation & Public Works plan to begin with street patching, followed by curb and utility cut repair, starting in early May.

Description	Units	Qty	Costin Paving		Cumberland Paving	
			Unit Bid Price	Total	Unit Bid Price	Total
NSTIR Asphalt Concrete Type "E" sand mix, including tack coat in place for hand patching streets	Tonne	150	\$225.00	\$33,750.00	\$300.00	\$45,000.00
NSTIR Asphalt Concrete Type "E" sand mix, spreader patch, including tack coat in place	Tonne	500	\$110.00	\$55,000.00	\$200.00	\$100,000.00
NSTIR Asphalt Concrete Type "C" surface course spreader patch, including tack coat in place	Tonne	100	\$105.00	\$10,500.00	\$200.00	\$20,000.00
Asphalt Patching NSTIR Asphalt Concrete type "B" base course in place	Tonne	400	\$220.00	\$88,000.00	\$150.00	\$60,000.00
Asphalt Patching Service Cuts NSTIR Asphalt concrete type "C" course in place.	Tonne	200	\$220.00	\$44,000.00	\$150.00	\$30,000.00
Type I Gravel base in place and compacted	m3	600	\$30.00	\$18,000.00	\$10.00	\$6,000.00
Trim and remove edge of existing asphalt in service cuts	meter	100	\$5.50	\$550.00	\$10.00	\$1,000.00
Replace Asphalt Curbing including tack coat and backfill, topsoil and seed	Meter	500	\$38.50	\$19,250.00	\$40.00	\$20,000.00
Asphalt milling 50mm depth	m2	500	\$22.50	\$11,250.00	\$20.00	\$10,000.00
			Subtotal	\$280,300.00		\$292,000.00
			Hst (13%)	\$36,439.00		\$37,960.00
			Total	\$316,739.00		\$329,960.00

**Moved by Deputy Mayor Rhindress, seconded by Councillor Angel that Council award the 2010-2011 asphalt paving tender to the low bidder, Costin Paving and Contracting, at their quoted unit prices.**

**MOTION CARRIED**

**4.11 Tender: Townshend Ave Project, RFD#2010046 M-1004-24**

**Moved by Councillor March, seconded by Councillor Baker that Council award the tender for the reconstruction of Townshend Avenue to Bowers' Construction Limited at their low tender bid of \$418,689.43, HST extra with funding to come from the approved 2010-2011 Capital Budget.**

**MOTION CARRIED**

**4.12 Tender: East Pleasant Street, Phase 2, RFD#2010047 M-1004-25**

**Moved by Councillor Fawthrop, seconded by Councillor Angel that Council award the tender for the second phase of the reconstruction of East Pleasant Street to Costin Paving and Contracting Ltd. at their low tender bid of \$133,770.80, HST extra, with funding to come from the 2010-2011 approved capital budget.**

**MOTION CARRIED**

**4.13 Tender: North Town Collector Trail, RFD#2010048 M-1004-26**

**Moved by Councillor Baker seconded by Deputy Mayor Rhindress that Council award the tender for the construction of the North Town Collector Trail to Vaughn Melanson Limited at their low tender bid of \$38,854.80, HST extra, with funding to come from the 2010-2011 approved capital budget.**

**MOTION CARRIED**



## 5. INFORMATION / DISCUSSION ITEMS

### 5.1 Four Fathers Festival Update

Councillor Angel presented the following update on the Four Fathers Festival:

The meeting of the Four Fathers Festival Committee was held on April 13th, 2010. Representatives attending were:

Marcie Lewis – CED Staff (Festival Organizer)  
 Ann Porter – Corporate Services  
 Dwight Jones – CED Staff  
 Roger MacIsaac – CED Director  
 Ron MacNutt – Entertainment  
 Terry Farrell – Entertainment  
 Chantelle Taylor – Cumberland Regional Library  
 Tom Fisher – Amherst Lions  
 Councillor Angel – Chairperson  
 Gil Collicott – Visual Arts Group  
 Shirley Nickerson – Cumberland Museum Society

Final contract negotiations are underway for the musical entertainment portion of the Festival. Names and dates will be announced once contracts have been confirmed and returned.

Suggestions were made as to what protocol is to take place in the case of inclement weather. Possible locations throughout the Town are being evaluated and a plan will be put in place in the event of rain for both Canada Day activities and concerts taking place in the Festival tent.

Tantramar Area Artists have settled on a location for their art show. The exhibition will take place in the National Specialties building on July 2<sup>nd</sup> and 3<sup>rd</sup>. This exhibition will be free to the public and will include works from artists in Amherst and beyond.

There are still a few groups gathering ideas for more festival events, but so far the line up will include: Canada Day activities, Fireworks and live concert on Canada Day, Library/Lions Club/Lioness Club children's activities, Trinity St. Stephen BBQ lunch, Chignecto Naturalists Club Nature Walk, Much Music Video Dance Party presented by YAC, Cross Border Challenge, Old Fashioned Country Fair, Welcome Home Premier Tupper performance, Beer Garden/Concert Event held at Amherst Stadium, Cross Border Challenge Youth Event held at Dickey Park, Amherst Songwriting Contest, Slo-pitch Tournament and a Youth Ball Hockey Tournament.

Posters and brochures outlining the Festival line-up are in the being developed and will be ready for circulation once all activity information is in place. Our target for circulation is the week of May 10<sup>th</sup>. Another Festival reminder will be going out on the back of the Town water bills during the week of April 19<sup>th</sup>. The next Four Fathers Festival meeting will take place on June 3<sup>rd</sup> at 3:30pm

## 6. STRATEGIC PRIORITIES

### 6.1 Dickey Park Redevelopment – Status Report

Councillor Baker presented the following project status report on Dickey Park Redevelopment:

Landscaping around the building housing the washrooms and change rooms has been started along with repairs to the grassed areas where the power lines were installed for the LED lights. Staff have begun grubbing some of the wooded areas in preparation for the picnic tables and barbeque pits. The former entrance off Townshend is now being filled and the track in that area is being built up to accommodate users better.

Staff have developed specifications for the splash pad for the Request for Proposal (RFP) process and will be posting this RFP in the coming days.

A funding application has been submitted to Nova Scotia Health Promotion and Protection. The results of this proposal should be known in the coming weeks.

## 7. INTERNAL COMMITTEE REPORTS

7.1 Planning Advisory Committee – Nil report

7.2 Amherst Board of Police Commissioners Nil report

7.3 Dangerous or Unightly Premises Committee Nil report

7.4 Youth Advisory Committee

Mayor Small presented the following Youth Advisory Council report::

At the April 13, 2010 meeting of YAC, members welcomed the two new members; Kevin Hatheway and Brayson White. The main focus of this month's meeting was Four Fathers Festival activities for youth. Building on previously discussed ideas for the festival and new ideas from the new members, YAC has constructed a tentative schedule of desired activities. YAC passed a unanimous vote to donate

proceeds of the July 2 Much Music Video Dance to the Amherst skate park fundraising effort. The dance will have a \$5 admission fee for youth grades 7 through 12.

Saturday, July 3, evening full of youth engagement activities is planned. The July 3 events will begin with a ball hockey tournament with prizes and trophy that YAC hopes will become an annual competition. The youth day will also include skate demos, BBQ, and a battle of the bands where a winner will be selected. All final details including confirmation of venue, finalizing the activities and enlisting volunteers for the events will be worked out in the coming meetings.

Other items of discussion with YAC have been the proposal of lacrosse in Amherst. Research is currently being conducted through CED's Program Director for feasibility and where to begin. YAC also expects to display information to the public at the Town's booth for the Amherst Y's Men's Home Show as well as the Community Fair. YAC hopes to create awareness among community residents of youth engagement initiatives and progress being made since YAC formed in October 2009.

YAC members will join ARHS student council for a lunch meeting on April 27, as they brainstorm potential fundraising projects in support of the Amherst skate park.

The next meeting of YAC will be May 4 at 4:00 PM in Council Chambers.

CAO advised Council that he has received correspondence from YAC requesting a meeting with Council in early June.

- 7.5 **Tree Advisory Committee**– Nil Report
- 7.6 **Heritage Advisory Committee** - Nil Report
- 7.7 **Audit Committee** - Nil Report
- 7.8 **Committee of the Whole** - Nil Report

## 8. EXTERNAL COMMITTEE REPORTS

- 8.1 **Cumberland Regional Library Board** – Nil Report
- 8.2 **CREDA** – Nil Report
- 8.3 **DARS** – Nil Report
- 8.4 **CJSMA**

Deputy Mayor Rhindress presented the following report on behalf of the Cumberland Joint Services Management Authority:

The regional solid waste study is almost complete and a joint presentation to all municipal units was held April 22, 2010 in Springhill. The recommendations of the study will now be considered by the CJSMA Board and all municipal units.

Special collections are now underway with the following collections scheduled:

- April 19 – 30 Leaf and Yard Waste (branches not exceeding 1.5 m in length and 5 cm in diameter – tied together. For leaves, please remember COMPOSTABLE bags NOT plastic or biodegradable)
- April 26 – 30 Christmas Tree Collection
- May 3 – 7 Special Collection (appliances, furniture, etc. not exceeding 50kg each or 150kg total)
- May 10 – 14 Construction and Demolition Collection

Deputy Mayor Rhindress urged citizens to comply with the new regulations of CJSMA to discontinue the use of plastic bags for leaves and in green bins.

Councillor Fawthrop extended congratulations on behalf of Council to Councillor Baker on his appointment as Chair of CJSMA.

### 8.5 **Northern Region Waste Resource Committee**

Councillor Baker presented the following report on behalf of the Northern Region Waste Resource Committee:

We have received notification that all municipal units in the Region have passed motions to approve the new Northern Region Solid Waste Agreement. Copies of the agreement will be circulated for signatures shortly.

There was no Northern Region Solid Waste Committee meeting held this past month.

8.6 **Cooperation Committee** - Nil Report

8.7 **Airport Committee** - Nil Report

8.8 **Amherst and Area Chamber of Commerce** – Councillor Bird expressed the Chamber's disappointment with the increase in HST; they have been busy preparing a number of initiatives to support local retailers, and encouraged people to support local suppliers and retailers. The song writing contest is gaining interest and the Chamber is looking forward to receiving submissions. The Chamber is also seeking input about positive customer service experiences that people have had in the local community.

8.9 **VON** – Nil Report

**9. MAYOR'S COMMENTS**

Mayor Small extended congratulations to Bob Janes and Gary Stack on being recognized by the Hospital Foundation for their support. The Foundation's gala was a sold out event and a class act.

**10. ADJOURNMENT**

On motion by Deputy Mayor Rhindress, the meeting adjourned at 8:30 PM.

**APPROVED BY:**

Gregory D. Herrett, CA  
Town Clerk and Chief Administrative Officer

Robert Small  
Mayor

Regular Council Meeting - April 26, 2010 at 7:00 PM  
AGENDA

<b>1.</b>	<b>O'CANADA</b>		
<b>2.</b>	<b>HEARINGS/PETITIONS/PRESENTATIONS/PETITIONS</b>		
2.1	Public Hearing: Proposed Development Agreement - 3 Spring Street		3
<b>3.</b>	<b>CALL TO ORDER</b>		<b>Presenter</b> <b>Page</b>
3.1	Additions to Agenda		
3.2	Approval of Agenda		
3.3	Approval of Minutes: March 29, 2010		4
<b>4.</b>	<b>REQUESTS FOR DECISION</b>		<b>RFD</b> <b>Presenter</b> <b>Page</b>
4.1	DA at 2 <sup>nd</sup> Reading: 3 Spring Street	2010036	Angel    25
4.2	2010-2011 Budget	2010043	Small    35
	a. Estimates of Revenues & Expenditures	--	Fawthrop    38
	b. 2010-2011 Tax Rates	--	March    39
	c. Sewer Rates Resolution	--	Baker    40
	d. Sewage Treatment Plant Uniform Charge	--	Rhindress    41
	e. Solid Waste Management Uniform Charge	--	Angel    42
	f. DARS Area Rates	--	Bird    43
	g. General Borrowing Resolution	--	Fawthrop    44
	h. 2010-2011 Capital Budget and Five Year Projected Capital Budget	--	March    46
	i. Temporary Borrowing Resolution	--	Baker    59
4.3	Centre First: Implementation Plan	2010042	March    61
4.4	Policy: Amend Salary Administration Policy – (a) Building Inspector; (b) Active Lifestyles Coordinator	2010044 2010045	Fawthrop    82
4.5	Policy: Amend User Fees Policy	200037	Angel    97
4.6	Policy: Amend Dangerous or Unsightly Premises Policy	2010041	Bird    109
4.7	Grants to Organizations	2010034	Baker    121
4.8	Funding Request: Festivals & Events – Fundy Senior Games	2010033	Rhindress    124
4.9	Tender: Crew Cab for Fire Department	2010038	Bird    130
4.10	Tender: Gravel Products	2010039	Angel    133
4.11	Tender: Asphalt Patching	2010040	Rhindress    136
4.12	Tender: Townshend	2010046	March    139
4.13	Tender: East Pleasant	2010047	Fawthrop    142
4.14	Tender: North Town Collector Trail	2010048	Baker    145
<b>5.</b>	<b>INFORMATION / DISCUSSION ITEMS</b>		
5.1	Four Fathers Festival Update		Angel    148
<b>6.</b>	<b>STRATEGIC PRIORITIES</b>		
6.1	Dickey Park Redevelopment – Project Status Report		Baker    149
<b>7.</b>	<b>INTERNAL COMMITTEE REPORTS</b>		
7.1	Planning Advisory Committee		Nil report    --
7.2	Amherst Board of Police Commissioners		Nil report    --
7.3	Dangerous or Unsightly Premises Committee		Nil report    --
7.4	Youth Advisory Council		Small    150
7.5	Tree Advisory Committee		Nil report    --
7.6	Heritage Advisory Committee		Nil report    --
7.7	Audit Committee		Nil report    --
7.8	Committee of the Whole		Nil report    --
<b>8.</b>	<b>EXTERNAL COMMITTEE REPORTS</b>		
8.1	Cumberland Regional Library Board		Nil report    --
8.2	CREDA		Nil report    --
8.3	DARS		Nil report    --
8.4	CJSMA		Rhindress    151
8.5	Northern Region Solid Waste		Baker    152
8.6	Cooperation Committee		Nil report    --
8.7	Airport Committee		Nil report    --
8.8	Amherst and Area Chamber of Commerce (verbal report)		Bird    --
8.9	VON		Nil report    --
<b>9.</b>	<b>ADJOURNMENT</b>		