

**Minutes of a Regular Meeting of Amherst Town Council  
Held in Council Chambers  
Monday, October 29, 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. **HEARINGS / PRESENTATIONS**
3. **CALL TO ORDER**
4. **ACTION ITEMS**
  - 4.1 Additions to Agenda
  - 4.2 Approval of Agenda

**Moved by Deputy Mayor George Baker, seconded by Councillor David March to approve the Agenda**

**MOTION CARRIED**

- 4.3 Approval of Minutes – September 24, 2007 Regular Meeting

**Moved by Councillor Terry Rhindress, seconded by Deputy Mayor George Baker to approve the Minutes of the September 24, 2007 Regular Meeting as circulated.**

**MOTION CARRIED**

- 4.4 Water Main – Property Lease RFD#2007091

**Moved by Deputy Mayor George Baker, seconded by Councillor Dale Fawthrop that Council approve the terms of the two lease agreements with Gordon and Kenneth Milner, and authorize the Mayor and CAO to sign the lease documents on behalf of the Town.**

**MOTION CARRIED**

**EASEMENT "A"**

This Easement "A" made this                      day of                      2007.

BETWEEN:

GORDON R. MILNER, 48 John Black Road in the County of Cumberland and Province of Nova Scotia, being the Owner of the lands described in Schedule "A" herein Hereinafter called the "GRANTOR"

OF THE ONE PART

-and-

THE TOWN OF AMHERST,                      a municipal corporation in the County of Cumberland and Province of Nova Scotia Hereinafter called the "GRANTEE"

OF THE OTHER PART

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration, now paid by the Grantee to the Grantor, receipt of which is acknowledged, the Grantor grants to the Grantee, its successors and assigns a 6 meter wide easement and rights:

1. To enter, construct, maintain, inspect and repair a water transmission main including all appurtenances to it, on and under the lands described in Schedule "A", and as outlined in Schedule B, plan of survey by Walter C. Rayworth, Nova Scotia Land Surveyor, dated September 6, 2007.

- 2. For the servants, agents, contractors and workers of the Grantee to enter with machinery, material, vehicles and equipment necessary for the use of the easement.

THE GRANTEE covenants:

- 1. To fill in all excavations and as far as practicable restore the surface to the same condition as prior to the commencement of construction or of any subsequent work to it,
- 2. To dispose of surplus fill from the excavation at a designated site between the farm buildings and this easement.
- 3. To remove and replace topsoil and to leave 10cy of topsoil on site for grantors use in topping up any trench settlement;
- 4. To ensure fencing remains intact to provide the pasture land of the grantor with continued security of their animals during any construction or maintenance work on the transmission main;
- 5. To pay grantors \$ 500.00 for harrowing and seeding the area disturbed by the water line construction; and
- 6. To provide the grantor, their successors and assigns, with future domestic water service from the transmission mains on John Black Road and through the lands covered by this lease, pid#25038191, as well as the parcel of land known as 215 Willow St, pid # 25002239, in accordance with Town of Amherst Water Utility Schedule of Rules and Regulations Governing the Supply of Water and Water services as prescribed by the Nova Scotia Utility and Review Board.

**IN WITNESS WHEREOF** the parties have executed this agreement the day, month and year first above written.

**SIGNED, SEALED AND DELIVERED**

**SCHEDULE "A"**

**EASEMENT A**

**ALL** that certain lot, piece or parcel of land situate, lying and being Southerly of John Black Road, County of Cumberland, Province of Nova Scotia, and being shown as EASEMENT A on a Plan entitled "PLAN SHOWING PROPOSED EASEMENTS "A" & "B" IN FAVOUR OF The TOWN of AMHERST, Over Lands of Gordon R. Milner and Kenneth A. Milner, John Black Road, Brookdale", prepared by Walter C. Rayworth, N.S.L.S., dated October 15<sup>th</sup>, 2007 and being more particularly described as follows:

**BEGINNING** at the Northwest corner of Lot 99-1, land of Gordon Ross Milner and Karen Anne Milner;

**THENCE** North 138 degrees 13 minutes 58 seconds East along the Western boundary of Lot 99-1, land of Gordon Ross Milner and Karen Anne Milner, 142.181m to a point at the Southerly corner of Lot 99-1, land of Gordon Ross Milner and Karen Anne Milner;

**THENCE** South 40 degrees 41 minutes 35 seconds West, 6.041 metres to a point;

**THENCE** North 318 degrees 13 minutes 42 seconds East, 142.094 metres to a point;

**THENCE** North 39 degrees 53 minutes 09 seconds East, 6.064 metres to the POINT OF BEGINNING;

**CONTAINING** 852.0 square metres;

**ALL BEARINGS** referred to herein are based on the Nova Scotia Coordinate System, Zone 5, Central Meridian 64.5 degrees West Longitude.

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**EASEMENT "B"**

This Easement "B" made this                      day of    October 2007.

**BETWEEN:**

GORDON R. MILNER, 48 John Black Road and KENNETH A. MILNER, 367 Willow Street in the County of Cumberland and Province of Nova Scotia, being the Owners of the lands described in Schedule "A" herein Hereinafter called the "GRANTORS"

OF THE ONE PART

-and-

THE TOWN OF AMHERST, a municipal corporation in the County of Cumberland and Province of Nova Scotia  
Hereinafter called the "GRANTEE"

OF THE OTHER PART

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration, now paid by the Grantee to the Grantors, receipt of which is acknowledged, the Grantors grants to the Grantee, its successors and assigns a 6 meter wide easement and rights:

1. To enter, construct, maintain, inspect and repair a water transmission main including all appurtenances to it, on and under the lands described in Schedule "A", and as outlined in Schedule B, plan of survey by Walter C. Rayworth, Nova Scotia Land Surveyor, dated October 15, 2007.
2. For the servants, agents, contractors and workers of the Grantee to enter with machinery, material, vehicles and equipment necessary for the use of the easement.

THE GRANTEE covenants:

3. To fill in all excavations and as far as practicable restore the surface to the same condition as prior to the commencement of construction or of any subsequent work to it,
4. To dispose of surplus fill from the excavation at a designated site between the farm buildings and the easement.
5. To remove and replace topsoil and to leave 10cy of topsoil on site for grantors use in topping up any trench settlement;
6. To pay grantors \$ 500.00 for harrowing and seeding the area disturbed by the water line construction; and
7. To ensure fencing remains intact to provide the pasture land of the grantors with continued security of their animals during any construction or maintenance work on the transmission main,
8. To provide the grantors, their successors and assigns with future domestic water service from its transmission mains, pid's #25038217 and #25038068, in accordance with Town of Amherst Water Utility Schedule of Rules and Regulations Governing the Supply of Water and Water services as prescribed by the Nova Scotia Utility and Review Board, and
9. To provide an easement for the grantors, their successors and assigns, continued use in accessing their properties from the existing reservoir lane from Willow Street.

**IN WITNESS WHEREOF** the parties have executed this agreement the \_\_\_\_ day of October , 2007 first above written.

**SIGNED SEALED AND DELIVERED**

**SCHEDULE "A"**

**EASEMENT B**

**ALL** that certain lot, piece or parcel of land situate, lying and being Southerly of John Black Road, County of Cumberland, Province of Nova Scotia, and being shown as EASEMENT B on a Plan entitled "PLAN SHOWING PROPOSED EASEMENTS "A" & "B" IN FAVOUR OF THE TOWN OF AMHERST, Over lands of Gordon R. Milner and Kenneth A. Milner, John Black Road, Brookdale", prepared by Walter C. Rayworth, N.S.L.S., dated September 6<sup>th</sup>, 2007 and being more particularly described as follows:

**BEGINNING** at the Southwest corner of Lot 99-1, land of Gordon Ross Milner and Karen Anne Milner;

**THENCE** North 141 degrees 42 minutes 27 seconds East 179.140 metres to a point;

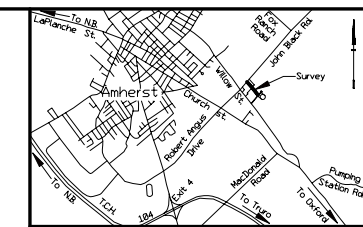
**THENCE** North 220 degrees 30 minutes 00 seconds East, along the Northwest boundary of land of the Town of Amherst, 7.136 metres to a point;

**THENCE** North 321 degrees 42 minutes 27 seconds East, 179.164 metres to a point;

**THENCE** North 40 degrees 41 minutes 35 seconds East, 7.131 metres to the POINT OF BEGINNING;

**CONTAINING** 1254.0 square meters;

**ALL BEARINGS** referred to herein are based on the Nova Scotia Coordinate System, Zone 5, Central Meridian 64.5 degrees West Longitude.



**Legend**

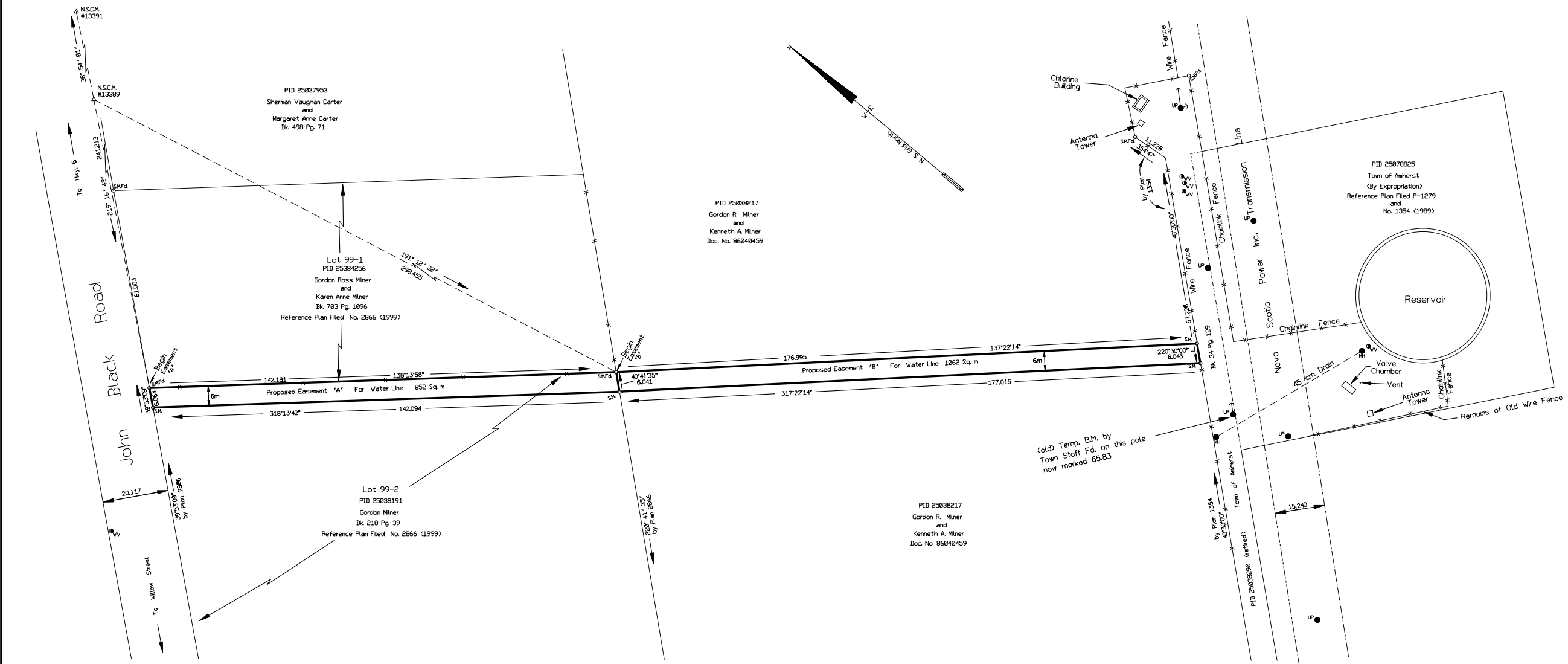
- IP or IB denotes an iron pipe (IP) or iron bar (IB) found
- SM denotes a survey marker found ( ) offset
- Lands dealt with by this plan shown thus
- denotes a utility pole with an anchor
- denotes a Manhole
- with V denotes a water valve
- Distances shown are in metres and decimals thereof.
- No Scale Factor was applied.
- Azimuths are oriented to the NS Co-ordinate Grid
- CP MTH Zone 5 Central Meridian 64°38'W

Ref. Monuments used NSCM No.13389

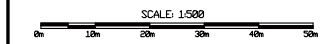
N 5876608.770m
N 5524888.133m
N 5877373.618m
N 5525431.751m

NSCM No.13391

Elevations shown hereon are referred to NSCM No. 13391 which has a published value of 62.487m.

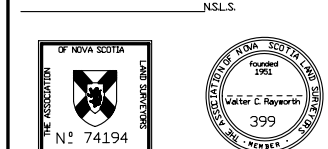


PLAN SHOWING  
PROPOSED EASEMENTS 'A' & 'B' IN FAVOUR OF  
THE TOWN OF AMHERST  
OVER LANDS OF  
**Gordon R. Milner**  
and  
**Kenneth A. Milner**  
John Black Road  
Brookdale  
Cumberland Co., Nova Scotia  
by : Walter C. Rayworth, NSLS.  
Field surveys were carried out during the period,  
7 August - 27 September, 2007



**SURVEYOR'S CERTIFICATE**  
I, Walter C. Rayworth, Nova Scotia Land Surveyor, hereby certify that the survey represented by this plan was conducted under my supervision, and that the survey and plan were made in accordance with the Nova Scotia Land Surveyors Act and the regulations made thereunder.

Dated the 15th day of October AD 2007.



4.5 Disposal of Surplus 1977 GMC Pumper Truck RFD#2007096

Moved by Councillor Terry Rhindress, seconded by Deputy Mayor George Baker that Council accept the offer of \$20,000 from the River Hebert Firefighters for the purchase of the 1977 GMC pumper which will become surplus to Town needs when the new pumper arrives.

**MOTION CARRIED**

4.6 Amend User Fee Policy RFD#2007097

Moved by Councillor Dale Fawthrop, seconded by Councillor Terry Rhindress that the Town of Amherst User Fee Policy #3470-03 be amended to waive the 'criminal records check' fee of \$11.40 + HST and the 'commissioner of oaths signing' fee of \$15.98 (HST Exempt) in Schedule A when they apply to Amherst citizens who require these services to volunteer in non-profit or youth organizations.

**MOTION CARRIED**

Councillor Angel requested that a letter be sent to the Amherst Board of Police Commissioners explaining this policy change.

**TOWN OF AMHERST USER FEE POLICY #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.

**SCHEDULE A - USER FEES POLICY**

<b>Corporate Services</b>		
<b>SERVICE/PRODUCT/ADMINISTRATIVE</b>	<b>FEE</b>	<b>HST STATUS</b>
Photocopies	.25/copy	Plus HST
Tax Certificates	\$50.00	Includes HST
Use of Facilities (Cumberland Memorial Bldg)	\$50.00/day	Plus HST
NSF Cheques	\$20.00	HST Exempt
NSF Cheques (Water) covered under UARB Water Rates*	\$15.00	HST Exempt

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

<b>Operational Services</b>		
It is not the intention of the policy to rent Town of Amherst equipment to the general public; these rates and the availability of this equipment are contemplated for use by commercial concerns only.		
<b>Equipment Rentals</b>	<b>Rate per Hour</b>	<b>HST Status</b>
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
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.		
<b>Operational Services By-Laws</b>		
<b>D-3 Sewer Use By-Law</b>		
One Connection	\$750.00	Plus HST
Storm Sewer Connection (if done at the same time as sewer connection)	\$250.00	Plus HST
<b>D-19 Sanitary Sewer Rates By-Law - By Council Resolution, April 30, 2007</b>		
Residential Metered Customers	\$0.657/m <sup>3</sup>	Exempt
Commercial/Industrial/Institutional metered customers	\$0.329/m <sup>3</sup>	Exempt
Non-metered Mobile Home Park Owner	\$119.47/dwelling unit/year	Exempt
Unmetered Residential Customers	Flat charge \$179.20/yr	Exempt
<b>Other</b>		
Sanitary Sewer Charge for Sewage Treatment Plant billed on Tax Bill	\$23.00/yr	Exempt
Solid Waste Collection billed on Tax Bill	\$155.00/year	Exempt
<b>Services/Products – Operational Services</b>		
Parking Space Rental – Yearly	\$200.00	Plus HST
Parking Space Rental – Monthly	\$20.00	Plus HST
Street Breaking Permit (Policy 31600-08)	\$500.00	Plus HST
Commercial Sewer Service (Policy 31600-14) Estimated by Engineer and final adjustment when work is done	Cost of Service	Plus HST

<b>Planning and Development Department</b>		
Zoning Confirmation Letter	\$50.00	HST Exempt
Copy of Land Use Bylaw or Municipal Planning Strategy	\$20.00	HST Exempt
Copy of Zoning Map (11 x 17)	\$5.00	HST Exempt
Copy of Zoning Map (50 cm x 60 cm)	\$10.00	HST Exempt
Application to Amend the Land Use Bylaw	\$200.00	HST Exempt
Application for a Development Agreement	\$200.00	HST Exempt
Application to Amend the Municipal Planning Strategy	\$300.00	HST Exempt
Application for a Variance or Site Plan	\$75.00	HST Exempt
Creation of Mapping Document	\$60.00/hr (including 10 lineal metres of maps)	Plus HST
Print Existing Map – less than 50 cm x 50 cm	\$25.00	Plus HST
Print Existing Map – more than 50 cm x 50 cm	\$50.00	Plus HST
<b>Building Permits</b>		
New residential buildings, community centres, churches	\$50.00 + \$0.12 per square foot	HST Exempt
New Commercial, Industrial or other building not listed	\$50.00 + \$0.17 per square foot	HST Exempt
All alterations or repairs	\$50.00 + 0.25% of value	HST Exempt
Decks, accessory buildings and farm buildings	\$50.00 + \$0.04 per square foot	HST Exempt
Demolition	\$20.00	HST Exempt

<b>Police Department</b>		
Commissioner of Oaths Signing	\$15.98	HST Exempt
Commissioner of Oaths Signing – Child Abuse Register for Amherst citizens to participate as volunteers for community organizations	Waived	N/A
Criminal Record Check	\$11.40	HST Included
Criminal Record Check for Amherst citizens to participate as volunteers for community organizations	Waived	N/A
Serial # Verification (homemade trailers)	\$10.00	Plus HST
Fingerprints (for non-criminal reasons)	\$10.00	Plus HST
Accident Reports	\$10.70	HST Exempt
Taxi License Photo	\$10.00	Plus HST
Dispatching to Cumberland County F.D's	\$125/month billed quarterly	HST Exempt

<b>Fire Department</b>		
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

<b>Community &amp; Economic Development Department</b>		
<b>Ice Time/Stadium</b>		
Early Bird (6:00 – 8:15 am)	\$53.30/hr	Plus HST
Fair Time (8:30 am – 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
<b>Photocopies/Stadium (Policy 72000-06)</b>		
8 ½ X 11 (Town Paper)	\$0.10/copy	Plus HST
8 ½ X 14 (Town Paper)	\$0.15/copy	Plus HST
11 X 17 (Town Paper)	\$0.25/copy	Plus HST
8 ½ X 11 (own paper)	\$0.05/copy	Plus HST
8 ½ X 14 (own paper)	\$0.05/copy	Plus HST
11 X 17 (own paper)	\$0.10/copy	Plus HST
<b>Ballfield User Policy (Policy 72300-01)</b>		
Lights	\$18/diamond/game	HST Included
Tournament Fee	\$100/day	HST Included
Tournament Lights	\$30/day	HST Included
<b>Beer/Liquor Concession Robb Centennial Park (Policy 72300-05)</b>		
Concession only. NSAGA requirements responsibility of organizing committee	\$100.00/day	HST Included
<b>Equipment Rental – Stadium (Policy 72300-09)</b>		
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

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

**USER FEES POLICY – SCHEDULE B****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) <u>Base Charges</u>	<u>Quarterly</u>
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.

4.7 Cumberland Ridge Sewer Easements RFD#2007098

**Moved by Councillor Ed Chitty, seconded by Councillor David March that Council authorize the Mayor and CAO to sign two Sewer Lease Agreements with Cumberland Ridge Developments Incorporated.**

**MOTION CARRIED**

**GRANT OF UTILITY EASEMENT**

**This Grant of Easement** made this \_\_\_\_ day of \_\_\_\_\_, 2007

BETWEEN:

**Cumberland Ridge Developments Incorporated**, of the Town of Amherst, in the County of Cumberland and Province of Nova Scotia, (Hereinafter called "the Grantor")

- and -

**Town of Amherst**, a Municipal Corporation in the Province of Nova Scotia (Hereinafter called "the Grantee")

WITNESS that in consideration of the sum of \$1.00 dollar now paid by the Grantee to the Grantor, receipt whereof is hereby acknowledged, the Grantor grants to the Grantee its successors and assigns an easement and rights:

- (a) to enter, construct, maintain, inspect, alter and repair sewers including all appurtenances thereto on and under the lands described in Schedule "A" attached hereto,
- (b) for the servants, agents, contractors and workmen of the Grantee to enter with machinery, material, vehicles and equipment necessary for the use of the easement.

The Grantee covenants to fill in all excavations and as far as practicable restore the surface to the same condition as prior to the commencement of construction or of any subsequent work thereto.

The Grantor covenants to permit the Grantee to keep the land clear of all brush, trees and other obstructions as may be necessary for the use of the easement.

The easement herein is declared to be appurtenant to and for the benefit of adjacent lands of the Grantee including its street and shall accrues to the benefit of and be binding on the parties hereto, their successors and assigns.

**SCHEDULE "A"**

**EASEMENT A**

ALL that certain lot, piece or parcel of land situate, lying and being Southerly of Victoria Street West, Amherst, County of Cumberland, Province of Nova Scotia and being shown as EASEMENT A on a Plan entitled 'PLAN OF SURVEY OF EASEMENTS A&B, LANDS OF CUMBERLAND RIDGE DEVELOPMENTS INCORPORATED' prepared by Lyndon K. Crowe, N.S.L.S., dated September 19<sup>th</sup> 2007 and being more particularly described as follows:

BEGINNING at the intersection of an Eastern boundary, Cumberland Ridge Drive (being conveyed to the Town of Amherst), and a Southern boundary, proposed Mini-Home Lot 28, lands of Cumberland Ridge Incorporated;

00418

THENCE North 52 degrees 38 minutes 07 seconds East along a Southern boundary, proposed Mini-Home Lot 28, lands of Cumberland Ridge Developments Incorporated, 18.500 metres to a point;

THENCE North 55 degrees 25 minutes 53 seconds East over Parcel A, lands of the Cumberland Ridge Developments Incorporated, 33.670 metres to a point;

THENCE North 06 degrees 52 minutes 46 seconds East over Parcel A, and over Lot 2004-1B, lands of Cumberland Ridge Developments Incorporated, 103.283 metres to a point;

THENCE North 47 degrees 03 minutes 23 seconds East over Lot 2004-1B, lands of Cumberland Ridge Developments Incorporated, 110.420 metres to a point;

THENCE North 36 degrees 50 minutes 57 seconds East over Lot 2004-1B, lands of Cumberland Ridge Developments Incorporated, 77.616 metres to a point;

THENCE South 53 degrees 08 minutes 02 seconds East over Lot 2004-1B, lands of Cumberland Ridge Developments Incorporated, 6.003 metres to a point;

THENCE South 36 degrees 51 minutes 26 seconds West over Lot 2004-1B, lands of Cumberland Ridge Developments Incorporated, 77.809 metres to a point;

THENCE South 43 degrees 11 minutes 07 seconds West over Lot 2004-1B, lands of Cumberland Ridge Developments Incorporated, 101.575 metres to a point;

THENCE South 11 degrees 09 minutes 43 seconds West over Lot 2004-1B, and over Parcel A, lands of Cumberland Ridge Developments Incorporated, 107.915 metres to a point;

THENCE South 55 degrees 16 minutes 55 seconds West over Parcel A, lands of Cumberland Ridge Developments Incorporated, 54.535 metres to a point on an Eastern boundary, Cumberland Ridge drive (being conveyed to the Town of Amherst);

THENCE North 37 degrees 21 minutes 53 seconds West along an Eastern boundary, Cumberland Ridge Drive (being conveyed to the Town of Amherst), 8.367 metres to the POINT OF BEGINNING;

CONTAINING 3251.4 square metres;

ALL BEARINGS referred to herein are based on the Nova Scotia Coordinate System, Zone 5, Central Meridian 64.5 degrees West Longitude.

#### **EASEMENT B**

ALL that certain lot, piece or parcel of land situate, lying and being Southerly of Victoria Street West, Amherst, County of Cumberland, Province of Nova Scotia, and being shown as EASEMENT B on a Plan entitled "PLAN OF SURVEY OF EASEMENTS A & B, LANDS OF CUMBERLAND RIDGE DEVELOPMENTS INCORPORATED", prepared by Lyndon K. Crowe, N.S.L.S., dated September 19<sup>th</sup> 2007 and being more particularly described as follows:

BEGINNING at the intersection of a Western boundary, Cumberland Ridge Drive (being conveyed to the Town of Amherst), and a Southern boundary, proposed Mini-Home Lot 29, lands of Cumberland Ridge Developments Incorporated;

THENCE South 37 degrees 21 minutes 53 seconds East along a Western boundary, Cumberland Ridge Drive (being conveyed to the Town of Amherst) and a Western boundary of Easement C, lands of Cumberland Ridge Developments Incorporated, 6.508 metres to a point;

THENCE South 49 degrees 20 minutes 17 seconds West over Parcel A, lands of Cumberland Ridge Developments Incorporated, 33.556 metres to a point on an Eastern boundary, lands of Killam Investments Inc.;

THENCE North 37 degrees 21 minutes 53 seconds West along an Eastern boundary, lands of Killam Investments Inc., 8.438 metres to a point;

THENCE North 52 degrees 38 minutes 07 seconds East along a Southern boundary, proposed Mini-Home Lot 29, lands of Cumberland Ridge Developments Incorporated, 33.500 metres to the POINT OF BEGINNING;

CONTAINING 250.4 square metres;

ALL BEARINGS referred to herein are based on the Nova Scotia Coordinate System, Zone 5, Central Meridian 64.5 degrees West Longitude.

#### **GRANT OF EASEMENT**

**This Grant of Easement** made this \_\_\_\_ day of \_\_\_\_\_, 2007

BETWEEN:

**Cumberland Ridge Developments Incorporated**, of the Town of Amherst, in the County of Cumberland and Province of Nova Scotia, (Hereinafter called "the Grantor")

- and -

**Town of Amherst**, a Municipal Corporation in the Province of Nova Scotia  
(Hereinafter called "the Grantee")

WITNESS that in consideration of the sum of \$1.00 dollar now paid by the Grantee to the Grantor, receipt whereof is hereby acknowledged, the Grantor grants to the Grantee its successors and assigns an easement and rights to enter onto the lands described in Schedule A attached hereto for the purpose of work related to the maintenance and use of the adjacent street, including, but not limited to, the use by the Grantee for snow plow operators for the turning of snow plows and for the piling of snow from the street.

The Grantee covenants to repair any damage to the lands caused by its representatives, servants or agents.

The easement herein is declared to be appurtenant to and for the benefit of adjacent lands of the Grantee including its street and shall accrues to the benefit of and be binding on the parties hereto, their successors and assigns.

**SCHEDULE "A"**

**EASEMENT C**

ALL that certain lot, piece or parcel of land situate, lying and being Southerly of Victoria Street West, Amherst, County of Cumberland, Province of Nova Scotia and being shown as EASEMENT C on a Plan entitled "PLAN OF SUBDIVISION CREATING LOT 07-CRD & EASEMENT C, LANDS OF CUMBERLAND RIDGE DEVELOPMENTS INCORPORATED" prepared by Lyndon K. Crowe, N.S.L.S., dated September 19<sup>th</sup> 2007 and being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 07-CRD, subdivision lands of Cumberland Ridge Developments Incorporated;

THENCE North 52 degrees 38 minutes 07 seconds East along a Southern boundary, Lot 07-CRD subdivision lands of Cumberland Ridge Developments Incorporated, 15.000 metres to a point at the Southeast corner of Lot 07-CRD, subdivision lands of Cumberland Ridge Developments Incorporated;

THENCE South 37 degrees 21 minutes 53 seconds East, 11.000 metres to a point;

THENCE South 52 degrees 38 minutes 07 seconds West, 15.000 metres to a point;

THENCE North 37 degrees 21 minutes 53 seconds West 11.00 metres to the POINT OF BEGINNING;

CONTAINING 165.0 square metres;

ALL BEARINGS referred to herein are based on the Nova Scotia Coordinate System, Zone 5, Central Meridian 64.5 degrees West Longitude.

4.8 R. H. Smith Trust Fund – Cumberland Regional Library RFD#2007099

**Moved by Councillor Robert Angel seconded by Councillor Dale Fawthrop that Council authorize the withdrawal of \$4,100 from the R. H. Smith Trust Fund to pay for a coin-operated photocopier for public use at the Four Fathers Memorial Library, and that the generosity of the benefactor, R. H. Smith, be recognized by erecting a plaque.**

**MOTION CARRIED**

4.9 Friday Night Program at Cumberland YMCA RFD#2007100

**Moved by Councillor David March, seconded by Councillor Rhindress that Council agree to enter into an Agreement with the Cumberland YMCA to facilitate a Friday Night Youth Program for Amherst youth for a 32 week period, and authorize the Mayor and Clerk to sign the agreement on behalf of the Town.**

**MOTION CARRIED**

THIS AGREEMENT made the \_\_\_\_ day of \_\_\_\_\_, A.D., 2007

BETWEEN

**THE TOWN OF AMHERST**, a Municipal Corporation, in the County of Cumberland and Province of Nova Scotia; Hereinafter called "the Town";

And

**THE CUMBERLAND YMCA**; Hereinafter called "YMCA"

WHEREAS the Town wishes to provide various recreational programs for the benefit of its citizens, in particular, the youth and teens within the Town of Amherst;

AND WHEREAS the YMCA has indicated an ongoing interest to provide recreational program support to the Town;

The YMCA agrees to provide the following services to the Town:

1. Commencing on or about Friday, October 19, 2007 and continuing for an aggregate of 32 weeks concluding in June 2008, the YMCA will facilitate a Youth and Teen Night on each Friday. The time allotted for this activity will be for 6:30 PM to 10:00 PM and will include various structured gym or athletic activities, arts, crafts, videos and at least one full hour dedicated for a recreational swim program. This program will host a maximum of 50 youth/teens each night with a nominal charge of not more than \$2.00 being charged with the proceeds being used by the YMCA to defer some of its operating costs. This program will include the costs related to lifeguards, program staff, equipment, uniforms, supplies and all other costs related to the operation of a successful youth and teen program.
2. The YMCA agrees and undertakes with the Town:
  - a) To provide for a well maintained pool and recreation facility and employ responsible policies and procedures in the day to day operation of its facilities.
  - b) To supervise the pool in accordance to generally accepted standards with lifeguards appropriately qualified under the National Lifeguard Service and qualified in First Aid.
  - c) To ensure that lifeguards are supervised and coordinated by the YMCA's Aquatics Director at all times and that program staff are supervised and coordinated by the YMCA's Program Director.
  - d) To collect statistical information related to the attendance, participation and residency of youth attending this program.
  - e) To indemnify the Town from liabilities, damages, costs, claims, suits or actions resulting from:
    - i) a breach, violation or non-performance of any covenant or proviso of this AGREEMENT on the part of the YMCA;
    - ii) damage to property or equipment owned by the YMCA used in the delivery of the service and programs on behalf of the Town;
    - iii) injury to person or persons, including death resulting at any time there from, occurring in or about the YMCA, and on the roads, parking lots or sidewalks adjacent to them.
3. The Town agrees and undertakes with the YMCA:
  - a) to pay to the Cumberland YMCA an annual cash amount of \$6,482.00 based on monthly billings for services provided.
4. Provided always and it is agreed between the parties:
  - a) The Town shall not be liable or responsible in any way for any loss suffered by any party while the YMCA is providing programming on behalf of the Town and the YMCA shall indemnify the Town against any loss suffered.
  - b) In the event the YMCA building or pool is closed which results in the cancellation of a Town sponsored program, the YMCA will issue a credit against the monthly statement of account issued to the Town.
  - c) All media releases to provide updates on Town sponsored programs facilitated by the Cumberland YMCA will be issued by the Town in accordance with existing Town policy and procedures.
  - d) This agreement may be terminated by either party upon receipt of written notice of termination providing 60 days notice.
5. This AGREEMENT and everything contained in it shall extend to, bind and enure to the benefit of the heirs, executors, administrators, successors and assigns of each of the parties to it, subject to such consents as required by the terms of this AGREEMENT.

This AGREEMENT will be in effect up to and including the 30<sup>th</sup> day of June, 2008.

SIGNED, SEALED AND DELIVERED

4.10 Security System – Amherst Stadium Renovation RFD#2007101

**Moved by Councillor Dale Fawthrop, seconded by Deputy Mayor George Baker that Council authorize the purchase of a Card Lock Entry System, Security Alarm System, and a Video Surveillance System for the Amherst Stadium from Access Security at their quoted price of \$17,460.**

**MOTION CARRIED**

4.11 Tender – Water Transmission Main Extension RFD#2007103

Moved by Councillor Ed Chitty, seconded by Councillor Robert Angel that Council accept the tender as received from Bowers' Construction Ltd. in the amount of \$175,810 plus HST for the supply and installation of an extension to the 400 mm water transmission main between John Black road and the Willow Street reservoir.

**MOTION CARRIED**

4.12 Digital Car Camera – Additional Funds RFD#2007104

Moved by Councillor Robert Angel, seconded by Councillor Ed Chitty that Council authorize an additional \$1,990 be allocated from the Amherst Police Department's operating budget to the capital budget for purchase of two digital car camera systems.

**MOTION CARRIED**

4.13 Tender – Stadium Roof RFD#2007105

Moved by Councillor Terry Rhindress, seconded by Councillor Fawthrop that Council accept the low tender as submitted by Fitzgerald and Snow Ltd. in the amount of \$36,150 plus taxes for the installation of a new Butler MR24 roofing system on the Phase III extension at the Amherst Stadium.

**MOTION CARRIED**

4.14 Council Committee Appointments

Moved by Councillor David March, seconded by Councillor Ed Chitty that Council approve appointments to the following committees for one-year terms effective November 1, 2007:

Airport	Councillor Rhindress; Mayor Hallee as Ex-Officio
D.A.R.S.	Councillor Baker
Police Commission	Councillors Chitty & Fawthrop; Mayor Hallee as Ex-Officio
CJSMA	Councillors Baker & March
CREDA	Councillor Fawthrop
Fundy Shore Tourism Destination Area Committee	Councillor Angel
Planning Advisory Committee	Councillors Angel, March & Rhindress; Mayor Hallee as Ex-Officio
Tyndal Wellfield	Councillors Angel, Fawthrop & Rhindress; Mayor Hallee as Ex-Officio
Unsightly Premises Committee	Councillors Chitty & March; Mayor Hallee as Ex-Officio
Tree Committee	Councillor Chitty; Mayor Hallee as Ex-Officio
Cumberland Regional Library	Councillor Angel
Heritage Advisory Committee	Councillors Angel & March; Mayor Hallee as Ex-Officio
Northern Region Solid Waste	Councillor Baker
VON	Councillor Baker
Committee of the Whole	Mayor Hallee and all members of Council
Audit Committee	Mayor Hallee and all members of Council

**MOTION CARRIED**

Moved by Councillor David March, seconded by Deputy Mayor George Baker that the following Council Departmental Liaisons be appointed for one-year terms effective November 1, 2007:

Operational Services	Councillor Angel
Corporate Services	Councillor March
Planning & Development	Councillor Rhindress
Fire Department	Councillor Chitty
Community & Economic Development	Councillor Baker
Police Commission	Councillor Fawthrop

**MOTION CARRIED**

4.15 Appointment of Deputy Mayor

**Moved by Councillor David March, seconded by Councillor Dale Fawthrop that Council appoint Terry Rhindress as Deputy Mayor for a one-year term effective November 1, 2007.**

**MOTION CARRIED**

5. **ADDITIONAL ITEMS**6. **INFORMATION ITEMS**6.1 Operational Services Department Monthly Report

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

**MOTION CARRIED**

The Eddy Street lift station is currently under construction with Newcon Construction of Amherst planning to have the concrete and excavation portion of the work completed in the next week, following which the installation of the mechanical and electrical components will commence.

The Robert Angus Drive sidewalk extension has also been constructed by Newcon Construction. The concrete work and landscaping is pretty well done with only the handrail remaining.

This year's capital paving is nearing completion with only Rogers Avenue remaining. Costin Paving will re-grade the street, do a final compaction and then pave the street with a 1.5" thick base coat of asphalt. The final 1.5" finish coat of asphalt will be placed in early summer 2008.

R.B. Summerville Construction will commence installation of 2km of new natural gas mains and approximately 25 new building services. Our staff have been busy issuing water and sewer clearances for this work.

We would like to remind residents that the special two week fall leaf and yard waste collection will begin November 5<sup>th</sup>. Leaves must be placed in clear bags while brush and branches that will not fit in the compost bin should be bundled for pick up.

Work done at the stadium this summer involving the new slab, new mechanical system, new boards and glass and the new roof are all substantially complete with only a few deficiencies remaining.

The work under Phase III of the renovations is on-going now with demolition work complete, foundation work substantially complete, while structural steel erection and masonry installation is underway. Staff are busy coordinating construction activities as they arise from our contractor Flagship Construction, or our Architect, Arthur J. Arsenault Architects of Sackville. It appears that the building will be enclosed by early December with construction work substantially complete by late January.

During this construction phase we have provided temporary building access to the Stadium on the north side. We would like to thank stadium users and patrons for their patience during this phase. This Council's goal for the Stadium has been to have a totally renovated energy efficient facility and in just a few more weeks that goal will be met.

6.2 Community & Economic Development Department Monthly Report

**Moved by Councillor David March, seconded by Councillor Dale Fawthrop that Council accept the following monthly report from the Community & Economic Development Department.**

**MOTION CARRIED**

**Facility Operations**

Parks operations are currently focused on removal of benches and tables for the parks and preparing for the winter season. Robbs Complex is now closed for the season and nets will be coming down at the tennis courts by the end of this month.

Operations at the Stadium are in full swing with the Amherst Ramblers, Cumberland Minor Hockey Association and Amherst Figure Skating fully scheduled for the coming months. Anyone wanting to book ice time or to get information on advertising opportunities at the Stadium is asked to call 667-6500.

During the construction, the front entrance of the Stadium will be closed to the public and access to the building will be from the entrance on the north side of the building. Canteen services will be reduced to the small canteens on the second level. Stadium users have provided excellent cooperation in terms of the inconvenience caused by this construction project and must be applauded.

Residents are reminded that there is a public information display in the lobby of Town Hall which explains and illustrates the work being completed and residents are welcomed to drop in and look at this material and ask any questions they may have.

#### **Community Information Bulletin**

Work is completed on the fall and winter 2007 Bulletin and it has been delivered to households in Amherst. We still have a few left so anyone who hasn't received a copy can pick one up either at Town Hall or the Amherst Stadium. It should be noted that we have inserted maps related to the Centennial Trail system in Amherst and directional signage has been posted on the sections of the Trail that is now completed.

#### **Victorian Christmas Light Up**

The 5th annual Victorian Christmas Celebration commences on November 16<sup>TH</sup> with the annual Christmas Light Up celebration at the Victoria Park. Residents are encouraged to participate in the light up and to support the various businesses and organizations that will be holding special "Victorian" themed events throughout the holiday season.

#### **Christmas Parade**

The Annual Christmas Parade take place on Saturday, November 17<sup>th</sup> under the direction once again of the Amherst Y'mens Club. We expect a high level of participation this year once again and expect the entry for the parade will continue to grow. Information related to the both the Parade and Light up celebrations will be posted with the media and will be inserted on the Town of Amherst web site.

#### **Small Business Week**

The week of October 15<sup>th</sup> was Small Business Week in Canada. We would like to congratulate Casey Concrete who has been selected this year by the Chamber of Commerce as Business of the Year. Casey's have been part of Amherst for over 50 years and we applaud the efforts of the Casey family and all their employees. Like Casey Concrete, all our businesses in Amherst work hard to provide quality goods and services as well as provided employment opportunities for our residents. They should be recognized each and every day for their contribution towards our economy and fully supported by our residents.

#### **Wake Up Call**

On Wednesday, November 22<sup>nd</sup> residents are reminded to register for the Wake up Call in memory of Ronnie Elliott who collapsed and died while playing hockey on November 22, 1998. The Wake Up Call is a reminder for each of us to have a yearly medical check up so that you and your family can enjoy life to the fullest. Please support this very worth initiative.

### 6.3 Planning & Development Department Monthly Report

**Moved by Councillor Ed Chitty, seconded by Councillor Terry Rhindress that Council accept the following monthly report from the Planning & Development Department.**

**MOTION CARRIED**

#### **Building Activity**

As of September 31, 2007 the total value of building permits issued in the Town was **\$10,209,4500** compared to **\$8,601,367** at this point last year. During the month of September there were 3 new single detached dwellings and one new 4 unit apartment building constructed within the Town. In addition, a new used auto dealership and the final phase of the Amherst Stadium renovations were started.

#### **New Streets**

The Town has taken over a new street named "Matthews Way" off East Pleasant Street. This street was developed by David and Marsha Allen who are constructing 28 townhouse units on the property.

#### **Dangerous and Unsightly Premises**

So far this year we have had 17 complaints; seven remain active. During the month of September the Administrator was able to close 8 unsightly files.

Staff have been dealing with the owners of the downtown location of Tim Horton's and Duncan's pub in order to find a more appropriate location for their solid waste disposal bins. We anticipate an agreement in the near future.

**Variance Updates**

The Development Officer did not issue any variances in the month of September. However Town Council did allow a front yard variance on property located at 43 Clifford Street as a result of an appeal of the Development Officers decision to deny the variance. The variance will result in a one story addition to the front of the house on the property.

**Other Items**

In light of the decision of Council to allow the front yard variance at 43 Clifford Street the Planning Advisory Committee re-considered the appropriateness of the current 6 metre front yard setback requirement. Upon the recommendation of staff the Committee decided that the 6 metre front yard setback remains appropriate.

6.4 Police Department Monthly Report

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

**MOTION CARRIED****Personnel**

Cst. Hunter returned to work from Parental Leave on October 15<sup>th</sup> 2007. A competition in early September identified two new Constables to be hired on a full time basis. Cst. Pierre Lemire from Moncton, who completed his on-job training with our department this summer, and Cst. Jason Galloway of Miramichi, began full time employment during the week of September 17<sup>th</sup> 2007. A competition held during the week of October 8<sup>th</sup> identified Cst. Jeremy Kelly of Newfoundland to be hired on a part time basis. A competition to place a member in the newly created position of Staff Sergeant, is ongoing.

**Training**

All members received training on the use of the ACIIS (Automated Criminal Intelligence Information System). This will allow all members to conduct queries on the system. All members took part in annual firearms qualifications in October. Training was also received for "shooting on the move", "barricade shooting" and "shooting from vehicles", as part of this year's sessions.

**Community Officer**

Cst. Francis Smith traveled to Toronto in September to attend the National MADD (Mothers Against Drunk Driving) Conference. At the Conference, Cst. Smith was awarded the "Terry Ryan Memorial Award for Excellence in Police Services to recognize the significant contribution in helping to reduce impaired driving. On September 23<sup>rd</sup> the first annual MADD Candlelight Vigil was held in Amherst, to honor the victims of drinking and driving. Margaret Miller, the National President of MADD Canada was in attendance, along with several local dignitaries. On September 12<sup>th</sup> Cst. Smith participated in "Code Blue" at E.B. Chandler Jr. High. A practice "lock-down" of the school took place to plan and assess operational procedures in the event of a school emergency. Operation Impact was held on Thanksgiving Weekend. Various checkpoints were conducted, with officers focusing on the wearing of seatbelts, impaired driving and dangerous driving. Stats are unavailable at the time of this report.

**N.S. Chiefs of Police Fall Conference**

Chief Rushton and D/Chief Naylor attended the Fall Conference of the Nova Scotia Chiefs of Police Association in Truro in late September.

**Winter Parking Regulations**

We would like to inform the public that Winter Parking Regulations are in effect from November 15<sup>th</sup> 2007 until April 15<sup>th</sup> 2008. The Regulations state:

- (a) No owner or driver or person having control or custody of any vehicle, shall between the 15<sup>th</sup> day of November A.D. 2007 and the 15<sup>th</sup> day of April A.D. 2008, park or leave standing the same upon any highway or street in the Town of Amherst between the hours of 12:00 o'clock midnight and the hour of 7:00 o'clock in the morning of the same day.
- (b) No owner or driver or person having control or custody of any vehicle shall between the 15<sup>th</sup> day of November A.D. 2007 and the 15<sup>th</sup> day of April A.D. 2008, park or leave the same standing and unattended by a person authorized to move or capable of operating the same upon any highway or street in the Town of Amherst in such manner as to hinder, inconvenience or prevent the proper removal of snow or ice from such highway or street.

A fine of \$15.00 will be levied for offences noted.

Councillor Angel thanked Council for the opportunity to serve on the Police commission for the past seven years, as well as on the NSAPB and CAPB. He said he looks forward to working with the Operational Services Department.



6.5 Fire Department Monthly Report

**Moved by Councillor Terry Rhindress, seconded by Councillor Dale Fawthrop that Council accept the following monthly report from the Amherst Fire Department:**

**MOTION CARRIED**

**Alarm Responses**

During the reporting period from Sept.7/07- Oct. 10/07 our Fire Department responded to 14 calls in the Town of Amherst and nine calls to the County coverage area. During this period our firefighters responded to four motor vehicle accidents. The calls included structure fires, false alarms, unauthorized controlled burning and four incidents of unattended pots on a stove.

**Training & Department Activities**

The Fire Department Level One training schedule started on Saturday October 6 with 16 people from several County fire departments signed up for the eight month course. Our new pumper truck is on schedule to arrive the first week in November and the contract for this vehicle includes extensive operational training for the department staff. The Maritime Firefighter Memorial Celebration was held in Amherst on September 30 and was very well attended by Firefighters from across the Atlantic region. We would like to thank those who participated from all areas of government.

**Fire Prevention**

Three of our fire inspectors, including Chief Crossman attended a five day training course in Yarmouth which covered part four of the National Fire Code that deals with combustible liquids.

Our Fire Prevention program for the month of October will include a special guest speaker from Newfoundland who will be visiting the local schools speaking to the students about the dangers of playing with candles, matches and lighters. He is a burn survivor with a very special story. Our firefighters will also be visiting the schools as well as industry providing fire safety information and helping with their emergency plans.

**Recruiting**

Our volunteer recruiting program has not been very successful to date, however we are very hopeful that we will still be able to attract at least five new members to our department.

**Emergency Measures**

**We are again reminding residents** that it is hurricane season in the Atlantic Region and it will be with us until mid to late November. Forecasters have predicted above normal severe weather for the Atlantic Provinces, so we must remind people to make an extra effort to prepare themselves these occurrences. They should be prepared to deal with the situation on their own for the first 72 hours if help is not available. If they need information on how to prepare themselves they can contact their emergency measures coordinator at the fire station 62 Albion Street or call 902-667-0395.

Councillor Rhindress thanked Council for the opportunity to serve as Departmental Liaison with the Fire Department, and thanked Council for appointing him to the office of Deputy Mayor for the coming year.

6.6 Corporate Services Department Monthly Report

**Moved by Councillor Dale Fawthrop, seconded by Councillor Ed Chitty that Council accept the following monthly report from the Corporate Services Department.**

**MOTION CARRIED**

**Monthly Expenditures**

Expenditures during the month of September 2007 totaled \$1,241,455 compared to \$948,043 for the same month last year.

	<u>September 2007</u>	<u>September 2006</u>
Corporate Services	\$ 421,616	\$ 263,110
Police Department	147,670	150,319
Fire Department	90,978	91,458
Operational Services	277,315	222,774
Planning Department	19,860	24,595
Community & Economic Development	195,839	90,142
Water	88,177	105,644
	<u>\$ 1,241,455</u>	<u>\$ 948,043</u>

**Collections**

Total amount owing to the Town at the end of September 2007 was \$2,147,667:

	September 2007			September 2006		
	Current	Prior	Total	Current	Prior	Total
Taxes & Other	\$ 1,516,780	\$ 508,757	\$ 2,025,537	\$ 1,246,564	\$ 396,800	\$ 1,643,364
Sewer Taxes	28,892	34,315	63,207	36,247	19,235	55,482
Water Taxes	4,081	54,842	58,923	31,513	71,443	102,956
	<u>\$ 1,549,753</u>	<u>\$ 597,914</u>	<u>\$ 2,147,667</u>	<u>\$ 1,314,324</u>	<u>\$ 487,478</u>	<u>\$ 1,801,802</u>

**Yearly Operating Statement**

As of September 30, 2007 we are six months into our fiscal year. Our total revenue to date is \$11,866,935 compared to the budgeted amount of \$11,830,014. Our total expenditures to date are \$6,306,614 compared to the budgeted amount of \$6,732,254.

**Yearly Operating Statement - April 1 to September 30, 2007:**

	YTD	Budget	Variance	%
<b>Corporate Services</b>				
Revenue	\$ 3,496,220	\$ 3,401,683	\$ 94,538	102.78%
Expenditure	(1,731,004)	(1,841,927)	110,923	93.98%
Net Contribution (Cost)	<u>1,765,216</u>	<u>1,559,755</u>	<u>205,461</u>	
<b>Police Department</b>				
Revenue	2,427,056	2,471,344	(44,288)	98.21%
Expenditure	(1,170,717)	(1,336,339)	165,623	87.61%
Net Contribution (Cost)	<u>1,256,340</u>	<u>1,135,005</u>	<u>121,335</u>	
<b>Fire Department</b>				
Revenue	1,241,163	1,236,912	4,251	100.34%
Expenditure	(644,287)	(669,016)	24,729	96.30%
Net Contribution (Cost)	<u>596,875</u>	<u>567,896</u>	<u>28,979</u>	
<b>Operational Services</b>				
Revenue	3,134,542	3,135,517	(975)	99.97%
Expenditure	(1,855,902)	(1,876,853)	20,950	98.88%
Net Contribution (Cost)	<u>1,278,639</u>	<u>1,258,664</u>	<u>19,975</u>	
<b>Planning &amp; Development</b>				
Revenue	350,870	317,175	33,695	110.62%
Expenditure	(149,378)	(186,888)	37,510	79.93%
Net Contribution (Cost)	<u>201,492</u>	<u>130,287</u>	<u>71,205</u>	
<b>Community &amp; Economic Development</b>				
Revenue	1,217,083	1,267,384	(50,300)	96.03%
Expenditure	(755,326)	(821,232)	65,906	91.97%
Net Contribution (Cost)	<u>461,757</u>	<u>446,152</u>	<u>15,605</u>	
<b>Grand Totals</b>				
Revenue	11,866,935	11,830,014	36,920	100.31%
Expenditure	(6,306,614)	(6,732,254)	425,640	93.68%
Net Contribution (Cost)	<u><b>\$ 5,560,320</b></u>	<u><b>\$ 5,097,760</b></u>	<u><b>\$ 462,560</b></u>	<u><b>109.07%</b></u>

**Corporate Services Departmental Update**

Final tax bills were due on September 28<sup>th</sup> and statements have now been sent to those with remaining balances as the Department continues to concentrate on collections. Interest has been posted. Files that have tax arrears from past years outstanding, and no arrangements for payment made, will be going to Collection. 4 or 5 properties have been posted for the scheduled Tax Sale on November 27<sup>th</sup>.

In water billing, letters for payment arrangement for outstanding balances have been sent. Collection effort has been stepped up, and the response has been positive. The next quarter's water meter readings will be finished this month and bills should be in the mail by month end.

More payments via telepayment/telephone or internet banking have been coming in. Many mortgage companies are using EDI payments to deposit their customers' tax payments directly into the Town's bank account, and advising of the transfer by e-mail. Pre-authorized payments have grown as this is a convenient way for the public to handle their tax and water/sewer payments. To check on any of these methods of payments, contact Town Office at 667-3352.

Councillor Fawthrop thanked the Corporate Services Department for their work and for having been able to be the Liaison officer with that department for the last year.

## 7. ADJOURNMENT

On motion by Councillor Rhindress the motion adjourned at 8:05 PM

APPROVED:

Gregory D. Herrett, CA  
Chief Administrative Officer

Jerry Hallee  
Mayor

## AGENDA

<b>1.</b>	<b>O'CANADA</b>		
<b>2.</b>	<b>HEARINGS/PRESENTATIONS</b>		
<b>3.</b>	<b>CALL TO ORDER</b>		
<b>4.</b>	<b>ACTION ITEMS</b>		<b>RFD</b>
4.1	Additions to Agenda		--
4.2	Approval of Agenda		--
4.3	Approval of Minutes – September 24, 2007 Regular Meeting		--
4.4	Water Main – Property Lease		2007091
4.5	Disposal of Surplus 1977 GMC Pumper Truck		2007096
4.6	Amend User Fee Policy		2007097
4.7	Cumberland Ridge Sewer Easements		2007098
4.8	R. H. Smith Trust Fund – Cumberland Regional Library		2007099
4.9	Friday Night Program at Cumberland YMCA		2007100
4.10	Security System – Amherst Stadium Project		2007101
4.11	Tender – Water Transmission Main Extension		2007103
4.12	Digital Car Camera – Additional Funds		2007104
4.13	Tender – Stadium Roof		2007105
4.14	Council Committee Appointments		--
4.15	Appointment of Deputy Mayor		--
<b>5.</b>	<b>ADDITIONAL ITEMS</b>		
<b>6.</b>	<b>INFORMATION ITEMS</b>		
6.1	Operational Services Department Monthly Report		
6.2	Community & Economic Development Department Monthly Report		
6.3	Planning & Development Department Monthly Report		
6.4	Police Department Monthly Report		
6.5	Fire Department Monthly Report		
6.6	Corporate Services Department Monthly Report		
<b>7.</b>	<b>ADJOURNMENT</b>		