

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, February 28, 2011 at 7:00 PM**

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

REGRETS: Councillor Dale Fawthrop

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

Mayor Small requested a moment of silence in honour of the late Donald Paris, former member of Amherst Town Council, and the late Red Faulkner, former Town of Amherst Employee.

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-1102-
Moved by Deputy Mayor Baker, seconded by Councillor March to approve the agenda as circulated.

MOTION CARRIED

3.3 Approval of Minutes M-1102-
Moved by Councillor Rhindress, seconded by Councillor Angel to approve the minutes of the following meeting as circulated: January 10, 2011 Special; January 24, 2011 Regular; and February 23, 2011 Special.

MOTION CARRIED

4. REQUESTS FOR DECISION

4.1 By-Laws at 2nd Reading: P-2-12 and P-1-4, LUB and MPS M-1102-

Councillor March presented the following: "In December 2010, Council approved first reading of two by-laws to amend the Land Use By-law and the Municipal Planning Strategy By-Law, to require that all new development within a proposed Architectural Heritage Area located on East Victoria, Rupert, and Regent Streets require a development agreement. The purposes of the amendments were to ensure that new development is sympathetic to the surrounding streetscape and buildings.

"Subsequently, more information was gathered, a public participation session was held, and the Planning Advisory Committee met to discuss the issue.

"Council has considered the additional information gathered at the public participation session and advice from staff and the Planning Advisory Committee. As such Council is now of the opinion that the architecture of new buildings in the area can be controlled through an 'as of right' process and that a development agreement is not required.

"Therefore, I am providing notice of a motion to rescind first reading of By-laws P-1-4 and P-2-12 which were to require that all new developments within the proposed Architectural Heritage Area be subject to a development agreement."

4.2 Funding Confirmation, Downtown Amherst Action Strategy, RFD#2010125 M-1102-
Moved by Councillor March, seconded by Councillor Bird that Council confirms its intent to allocate \$2,550,000 in the 2011 – 2012 capital budget for the implementation of Phase II of the Centre First – Downtown Amherst Action Strategy.

MOTION CARRIED

4.3 Funding Request: International Women's Day, RFD#2010126 M-1102-
Moved by Deputy Mayor Baker, seconded by Councillor Rhindress that Council approve funding in the amount of \$100 under the Town's Festivals and Events Policy in support of the International Women's Day Committee for Amherst, Cumberland County area.

MOTION CARRIED

- 4.4 **Funding Request: Amherst Aerials Gymnastics Club, RFD#2010127** **M-1102-**
 Moved by Councillor Rhindress, seconded by Councillor March that Council approve funding in the amount of \$250 under the Town's Grants to Organizations Policy in support of the Amherst Aerials Gymnastics Club – March Break Invitational Competition which is to be held on March 12 and 13, 2011 in Amherst.
MOTION CARRIED
- 4.5 **Funding Request: LA Animal Shelter, RFD#2010128** **M-1102-**
 Moved by Councillor Angel, seconded by Councillor March that Council approve funding assistance, under the Town's Festivals and Events Policy, in the amount of \$250 to the L. A. Animal Shelter to defray costs of hosting the "Best Bud Fashion Show on April 14, 2011.
MOTION CARRIED
- 4.6 **Funding Request: Ron Elliott Memorial Girls Hockey, RFD#2010129** **M-1102-**
 Moved by Councillor Bird, seconded by Councillor Angel that Council approve funding in the amount of \$250 under the Town's Grants to Organizations policy to assist with costs in hosting the Ron Elliot Memorial Female Hockey Tournament in Amherst from March 11 to 13.
MOTION CARRIED
- 4.7 **CJSMCA Capital and Operating Budgets, 2011-2012** **M-11012-**
 Moved by Deputy Mayor Baker, seconded by Councillor Rhindress that Council approve the 2011-2012 Capital and Operating Budgets of the Cumberland Joint Services Management Authority as presented.
MOTION CARRIED

5. INFORMATION / DISCUSSION ITEMS

- 5.1 **Authentically Amherst – Arts Culture and Heritage Update**
 Councillor Bird presented the following Arts Culture and Heritage Update:

Communications

The fourth edition of the Arts, Culture & Heritage Newsletter was published in January. It included an invitation to receive the newsletter via email. The Amherst Arts, Culture & Heritage segment of the website is now live and being updated. Andrew McGregor has signed up to the Saltscapes website and has added events to their community calendar. Andrew has spoken to Brad Works at Amherst Daily News about increasing coverage and is helping stakeholders implement the recommendations. He was also interviewed by the paper for stories about the Art Walk and Four Fathers Festival. As a result of a press release sent by Andrew, CBC Moncton (Radio) did promotion for the Autumn House Art Auction.

Business and Art Tour

The inaugural Art Walk was held on February 26th. The tour was coordinated with events that Corey Crocker had organized as part of the "24 Hour Winter Activity Day."

Stakeholders

This month, Andrew had discussions with Dave Van Zoost (concert for the food bank), Elizabeth Sumbu (CANSAs), Judi Giroux (Cross Border Challenge), Mike Purdy (Sandpiper East Productions), Bert van Leeuwen, Darlene Strong, The Ships Company Theatre, The Fibre Arts Committee, Jana Lynn White (Super 8), Brenda (Comfort Inn), Marjorie McLean (Zonta) and Pat Donkin (maple woods).

Sackville

Roopen from the Tantramar Blues Society and Andrew are discussing options for bringing bigger acts to the region.

Speaking Opportunities / Workshops

Andrew spoke at a Rotary Meeting on February 7, 2011 as well as at a Tantramar Seniors College event with Deanne Fitzpatrick and Donnie Miller on February 8. Andrew also attended the Autumn House Art Auction, and a presentation by Events Nova Scotia.

Victorian Christmas

A 2010 wrap up meeting has been held and planning has begun to ensure success of the 2011 event.

6. STRATEGIC PRIORITIES

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 (PAC) held its regular monthly meeting on Monday, February 7, 2011. The proposed Architectural Heritage Area was further reviewed and discussed at that meeting, with the Director reading the letters that were presented at the public participation opportunity held in January 2010, as well as three additional letters received subsequent to that meeting.

Wendy Smith, a homeowner in the proposed area and author of two of the letters received, attended the meeting. Following considerable discussion, the PAC approved a motion to recommend to Council that 2nd reading not be given to By-Law P-1-4 to amend the Municipal Planning Strategy and By-Law P-2-12 to Amend the Land Use By-law. PAC is recommending that Council consider a NEW amendment which would require that all new development be sympathetic to the streetscape and buildings in the area but which does not require the owner to negotiate the development agreement process. A second motion was passed by the PAC to hold additional public participation in order to gauge community interest in regulating existing buildings as well as to prepare more detailed design guidelines.

Consistent Streetscape Report to PAC :

A report and update on Consistent Streetscape was on the agenda for discussion at the February 7 meeting, but due to time constraints, this was tabled to the next meeting of PAC.

7.2 Amherst Board of Police Commissioners - Nil Report

7.3 Dangerous or Unsightly 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 Monday, February 7th in Council Chambers. Members present included Elizabeth Pond-Kirk, Rachel Pond-Kirk, Chelsey Brown, Peter Woo, James Gaudet, Daniel Ripley, Kevin Hatheway, Zac Black, Nipin Arora. The objective of this meeting was to update the Mayor and members of Amherst Town Council as to what the Youth Advisory Council have been planning and to discuss any issues or concerns related to the Youth Advisory Council and youth in our community.

Skatepark: Members of the Youth Advisory Council provided a suggestion on the opening of the Skate Park and ideas for an official opening. The Youth Advisory Council see the park as being a significant youth project and wants to ensure the grand opening will reflect the importance of the park to the community. Councillors supported idea the grand opening being “big” and having skate competitions; CAO Greg Herrett indicated that staff would add an allowance in the next budget for this event.

Fundraising Policy: The Youth Advisory Council found the existing Fundraising Policy somewhat restrictive for them to be responsive to potential opportunities to be more community oriented. Staff was asked to review this policy and bring some suggested options back to Amherst Town Council to see if these issues could be addressed.

Outdoor Rink: The Youth Advisory Council presented ideas to Council for the construction of an outdoor rink. Included in this presentation were models that have been successful in other communities and potential locations for such a facility. Council advised that options for an outdoor rink were being looked at under the Amherst First Strategy and the Youth Advisory Council would be made aware of opportunities that may come from this process.

Provincial Youth Event : The Youth Advisory Council is considering hosting a Youth Forum later this spring in Amherst. They will work out the details of such a Forum over the next two months and will keep the Mayor and Council informed. Council encouraged them to move forward with these plans and congratulated them for their work on this to date.

24 hour activity day: The Youth Advisory Council updated the Mayor and Council on events that they had planned for the 24 hour activity day on February 26th.

7.5 Tree Advisory Committee – Nil Report

7.6 Heritage Advisory Committee - Nil Report

8. EXTERNAL COMMITTEE REPORTS

8.1 Cumberland Public Libraries

Councillor Angel presented the following report on behalf of Cumberland Public Libraries:

Brand New Logo

Check out our brand new logo. Right now you can see it on our website (www.cumberlandpubliclibraries.ca) but soon it will also be appearing on library cards and other library material. The new logo was created by local graphic designer, Hollis Bartlett.

Statistics

In January, Cumberland Public Libraries signed out over 9,700 items to people across the county, which includes DVDs, magazines, books, and more.

We also provided over 1,500 hours of free computer time and almost 500 hours of free Wifi to library users in January.

One in four residents of Cumberland County has a library card with the Cumberland Public Libraries; if you're not one of our users, pop by your local library for a free card.

Staff Picks Online

Our staff are avid readers and want to share some of their favourites with you. Take a peek at our new online Staff Picks in the “Read, Watch, Listen” section of our website (www.cumberlandpubliclibraries.ca). Don't forget to check back for updates.

Also, if you're looking for suggestions for good reads for teens or kids check out our "Teen Sector" and "Kids' Zone" on the library's website.

Funding

Public libraries in Nova Scotia are funded jointly by the Province and the participating municipal units. We are also required to raise 3% of our annual operating budget. The Cumberland Public Libraries (CPL) does this via fines, book sales, donations, etc. CPL is a registered charity so cash donations in excess of \$10 get a tax receipt.

Deputy Mayor Baker asked what the annual budget for the Cumberland Public Libraries was; CAO provided details on the 2008-2009 budget for Cumberland Regional Libraries. Councillor Angel advised that he would provide details at a subsequent meeting.

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):

The Cumberland Joint Services Management Authority's Solid Waste By-law Committee met on February 3rd. The Committee has drafted a new solid waste by-law to be recommended to all municipal units participating in the CJSMA. This document is now being reviewed by CJSMA legal counsel and will be presented to the various municipal units in March or April. The CJSMA Board meeting scheduled for February 1, 2011 was postponed to February 17 due to lack of a quorum.

8.5 Northern Region Waste Resource Committee

Deputy Mayor Baker presented the following report on behalf of the Northern Region Solid Waste Resource Committee:

The Northern Region Solid Waste Committee has not met since the last meeting of Town Council. The next meeting of the Northern Region Solid Waste Committee is scheduled for March 3, 2011 in East Hants.

8.6 LA Animal Shelter

Councillor Angel presented the following report on behalf of the LA Animal Shelter:

The mission statement of the LA Animal Shelter is to provide a humane, no-kill, non-profit shelter for dogs and cats in Cumberland County who are homeless, abused and/or unwanted.

Feline Statistics

11 were taken in, seven were adopted, one was euthanized. The current population at the Shelter is 31 with one cat fostered. Two cats were spayed, one neutered and five Leukemia tests were completed in January. One cat was taken to the vet upon arrival and was euthanized due to severe wounds and starvation.

Canine Statistics

Ten dogs were taken in, ten were adopted, and one was euthanized. Ten dogs are in the shelter with three dogs and two puppies being fostered. Four dogs were spayed and two were neutered in January.

Volunteering

Volunteers made approximately 68 visits during the month to walk dogs, spend time with cats, bath dogs, brush cats and help with daily cat/dog related morning and afternoon chores. Six new volunteers signed in at the Shelter in January. Community service hours are being completed weekly from the youth and adult programs. Public hours of operation are: Wednesday, Thursday, Saturday and Sunday from 1:00 to 4:30 PM and Friday from 1:00 to 7:00 PM.

Telethon

Funds raised from the annual telethon held December 6, 2010 were \$16,696. It should be noted that it costs approximately \$120,000 per year to operate the Shelter.

The Shelter has just signed a two-year contract with the pet food company Royal-Canin who will provide quality food free to the shelter. With each animal that is adopted, the Shelter will purchase and provide to the new owner, one bag of Royal-Canin animal food.

Dog Tags

The revised Town of Amherst Dog By-Law states, "No person shall own, possess or harbour an unlicensed dog within the boundaries of the Town. The license year shall mean a period from April 1st in any year to March 31st in the following year."

Dog Licensing Fee

\$15 for each spayed/neutered dog or \$30 for each un-spayed or un-neutered dog. Each license shall be payable to the Town of Amherst annually. The fee may be paid at the main desk at Town Hall or at the Animal Shelter office. A certificate of proof that the dog is spayed or neutered should be provided at the time of purchasing the license. All licensing fees collected go to the LA Animal Shelter, subject to maximums in our agreement with the Town, to assist with the cost of providing services to the Town. Practically speaking, the more dog licenses collected, the more support for the Shelter.

Annual General Meeting

The Shelter's Annual General Meeting will be held in Council Chambers at Amherst Town Hall on Wednesday, March 9, 2011 at 6:30 PM. All members as well as the general public are invited to attend.

8.9 VON – Nil Report**10. ADJOURNMENT**

Prior to the adjournment, Mayor Small commented on the frustrations people are facing with the accumulated snow, pointing out that many streets are much narrower due to the snow, and people need to be careful. He congratulated and thanked the committee members that put together the Pink in the Rink celebration; it was an absolute success Saturday night. He also congratulated those who participated in the 24 hour activity day, another new initiative and fantastic success. There will be a public participation for design of Victoria Park next week, and he encouraged everyone to attend and provide input. He mentioned a special meeting of Council to rescind first reading of the Land Use By-law and MPS amendments with respect to the architectural heritage area which will be held at noon on Friday.

On motion by Councillor Rhindress the meeting adjourned at 7:50 PM.

APPROVED BY:

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

Robert Small
Mayor

AGENDA

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2.	HEARINGS / PRESENTATIONS / PETITIONS			
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4.2	Funding Confirmation: Downtown Amherst Action Strategy	RFD#2010125	March	15
4.3	Funding Request: International Women's Day	RFD#2010126	Baker	17
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4.5	Funding Request: L. A. Animal Shelter	RFD#2010128	Angel	23
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