

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, December 20 , 2010 at 7:00 PM**

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

ATTENDING: Jason MacDonald, Director of Planning and Engineering
Ben Pitman, Director of Transportation and Public Works
Bill Crossman, Fire Chief
Kim Jones, Policy, Research and Human Resources
Rebecca Purdy, Executive Assistant

1. O CANADA

2. HEARINGS / PETITIONS / PRESENTATIONS

3. CALL TO ORDER

3.1 Amendments to the Agenda – N/A

3.2 Approval of Agenda M-1012-05
Moved by Deputy Mayor Baker, seconded by Councillor March to approve the agenda as presented.

MOTION CARRIED

3.3 Approval of Minutes M-1012-06
Moved by Councillor Rhindress, seconded by Councillor Fawthrop to approve the following minutes of the November 29, 2010 Regular Meeting and December 9, 2010 Special Meeting as circulated.

MOTION CARRIED

4. REQUESTS FOR DECISION

4.1 By-Law at 2nd Reading, Police Commission By-Law, C-1 – RFD#2010110 M-1012-07
Moved by Councillor Fawthrop, seconded by Councillor Angel that Council approve second reading and enactment of the By-Law Respecting the Amherst Board of Police Commissioners, C-1.

MOTION CARRIED

A BYLAW RESPECTING THE BOARD OF POLICE COMMISSIONERS
FOR THE TOWN OF AMHERST, C-1

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

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- (a) The member of the Board appointed by the Minister shall be appointed pursuant to subsection 44(4)(c) of the Police Act.
- (b) The members of the Board appointed by Council shall be appointed pursuant to subsections 44(4)(a) and (b) of the Police Act.
- (c) Dismissal of members of the Board shall be carried out in accordance with subsection 44(7)(a) with regard to a member appointed by the Minister and subsection 44(7)(b) with regard to members appointed by Council.
- (d) An absence from two consecutive meetings without just cause as determined by the chair and Board members shall be cause for the replacement of a member appointed by Council.
- (e) 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 appoint a replacement as soon as is practicably possible.
- (f) The members of the Board appointed from Council shall serve without remuneration.
- (g) The Board shall, at its first meeting each calendar year or as soon as practicable thereafter, choose its chairperson and vice-chairperson.
- (h) The chairperson shall preside at all meetings of the Board and in his/her absence the vice-chairperson shall preside.
- (i) 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

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- (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

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- (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.

**4.2 Funding Request – Community Christmas Dinner, RFD#2010109 M-1012-08
Moved by Deputy Mayor Baker, seconded by Councillor Rhindress that Council approve funding in the amount of \$250 under the Festivals and Events Policy to help fund the Amherst Community Christmas dinner.**

MOTION CARRIED

**4.3 Extension of RinC Program (Skate Park) – RFD#2010112 M-1012-09
Moved by Councillor Bird, seconded by Councillor March that Council accept the Conditions of Extension associated with the request to extend the Recreational Infrastructure Canada (RinC) commitment date to October 31, 1011.**

MOTION CARRIED

Conditions of Extension:

- Project must have submitted at least one claim for costs incurred prior to March 31, 2011 to confirm that the project is underway;
- Clients are required to submit invoices for all costs incurred up to March 31, 2011 which have not yet been claimed, by April 30, 2011;
- For each project, a detailed construction schedule, signed by a professional engineer is required (this will be required before the amendment paperwork is processed, but does not need to be received by January 7, 2011);
- Clients are required to report on project progress during the extension period at 2-month intervals;
- Project proponent is fully responsible for project completion and any costs incurred beyond October 31, 2011;
- For Municipal Projects: a council resolution confirming acceptance of the terms associated with the extension including a commitment to finish the project and to be responsible for all costs post October 31, 2011;

- For Non-Profit Projects: a resolution from the board of directors confirming acceptance of the terms associated with the extension including a commitment to finish the project and to be responsible for all costs post October 31, 2011;
- All claims must be submitted by January 31, 2012. Claims submitted after January 31, 2012 will not be eligible for reimbursement (even if the claim submitted reflects costs incurred between March 31, 2011 and October 31, 2011);
- All amended contracts for clients receiving the extension are required to be finalized and signed by the client no later than February 28, 2011.

- 4.4 **Appointments to the Police Commission, RFD#2010114** **M-1012-10**
Moved by Councillor Fawthrop, seconded by Councillor March that Council approve the following appointments to the Amherst Board of Police Commissioners:
- **Andrew Wallis to a one-year term expiring December 31, 2011;**
 - **Ned Douglas to a one-year term expiring December 31, 2011;**
 - **Lisa Emery to a two-year term expiring December 31, 2012;**

MOTION CARRIED

5. INFORMATION / DISCUSSION ITEMS

5.1 **Authentically Amherst Update**

Councillor March presented the following update on the Authentically Amherst initiative:

Victorian Christmas

The Victorian Christmas light up and Christmas parade took place successfully in November. Andrew MacGregor collected the events for the poster and also wrote several press releases for the events which resulted in at least four stories in the Amherst Daily News.

Newsletter

The 2nd edition of the Arts, Culture & Heritage Newsletter was published in November. Very positive feedback has been received on this initiative and the community is adopting it as a source of information.

Budget

A budget has been drafted for the 2011-2012 fiscal year.

Web Presence

Work has begun on a new website for Amherst Arts, Culture & Heritage as part of the Town's website. The site will be the central hub for online communication about arts, culture and heritage. Amherst has been added as a link to the Fort Beausejour website: <http://www.pc.gc.ca/eng/lhn-nhs/nb/beausejour/index.aspx>

Business and Art Tour

Planning is underway for the inaugural business and art tour to be held in late February. The date is being coordinated with events that Corey Crocker has planned for February to take advantage of synergies between events.

Stakeholders

Meetings are ongoing with stakeholders in the arts, culture & heritage community. This month Andrew met with Shirley Nickerson from the Museum, Deanne Fitzpatrick, Showcase Productions, Gil Collicott, Terry Farrell, Don Miller, and Sackville Town staff. The meetings will be ongoing as they are a source of feedback, new ideas and information. In addition, Andrew also met with two staff members of the Town of Sackville who are looking to partner on two or three projects or events during the 2011 calendar year.

Media

Ongoing conversations continue with CBC Radio-Moncton about getting more coverage of events in Amherst. Discussions with local media are also ongoing.

Inventory

An inventory of Arts, Culture and Heritage resources has been drafted. Jason is working with Andrew to decide the best way to disseminate this information. Work on the inventory will be ongoing.

Speaking Opportunities

Andrew spoke to the CREDA monthly meeting of partners and DARS in November. He is also booked to speak at a Rotary Meeting on February 7, 2011

5.2 **Festival Report**

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

On November 30th a meeting took place to discuss and begin plans for the re-worked Four Fathers Festival. Approximately 10 people were in attendance for this meeting. Dialogue at the meeting centered on options discussed at the last meeting in October. It was determined that the following format would support the community much better and achieve better results.

1. **Canada Day** continue to be a stand-alone event in the downtown core without a formal tie to any other event or activity.
2. **Cross Border Challenge.** The Town would still act as a support system for the Cross Border Challenge but it is felt that the Cross Border Challenge is growing rapidly and developing its own identity. It does not need the support of the Four Fathers Festival to sustain itself. Discussions will take place with Cross Border committee members about how the Town can continue to be involved with this event in the years to come and assist in growing it to be a full weekend event itself.
3. **Redevelop the “Four Fathers Festival” to become more of an arts, culture and heritage event focusing on the history of Amherst and the contribution of the “Four Fathers” to the Canadian political landscape.** This event would be better facilitated under the **Authentically Amherst Initiative** and driven by the Arts, Culture and Heritage community. The timing of this event would be in September annually and the Town would continue to provide direct and in kind support.

This format would enable groups to develop a more focused brand identity for the Four Fathers Festival and other events in the Town. Among one of the more popular comments was the idea that Amherst does not need one large Festival but instead the group should concentrate on what is currently happening in the Town and give support to events that are already established or that are quickly working towards becoming established. An example would be a winter festival or possibly events related to the Blueberry Harvest Festival. A suggestion was also made to move from being a “Four Fathers Festival” committee to being a “Festivals and Events” committee to better meet the needs of the community and various organizations.

On January 11, 2011, the Festival Committee will meet again to make the decision on how to proceed with the options mentioned above.

6. **STRATEGIC PRIORITIES**

Mayor Small provided a brief summary of the five strategic priorities that were identified in this fall's priority setting session:

- Vacant Buildings By-Law, due May 2011;
- Regional Tourism Strategy Terms of Reference due March 31, 2011;
- Downtown Revitalization Strategy due the end of January;
- Economic Development Strategy, Terms of Reference due March 31, 2011; and
- Dickey Brook Plan, due February 28, 2011.

Town's Strategic Priorities

M-1012-11

Moved by Councillor Rhindress, seconded by Deputy Mayor Baker that Council adopt the strategic priorities as presented this evening.

MOTION CARRIED

7. **INTERNAL COMMITTEE REPORTS**

7.1 **Planning Advisory Committee**

Councillor March presented the following report on behalf of the Planning Advisory Committee:

The Planning Advisory Committee met on December 6, 2010. The following items were on the agenda:

1. Introduction of our new planner – Sharel Longhurst
2. A review of a proposed residential architectural heritage area
3. A review of the referral from Council on the issue regarding the orientation of new buildings to the street
4. A projected timeline for the amendments required to implement the Downtown Action Strategy
5. The distribution of the newly amended PAC policy
6. January Meeting date

A motion to amend the municipal Planning Strategy and Land Use Bylaw in order to implement the recommended residential architectural heritage area was passed.

It was agreed that the Committee would meet on the second Monday of January (10th) instead of the first Monday (3rd) due to the preceding Christmas holiday.

7.2 **Amherst Board of Police Commissioners** - Nil Report

7.3 **Dangerous or Unightly Premises Committee** - Nil Report

7.4 **Youth Advisory Committee**

Councillor Bird presented the following report on behalf of the Youth Advisory Committee:

The Youth Advisory Council met on December 6th in Council Chambers. Members were pleased to welcome the newest member, Nipun Arora. The meeting began with a tour of Town Hall where members gained a sense for the organizational structure of Town Hall, and a brief overview of services offered by each department.

During the meeting members reviewed the objectives of the Council as outlined in the Policy, to ensure that potential action items are within the guidelines of the committee terms of reference. To ensure that members are educated on the structure and roles/responsibilities of local government, information sessions will be facilitated by each department at monthly meetings for the duration of this year. Community and Economic Development will present at the January meeting, and department directors will be contacted to schedule their presentation dates.

Under policy, the Youth Advisory Council meets with Council on two occasions throughout the year. Last year, these meetings were held in January and June. The Youth Advisory Council would like to meet with Amherst Town Council in January if possible to discuss work to date and plans for the coming year. Our regularly scheduled meeting is on January 10th and this meeting will act as a planning day for their meeting with Town Council.

7.5 **Tree Advisory Committee** – Nil Report

7.6 **Heritage Advisory Committee** - Nil Report

7.7 **Audit Committee** - Nil Report

7.8 **Committee of the Whole** - Nil Report

8. EXTERNAL COMMITTEE REPORTS

8.1 **Cumberland Regional Library Board**

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

Computer Classes

The library offered successful computer classes in Amherst, Parrsboro, Advocate and River Hebert. Due to the success and demand for more we apply for and received a grant to offer them in all the branches again in the New Year.

Holidays @ your library

Staff from CRL Headquarters volunteered to take part in Amherst's annual Christmas Parade. The library's van was transformed into the North Pole Bookmobile and staff members were reindeer "pulling" it along the parade route. In addition, the Amherst branch was opened extra hours to allow parade-goers a spot to warm up, enjoy hot chocolate, or meet a ride after the festivities. Once again, the Amherst library will be offering a Christmas Eve movie for children. This is one of the few programs where kids can be dropped off by their parents – allowing a little extra shopping and wrapping time.

Food For Fines

Our annual Food for Fines campaign is in full swing. Last year we brought in 847 food items and forgave over \$1,600 in fines County-wide.

Statistics

In the month of November, the nine public computers at the Amherst library were in use for over 900 hours.

Downloadable Audio books & E-books

Check out our new collection of downloadable audio and e-books on the library's webpage (www.crl.library.ns.ca). Using your library card you can listen to books on your computer or MP3 player or read a book on your e-reader, ALL FOR FREE.

Did you know...the Cumberland Regional Libraries have television shows available on DVD. Check out what's available in the library catalogue from our webpage (www.crl.library.ns.ca).

8.2 **CREDA** - Nil Report

8.3 **DARS** - Nil Report

8.4 **CJSMA**

Councillor Rhindress presented the following report on behalf of the Cumberland Joint Services Management Authority (CJSMA):

At the September 29, 2010 meeting of the Cumberland Joint Services Management Authority (CJSMA), a motion was passed to request that each municipal unit adopt a requirement that residual garbage be placed in clear bags as of April 1, 2011. All municipal units within Cumberland County with the exception of Amherst have adopted this recommendation.

The first meeting of the Solid Waste By-law Committee was held on November 29th. CJSMA staff will bring a draft bylaw back to the Committee for their review in January or February.

8.5 Northern Region Waste Resource Committee – Nil Report

8.6 Cooperation Committee - Nil Report

8.7 Airport Committee - Nil Report

8.8 Amherst and Area Chamber of Commerce – Nil Report

8.9 VON – Nil Report

10. ADJOURNMENT

Prior to the motion to adjourn, each member of Council offered greetings and best wishes for the Christmas season and the New Year. Mayor Small thanked everyone – Council, staff and citizens - who have done much to make Amherst a better place to live, and wished everyone a Merry Christmas and all the best in 2011.

On motion by Councillor Rhindress the meeting adjourned at 7:45 PM.

APPROVED BY:

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

Robert Small
Mayor

AGENDA

1.	O'CANADA		
2.	HEARINGS / PRESENTATIONS / PETITIONS		
2.1			
3.	CALL TO ORDER	Presenter	Page
3.1	Additions to Agenda		--
3.2	Approval of Agenda	Baker	--
3.3	Approval of Minutes: 29 November, 2010 Regular Meeting and 9 December, 2010 Special Meeting	Rhindress	2
4.	REQUESTS FOR DECISION	RFD	Presenter
4.1	By-Law at 2 nd Reading: Amherst Board of Police Commissioners	2010110	Fawthrop
4.2	Funding Request – Community Christmas Dinner	2010109	Baker
4.3	Extension of RinC Program (Skate Park)	2010112	Bird
4.4	Appointments to Police Commission	2010114	Fawthrop
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7.2	Amherst Board of Police Commissioners	Nil report	--
7.3	Dangerous or Unsightly Premises Committee	Nil report	--
7.4	Youth Advisory Council	Bird	44
7.5	Tree Advisory Committee	Nil report	--
7.6	Heritage Advisory Committee	Nil report	--
7.7	Audit Committee	Nil report	--
7.8	Committee of the Whole	Nil report	--
8.	EXTERNAL COMMITTEE REPORTS		
8.1	Cumberland Regional Library Board	Angel	45
8.2	CREDA	Nil report	--
8.3	DARS	Nil report	--
8.4	CJSMA	Rhindress	46
8.5	Northern Region Solid Waste	Nil report	--
8.6	Cooperation Committee	Nil report	--
8.7	Airport Committee	Nil report	--
8.8	Amherst and Area Chamber of Commerce	Nil report	--
8.9	VON	Nil report	--
9.	ADJOURNMENT		