

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, April 27, 2009 at 7:00 PM**

PRESENT: Mayor Rob Small
Deputy Mayor Robert Angel
Councillor George Baker
Councillor Robert Bird
Councillor Dale Fawthrop
Councillor David March
Councillor Terry Rhindress
Greg Herrett, CAO
Rebecca Purdy, Executive Assistant
Kim Jones, Executive Assistant

1. O CANADA

A moment of silence was observed in honour of Dean Maston, prior to the singing of the national anthem.

2. HEARINGS / PRESENTATIONS

3. CALL TO ORDER

Mayor Small called the meeting to order at 7:05 PM. He welcomed representatives of the First Baptist Church Men's Group and Amherst Lions Club.

3.1 Additions to Agenda M-0904- 20

Moved by Councillor Baker, seconded by Councillor March that the following items be added to the agenda:

- 4.6 Amendment to Dangerous or Unsightly Premises Policy
- 4.7 Appointment to Unsightly Premises Committee
- 5.2 Day of Mourning

MOTION CARRIED

3.2 Approval of Agenda M-0904- 21

Moved by Councillor Baker, seconded by Councillor Fawthrop to approve the agenda with the additions.

MOTION CARRIED

3.3 Approval of Minutes – April 6, 2009 Regular Council Meeting M-0904- 22

Moved by Councillor Rhindress, seconded by Deputy Mayor Angel to approve the minutes of the April 6, 2009 regular meeting and April 15, 2009 special meeting as circulated.

MOTION CARRIED

4. REQUESTS FOR DECISION

4.1 Tender – Asphalt Patching, RFD#2009021 M-0904- 23

Moved by Councillor Rhindress, seconded by Councillor Baker that Council approve awarding the 2009 Asphalt Patching Tender to Costin Paving and Contracting at the following unit prices:

1. N.S.D.O.T Asphalt concrete Type "C" surface coarse, including tack coat in place for hand patching streets - \$220.00/tonne
2. N.S.D.O.T Asphalt Concrete Type "C" surface coarse, spreader patch, including tack coat in place - \$105.00/tonne
3. Asphalt patching service cuts N.S.D.O.T. Asphalt concrete Type "B" base course in place - \$219.00/tonne

4. Asphalt patching service cuts N.S.D.O.T. asphalt concrete Type "C" finish course in place. - \$219.00/tonne
5. Type I gravel base in-place and compacted - \$30 /m3
6. Trim and remove edge of existing asphalt in service cuts - \$5.50/m
7. Replace asphalt curbing including tack coat and backfill, top soil and seed - \$38.50/m
8. Asphalt Milling (50mm depth) \$22.50/m2

MOTION CARRIED

4.2 Amend the Amherst Heritage Property By-Law, RFD#2009023 M-0904-24

Moved by Councillor March, seconded by Deputy Mayor Angel that Council approve First Reading of the By-Law to Amend the Heritage Property By-Law A-5, as presented.

MOTION CARRIED

BY-LAW TO AMEND THE HERITAGE PROPERTY BY-LAW, A-5

The Town of Amherst Heritage Property By-Law, A-5, approved by Council on June 23, 2008 is hereby amended as follows:

a. Paragraph 2.3

Replace the words "means Town Heritage Property" with the words "means Municipal Heritage Property".

b. Paragraph 4.2

Delete paragraph 4.2 and replace it with the following:

- 4.2 Council shall appoint members of the Heritage Advisory Committee by resolution.
- (a) Membership shall include three members of Town Council and three members of the public who are residents of the Town of Amherst.
 - (b) The term for public members shall be three years, and members may be re-appointed to the Committee. Public member's terms shall be by fiscal year, with one member appointed each year.
 - (c) In January of each year, an advertisement for the public member(s) whose term is set to expire that fiscal year shall be placed in the local newspaper.
 - (d) At the beginning of the first meeting of the fiscal year the committee shall elect a Chairperson as well as a vice-Chairperson. Terms for such shall be one year. The Chairperson and Vice-Chairperson will be eligible for re-election.

4.3 Amend Police Commission By-Law, RFD#2009024 M-0904-25

Moved by Councillor Fawthrop, seconded by Councillor Rhindress that Council approve 1st Reading of a new By-Law Respecting the Amherst Board of Police Commissioners, Number C-1, as presented.

MOTION CARRIED

A BYLAW RESPECTING THE BOARD OF POLICE COMMISSIONERS
FOR THE TOWN OF AMHERST

BE IT ENACTED by the Council of the Town of Amherst, under the authority of the Police Act, Chapter 31, ACTS OF NOVA SCOTIA 2004.

Short Title

- 1 This By-Law shall be known as the "Amherst Board of Police Commissioners By-Law".

Definitions

- 2 In this By-Law
- (a) "Board" means the Board of Police Commissioners for the Town of Amherst
 - (b) "Council" means the Council for the Town of Amherst.
 - (c) "Chief of Police" means the Chief of Police of the Amherst Police Department.
 - (d) "Amherst Police Department" means the Chief and members of the municipal police force of the Town of Amherst.
 - (e) "Minister" means the Minister of Justice for the Province of Nova Scotia

Board Established

- 3 The Council establishes the Board of Police Commissioners for the Town of Amherst, with membership as follows:
- | | |
|-----------------|-----------------------------|
| One Year Term | Two community volunteers |
| Two Year Term | One member of Council |
| | One Community Volunteer |
| Three Year Term | Two members of Council |
| Other | One Ministerial appointment |

Membership

- 4
- (a) Where a vacancy occurs on the Board or where a member is unable to carry out his/her duties as a member of the Board by reason of illness or absence council shall at its first regular meeting following such event appoint a replacement. An absence from two consecutive meetings without just cause as determined by the chair and Board members shall be cause for a member's replacement.
 - (b) The members of the Board appointed from Council shall serve without remuneration.
 - (c) The Board shall, at its first meeting each year or as soon as practicable thereafter, choose its chairperson and vice-chairperson.
 - (d) The Chairperson shall preside at all meetings of the Board and in his/her absence the Vice-Chairperson shall preside.
 - (e) Should the Chair become vacant due to resignation or replacement, an election for the Chair shall be held within 60 days of such vacancy occurring

Procedure

- 5
- (a) The Board shall conduct its business according to the bylaws, regulations and policies established by Amherst Town Council, the Amherst Board of Police Commissioners, the Police Act and, where applicable the Municipal Government Act.
 - (b) The Board shall hold a meeting at least every three months. The Board may meet in camera at any time on 24 hours notice by the Chairperson or any two members or at any time with unanimous consent of all members concerning all matters relating to discipline, personal conduct, contract negotiations and security of the police operations.
 - (c) A majority of the members of the Board shall constitute a quorum.
 - (d) The Chief Administrative Officer of the Town or his appointee, shall be the Secretary to the Board and shall have charge of all minutes, records and accounting procedures to be followed and maintained by the Board.

Chief Officer

- 6
- (a) The Chief of Police shall be appointed by the council, and following a year's period of probation, may not be suspended, dismissed or otherwise disciplined except with cause, and in such event, he shall have the right to appeal, within fifteen days of such disciplinary action, to the Chairman of the Nova Scotia Police Commission. The Commission shall conduct a hearing therein and may confirm, overrule, or modify such action and its decision therein, shall be final.
 - (b) The Chief of Police shall advise the Board with respect to the provision of efficient and effective municipal police service delivery. S/he may, in consultation with the Board, undertake in a timely manner research, strategic planning, policy development and implementation, and the reporting of results in response to inquiries by the Board pertaining to its community governance responsibilities as defined in the Police Act.
 - (c) The Chief of Police and/or the Deputy Chief of Police shall whenever requested by the Chairman and where practicable attend meetings of the Board, whether public or in-camera.

- (d) The Chief of Police or his Deputy shall be in charge of the management, direction and control of the day to day operation of the police force, including the enforcement of law and the maintenance of discipline within the force. Should such discipline, in the opinion of the Chief Officer, require that an employee be dismissed, such dismissal shall be by the Board on the recommendation of the Chief Officer.

Board Powers

- 7 (a) The Board shall conduct its responsibilities in accordance with the requirements established by the Police Act,
- (b) The Board shall, each year, submit to the council for its consideration and approval its estimates of all monies required for the year to pay the remuneration of the members of the police force and staff and to pay for the accommodation, arms and equipment and other things for the use and maintenance of the force.
- (c) All collective agreements or other agreements with members of the police force or its bargaining agent shall be contracted in the name of the Town of Amherst, and the Town of Amherst shall be the employer of all members of the police force.
- (d) The Board shall submit all requests for all capital equipment proposed to be purchased to the council, together with the recommendation of the Board for the purchase consideration in accordance with the purchasing policy of the Town of Amherst.
- (e) The Board shall have the jurisdiction without interference by the Council over all matters relating to the enforcement of all criminal law, federal statutes, provincial statutes, and Town by-laws and ordinances.
- (g) The Board shall further have jurisdiction over all matters relating to the enforcement of provincial statutes having local effect and Town by-laws and ordinances, but Council shall have the right to request the enforcement of such statutes or by-laws as may be required for the proper administration thereof within the Town.
- (h) The Chief of Police or his designate shall give all necessary orders, directions and instructions to the police force and no Board member, other than the Chair or his or her designate except when communicating a decision of the Board, shall issue any order, direction or instruction to any member of the police force relative to his duties as a member of the force.

General

- 8 The Chief Administrative Officer and the Chief of Police shall be members of any committee appointed for the purpose of negotiating a collective agreement with any union representing members of the Town police force.
- 9 The Town of Amherst By-Law to Establish the Amherst Police Commission, By-Law Number C-1 approved by Council on January 18, 1977 and amended on February 20, 1984 is hereby repealed.

4.4 Citizen Appointments to ABPC, M-0904- 26

Moved by Councillor Bird, seconded by Deputy Mayor Angel that Council approve the re-appointment of Raymond Gallant and Lisa Emery to the Amherst Board of Police Commissioners for one year terms expiring October 31, 2010.

MOTION CARRIED

4.5 CJSMA Budget 2009-2010 M-0904- 27

Moved by Councillor Baker, seconded by Councillor March that Council approve the 2009-2010 CJSMA budgets as submitted.

MOTION CARRIED

4.6 Amendment to the Dangerous or Unsightly Premises Policy M-0904-28

Moved by Councillor Rhindress, seconded by Councillor Baker that the revised Dangerous or Unsightly Premises Policy be adopted, and the existing one be rescinded.

MOTION CARRIED

**TOWN OF AMHERST POLICY #66150-01
DANGEROUS OR UNSIGHTLY PREMISES**

PURPOSE:

The purpose of this policy to delegate the Town's powers and set priority with regard to Part XV of the Municipal Government Act (Dangerous or Unsightly Premises).

Part XV of the Municipal Government Act states, "Every property in a municipality shall be maintained so as not to be dangerous or unsightly".

1. POLICY STATEMENT:

1. Council delegates its authority to issue Dangerous or Unsightly Premises Orders to the Dangerous or Unsightly Premises Committee. The Committee will determine whether or not a property is considered dangerous or unsightly in accordance with the definition of such in the Municipal Government Act.
2. Council delegates its authority under the provisions of the Dangerous or Unsightly Premises contained in the Municipal Government Act to issue an order to demolish a building to the Dangerous or Unsightly Premises Committee.
3. The Dangerous or Unsightly Premises Administrator, an employee of the Town designated by the Chief Administrative Officer to be responsible for Dangerous or Unsightly Premises provisions of the Municipal Government Act or successive legislation, will administer decisions made by the Committee.
4. Council retains its authority under the provisions of the Dangerous or Unsightly Premises provisions contained in the Municipal Government Act to conduct appeal hearings when an appeal is launched against an order issued by the Committee.
5. Council's desire to maintain the appearance of the main thoroughfares throughout the Town of Amherst.

2. MEMBERSHIP:

1. The Council shall appoint members of the Dangerous or Unsightly Premises Committee by resolution.
2. Membership shall include three members of Town Council and two members of the public.
3. The term for members shall be two years, and members may be re-appointed to the Committee.
4. An advertisement for public membership on the Committee shall be placed in the local newspaper.
5. At the beginning of the first meeting of each fiscal year the Committee will elect a chairperson as well as a vice-chairperson. Individuals may be re-elected for consecutive terms.

3. ROLES:

1. Committee:

1. Upon recommendation by the Administrator, the Committee will make a decision on the issuance of an order to demolish a building.
2. The Committee will decide if a property falls within the Municipal Government Act definition of Dangerous or Unsightly.
3. The Committee will direct to the Administrator the actions to be taken by the Town in order to bring a property into compliance with this policy and the Dangerous or Unsightly Section of the Municipal Government Act.

2. Administrator:

1. Receive all complaints in relation to this policy;
2. Conduct an initial investigation of the complaint and submit all relevant information to the Committee for consideration;
3. Make a recommendation to the Committee on each complaint, including if the property is dangerous or unsightly and the recommended course of action to be taken;
4. Set the agenda for Committee meetings;
5. Communicate the decision of the Committee to property owners;
6. Report to the Committee on the progress of all files.

4. COMPLAINTS:

1. Complaints shall be received in a written format either on a Town of Amherst Complaint Form or via letter or email. Each complaint must include the complainant's name and contact information. The complaint must be signed by complainant. Anonymous complaints will not be investigated.
2. Complaints shall contain specific information, including the address of property where the complaint exists, the date that the dangerous or unsightly condition existed and what specifically the complainant believes is causing the dangerous or unsightly condition.
3. Complaints may be received by staff or Council.
4. All complaints shall be submitted to the Planning and Engineering Services Department Administrative Assistant.
5. The Administrator shall acknowledge receipt of a complaint by regular mail to the complainant.
6. The Administrative Assistant shall log all complaints and open a file containing complaint and file log sheet and then give the file to the Administrator for processing.
7. Complaints shall be considered confidential, however, subject to Part XX of the *Municipal Government Act, Freedom of Information and Protection of Privacy*.

5. ENFORCEMENT:

1. Staff will proactively enforce this policy on all arterial streets within the Town, as designated within the Municipal Planning Strategy;
2. After the annual spring special solid waste collections are completed, the Administrator will conduct a survey of all arterial streets bringing to the attention of the Committee any property the administrator feels should be reviewed by the Committee. The Committee will make a decision on each property and direct action to be taken by the administrator.
3. Arterial Streets – Throughout the year the Administrator may bring any property on an arterial street to the attention of the Committee at a meeting of the Committee for their review. All complaints by any person other than the Administrator shall be required to be submitted on a completed complaint form.
4. Collector streets – all complaints shall be required to be submitted on a completed complaint form.
5. Local streets – all complaints shall be required to be submitted on a completed complaint form.

6. COMMITTEE MEETINGS:

1. Committee meetings will be held at noon on the second Wednesday of every month.
2. Meeting dates may be changed by the Administrator in consultation with the Chair.
3. Committee reports will be sent to the members of the Committee no later than 4 PM on the Monday prior to the meeting.
4. The Administrator's report will not be made public prior to the hearing.

7. HEARINGS:

1. The property owner for any property for which a complaint has been received will be granted a hearing before the Committee.
2. Notification of the hearing will be sent via registered mail no less than 10 days prior to the hearing. In cases where the owner cannot be located, notice of the hearing may be posted on the property no less than 10 days prior to the hearing.
3. The complainant will be notified of the hearing in writing no less than seven days prior to the hearing.

8. APPEALS:

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

5.2 Appointment to Unsightly Premises Committee M-0904-29

Moved by Councillor Fawthrop, seconded by Councillor Baker that Deputy Mayor Robert Angel be appointed to the Dangerous or Unsightly Premises Committee for a one year term expiring October 31, 2009.

MOTION CARRIED

5. INFORMATION / DISCUSSION ITEMS

5.1 Sewage Treatment Plant Project – Status Update

Jason MacDonald presented the following update on the Sewage Treatment Plant.

Dillon Consulting are our consulting engineers for this project. They have been working on our overall sewage abatement strategy since the early 1990's. The following is the timeline which we are working to with Dillon:

Preliminary Design Brief:

- Approval for Dillon to Proceed: April 14, 2009
- Meeting with Regulators: May 5, 2009
- Issue Draft Preliminary Design Brief: May 22, 2009
- Review and Finalize Design Brief: June 2, 2009

Detailed Design/Tendering

- Issue Draft Tender Documents: July 28, 2009 (to the Town and to NS Environment)
- Issue Final Tender Documents: August 18, 2009
- Award Contract: September 22, 2009

Council may have noticed work being done on the site in recent weeks. This work involves the installation of a culvert and ditches in order to 'dewater' the site in preparation for fall construction.

5.2 Day of Mourning

Councillor Rhindress advised that April 28 is recognized as Day of Mourning to honour workers who have lost their lives in the work place. Mayor Small reported that this is the 25th Day of Mourning, a Canadian initiative that is recognized around the world, and provided statistics on the matter. The Town will lower its flags on April 28 to half staff to show respect.

6. STRATEGIC PRIORITIES

6.1 Dickey Park Redevelopment – Status Report M-0904-30

Councillor Baker reported that plans for the redevelopment of Dickey Park have been approved by Council, and staff has spent the past month completing projected costs for the budgeting process. Currently there is a Request for Direction in place for the budget review and approval process. All activities are currently on schedule and both interest and support for the redevelopment plan continue to grow.

Moved by Baker, seconded by that Council adjust the deadline for Council approval/funding for Dickey Park Redevelopment to the May meeting of Council.

MOTION CARRIED

6.2 Festival Sponsorship / Support

6.2.1 Project Status Report

Councillor Angel reported that over the past month, letters had been circulated to various community groups requesting their participation in the Four Fathers Festival. As a result of the responses to those letters, a meeting was held on April 24th with a focus of organizing a steering committee for the festival and firming up a schedule of activities that will take place.

The objective of the meeting was to determine both the level of support and involvement within the community for participating in the festival, and to recruit volunteers to participate on the Festival Committee. There was an excellent turn out at the meeting, with 19 people in attendance. Some were there in the role of volunteer and some represented community groups with an interest in hosting an event during the Festival. All who attended seemed eager to see a festival developed within Amherst, and were very supportive and ready to work. The community groups in attendance included:

- Lioness Club
- Lions Club
- CREDA
- Cumberland County Museum
- Showcase Productions
- CANSA
- Four Fathers Library
- Cross Border Challenge
- Tantramar Visual Artists

The following members agreed to serve on the festival planning committee:

- Mike Grattan, Showcase Productions
- Judi Girous, Interested Citizen/Lioness Club
- Shirley Nickerson, Cumberland County Museum
- Cathy Polson, Interested Citizen
- Gil Collicott, Tantramar Visual Artists
- Liz Cooke-Sumbe, CANSA

Festival activities confirmed at this point include:

- July 1 - Traditional Canada Day Celebrations
- July 2 - Royalty Dinner hosted by the Cumberland County Museum
- July 2 – 4 Cumberland Museum Walking tours
- July 3 - Trinity St. Stephen's Barbecue
- July 4 - Cross Border Challenge

Festival activities in development and being considered include:

- Antique car show hosted by Cumberland County Museum
- Performance of various past productions by Showcase Productions
- Artwork display/fair by Tantramar Visual Artists
- Tent activity of some sort (pancakes?) by Amherst Lions Club
- Possible cultural event by CANSA
- Puppet show, story telling, book sale by Four Fathers Library

The next meeting of the organizing committee will be held on May 5 at 1 PM at Town Hall. Appreciation was extended to all who have volunteered to date and any who is considering hosting an event was encouraged to contact Marcie Smith at 667-6519.

6.2.2 Festivals & Events Policy

M-0904-31

Moved by Deputy Mayor Angel, seconded by Councillor Rhindress approve a Festivals and Events Policy, # 72000-07, as presented.

MOTION CARRIED

FESTIVALS AND EVENTS POLICY, #72000-07

Purpose:

The purpose of this policy is to encourage and support community events and festivals that provide significant, diverse and memorable community experiences for both residents and visitors.

Policy Statement:

The Town of Amherst recognizes that festivals and events are an integral part of life in Amherst. The Town wants to encourage and support organizations that successfully organize and facilitate these events. It is recognized that there are many requirements to be successful, ranging from the financial capacity of the organizing body to facility requirements. Through this policy, the Town of Amherst will provide support to organizing bodies who demonstrate that their event or festival garners broad community support, significant participation, and provides a unique experience not duplicated by other ongoing events, festivals or activities.

Authority:

Authority is provided under Sections 65 of the *Municipal Government Act of Nova Scotia*.

Financial Support:

The Town of Amherst will consider requests for financial assistance submitted under the appropriate application form. Applications will be evaluated on the following criteria:

1. Community support including financial commitments, community partners and volunteers;
2. Uniqueness of the experience to the community and is not a duplication of other activities;
3. Potential of audience numbers and participation levels (planned success levels);
4. Potential economic impact to Town and business community;
5. Well defined objectives and benefits;
6. Accountability - past track record.

In kind support will also be considered which may include but be not limited to participation on event committees, use of Town parks, open spaces and facilities (contingent on the Town's User Fee Policy) or set up or clean up of event venues.

6.3 Arts Culture & Heritage – Project Status Report

Councillor Fawthrop reported that over the last number of months significant progress has been made on the Arts Culture and Heritage strategic priority for the Town. Accomplishments include:

- Council approval of a terms of reference;
- Engaging CREDA for advice and identification of funding for the project
- Council approval of Request for Proposals for the consultant study
- Submission to Council for funding request for the study

The Town has also recently joined the Creative Cities Network of Canada. The Creative City Network of Canada is an organization of people employed by municipalities across Canada working in arts, culture and heritage policy, planning, development and support. Municipalities are playing an increasing role in the development of arts, culture and heritage in Canada. The Creative City Network of Canada exists to connect the people who share this working environment so we can be more effective in cultural development in our communities. By sharing experience, expertise, information and best practices, members support each other through dialogue, both in person and online.

6.4 Skateboard Park Feasibility – Project Status Report

Councillor Bird reported that interest in this initiative continues to increase with good feedback from the community. All is in place and on schedule related to the Skateboard Park Feasibility Strategic Priority. The terms of reference of the Request for Proposals was approved by Council in March. A Request for Direction is pending within the 2009/10 Budget review and approval process currently underway. Once the budget is approved, staff will move forward with the selection process for a consultant to carry out the study.

6.5 Downtown Revitalization – Project Status Report

Councillor March reported that over the last number of months significant progress has been made on the Downtown Revitalization strategic priority for the Town. Accomplishments include:

- Council approval of a terms of reference;
- Engaging CREDA for advice and identification of funding for the project;
- Council approval of Request for Proposals for the consultant study;
- Submission to Council for funding request for the study.

Furthermore, the Mayor, a number of Councillors, members of the Planning Advisory Committee and key staff will be attending the "Making Main Street" conference in Halifax in May of this year. This conference should provide a wealth of information which will help during the development and implementation of our downtown strategy.

Finally, in association with CREDA and the above conference organizers, the Town has engaged Michael von Hausen, a foremost Canadian downtown planning consultant, to come to Amherst to speak with key staff, elected officials, committee members and CREDA representatives on this project. His visit to Amherst will cumulate with Mr. von Hausen giving a public presentation to key stakeholders of the Downtown community on the night of May 12th at Tantramar Theatre.

6.6 Youth Issues

6.6.1 Project Status Report

Mayor Small reported that over the past month, staff have met with various groups who are currently working with youth directly or on youth issues. In addition, staff have met and spoken with various school officials in relationship to existing youth councils and have obtained excellent information relative youth programs and councils throughout Nova Scotia. The information garnered through this research has resulted in completion of an attached action plan.

6.6.2 Project Action Plan**M-0904-32**

Moved by Mayor Small, seconded by Councillor Baker that Council accept an action plan that will lead to the creation of a Youth Advisory Council in the Town of Amherst.

MOTION CARRIED

PROJECT: Youth Issues

PURPOSE: To promote, recognize and provide a forum for youth issues in the Town of Amherst

CURRENT SITUATION: Presently there is not formal forum for youth issues
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Objective: Creation of a youth advisory council to provide input and guidance to the Mayor and Council of the Town of Amherst on issues related to youth.
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ACTION:	Due Date	Lead
Meet with existing School Advisory Council at ARHS to gain their input	May 2009	CED&Council
Networking and information sharing with other agencies involve in youth initiatives (CREDA, Health Promotion, etc)	Ongoing	CED
Recommend Terms of Reference for Committee	May 2009	CED
Council Approval of Terms of Reference	May 2009	Council
Advertise for and recruit committee members	Sept 2009	CED
Appointment of Committee members	Sept 2009	Council
Initial Meeting Youth Advisory Council	Oct 2009	

6.7 Town Beautification - Project Status Report

Councillor Rhindress reported that over the last number of months significant progress has been made on Town Beautification strategic priority for the Town. Accomplishments include:

- Council approval of project terms of reference
- Council update on communities in bloom participation
- Council update on unsightly premises policy
- Identification of potential town beautification projects
- Presentation of revised unsightly premises policy to Council
- Request for funding for capital beautification project at the Laplanche Street entrance
- Request for funding for implementation of various beautification projects.

Mayor Small added that, in recognition of Earth Day, the Town unveiled its new garbage receptacles for the town, and that the youth group, Detonate Youth had participated in a significant cleanup "garbage grab-a-thon" over the weekend.

7. INTERNAL COMMITTEE REPORTS**7.1 Planning Advisory Committee**

Councillor Bird reported that a meeting of the Planning Advisory Committee was held on April 8, 2009. Topics of significance discussed included:

- A review of the policies referred to the Committee by Council, which were identified as requiring review for their continued appropriateness during the preparation of the Integrated Community Sustainability Plan. A public participation opportunity for this issue is scheduled for the May 6th meeting of the PAC.
- Students from the Dalhousie University Masters of Urban Planning Program presented the findings of their downtown Amherst revitalization report. This report included recommendations for land use policy change, the potential for form based zoning as well as opportunities for infill development.

7.2 Amherst Board of Police Commissioners

Councillor Fawthrop presented the following report from the Amherst Board of Police Commissioners:

Public Consultation:

In accordance with the Police Act the Board has attempted to identify the "public's needs and expectations" of policing via an invitation to various businesses and individuals to attend a meeting to discuss their concerns and recommendations. This process was not as successful as anticipated and alternate arrangements are being finalized for the facilitator to conduct confidential interviews via the telephone. It is hoped this will provide a base for future policing in the Town.

Staff Survey:

The Board recently completed a confidential survey of all staff to be used in conjunction with the public survey. The Chief will be responding to a number of draft recommendations at the June meeting.

Taser report:

The Board received and accepted the Chief's recommendations in his recent report on Taser activity.

Conference:

The Annual meeting of the Nova Scotia Association of Police Boards will be held in Sydney, N. S. in August this year. It appears our resolution (of 2008) dealing with a change in the legislation, to permit all complaints against a sworn member of a Department to be filed with a Complaints Commissioner for resolution, will be considered by the membership. This will remove the responsibility for investigating all complaints from the Chief Officer. The Canadian Association of Police Boards will also hold their annual meeting (August 14-16) in Sydney. The program will include sessions on: Conducted Energy Weapons (Tasers); Governance Roles and Responsibilities; Oversight of Police Boards and Commissions: Developing and Mentoring Future Leaders; and Safer Communities Initiative. At present four committee members and staff plan to attend.

7.3 Tyndal Wellfield Advisory Committee - Nil Report**7.4 Tree Committee - Nil Report****7.5 Heritage Advisory Committee - Nil Report****7.6 Audit Committee - Nil Report****7.7 Committee of the Whole - Nil Report****8. EXTERNAL COMMITTEE REPORTS****8.1 Cumberland Regional Library Board**

Deputy Mayor Angel presented the following report on behalf of the Cumberland Regional Library Board:

Just under 300 children attended March break programs held at library branches throughout the county.

121, 268 Canadians participated in the Family Literacy Day World Record attempt for "Most Children Reading with an Adult, Multiple Locations". All branches took part in this event and it looked like we had a chance to beat the record previously held by the U.S. However the official word from Guinness World Records is that we didn't quite beat the record.

In January & February over 19,000 items were checked out of libraries in the county.

The public access computers were in use for over 3,800 hours and our wifi connections were used for 600 hours.

Upcoming events include:

- A reading in the Amherst branch by Douglas Arthur Brown, author of the novel 'Quintet'. Thursday, May 7 at 7:00 pm.
- Atlantic book award nominated children's author, Hugh Brewster will be giving a public reading at the Four Father's Memorial Library in Amherst on May 7th at 10:30 am. He is a non-fiction author of books on topics such as the Titanic and Vimy Ridge.

8.2 CREDA

Councillor Fawthrop presented the following report on behalf of the Cumberland Regional Economic Development Association.

Rhonda Kelly recently conducted a presentation for all five municipalities on CREDA's Business Plan for 2009. Last week, on Earth day, Joggins Fossil Cliffs held an Open House. There was a good attendance by schools. Events in a.m. included the following:

- Presentation of Rotary Foundation "Paul Harris Fellowship" to Dr. Laing Ferguson and Mr. Don Reid. Presentation by Ms. Pam Harrison.

- Susan Tooke (Award winning artist & illustrator - also artist of several Amherst Murals) launched, presented & signed new book - "B is for Bluenose, a Nova Scotia Alphabet" - captivated the crowded community room. Tooke has original paintings from the book displayed at the site.
- CREDA presented a commemorative display piece to the JFIA in recognition of significant community/volunteer contribution on behalf of CREDA and all Joggins Stakeholders.

8.3 **DARS**

Councillor Baker reported that DARS held its annual general meeting on April 7 with the board and members. The meeting was well attended by the membership. At that time, the 2009-2010 DARS budget and tax rate were approved unanimously, with the recommendation that they be presented to Council for approval. This will be included as a part of the Town's budget process in the coming weeks.

8.4 **CJSMA**

Councillor Rhindress presented the following report as a representative of the Cumberland Joint Services Management Authority:

The CJSMA met on April 15, 2009. At that time, the Authority recommended that the budget for 2009-2010 be presented to the five municipal units for approval.

A revised Recoverable Materials Policy was also presented for the Board's consideration. Under this policy, the Little Forks Land Fill will accept anything that can be processed or re-sold, such as organic material, recyclable material or scrap metal, no matter where it was generated. The policy proposes that any material that can be used as daily cover, such as contaminated soils, will also be accepted, but that any type of waste that reduces available airspace in any way will not be accepted. Any revenue generated under this policy would be put into equipment reserves, to assist in any required expansions, renovations or equipment purchases. The policy was recommended by the Solid Waste Manager, as it has the potential to generate some revenue for the CJSMA without negatively affecting available airspace.

The solid waste newsletter was delivered to households throughout Amherst by our solid waste collector during the week of April 20, showing the following special collections:

- The Town's special two-week leaf and yard waste collection is presently underway, having started last week.
- The Town's special household collection will take place the week of May 4th
- The Town's special C & D (construction and demolition debris) collection will take place the week of May 11th.

A copy of the newsletter is attached. Please note that special collections pickup will generally occur on your normal collection day.

CJSMA has arranged for Household Hazardous Waste Collections in Amherst on June 20, from 8 to noon at the Amherst Fire Department, and again on September 26 (same hours and location).

Councillor Baker commented on the inefficient distribution of the newsletter, and suggested that next year better attention be paid to the timing for distribution.

8.5 **Northern Region Waste Resource Committee**

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

The Waste-Resource Management branch of the Provincial Environment Department recently approved a Construction and Demolition Debris Diversion Charter, which outlines the process to create an Advisory Committee that will develop a C&D Debris Action Plan to minimize the quantity of C&D debris disposed in the province. The goal is tied to the Province's legislated waste disposal target of 300 k/ per person/per year between April and early fall. Input from municipalities is very valuable to this action plan, given the amount of C&D debris managed at municipal facilities, the existence of municipal by-laws respecting C&D debris management, the direct link to diversion rates and credits, and municipal interest in the subject. Two representatives were appointed from the Regional Chairs to participate in the advisory committee, Earl Cameron as the rural representative from Pictou County, and Laurie Lewis as the urban representative from HRM. Members of the Northern Region are invited to forward concerns or input regarding the action plan to the advisory committee through one of these members.

8.6 **Cooperation Committee** - Nil Report

8.7 **Airport Committee** - Nil Report

8. **ADJOURNMENT**

Prior to the adjournment, Mayor Small added that the West Highlands School is still a concern of Council and that the Town is not letting go of this yet. He read the following letter to the Honourable Judy Streach, Minister of Education:

"Dear Minister Streach:

I am writing today to express Council's profound concern regarding the announcement on April 14, 2009 of new school construction and addition/alteration projects by your department.

Council, and indeed the citizens of Amherst, was very pleased to have attended a consultation with the elected Board members and senior staff at the West Highlands Elementary School on January 19, 2009. We left that meeting feeling assured that a long overdue replacement for West Highlands Elementary would finally be realized. Subsequently, we were very pleased on February 17, 2009 when we learned that a replacement school was the number one priority of the Chignecto Central Regional School Board, as noted in the Board's submission to you on that date.

By now, you are well aware of the disappointment, and in some cases, outrage, expressed by many in our community upon learning that your department chose not to allocate funding in accordance with the Board's priorities. In the April 16, 2009 edition of the Amherst Daily News you were quoted, urging our community to "look at your demographics and your community and work with the school board and find what is a good fit." On behalf of the Council and the citizens of Amherst, I want to respectfully advise you that nothing but a replacement for West Highlands Elementary School is a "good fit."

I invite you to come to Amherst, tour the 90 year old facility, and discuss the demographics with me. I am available at your convenience to discuss this very important issue."

Mayor Small thanked the members of the First Baptist Church Men's Group and the Lions for attending. He congratulated CKDH on the recent announcement that their fm application has been approved.

On motion by Councillor Rhindress, the meeting adjourned at 8:20 PM

APPROVED BY:

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

Robert Small
Mayor

AGENDA

1.	O'CANADA – preceded by a Moment of Silence for Dean Maston, 40 years of service to the Town			
2.	HEARINGS/PRESENTATIONS Welcome members of First Baptist Church Men's Group and Lions Club			
3.	CALL TO ORDER	Presenter	Page	
3.1	Additions to Agenda	Baker		
3.2	Approval of Agenda	Baker		
3.3	Approval of Minutes – April 6, 2009 Regular Council Meeting	Rhindress	3	
4.	REQUESTS FOR DECISION	RFD	Presenter	Page
4.1	Tender: Asphalt Patching	2009021	Rhindress	19
4.2	By-Law at 1 st Reading: Amherst Heritage Properties By-Law (amend)	2009023	March	22
4.3	By-Law at 1 st Reading: Amherst Board of Police Commissioners (amend)	2009024	Fawthrop	29
4.4	Citizen Appointments to Amherst Board of Police Commissioners		Fawthrop	34
4.5	CJSMA Budget		Baker	35
4.6	Dangerous or Unsightly Premises Policy (additional item)	2009026	Rhindress	50
4.7	Appointment to Unsightly Premises Committee (additional)		Fawthrop	58
5.	INFORMATION / DISCUSSION ITEMS			
5.1	Sewage Treatment Plant Project – Status Update		MacDonald	59
5.2	Day of Mourning (additional Item)		Rhindress	60
6.	STRATEGIC PRIORITIES Project Summary			
6.1	Dickey Park Redevelopment - Project Status Report		Baker	61
6.2	Festival Sponsorship / Support	2009025	Angel	62
6.3	Arts Culture & Heritage – Project Status Report		Fawthrop	67
6.4	Skateboard Park Feasibility - Project Status Report		Bird	70
6.5	Downtown Revitalization – Project Status Report		March	71
6.6	Youth Issues		Small	72
6.7	Town Beautification – Project Status Report		Rhindress	74
7.	INTERNAL COMMITTEE REPORTS			
7.1	Planning Advisory Committee		Bird	75
7.2	Amherst Board of Police Commissioners		Fawthrop	76
8.	EXTERNAL COMMITTEE REPORTS			
8.1	Cumberland Regional Library Board		Angel	77
8.2	CREDA		Fawthrop	78
8.3	DARS		Baker	79
8.4	CJSMA		Rhindress	80
8.5	Northern Region Solid Waste		Baker	85
9.	ADJOURNMENT			