

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, April 30, 2007 at 7:00 PM**

PRESENT: Mayor Jerry Hallee
Deputy Mayor George Baker
Councillor Robert Angel
Councillor Ed Chitty
Councillor Dale Fawthrop
Councillor David March
Councillor Terry Rhindress
Greg Herrett, CAO
Rebecca Purdy, Executive Assistant

1. O'CANADA

2. PUBLIC HEARINGS

2.1. Number of Councillors and Election at Large System for UARB.

Jason MacDonald, Director of Planning and Development for the Town of Amherst gave the following background to the public hearing:

The Nova Scotia Utility and Review Board requires that all municipalities conduct a study and submit a recommendation either confirming or changing the number of Councilors within each municipal unit.

On June 26, 2006 Council passed a motion authorizing that a letter be sent to the UARB to confirm the number of Councilors as well as the system of election at large. It is the intention of Council to retain the status quo because the population of the Town has not changed significantly; the number of councilors per voter seems appropriate and is in line with other similar sized towns within the province; and that the current system seems to be serving the citizens of the town well.

The purpose of this hearing is to gather public input on this decision. The comments made at this hearing will be forwarded to the UARB for their review. The UARB will subsequently schedule an additional public hearing, to be held by them, in Town, regarding this matter.

The Mayor asked the CAO if there had been any written submissions. There were none. The Mayor asked if anyone present would like to speak on the matter. There were no responses. The public hearing concluded.

2.2. LUB Amendment – Accessory Buildings in Residential Zone P-2-8

Jason MacDonald, Director of Planning and Development provided a brief summary of the proposed Land Use By-Law Amendment. The Mayor asked the CAO if there had been any written submissions. There were none. The Mayor asked if anyone present would like to speak on the matter. There were no responses. The public hearing concluded.

(Council will consider Second Reading of the By-Law to Amend the Land Use By-Law later in the meeting, as agenda item 5.4.1.)

2.3. LUB & MPS Amendment – Senior Citizen Housing P-2-7 and P-1-1

Jason MacDonald, Director of Planning and Development provided a brief summary of the proposed Amendments to the Land Use By-Law and the Municipal Planning Strategy. The Mayor asked the CAO if there have been any written submissions; there were none. The Mayor asked if anyone present would like to speak on the matter. There were no responses. The public hearing concluded.

(Council will consider Second Reading of the By-Law to Amend the Land Use By-Law later in the meeting, as agenda item 5.4.2.)

2.4. MPS & LUB Amendment – Ground Floor Residential P-2-9 and P-1-2

Jason MacDonald, Director of Planning and Development provided a brief summary of the proposed Amendments to the Land Use By-Law and the Municipal Planning Strategy. The Mayor asked the CAO if there had been any written submissions; there were none. The Mayor asked if anyone present would like to speak on the matter; there were no responses. The public hearing will conclude.

(Council will consider Second Reading of the By-Law to Amend the Land Use By-Law later in the meeting, as agenda item 5.4.3.)

3. CALL TO ORDER

Mayor Hallee called the meeting to order at 7:10 PM.

4. SPECIAL PRESENTATION

Tammara Ashe

Mayor Hallee read the following letter aloud, and presented it to Tammara Ashe.

Dear Tammara:

On behalf of Town Council and the citizens of Amherst, I write today to formally recognize you for your contributions to our community through your work with Eastlink Television, and to wish you all the best in your future endeavors. We are certain that your work as a freelance producer/videographer will be both challenging and rewarding for you.

Besides your career accomplishments over your 20 plus years with Eastlink and all the technological advancements you mastered in that time, it's your dedication to the community that we want to recognize. Through your work you provided a much relied upon link between Council and the citizens it represents. You gave so much more of yourself than was required in your job. You have been, and hopefully will continue to be, a part of the social fabric of our community. Your pleasant, friendly attitude and professionalism in covering Council meetings will be missed.

All the best to you, Tammara, and a heartfelt "thank you" from the Town of Amherst.

5. ACTION ITEMS

5.1 Additions to the Agenda

5.2 Approval of Agenda

Moved by Deputy Mayor Baker, seconded by Councillor March to approve the Agenda as distributed.

MOTION CARRIED

5.3 1) Approval of Minutes – March 26, 2007 Regular Meeting

Moved by Councillor Rhindress, seconded by Councillor Chitty to approve the Minutes of the March 26, 2007 Regular Meeting as circulated.

MOTION CARRIED

2) Approval of Minutes – April 13, 2007 Special Meeting

Moved by Councillor Rhindress, seconded by Councillor Chitty to approve the Minutes of the April 13, 2007 Special Meeting as circulated.

MOTION CARRIED

5.4 Planning Documents at Second Reading

1) Accessory Structures, P-2-8 RFD#2007029

Moved by Deputy Mayor Baker, seconded by Councillor Rhindress that Council approve Second Reading of By-Law P-2-8, a by-law to amend the Land Use By-Law to permit two-story accessory structures where the main structure is at least the height of the accessory structure, and the accessory structure is not located in the rear or side yard setbacks for the main building.

MOTION CARRIED

Bylaw to amend the Land Use By-Law P-2 P-2- 8

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of permitting two-story accessory structures where the main structure is at least the height of the accessory structure and the accessory structure is not located in the rear or side yard setbacks for the main buildings.

2. The Land Use By-Law is hereby amended by:
 Adding to Section 4.1 (iv)
 except, where the main structure is a minimum of two stories, exclusive of the basement and where the proposed location of the accessory structure is not in the required rear or side yard setbacks of the main structure, the height of the accessory structure may be increased to accommodate a second storey, plus roof. In no case may the highest point of the roof of the accessory structure exceed the elevation of the highest point of the roof of the main structure on the lot.

2) Senior Citizens Housing, P-2-7 and P-1-1 RFD#2007030

Moved by Councillor March, seconded by Councillor Fawthrop that Council approve Second Reading of By-Law P-1-2, a by-law to amend the Municipal Planning Strategy, and By-Law P-2-7, a by-law to amend the Land Use By-Law, which will permit Senior Citizen Housing and Homes for Special Care in the General Residential Zone by Development Agreement.

Moved by Councillor March, seconded by Councillor Chitty that the By-Laws P-1-2 and P-2-7 be changed to replace the words “Senior Citizen Housing” with the words “Long Term Care Facilities” wherever they appear in the by-laws.

MOTION CARRIED

**ORIGINAL MOTION CARRIED
AS AMENDED**

**Town of Amherst
Bylaw to amend the Municipal Planning Strategy Bylaw P-1
P-1- 1**

1. This is a by-law to amend the Municipal Planning Strategy of the Town of Amherst with respect to the matter of permitting Long term Care Facilities and Homes for Special Care in the General Residential Zone by Development Agreement.
2. Municipal Planning Strategy is hereby amended by:

 Adding Policy RP-18

- RP-18 Within the Residential Designation, it shall be the intention of Council to ensure Long Term Care Facilities and Homes for Special Care occur in a manner compatible with a low density residential neighborhood. Specifically, Council shall require that all Long Term Care Facilities and Homes for Special Care be subject to a Development Agreement. In negotiating such an agreement Council shall:
- (a) ensure that the structure(s) is located on the lot in such a manner as to limit potential impacts on surrounding low density residential developments;
 - (b) ensure that the development provides sufficient on-site parking, and appropriate access to, and egress from the street;
 - (c) ensure that the location of parking facilities does not dominate the surrounding area, including the utilization of vegetation and fences to mitigate the aesthetic impacts of parking lots;
 - (d) ensure that any on site outdoor lighting does not negatively impact the surrounding properties;
 - (e) ensure that any signage on the property is sympathetic to the surrounding residential properties;
 - (f) require the use of vegetation to improve the aesthetic quality of the development;
 - (g) ensure that the architecture of the building is sympathetic to any existing development in the surrounding area.

**Town of Amherst
Bylaw to amend the Land Use By-Law P-2
P-2- 7**

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of permitting Long Term Care Facilities and Homes for Special Care in the General Residential Zone by Development Agreement.
2. Land Use By-Law is hereby amended by:

 Adding to Section 7.2.2 Permitted Uses by Development Agreement:
 (e) Long Term Care Facilities and Homes for Special Care.

3) **Ground Floor Residential, P-2-9 and P-1-2 RFD#2007028**

Moved by Councillor Chitty, seconded by Councillor March that Council approve Second Reading of By-Law P-1-1, a by-law to amend the Municipal Planning Strategy, and By-Law P-2-9, a by-law to amend the Land Use By-Law, which will permit GROUND FLOOR RESIDENTIAL USES IN THE Downtown Commercial Zone by Development Agreement, excluding all properties within the Business Improvement District and any property fronting on Albion Street, South Albion Street or Church Street, as recommended by the Planning Advisory Committee.

MOTION CARRIED

**Town of Amherst
Bylaw to amend the Municipal Planning Strategy Bylaw P-1
P-1- 2**

1. This is a by-law to amend the Municipal Planning Strategy and Land Use Bylaw to permit ground floor residential uses in the Downtown Commercial Zone by Development Agreement, excluding the property located within the Business Improvement District and any property fronting on Albion Street, South Albion Street, or Church Street.

2. Municipal Planning Strategy is hereby amended by:

Adding Policy CP-15:

CP-15 It shall be the intention of Council to consider applications for residential development on the ground floor of a building in the Downtown Commercial zone by Development Agreement; excluding, property located within the Business Improvement District, and any property fronting on Albion Street, South Albion Street, or Church Street.

In negotiating such a development agreement, Council shall take into account:

- (a) the location, height, bulk of the building;
- (b) the architecture of the building;
- (c) signage;
- (d) parking facilities;
- (e) landscaping;
- (f) pedestrian access.

**Town of Amherst
Bylaw to amend the Land Use By-Law P-2
P-2- 9**

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of permitting ground floor residential uses in all Commercial Zones outside the Business Improvement District by Development Agreement.

The Land Use By-Law is hereby amended by:

Adding to Section 8.3.2

Ground Floor Residential Uses subject to MPS Policy CP-15

Removing Section 8.1.1

- (ii) **not be located on the ground floor of any building.**

5.5 **By-Law to amend the Solid Waste By-Law RFD#007013**

Moved by Deputy Mayor Baker, seconded by Councillor March that Council give Second Reading and enactment to By-Law D-20-B which will amend the Town of Amherst Solid Waste By-Law to incorporate administrative amendments and add clarity to the by-law.

MOTION CARRIED

**A By-Law to Amend the Solid Waste By-Law
D-20-B**

1. This by-law is entitled "A By-Law to Amend the Solid Waste Bylaw".
2. Amend Section 2(3) to change reference to Section 18 to Section 13 to read as follows:

- (3) **“Collector”** means any person or corporation collecting Solid Waste in the Town for gain or profit licensed in accordance with Section 13 of this By-law;
3. Amend Section 2(4) the definition of compost by adding “wet ashes” to read as follows:
- (4) **“Compostables”** means food scraps and spoiled or waste food or foodstuff including vegetable peelings, meat, fish, eggs, bones, waste food products, soiled and wet paper and soiled paper products such as table napkins, paper towels, pizza boxes, wet ashes, leaves and yard waste, together with such other organic materials as may, from time to time, be identified in Public Education Documents suitable for municipal collection in Compost Bins;
4. Amend “Town of Amherst” through out the By-law to read “the Town”
5. Amend Section 2(10) deleting the words “and Town means the Town of Amherst” to read as follows:
- (10) **“Council”** means the Town Council for the Town of Amherst;
6. Amend Section 2(14) to omit the words “of Nova Scotia” to read as follows:
- (14) **“Householder”** means Owner, occupant, lessee, tenant or other person in charge of a dwelling, mobile home, hotel, restaurant, apartment unit, office building, public institution or other building or property, and includes the person assessed for the building pursuant to the Assessment Act, R.S.N.S. 1989, c.23;
7. Amend Section 2 (15) to delete the words “commercial operation” and “in 24 below” and insert the words “premise” and “by this By-law” to read as follows:
- (15) **“ICI Sector”** means motel, restaurant, office building, public institution, manufacturing plant, retail sales outlet or any other premise not a Residential Premises as defined by this By-law;
8. Add new definition of “Owner” to read as follows:
- 2 (18) **“Owner”** means:
- (i) a part Owner, joint Owner, tenant in common or joint tenant of the whole or any part of land or a building;
 - (ii) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building; or
 - (iii) in the absence of proof to the contrary, the person assessed for the property;
9. Amend definition of (20) “Premises” to read as follows:
- (20) **“Premises”** means any building or property in the Town;
10. Amend the word recyclables through out the By-law to read “Recyclable Material”.
11. Amend the word residuals through out the By-law to read “Residual Garbage”.
12. Insert new definition 2 (30) “Stream” to read as follows:
- (31) **“Stream”** means waste of the same kind, being:
- (i) Compostables;
 - (ii) Recyclable Material;
 - (iii) Residual Garbage;
 - (iv) Construction and Demolition Debris;
 - (v) Contaminated Soil;
 - (vi) Solid Waste of any type which is not accepted at a municipal Solid Waste management facility; or
 - (vii) Solid Waste of any type which is only accepted on the occasion of special collections, or by contract or by express approval in advance of the operator of a municipal Solid Waste management facility;
13. Delete definition 2 (31) Tonne
14. Add new definition of “Town” to read as follows:
- 2 (31) **“Town”** means the Town of Amherst;
15. Renumber Section 4 to become Section 3(2) under the heading Solid Waste Disposal.
16. Renumber Section 5 to become Section 3(3) under the heading Solid Waste Disposal.

17. Section 8(7) - Add Pathological Waste as 8(7)iii, and add "or dry" to 8(7)vi to read "hot or dry ashes"
18. Omit the words "occupant or owner of property" through out the By-law and insert the word "Householder"
19. Add new part (IV) to Section 8(8) Scavenging, to read as follows:

8(8) (iv) This section does not apply to the person who placed the waste material for collection or to the Town, its contractors or authorized Town collection contractors.
20. Amend Section 8(9) to read as follows:

No person shall place Solid Waste for collection on a property other than solid waste generated on that property.
21. Delete Section 8(12).
22. Amend Section 12(3) by adding reference to Municipal Government Act.
23. Renumber Section 14 Cost of Solid Waste Service to become Section 12
24. Delete Section 18 under Enforcement and Penalty
25. Renumber the Enforcement and Penalty Section to become Sections 13, 14 and 15.
26. Amend Section 14 omitting the words "Each day that a person commits an offence under this By-law constitutes a separate offence", and inserting these words as a new Section 15.
27. Delete Section 16.

5.6 Tenders

1) Asphalt Patching, RFD#2007050

Moved by Councillor Rhindress, seconded by Councillor Angel that Council accept the tender for asphalt patching submitted by Costin Paving & Contracting Ltd. as per the unit prices submitted, with funding to come from the 2007/2008 operating budget.

MOTION CARRIED

2. Sewer Main Cleaning, RFD#2007051

Moved by Councillor Fawthrop, seconded by Councillor Chitty that Council accept the low tender from Industrial Hydro-Vac at their unit prices of \$123.50 per hour for sewer main cleaning and \$100.00 per hour for sewer video inspection, with funding to come from the 2007/2008 Operating Budget.

MOTION CARRIED

3. Gravel Products, RFD#2007052

Moved by Councillor March, seconded by Deputy Mayor Baker that Council accept the low tender from Robert Blair Trucking to supply gravel products at the following prices:

- \$9.70 per tonne for Type 1 Gravel
- \$9.70 per tonne for Type 1S Gravel
- \$14.15 per tonne for Washed Clear Stone
- \$11.85 per tonne for Sand

with funding to come from the 2007/2008 Operating Budget.

MOTION CARRIED

4) Eddy Street Lift Station RFD#2007053

Moved by Councillor Chitty, seconded by Councillor Fawthrop that Council award the tender for the mechanical and electrical portion of the Eddy Street Lift Station Project to Bastech Incorporated from Moncton at their revised tender price of \$240,000 plus HST; and further, that Council accept the subcontractor quotation from Newcon Construction of Amherst in the amount of \$158,086 plus HST to carry out all excavation and concrete work on the Eddy Street Lift Station Project, with funding to come from the 2007/2008 Capital Budget.

MOTION CARRIED

5.7 Proclamation – Law Day RFD#2007048

Moved by Councillor Angel, seconded by Councillor Rhindress that the Mayor sign a proclamation on behalf of the Amherst Town Council proclaiming April 17, 2007 as Law Day in recognition of the importance of the Canadian Charter of Rights and Freedoms.

MOTION CARRIED

Whereas the Government of Canada enacted the Canadian Charter of Rights and Freedoms on the 17th day of April, 1982; and

Whereas the Canadian Charter of Rights and Freedoms is a law that guarantees Canadians' rights, freedoms and privileges that we as Canadians enjoy; and

Whereas Law Day is a celebration of the importance of the enactment of the Canadian Charter of Rights and Freedoms; and

Whereas the Cumberland Barristers' Association, in recognition of Law Day and the rights and freedoms we as Canadian enjoy, has planned special events to recognize the laws that guarantee Canadians their rights, freedoms and privileges;

Therefore I, Jerry Hallee, Mayor of the Town of Amherst hereby proclaim the 17th day of April 2007 as "Law Day" in recognition of the importance of the Canadian Charter of Rights and Freedoms and encourage all citizens of the Town of Amherst to promote awareness, knowledge and understanding of the rights and freedoms that we enjoy as citizens of Canada.

5.8 Policy Manual**1) New Policy: Technology Usage Policy 5000-02. RFD#2007043**

Moved by Councillor Fawthrop, seconded by Deputy Mayor Baker that the Town of Amherst adopt a new Information /Communications Technology Usage Policy, Number 5000-02 as recommended by Administration.

MOTION CARRIED

TECHNOLOGY USAGE POLICY Number 5000-02**PURPOSE:**

The Town of Amherst provides internet access and electronic communications to increase the efficiency and effectiveness of overall business operations. Information / communication technology is used as a tool to support the delivery and enhancement of services to the public. This policy will provide users with guidance as to the appropriate use of information / communication technology thereby enhancing productivity of Town employees.

POLICY STATEMENT:

The Information/Communication Technology network, including all electronic documents generated within this network, is considered to be the property of the Town of Amherst. Members of Council and Staff with the Town of Amherst are provided access to information technology to assist them in the performance of their duties. Users may be afforded the privilege of accessing various forms of technology including computers, printers, other peripherals, internet, email, intranet, telephones, cell phones (including PDA and BlackBerry) and fax machines. These users have a basic responsibility to ensure that technology is used in a professional, lawful and ethical manner.

ACCEPTABLE USAGE:

Town of Amherst users will be provided with access to various forms of technology based on the job requirements of each individual employee to perform the duties of his/or her position. Information/communication technology equipment and programs should be used in a manner which is consistent with the requirements of overall operations in the Town of Amherst. Employees who remove note books and portable devices from Town property to use at home or other sites must exercise caution that these devices remain in their custody and control. While information/communication technology generally must be used only for

activities related to Town business, minor personal usage during business hours is acceptable contingent on the following guidelines:

- Activity does not interfere with responsibilities and duties related to job performance.
- Activity does not require excess system resources that will negatively impact on operations.

- Activity is not related to personal business ventures.

After normal business hours, employees may enjoy personal usage of the Town's information /communication technology equipment and programs in a professional, lawful and ethical manner and in accordance with this policy, so long as there is not an incremental cost to the Town.

UNACCEPTABLE USAGE:

The Town of Amherst has a limited amount of bandwidth and storage available to it. Therefore, users must not perform acts that waste or dominate these resources. The following usages are prohibited:

- Spending excessive amounts of time during normal business hours on the internet for non-Town purposes;
- Playing on line games;
- Excessively using personal on-line messaging (MSN, Yahoo, etc.); the determination of what constitutes excessive usage shall be left to individual Department Heads;
- Downloading large files for personal use;
- Accessing high-bandwidth streaming audio and/or video files for non-work related purposes, without authorization of the Technology Officer or CAO; (i.e.: radio broadcast, video such as CNN or TSN);
- Making, sharing and/or distributing unauthorized copies of software used by the Town;
- Any use which is contrary to the laws of Canada and/or the Province of Nova Scotia.

OFFENSIVE MATERIALS:

Participating in sexual, ethnic and racial harassment by way of e-mail, the internet or any other form of information/communication technology provided by the Town of Amherst is prohibited. Users are prohibited from actively searching out, storing, sharing, or intentionally authoring and/or viewing this type of material. Even with the filtering systems in place, with the amount of information contained on the internet, it is difficult to avoid receiving e-mails or attaining search results on the internet without sometimes being directed to materials that are sexually explicit or are considered to be offensive for some other reason. Should this type of material be encountered, it shall be deleted immediately. If difficulties are encountered in deleting this material, the IT department must be contacted immediately for assistance.

PRIVACY:

Users who have been granted access to information/communication technology to assist them with their jobs should have no expectation of privacy in anything they create, store, send or receive using the Town's information/communication technology. The Town of Amherst has the ability, and reserves the right, to monitor and maintain records on all aspects of its computer system including internet usage, file storage, participation in on-line discussion groups, file downloads, messaging and any other electronic communications deemed necessary.

SECURITY:

Users are not permitted to download or install software without the authorization of the Technology Officer or the CAO. Certain primary programs as outlined in appendix "A" attached may be updated by users as required. Users are not permitted to disable or alter in anyway the Town's anti-virus software. Each user will be assigned a user name and password for the applications that are necessary to perform their duties. This information must remain confidential and should not be shared with others at any time. Users are to ensure that they log off all software programs such as Notes, SAP and Internet Explorer at the end of the day and all information systems are secure prior to ending their workday.

2) New Policy: Grass Mowing Policy 64000-01 RFD#2007044

Moved by Councillor Angel, seconded by Councillor Rhindress that the Town of Amherst adopt a Grass Mowing Policy, Number 64000-01, which will provide guidance for the mowing of Town parks, athletic fields and green spaces, as recommended by Administration.

GRASS MOWING POLICY Number 64000-01

PURPOSE:

The Town of Amherst takes pride in its parks, athletic fields and green spaces within the community. These areas must be mowed to maintain a positive community image, address public safety, and provide positive leisure time and athletic experiences for all users. In addition, a proactive mowing program will provide an attractive environment for the community. This policy outlines current and future directions for the mowing of parks, athletic fields and green spaces in the Town of Amherst.

POLICY STATEMENT:

The Town of Amherst will mow parks, athletic fields and green spaces within the Town based on three levels of priority.

1. **High** - High priority with significant vehicular and pedestrian traffic flows. e.g. Town entrances, downtown, and athletic fields. *Grass should be cut to a length of two inches to four inches*
2. **Medium** - Medium priority areas including most playgrounds and parks and other medium vehicular and pedestrian traffic areas. *Grass should be cut to a length of three to five inches.*
3. **Low** - Low priority areas including isolated Town properties, ditches, cul-de-sac circles and other low traffic and pedestrian traffic areas. *Grass should be cut to a length of four to six inches or longer in ditches and isolated areas.*

The attached Appendix "A" provides details on high, medium and low priority areas in the Town of Amherst.

GRASS MOWING POLICY Number 64000-01 APPENDIX "A"

<p><u>Green Spaces</u></p> <p>High Corner of Church and Dickie Church Street – Graveyard to RB Dickie Victoria Street – Hickman to Park Robert Angus Drive Sidewalk Willow St. High School to Boundary East Victoria – North Side #233 Willow St. Blvd Across from Purdy West Pleasant -Old Hospital and Park Blvd Subway YMCA/George Blanche Lot Co-op lot Lawton Parking East Victoria Entrance West Victoria Entrance Industrial Park Entrance and signs Town Hall and Library Lawrence Street Town Entrance LaPlanche Street Welcome Area LaPlanche Street Entrance Area</p> <p>Medium Corbetts – at EB Chandler on Donald Beacon St. by Seniors Club Industrial Park Ditches Dickie Brook – Trail Firehall along Beacon Dickie Brook – EB Chandler Trail Dickie Brook – Spring Street Academy Triangle (South Albion/Robert Angus West Pleasant at end of Park Industrial Park Albion and Beacon St. Johnny Davidson's Cope Lane Rear/Sides Stadium</p> <p>Low Pumping Station Water Tower on Willow Russell Street and Cornwall Robert Angus Drive Ditches Mill Street Ditch West Pleasant and Park Townsend Court - Circle and Entrance Ralston Place Circle Willow Court Circle Forest Glen Ridgewood Court Sewer Lift Stations</p>	<p><u>Parks</u></p> <p>High Mural Park Veterans Park Victoria Park and Cenotaph Christie Park Curry Park</p> <p>Medium Strawberry Fields Rotary Centennial Park Harding Park Lions Park Lions Tennis Court Tubbys Northern Telecom Dickie Park Elmwood Playground</p> <p><u>Athletic Fields</u></p> <p>High Winston Field (Soccer) St. Charles Field (Ball) Church ST. Soccer Field Lions Ball Field Little League Field Robbs Ball Fields Robbs Wall</p>
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3) **New Policy: Scholarship & Bursary Policy 10350-19 RFD#2007045**

Moved by Councillor March, seconded by Councillor Fawthrop that the Town of Amherst adopt the Scholarship and Bursary Policy, Number 10350-19, as recommended by Administration.

SCHOLARSHIP AND BURSARY POLICY Number 10350-19

PURPOSE:

To establish a policy to support funding towards the post secondary educational objectives of Amherst students through the award of a scholarship(s) or /bursary(s).

POLICY STATEMENT:

The Town currently funds the annual Robert Angus Memorial Scholarship in the amount of \$1,500.00 which supports an Amherst Student attending a recognized post-secondary degree granting institution. This policy is to ensure the continuation of this award and to initiate the Norman Mansour Memorial Bursary in the amount of \$1,000.00 which will be awarded to an Amherst Student attending the Nova Scotia Community College, Cumberland Campus upon graduation from Amherst Regional High School.

OBJECTIVES

- To support the educational future of a qualified Amherst graduating student(s)
- To award annually a scholarship(s) and/or bursary(s) to a graduating student(s) from Amherst Regional High School with a good academic standing. The student(s) must be an Amherst resident and be involved in extra-curricular activities.
- The amount of the award(s) will be paid directly to the institution in two equal instalments in September and January.
- Selection committee shall be comprised of the Mayor or designate, one Town Councillor and the Guidance Councillor or designate from Amherst Regional High School.

The Town of Amherst will continue to administer the R. A. Reid Memorial Scholarship in the amount of \$250.00. This Scholarship is funded by investment income from a fund established by the R.A. Reid Estate and from time to time the Town will subsidise shortfalls in the award due to low investment yields.

4) **New Policy: User Fees Policy 3470-03 RFD#2007046**

Moved by Deputy Mayor Baker, seconded by Councillor Rhindress that the Town of Amherst adopt the User Fees Policy, Number 3470-03, which includes a comprehensive Schedule of User Fees, and that staff follow up with administrative changes to any applicable policies or by-laws.

MOTION CARRIED

USER FEE POLICY Number 3470-03

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

Corporate Services		
SERVICE/PRODUCT/ADMINISTRATIVE	FEE	HST STATUS
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
NSF Cheques (Water) covered under UARB Water Rates*	\$15.00	HST Exempt

By-Law Fees Collected by Corporate Services		
C-9 Taxi By-Law, Schedule C		
Taxi Cab License	\$25/yr	HST Exempt
Taxi License Transfer	\$10	HST Exempt
Taxi Driver License	\$5/yr	HST Exempt
C-4 Dogs		
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
C-11 False Alarms		
After 2nd Notice	\$50/alarm	HST Exempt

Operational Services		
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.		
Equipment Rentals	Rate per Hour	HST Status
Backhoe	\$51.65*	Plus HST
CAT Loader	\$75.05*	Plus HST
1-ton trucks	\$30.00*	Plus HST
3-ton trucks	\$45.00*	Plus HST
5-ton trucks	\$50.00*	Plus HST
Johnson Street Sweeper	\$100.00*	Plus HST
Trackless	\$45.00*	Plus HST
Bomag Roller	\$40.00*	Plus HST
Sewer Camera	\$100.00*	Plus HST
Line Locator	\$50.00*	Plus HST
Hole Hog	\$200.00	Plus HST
Operational Services (continued)		
P.W. Compressor	\$9.00	Plus HST
Water Dept. Compressor	\$10.00	Plus HST
Trash Pump	\$10.00	Plus HST
Diaphragm Pump	\$8.00	Plus HST
Vermeer Brush Chipper	\$60.00*	Plus HST
Steamer	\$15.00*	Plus HST
Overhead charges extra – see procedure		
* Price includes one operator and fuel during normal working hours; overtime labour rates are extra.		

Operational Services By-Laws		
D-3 Sewer Use By-Law		
One Connection	\$750.00	Plus HST
Storm Sewer Connection (if done at the same time as sewer connection)	\$250.00	Plus HST
D-19 Sanitary Sewer Rates By-Law - By Council Resolution, April 30, 2007		
Residential Metered Customers	\$0.657/m3	Exempt
Commercial/Industrial/Institutional metered customers	\$0.329/m3	Exempt
Non-metered Mobile Home Park Owner	\$119.47/dwelling unit/year	Exempt
Unmetered Residential Customers	Flat charge \$179.20/yr	Exempt

Other		
Sanitary Sewer Charge for Sewage Treatment Plant billed on Tax Bill	\$23.00/yr	Exempt
Solid Waste Collection billed on Tax Bill	\$150.00/year	Exempt

Services/Products – Operational Services		
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

Planning and Development Department		
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 50cm x 50 cm	\$25.00	Plus HST
Print Existing Map – more than 50cm x 50 cm	\$50.00	Plus HST
Building Permits		
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

Police Department		
Commissioner of Oaths Signing	\$15.98	HST Exempt
Criminal Records Check	\$11.40	HST Included
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
Dispatching to Cumberland County F.D's	\$125/month billed quarterly	HST Exempt

Fire Department		
Tanker or Water Filling	\$25.00/load	HST Exempt
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

Community & Economic Development Department		
Ice Time/Stadium		
Early Bird (6:00 – 8:15 am)	\$53.30/hr	Plus HST
Fair Time (8:30am – 5:00 pm)	\$71.06/hr	Plus HST
Prime Time (after 5:00 pm)	\$117.55/hr	Plus HST
Youth Rate	\$89.48/hr	Plus HST

Photocopies/Stadium (Policy 72000-06)		
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

Ballfield User Policy (Policy 72300-01)		
Lights	\$18/diamond/game	HST Included
Tournament Fee	\$100/day	HST Included
Tournament Lights	\$30/day	HST Included

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

Equipment Rental – Stadium (Policy 72300-09)		
Tables (non-profit organizations)	\$2.00/table/day	Plus HST
Tables (individuals/businesses)	\$4.00/table/day	Plus HST
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

Municipal Government Act Fees – FOI-POP Section 466, MGA		
Application	\$25.00	HST Exempt
Finding, copying the record	\$15.00/half hour	HST Exempt
Application to Review Officer	\$25.00	HST Exempt

TOWN OF AMHERST
 USER FEES POLICY – SCHEDULE B

Policy 3470-03

TOWN OF AMHERST WATER UTILITY
 SCHEDULE OF RATES AND CHARGES FOR WATER AND WATER SERVICES
 Effective for water and water services supplied on and after April 1, 2007)

RATES

The rates set out below are the rates approved by the Board for water and water services when payment is made within 30 days from the date rendered as shown on the bill.

When payment is made after 30 days from the date rendered as shown on the bill, the rates will include interest charges of 1% per month, or part thereof.

Each bill shall show the amount payable within 30 days from the date rendered as shown on the bill.

In this Schedule, the word "Utility" means the Amherst Water Utility.

1. RATES

- (a) Unmetered (total charge per quarter) \$ 52.21
 (Assuming 272 cubic metre annual consumption)
- (b) Base Charges Quarterly
 - 5/8" 35.06
 - 3/4" 46.25
 - 1" 84.46
 - 1 1/2" 166.78
 - 2" 265.57
 - 3" 529.02
 - 4" 825.39
 - 6" 1,648.65
- (c) Consumption Rate (per Cubic Metres)
 \$0.25 per C.M.
- (d) Minimum Bill
 The minimum bill shall be the Base Charge

2. Public Fire Protection Service
 The Town of Amherst shall pay, annually, to the Water Utility in monthly installments for fire protection services, on or before September 30, 2007, the amount of \$413,088.

3. Rates for Sprinkler Service
 Each building having a sprinkler system installed shall pay annually for the service as follows:

- Each building serviced by a sprinkler service pipe of 6" or less in diameter \$200.00
- Each building serviced by a sprinkler service pipe of 8" or more in diameter \$250.00

4. Water Rates for Buildings or Works Under Construction
 The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sum as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to any water service or main, together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made after deducting the cost, if any, of repairing the meter and of testing the same and payment of the base and connection charges and the consumption rates in respect to such installations.

5. Rates for Water Supplied from Fire Hydrants
 Whenever the use of any fire hydrant is desired to supplying water for any purpose, excepting those of the Fire Department for fire use, the Utility may grant a permit containing such terms and conditions as it may provide, including arrangements regarding supervision of the opening and closing of the hydrant, and a service charge for commercial consumers of \$60.00 for connection and disconnection and a consumption charge for the amount of water used, as estimated by the Utility, at meter consumption rates.

6. Private Hydrant Rates
Per hydrant per year \$175.00
7. Charges for Re-establishing Water Service
When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge of \$25.00 has been paid to the Utility.
8. Connection Fee
The Utility shall charge a \$25.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred. This fee shall be \$200.00 if water is turned on after normal working hours of the Utility.
9. Charge for Non-Negotiable Cheques
The Utility shall charge a \$15.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank.
10. Charge for Missed Appointment by Customers
Where an appointment has been made by a customer to have a water service hooked up or a meter inspected, or water turned on to a property, or other visits to the property for the inception or maintenance of water service to the property, and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utility's staff have to return to the property, there may be a charge of \$25.00 for each visit if, in the judgment of the Utility, it is required.
11. Rates for Bulk Water
Bulk water will be provided to licensed water haulers at designated locations at a cost of \$2.25 per cubic meter or part thereof.

5) **New Policy: Purchasing Policy 3700-01 RFD#2007047**

Moved by Councillor Chitty, seconded by Councillor March that the Town of Amherst adopt the new Purchasing Policy, Number 3700-01, that will provide guidance and direction for the purchase of goods and services in the future, and further, that the following policies be repealed:

- **3700-02 Purchase of Goods and Services (previously 211-10)**
- **3700-03 Policy on Calling Tenders (previously 211-11)**
- **3700-04 Awarding of Contracts (previously 211-12)**
- **3700-05 Local Preference in Tendering (previously 211-13)**

Purchasing Policy, Number 3700-01

1) Policy Statement

The purpose of this policy is to establish purchasing guidelines to ensure the most cost effective and cost efficient methods are used to purchase goods and services for the Town.

2) Guiding Principles

The following principles will guide the purchasing practices of the Town of Amherst:

- a) Purchasing policy and procedures should provide the most cost efficient and cost effective methods to purchase.
- b) The purchasing process is to be open, fair and consistent.
- c) Purchasing methods are to encourage competitive bidding for the supply of goods and/or services.
- d) Purchasing policy provides for the use of suppliers, who can be expected to provide satisfactory performance, based on:
 - (i) past performance and/or previous contracts;
 - (ii) financial and other resources to complete the contract bid;
 - (iii) references.
- f) While it is recognized that this policy has no provision for "local preference" purchasers

should ensure that local suppliers have an equal opportunity to participate in the competitive bidding process described in this policy.

- g) This policy does not address payments for recurring items such as utilities, leases, rentals and similar recurring operating charges, while recognizing that in some circumstances, the initial commitment that leads to these ongoing payments is subject to the provisions of this policy. **Definitions**

- e) Bid – Refers to a competitive bid received from either a Request for Quotation (RFQ), Tender or Request for Proposal (RFP).
- f) Purchaser - a Town of Amherst employee with the authority to purchase goods.
- g) Public Request of Submission – refers to tenders, calls for proposals, two phase bids, etc. over the value of \$30,000. All such requests will be under the signature of the CAO.

- h) Purchase Card – a corporate visa card for the Town of Amherst with various restrictions and limits based on the cardholder.
- i) Requisition/Purchase Order – an electronically generated document for the supply of goods or services from an approved vendor.

3) General

- a) This policy applies to all departments, agencies, boards and commissions of the Town of Amherst over which the Town has jurisdiction.
- b) The purchasing of goods and services will be facilitated by the Department Head according to this policy.
- c) The Town of Amherst will be under no obligation to accept any bid received which is considered to be not in its best interest, in response to a verbal or written request.
- d) The Town may work with other levels of government, other agencies, boards and commissions, and associations such as the FCM (Federation of Canadian Municipalities) and the UNSM (Union of Nova Scotia Municipalities) to encourage standardization of items and/or to reduce overall costs to the Town.

4) Authority of the Chief Administrative Officer

- a) The Chief Administrative Officer (CAO) may authorize the purchase of goods or services that are less than \$30,000, provided such purchases are made in accordance with this policy and are included within the approved budget.
- b) The CAO may authorize procedures consistent with this policy and may delegate the authority under this policy.

5) Purchasing Guidelines

The following guidelines will be followed for the purchase of goods and services for the Town:

- a) Up to \$5,000 – may be purchased by the department in accordance with the principles in this policy.
- b) More than \$5,000 but less than \$15,000 – Where three or more suppliers exist, at least three written quotations will be solicited by the Purchaser. The requisition is to be authorized by the Department Head of the user department (or designate) and the funds are to be clearly identified in the approved operating or capital budget.
- c) More than \$15,000 but less than \$30,000 – Where three or more suppliers exist, at least three written quotations will be solicited by the Purchaser. The Purchaser will post these opportunities on the Town of Amherst website. The requisition is to be authorized by the Department Head (or designate) of the user department and the funds are to be clearly identified in the approved operating or capital budget.
- d) \$30,000 or greater – the Purchaser will issue a public request for submissions or by issue of invitation only with approval by CAO. The acquisitions will be advertised in one or more publications of general circulation and on the Town of Amherst website. Tenders posted in this range will be acknowledged at a public opening at a designated date and time, and forwarded to Council for approval on the recommendation of the relevant Department Head. The requisition is to be authorized by the CAO and the funds are to be clearly identified in approved operating or capital budget.

6) Methods of Purchasing

The following are the methods of purchasing to be used under this policy:

- a) Low Value – Purchases that are random in nature and not included in a price agreement under the value of \$5,000 may be purchased by the department, using a purchase order or Town of Amherst purchase card.
- b) Tenders – An invitation to tender solicits competitive bids. It is used when detailed specifications are available that permit the evaluation of tenders against clearly stated criteria and specifications. A request for tenders is a formal, competitive, sealed bidding process. Bid deposits and performance security may be required. The award is normally to the lowest bid received from a responsible bidder meeting the requirements of the tender. Tender purchases shall be made by purchase order. Tenders must be opened in the presence of at least one elected official and the CAO or his/her designate at a time and location that is open to the public.
- c) Two Phase Bids – Where detailed specifications are not available or it is impractical to prepare a specification based on price, a two phase bid may be issued, inviting for the submission of bids as follows:

- i) Phase One – Pre-qualification step in which bidders submit proposals/expressions of interest in response to a basic terms of reference for evaluation;
- ii) Phase Two – Those bidders whose submissions were determined to be acceptable in Phase One will be invited to submit priced bids for further consideration.

This type of purchasing has the advantage of a request for proposal in Phase One and the advantages of a tender in Phase Two. Two phase bid purchases shall be made by purchase order.

d) Request for Proposal

- i) A request for proposal is a formal invitation to suppliers to describe how their services, methods, equipment or products can address and/or meet specific needs of the Town. It is used when a supplier is invited to propose a solution to a problem, requirement, or objective. Unlike tenders Request for Proposals are compared to each other to assess the best proposal, and to the terms of the RFP to determine if any should be accepted.
- ii) Negotiations may be conducted with bidders after the date for the receipts of proposals provided such discussion and negotiations are conducted to:
 - (1) Award equitable treatment to each acceptable bidder with respect to an opportunity for discussion and the revision of the proposal.
 - (2) Prevent the disclosure of the content of the discussion or negotiations with one bidder to another bidder.
- iii) Proposals submitted in response to a request for proposal need not be opened in public. A list of the submissions will be available to the public and the proponents upon request.
- iv) An award of a contract based upon a request for proposals will be made to the supplier, whose proposal is determined to be the most advantageous to the Town based upon criteria for evaluation set out in the request for proposals and equitably applied to all proposals.
- v) RFP purchases shall be made by purchase order.

e) Request for quotation

A request for quotation is an informal request for prices for goods and services and is normally used where bid deposit and performance bonds are not required and where the cost of the work does not warrant the time and level of effort required for a formal tender process. Quotations should be written. RFQ purchases shall be made by purchase order.

f) Negotiations

- i) Negotiations with one or more suppliers for the supply of goods and/or services would take place when any of the following conditions exist:
 - (a) Due to market conditions, goods and/or services are in short supply;
 - (b) There is only one source of the goods or services;
 - (c) All bids received are not acceptable or exceed the amount budgeted for the purchase;
 - (d) The extension or reinstatement of existing contract would be more cost effective or beneficial to the Town. The extension or reinstatement of existing contract is subject to the approvals listed in section 8 – Award of Contracts.
 - (e) When authorized by Council.

g) Sole Source Purchases

- i) This occurs when there is only one available supplier of a required product or service that meets the needs of the Town. Negotiation is the method of purchase used to complete the terms and conditions for this purchase. A single source purchase occurs:
 - (1) Where the compatibility of a purchase with existing equipment, facilities or service is a paramount consideration and the purchase must be made from a single source;
 - (2) Where an item is purchased for testing or trial use;

- (3) Where the Town purchases supplies for resale;
 - (4) Where the Town has a rental contract with a purchase option and such purchase option could be beneficial to the Town;
 - ii) Notwithstanding anything in this policy, where a purchase is determined by Council to be fair and reasonable and is made from a non-profit corporation supported by the Town, the Purchaser may make such a purchase as a single source purchase;
 - iii) Where items are offered for sale by tender, auction or negotiation such purchase will be deemed to be a single source purchase and the CAO may authorize the submission of a bid or the conduct of negotiations where the CAO determines the purchase to be clearly in the best interest of the Town.
- h) Emergency Purchases
- i) An emergency purchase occurs when a situation creates immediate and serious need which may not be reasonably met by any other procedure and includes without limitation:
 - (a) A condition where lack of supplies or services may adversely affect the functioning of civic government, threaten public or private property or the environment, or jeopardize the health or safety of the public;
 - (b) Interim contractual arrangements following the expiration; or breach of a contract; or the receipt of unacceptable or uncompetitive bids.
 - (c) Emergency purchases are completed using the most expedient method, but will take economy into consideration.
 - ii) Emergency purchases must be pre-approved by the CAO (or designate) where such approval may be reasonably sought.

7) Award of Contracts

- a) All publicly advertised tenders and request for proposals shall be presented to the CAO for approval and/or recommendation to Council.
- b) Awards less than \$30,000 can be approved by the CAO in conjunction with the user department.
 - i) Where the funds and program have been approved by Council as part of the annual business planning and budget process and the expenditure will not result in an over-expenditure of the entire budget.
 - ii) Where the purchase was the result of a public purchasing process conforming to the Town's purchasing policy.
 - iii) Where the tender is awarded to a supplier with the lowest cost, or highest revenue, meeting specifications.
 - iv) Where the award of a Request for Proposal is made to the highest scoring proponent based upon evaluation criteria within the Request for Proposal.
 - v) Where the award does not exceed \$30,000 for the purchase of goods, equipment, services or construction.
 - (a) Where the award does not exceed \$10,000 for consulting services.
 - (b) Where there is no legislative requirement to obtain Council approval.
- c) Awards over the value of \$30,000 will be submitted to Council for approval.
- d) A quarterly report to Council of awards of contracts under the value of \$30,000 approved by the CAO or designate shall be made available to Council and shall show the name of the contract, the name of the successful bidder, the amount of award, any person or company to whom a single or sole source has awarded, the amount of award and the budgetary provision.

8) Supplier Performance

- a) Suppliers may be subject to disqualifications if there is sufficient evidence of consistent failure to meet the standards specified by the Town. Suppliers may be evaluated based on competitive price, quality of a product, contract adherence and performance and after sales service. Upon reasonable notice in writing to the supplier involved, and after a

reasonable opportunity for response, a supplier can be disqualified for a period not exceeding three years from participation in solicitation for goods and services when:

- i) Serious breach of contract indicating unwillingness to perform a contract in accordance with the terms and conditions or specifications or a record of unsatisfactory performance of one or more contracts in accordance with its specifications or both.
 - ii) The offer of any gratuity to an official or employee of the Town by a supplier or contractor for consideration.
- b) A written decision shall be issued to the person disqualified or suspended setting out its reasons for disqualification or suspension, to the usual business address of that person as shown in the records of the purchasing section.
 - c) Disqualification will be approved by the CAO.

9) Contract Documents, Bid and Performance Securities and Specifications

- a) The CAO may, from time to time, approve such standard forms including bid and performance securities, if any, for purchase by Invitation to Tender, Request for Proposals, Request for Quotations, sole source, or emergency purchases as well as forms of contract for types of purchase including but not limited to construction, supplies and installation or service as they may deem advisable.
- b) Bid bonds, performance bonds, irrevocable letters of credit and other securities including labour and material bonds shall be required for such purposes in such form and in such amounts as the CAO deems advisable.

10) Special Services

- a) Legal Services - Legal services will be acquired by staff based upon qualifications, experience, services offered, past performance, proposed fees and other relevant considerations. The acquisition of legal services must be approved by the CAO in consultation with the Department Head(s) of the user department(s). (These services include expert witnesses, and subject experts required for legal proceeding, hearing or similar matter.) Legal services having a value of \$10,000 or more shall be approved by Council. The term for legal services will be at the pleasure of the Town.
- b) Banking Services – General banking services will be acquired by public advertisement and will continue at the pleasure of the Town.
- c) Auditing Services – These services may be contracted on a one year term to be renewed on an annual basis on terms satisfactory to the Town. Selection of an auditor shall be completed by the Audit Committee of Council who will recommend the selection of an auditor to Council. Annual renewal of the contract for audit services will be made by the Audit Committee.

11) Tie Bids

After the assessment process is complete and it cannot be reasonably determined who has submitted the lowest compliant bid and a tie exists, the Purchaser shall flip a coin to determine the award.

12) Suppliers indebted to the Town of Amherst

Any supplier/contractor having a customer account with the Town of Amherst, which is in arrears, will have such arrears deducted from any payments due to the supplier/contractor. Such deduction may be waived by the CAO, where the supplier/contractor has entered into a payment arrangement deemed to be suitable by the Treasurer.

13) Purchases by Town of Amherst Employees

Employees or immediate family members (husband, wife, son, daughter) of employees of the Town of Amherst are not permitted to purchase personal use items through the purchasing system except where employee purchase plans are being offered.

5.9 2007-2008 Budget

1) Councillor Fawthrop's Comments

It is my pleasure to present the operating and capital budgets for the 2007-2008 fiscal year. This document is the culmination of considerable effort on the part of Council and staff. Each of our six department heads carefully considered what they believe to be the fiscal resources necessary to deliver on the mandate entrusted to them by council and have included those resources in their submissions to council. I would like to single out and thank Treasurer Vince Arbing and Accountant Sarah Wilson for their commendable effort in

pulling all of the numbers together and the many hours spent with department heads and council in the generation of the final document. It is worthy of note that this year's budget is being presented to council in April. This is the earliest such submission in recent memory. This year's budget also includes a five year capital plan for the first time. Council will only be formally approving year one of the Capital plan. The projects included in years two to five have been identified for further staff work and development and may be brought forward for final approval in future years. This process puts these potential projects on the radar screen for the future and allows us to do our planning with these projects in mind.

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

While residential assessment grew by 11% and commercial assessment by 4.8%, the ongoing phase out of the Business Occupancy Assessment and tax resulted in a loss of \$7.7 million in Business Occupancy Assessment and a tax revenue loss of almost \$300,000.

Overall expenditures are projected to rise by 4.4% or \$593,000 to almost \$14 million. Wages and benefits increased this year by \$431,000 or 7.7%. Most of the increase can be attributed to scheduled increases in unionized wages, adjustments to non-union salaries resulting from a job evaluation review, the addition of a staff sergeant in the police department, and cost of living increases. Included in the \$431,000 are major increases in some of our benefit costs with health and dental costs rising by 35% to \$167,000 and workers compensation premiums increasing by 17% to \$109,000.

An increase in provincial transfers for education, housing, assessment and corrections of about \$73,000, to a total of \$1.9 million, was mostly offset by an increase in equalization funding of approximately \$55,000 which will increase this year to \$1.14 million. This still results in a net cost of provincial transfers of approximately \$800,000 or 19 cents on the tax rate.

Debt service costs are projected to come in at \$787,000 resulting in a very respectable ratio of debt service to own source revenue of just over 6%. This ratio is less than half of the benchmark ratio of 15% set by Service Nova Scotia and Municipal Relations.

By far the largest single line item increase in this year's budget over last year can be attributed to funding the capital program. We are projecting to fund \$530,000 worth of this year's capital projects from current operations in comparison with a \$223,000 estimate in this area last year. This does not mean we are spending more dollars on the capital program, rather that we are funding less of the capital program from borrowing. In fact, with the exception of the stadium project, any new debt being taken on is limited to the water utility and the sewer department, which are both funded from user fees and not the tax rate. If we are able to continue this strategy over the next few years it will result in lessened necessity to borrow and a relative decrease in the longer term in debt service costs.

Funding the future Sewage Treatment Plant continues to be one of our fiscal priorities and to do so we are continuing with the \$23 uniform charge, with proceeds of approximately \$90,000 being placed in the capital reserve along with all revenues received through the Gas Tax Agreement. These two items are projected to result in deposits to the reserve for sewage treatment of approximately \$300,000 this year bringing the total amount in reserve for this project to \$620,987.

We are continuing our ongoing project to modernize the Amherst Stadium. We have included an allowance of just under \$1.8 million in this year's Capital Budget. The total project, which is dependent upon receiving assistance from the Province of Nova Scotia, is estimated to cost just over \$3.8 million. On the list for this fiscal year are the replacement of the ice slab, boards and glass (now underway), replacement of the roof, mechanical upgrades, and the initial stage of some renovation to the front area of the building, along with appropriate contingencies.

In terms of the Capital Program, the following is included in the budget package being presented for Council's consideration:

• Water Meter Replacement	\$10,000
• McCully Booster Station Upgrades	30,000
• Radio Repeater System – Water Department	15,000
• Replace 1997 Ford 1 Ton Truck	31,000
• Willow Street Reservoir Piping Upgrade	275,000
• Douglas Ave – Water Main Replacement	75,000
• Paving – Douglas Ave – Cerscent to Abbott	25,000
• SCADA Upgrades in Wellfield	30,000
• Replace 1998 Trackless Sidewalk Plow	110,000
• Salt Storage Building	20,000
• Town Hall Air Conditioning Unit and Controls	56,000
• Town Hall – Front Entry	50,000
• Paving: Rogers Ave	60,000
• Paving: Abbott Street – Station to Albion	9,000

• Complete curb on Oceanview Drive	25,000
• Sidewalk – R A Drive: Dairy Queen to S. Albion	30,000
• Spring Street SAtorm Sewer Upgrade	45,000
• Donald Avenue/Townsvie Court Storm Sewer	40,000
• Eddy Street Lift Station	470,000
• Completion of North Town Collector Project	66,500
• Sewage Treatment – Miscellaneous Consulting Fees	10,000
• SCADA Upgrade – Terrace St Lift Station	20,000
• Stadium Renovations	1,790,493
• Upgrade Playground Equipment	25,000
• Replace 1990 Kubota Tractor & Gang Mower	23,000
• Replace Scrubber at the Stadium	8,000
• Phased Construction Program – Centennial Trail	20,000
• New Fire Pumper Truck	311,000
• New High Pressure Breathing Air Compressor	25,000
• Fire Hall Building Improvements, 2 nd Floor	30,000
• Dispatch Console – Police Department	20,750
• Video Surveillance	10,000
• Digital Car Camera	10,000
• Replace Radio System	25,000

The total capital program is estimated to cost \$3.8 million, and will be funded by:

• Water Capital, Depreciation	150,000
• Water Operating	25,000
• General Operating	529,750
• Operating Reserve	65,750
• Capital Reserve	396,000
• Province of Nova Scotia	800,000
• Municipal Rural Infrastructure Funding	240,000
• Federal Funding – Dept of Environment	60,000
• Other Donations from Organizations	15,000 (Fire Fighters)
• Other Reimbursements from County	6,250 (Fire Dept)
• Long Term Debt	1,512,993

Now, a word on taxes and user fees: Last year's residential tax rate of \$1.67 included a three cent charge for debt reduction, which is not continued for this year. In recognition of the fact that there was a significant increase in existing assessment this year we are proposing to reduce the residential rate to \$1.65. This was initially a three cent reduction to \$1.64 but a proposal to add a police staff sergeant resulted in an additional cent.

On the commercial side, we propose to raise the rate by 19 cents. The continued phase out of the business occupancy assessment required a \$.21 cent increase over last year's rate of \$3.68, however commercial taxpayers are also benefiting from the net reduction of two cents which I referred to in my comments on the residential rate. The resulting commercial rate will be \$3.87. While some will pay less and some will pay more, the effective tax rate remains the same.

The phase out of the Business Occupancy Tax not only impacts our internal municipal revenue streams but also those of the Downtown Amherst Revitalization Society, or DARS. Traditionally when Council has considered the budget each year we have also set area rates for the Downtown district. This year however, DARS has requested that we defer setting those area rates until it has had a chance to have a general meeting to discuss its budget and rates. We commend DARS for its efforts in ensuring that its membership is apprised of the provincially legislated changes respecting business occupancy assessment and the resulting impact on tax rates.

Due to increased debt service costs in the sewer department, related to the ongoing North Town Collector project, an increase of 2% is required resulting in a proposed residential rate of \$0.657/m³ and a commercial rate of \$0.329/m³.

Our current solid waste collection contract expires in September and we will be issuing a call for tenders for that contract very soon with a contract award date some time this summer. The decision on any change to the current solid waste uniform charge of \$150.00 will be deferred until the tender is awarded. We just don't want to set the rate until we know what the costs are going to be.

In summary then, the residential rate goes from \$1.67 to \$1.65, the commercial rate goes from \$3.68 to \$3.87, sewer user rates increase by 2%, and the sewer capital charge of \$23 per year is maintained at last year's rate. Decisions on the solid waste uniform charge and the DARS area rates will be made in the very near future.

There can be no doubt that even though the residential tax rate is decreasing the tax burden is increasing. The fact of the matter is that like all businesses our costs increase as well. While we seek to minimize the impact on our taxpayers, there remains a cost

increase. For the owner of a \$100,000 home consuming an average volume of water, we project that the total increase will be approximately \$147 this year or 6.6 %. All of this is to finance a \$14 million general operating budget and a \$1.4 million Water Utility Budget, along with a \$3.8 million capital budget.

Now I have a number of resolutions to give effect to the budget as proposed.

2) **2007-2008 Operating Budget**

Moved by Councillor Fawthrop, seconded by Councillor Chitty that Council accept the following estimates of the sums required by the Town of Amherst for the fiscal period ending March 31, 2008, prepared in accordance with Section 72 of the *Municipal Government Act*:

Revenues	
Taxes	\$10,565,153.
Grants in Lieu of Taxes	288,378.
Services Provided to Other Local Gov't	189,705.
Sale of Services	1,042,630.
Other Revenue from Own Sources	589,369.
Unconditional Transfers	1,143,027.
Conditional Transfers	158,432.
Total Revenues	\$13,976,694.
Expenditures	
Corporate Services	\$3,903,815.
Police Services	2,822,820.
Fire Protection Services	1,419,507.
Operational Services	3,986,392.
Planning	355,650.
Community & Economic Development	1,488,510.
Total Expenditures	\$13,976,694.

MOTION CARRIED

3) **2007/2008 Tax Rates**

Moved by Councillor Fawthrop, seconded by Deputy Mayor Baker that:

WHEREAS total estimated expenditures for the fiscal period are \$ 13,976,694; **And whereas** total estimated revenues, other than taxes to be levied are \$4,012,005; **and**

WHEREAS the balance of revenues required, \$9,964,689 must be rated;

THEREFORE BE IT RESOLVED THAT the tax rates for the Town of Amherst for the fiscal year ending March 31, 2008 are as follows:

Residential	\$1.65 per \$100 of assessment
Non-residential	\$3.87 per \$100 of assessment

AND THAT these taxes are due and payable on September 28, 2007 with interest to be charged on all final tax accounts outstanding on or after October 1, 2007 at the rate of 1% per month, 12% per annum.

MOTION CARRIED

4) **Sewer Rates Resolution**

Moved by Councillor Fawthrop, seconded by Councillor March that:

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: \$0.657 per cu. meter of metered water consumption as determined by the Amherst Water Utility;

Commercial/Industrial/Institutional: \$0.329 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 owner shall pay \$119.47 per dwelling unit per annum.

For unmetered residential customers, there shall be a flat charge of \$179.20 per annum.

MOTION CARRIED

5) **Sewage Treatment Plant Uniform Charge**

Moved by Councillor Fawthrop, seconded by Councillor March that:

WHEREAS Council has included in its estimates for the fiscal year ending March 31, 2008, 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 4,023 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 \$23 be levied for the fiscal year ending March 31, 2008 on each property assessment within the boundaries of the Town of Amherst in residential and commercial property and that these uniform charges are due and payable on September 28, 2007 with interest to be charged on all final tax accounts outstanding on or after October 1, 2007 at the rate of 1% per month, 12% per annum.

MOTION CARRIED

6) **Amherst Water Utility Operating Budget**

Moved by Councillor Fawthrop, seconded by Councillor Rhindress that:

Whereas the UARB has approved the following rates effective April 1, 2007:

Unmetered per quarter	\$52.21
Base charge per quarter 5/8" meter	35.06
Consumption rate per cubic meter	.25

And whereas revenues are projected to rise 12.8% as a result of these new rates;

Therefore be it resolved that Council approve the 2007/2008 Operating Budget of the Amherst Water Utility as submitted, with total revenues projected to be \$1,447,363 and total expenditures projected to be \$1,389,363.

MOTION CARRIED

7) **Capital Budgets, General and Water**

Moved by Councillor Fawthrop, seconded by Councillor Angel that Council approve the 2007/2008 General Capital and Water Capital budgets as presented, totaling **\$3,800,743** to be funded as follows:

Capital borrowing	1,512,993.
Capital from revenue	554,750.
Transfers from reserves	461,750.
Water depreciation funds	150,000.
Grants	1,100,000.
Other	21,250.
TOTAL	3,800,743.

That Council approve in principle, the following General Capital and Water Capital budgets the details of which are attached as Appendix "B".

Fiscal Year	Total Amount
2008/09	\$4,108,065.
2009/10	\$9,436,000.
2010/11	\$4,661,500.
2011/12	\$1,566,500.

MOTION CARRIED

To be clear, this motion contemplates the approval of the amounts for the years 2008/09 to 2011/12 for planning purposes only. This is not the authority to spend, nor is it necessarily the final and complete listing.

8) Requests for Financial Assistance

Moved by Councillor Fawthrop, seconded by Councillor Angel that Council approve the following schedule of grants to organizations, and that the Treasurer be directed to credit or disburse such funds to the organizations indicated:

Cumberland County Transition House	\$10,000
Cumberland County Museum and Archives	4,000
Amherst Food Assistance Network	2,000
Tantramar Theatre Society	1,000
Showcase Productions Society	1,000
Lillian Albion Cumberland County Animal Shelter	1,500
Amherst Assoc. for Healthy Adolescent Sexuality	1,000
Maggie's Place	1,000
Aerials Gymnastics	750
Cumberland Spartans Swim Club	500
First Fenwick Scouts Group Committee	250
TOTAL	\$23,000

MOTION CARRIED

9) General Borrowing Resolution

Moved by Councillor Fawthrop, seconded by Councillor Rhindress that 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, 2008:

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:

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 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

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
 THAT the said sum of \$2,000,000 so to be borrowed shall be made payable on or before the 31st day of March, 2008, and the promissory note or notes of the Corporation, if any, given therefore, if made payable before that said 31st day of March, 2008 may be renewed by the said Mayor and Treasurer from time to time, but no renewal thereof shall fall due later than the said 31st day of March, 2008; and

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

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

10) Temporary Borrowing Resolution

Moved by Councillor Fawthrop, seconded by Councillor March that:

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 a capital purpose authorized by statute;

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

- **wastewater facilities and stormwater systems;**
- **water systems; and**
- **playgrounds, trails, including trails developed, operated or maintained pursuant to an agreement made under clause 59(c), bicycle paths, swimming pools, ice arenas and other recreational facilities.**

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

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 Five Hundred and Twelve Thousand Nine Hundred and Ninety Three Dollars (\$1,512,993) 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 Five Hundred and Twelve Thousand Nine Hundred and Ninety Three Dollars (\$1,512,993) 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.07/08 - Various Purposes

SEWER

Eddy Street Lift Station	\$170,000
Completion of North Town Collector Project	66,500
Sewage Treatment Miscellaneous Consulting Fees	10,000
SCADA Upgrade – Terrace Street Lift Station	20,000

RECREATION (Stadium)

Stadium Renovations	\$903,493
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WATER

Willow St Reservoir Piping Upgrade	211,000
Water Main Replacement – Douglas Ave	75,000
SCADA Upgrades in Wellfield (New RTU's)	30,000
	<u>\$ 1,512,993</u>

6. ADDITIONAL ITEMS**7. DEPARTMENTAL REPORTS****7.1 Operational Services Department Monthly Report**

Moved by Deputy Mayor Baker, seconded by Councillor Fawthrop that Council accept the following monthly report from the Operational Services Department.

MOTION CARRIED

During the month of March plowing only took place twice, with salting required nine times. On April 8th a blizzard pounded the Town with over 25 cm of wet packy snow. The storm started late Saturday night and ended the following afternoon. At times during the storm operators reported that visibility was zero.

This type of snow led to considerable damage to our equipment. A broken driveshaft and cracked chassis in our sidewalk plows resulted in a 24 hour delay in our sidewalk clearing program. This late winter storm was very challenging for all operators and equipment.

On March 13-16 four staff members attended an EMO Basic Emergency preparedness course sponsored by the Amherst Fire Department, while last week two of our staff attended the EMO Site Managers course training.

Pot holes were filled with cold mix and utility cuts were topped with gravel. Utility cuts are checked every week and documented for liability purposes. The mid-winter cold snap created many frost heaves and pot holes around Town. The use of cold mix material to patch potholes is not very effective as vehicle traffic combined with wet weather recreates the pot holes. Very significant asphalt patching and asphalt curb replacement will be required this spring.

The patching program is expected to get underway sometime in May. Our procedure is to patch utility cuts first then streets in order of highest traffic. It is our goal to have utility cuts patched by the end of May, with street patching completed by the end of June.

In April new Department of Transportation regulations come into affect that call for a new color scheme on our traffic control barricades. Our Utility crew has been very busy changing our existing barricades to meet the new regulations. In addition a new color scheme for safety vests also came into affect at that time.

Engineering staff are busy preparing documents for tender calls including water main replacements, capital paving, solid waste collection, and a new roof and mechanical upgrades at the stadium including new boilers and heat recovery equipment. The demolition work required for the stadium slab replacement began last week. The work plan is to have the new slab poured by mid-July followed by installation of the new boards and glass and finally the new ice surface by late August.

7.2 Community & Economic Development Department Monthly Report

Moved by Councillor March, seconded by Councillor Chitty that Council accept the following monthly report from the Community and Economic Development Department.

MOTION CARRIED***Facility Operations***

Operations at the Amherst Stadium concluded on April 8th and the ice was removed by April 11th. Staff completed various maintenance tasks including painting the South and North walls, completed repairs to dressing rooms and prepared the facility for the start of demolition related to Phase 2 of the Stadium renovation plan.

Department Staff is currently concentrating their efforts in preparing our parks and athletic fields for the summer months. We are taking booking for Robbs Ball Field and any groups wanting to book this or any of our facilities should contact Kim Jones at 667-6523.

We are also working closely with the Amherst Rotary Club in preparing plans for some work to be completed on the Rotary Centennial Park. This years work will include the planting a number of trees and rose bushes to lend some definition to the park an the entry off Willow Street.

Spring and Summer Bulletin

Work is almost complete in the preparation of the 2007 Spring and Summer Bulletin and we expect that it will be delivered to homes during the first week of May.

Volunteer Appreciation Awards

The April 16th to 22nd was Provincial Volunteer week. The Town of Amherst hosted a Volunteer Ceremony and Reception on April 17, 2007. This event was well attended and we would like to congratulate and thank both those who attended and all the volunteers in our community who give selfishly of their time year after year. The Province of Nova Scotia hosted a Volunteer Awards Luncheon in Halifax on April 10th at which time Willie Boyle was recognized as the Amherst Community Representative and was formally recognized at the Provincial Level.

Programs

The annual The Annual Fishing Derby will take place at the Pumping Station Pond on Friday, May 25, 2007 from 4:30 to 7:30.

Again this year, the department plans on offering an Instructional golf program. Particulars on the program will be available shortly at Town Hall and our Web Site.

Work on a schedule for the summer youth program including the YMCA instructional and recreational swim program continues. A newsletter will be sent to Amherst Schools prior to the end of the School year outlining our summer schedule.

If you have any questions regarding Summer Programs, please contact Dwight Jones at 667-6506.

The 2007 Y'mens Home Show

The 2007 Amherst Home Show took place from April 20th to April 22nd. Once again the Y's Men have to be congratulated for putting on a first class show. Their tireless efforts are appreciated by everyone who participates in this annual event. The show was deemed to be successful and the Town once again participated by providing information related to various services our departments provide. This year's show was held 2 weeks early to accommodate the start of construction related to the second phase of the Stadium renovation. We appreciate the cooperation provided by the Y's Men to accommodate construction this year.

7.3 Planning & Development Department Monthly Report

Moved by Councillor Chitty, seconded by Councillor Rhindress that Council accept the following monthly report from the Planning and Development Department.

MOTION CARRIED

Building Activity

As of March 31, 2007 the total value of building permits issued in the Town was **\$15,452,312** compared to **\$7,507,930** at this point last year. During the month there were 2 new housing starts within Town. There were no other significant permits issued during the month of March. This being the end of the fiscal year I have included a summary of building permit activity over the past twelve months. We have had another very strong residential construction year. In the fiscal year 2006 - 2007 there were 63 new housing starts, compared to 46 the previous year and a 5 year average of 50 units. The total residential value for this fiscal year was \$5,825,770 compared to an average of \$3,824,030 for the last five years. We have also had a very strong commercial / industrial year with a total value of \$9,071,000. Some of the larger projects included; Staples Business Depart Order Fulfillment Centres, Maritime Pride Eggs, Amherst Stadium Renovations, Stenek Corporation Office Alterations on Prince Arthur Street, Casey Concrete Office Building and the new little league clubhouse.

Dangerous and Unsightly Premises

So far this year we have had 36 complaints; 30 of which have been resolved. Four orders have been issued and 2 remain active. All the complaints have been investigated are being actively pursued by the Unsightly Premises Administrator.

Other Items

David and Marsha Allen have applied to construct a new street off of East Pleasant Street. This street will contain 5 four unit apartment buildings. As each of the buildings will be located on its own property, this is an as-of-right development. The name of the proposed street is "Matthews Terrace". We have issued the name "Dusker Way" to the private driveway for the Ketchum Corner condominium development at the intersection of Rupert and Dickey Streets. On April 5th Procom Data were in Town Hall to start the setup for our new building permit software. It is expected that this software will be up and running by the middle of May.

7.4 Police Department Monthly Report

Moved by Councillor Angel, seconded by Councillor March that Council accept the following monthly report from the Police Department.

MOTION CARRIED

Personnel

A competition was held in late February to fill vacancies within the department. Cst. Joshua Lynds was promoted to full time employment as a result of the competition. Cst. Lynds had been working on a part time basis since December 2005. Cst. John Haggerty was hired as a police officer on a part time basis effective March 28th 2007. Cst. Haggerty is from Nova Scotia and graduated from the Atlantic Police Academy in September 2006. Commissionaire Daniel Pirrie has been hired by the Canadian Corps of Commissionaires to act as dispatcher at the Amherst Police Department, following the resignation of Lorna Oliver.

Major Crime Unit

A 20 year old Halifax male was convicted of Break & Enter into the Amherst Superstore. The incident on occurred in February 2006. The conviction was gained with the assistance of Forensic Laboratories in identifying the suspect through the use of DNA. A sentence of 40 months incarceration in a Federal Institution was received for this offence.

Community Officer

Cst. Smith, along with three ARHS students attended the Canadian Youth Against Impaired Driving (CYAID) Conference in Alberta in March. The group received the "Best Zero Hero" award while at the Conference, for this community's work in this area. The Amherst Board of Police Commissioners has approved a motion to recognize the ARHS Students Against Drunk Driving for their hard work in achieving this national award. Several presentations were made to local groups by Cst. Smith in the past few months related to the Adopt a Library Program, Drug Awareness, Elmer the Safety Elephant program, MADD, etc. Cooperators Insurance has purchased a "hot rod go-cart" to be used by our department, as well as other community agencies for educational purposes to combat drinking and driving. The vehicle, with the use of Fatal Vision Goggles simulates impaired driving. This vehicle was on display at the Amherst Y's Men & Menettes Home, Lifestyle & Leisure Show April 20th – 22nd. The local MADD (Mothers Against Drunk Driving) group has purchased a trailer to store and transport the vehicle. Two of our members along with three Council members attended a seminar on graffiti presented by the Halifax Regional Police Service. Attendees were shown various programs with respect to combating graffiti, and given several useful tools to deal with the universal problem.

7.5 Fire Department Monthly Report

Moved by Councillor Rhindress, seconded by Councillor Fawthrop that Council accept the following monthly report from the Fire Department.

MOTION CARRIED

ALARM RESPONSES:

During the reporting period from March 14/07 – April 12/07, the members of our fire department responded to 24 calls in the Town of Amherst and 15 calls to the County coverage area. Of the 39 calls responded to during the reporting period, 3 were motor vehicle accidents, 5 were false alarms, 4 structure fires, 1 chimney fire, and the remaining 26 calls were grass fires.

TRAINING AND FIRE DEPT. ACTIVITIES:

The training schedule for the month of April has been set and will include 8 hours of advanced training on the various meters used by our department to detect a large number of poisonous gases and other compounds. The schedule also includes further training on HazMat response and fire suppression. The training on the traffic management guidelines has been completed with 45 members attending. Combined training has been scheduled with Emergency Health Services and a mock motor vehicle exercise is scheduled for early next month. Chief Crossman, Mark Goodwin and Vern Megeney will be traveling to Halifax this month to attending a 2 day fire inspection training course on natural gas and oil installations.

FIRE PREVENTION and Emergency Preparedness:

The fire department has taken advantage of the opportunity to participate in the Town's booth at the Stadium for the annual Home Show held on April 20 – 23. By participating in this event the fire department is able to provide a large amount of information to the public concerning fire safety, prevention and emergency preparedness.

7.5 Corporate Services Department Monthly Report

Moved by Councillor Fawthrop, seconded by Deputy Mayor Baker that Council accept the following monthly report from the Corporate Services Department.

MOTION CARRIED

MONTHLY EXPENDITURES

Expenditures during the month of March 2007 totaled \$1,740,465 compared to \$1,941,819 for the same month last year.

	March 2007	March 2006
Corporate Services	\$ 589,181	\$ 980,394
Police Department	365,458	229,893
Fire Department	97,736	115,174
Operational Services	403,172	334,862
Planning Department	33,645	28,601
Community & Economic Development	110,633	129,551
Water	140,640	123,344
	<u>\$ 1,740,465</u>	<u>\$ 1,941,819</u>

COLLECTIONS

Total amount owing to the Town at the end of March 2007 was \$928,038. During the month of March 2007 we collected \$232,034.

Amounts outstanding:

	March 2007			March 2006		
	Current	Prior	Total	Current	Prior	Total
Property Taxes	\$ 380,019	\$ 150,981	\$ 531,001	\$ 224,563	\$ 186,399	\$ 410,962
Business Taxes	87,447	112,576	200,023	83,798	113,598	197,396
Sewer Rates	41,618	9,465	51,083	37,290	42,584	79,875
Water Rates	38,699	32,572	71,271	33,301	121,917	155,218
Other	56,406	18,254	74,660	38,510	18,871	57,380
	<u>\$ 604,189</u>	<u>\$ 323,849</u>	<u>\$ 928,038</u>	<u>\$ 417,463</u>	<u>\$ 483,369</u>	<u>\$ 900,832</u>

Amounts collected in the month of March 2007:

	March
Property Taxes	\$ 31,074
Business Taxes	4,591
Sewer Rates	33,592
Water Rates	45,175
Other (Note 1)	117,601
	<u>\$ 232,034</u>

Note 1 - includes all other grants, fines, fees, including stadium revenue.

DEPARTMENTAL UPDATE**New Accounts Receivable Software**

The month of March was extremely busy for the Corporate Services Department in preparation for the changeover to a new software system for accounts receivable on April 1st. Training for the new SAP System began with integration testing in Cape Breton during the week of March 5th for two of our staff members. Six Corporate Services staff members received on site training during the week of March 19th. The migration of data to the SAP System was completed the weekend of March 31st to April 1st, as staff worked with the SAP team to ensure accuracy.

Taxpayers should notice informative changes to the water/sewer billings and to the interim and final tax billings. This new system brings with it separate tax account and water account numbers, as well as the inclusion of both Mortgage Company and Mortgage Number on the bill. The various payment methods available are also indicated for the convenience of the taxpayer. The amount due is much clearer, and we have changed the color of paper on which the water/sewer billings are printed to **blue** and the tax billings to **green**. The quarterly water/sewer bills and the interim tax billings have recently been printed and mailed, with a due date of May 31, 2007.

Taxpayers will also notice that their receipts are smaller. Should customers not have their bills with them, SAP offers a number of search features providing quicker access to account information. A statement of customers' accounts can easily be produced with the new system, showing an overview of their accounts for particular time frames. The layout is easy to follow and specific for tax or water/sewer billings.

Budget Preparations

Staff were also busy with the preparation of the 2007/08 budget estimates which have been presented to Council this month for their consideration and approval. The preliminary results for the fiscal year ending March 31, 2007 look positive. Gross revenues are within budget and all departments are under budget for expenditures.

8. ADJOURNMENT

On motion by Councillor Rhindress, the meeting adjourned at 8:40 PM.

APPROVED:

Gregory D. Herrett, CA
Chief Administrative Officer

Jerry Hallee
Mayor

**Amherst Town Council Meeting
Monday, April 30, 2007 at 7:00 PM
AGENDA**

1.	O CANADA			
2.	PUBLIC HEARINGS			Page
	1. Number of Councillors and Election at Large System for UARB			2
	2. LUB Amendment – Accessory Buildings in Residential Zone P-2-8			3
	3. LUB & MPS Amendment – Senior Citizens Housing, P-2-7 and P-1-1			4
	4. LUB & MPS Amendment – Ground Floor Residential P-2-9 and P-1-2			5
3.	CALL TO ORDER			
4.	RECOGNITION PRESENTATION Tammara Ashe			Page 6
5.	ACTION ITEMS	RFD#	Presenter	Page
5.1	Additions to Agenda		Baker	
5.2	Approval of Agenda		Baker	
5.3	Approval of Minutes		Rhindress	7
	1. March 26, 2007 Regular Meeting			36
	2. April 13, 2007 Special Meeting			
5.4	Planning Documents at Second Reading:			
	1. Accessory Structures, P-2-8	2007029	Baker	37
	2. Senior Citizens Housing, P-2-7 and P-1-1	2007030	March	43
	3. Ground Floor Residential P-2-9 & P-1-2	2007028	Chitty	50
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