

Regular Council Meeting

Minutes

Date of Meeting: Tuesday, March 29, 2016
Location: Council Chambers, Town Hall

Members Present: Deputy Mayor Terry Rhindress
 Councillor George Baker
 Councillor Frank Balcom
 Councillor Robert Bird
 Councillor Lisa Emery

Members Absent: Mayor Robert Small

Staff Present: Greg Herrett, CAO
 Roger MacIsaac, Director CED
 Ian Naylor, Police Chief
 Jason MacDonald, Deputy CAO Operations
 Bill Schurman, Director Recreation
 Rebecca Purdy, Executive Assistant

1. CALL TO ORDER

In Mayor Small's absence, Deputy Mayor Rhindress chaired the meeting; the Call to Order was at 7:00 PM.

2. O'CANADA

3. INTRODUCTION OF YOUTH COUNCIL MEMBER

Councillor Balcom introduced Youth Council member, Austin Coates, who read a prepared bio (included in the agenda).

4. APPROVAL OF AGENDA/MINUTES

4.1. Approval of the Agenda (2881)

Moved By: Councillor George Baker
Seconded By: Councillor Frank Balcom
 To approve the agenda

Motion Carried

4.2. Approval of Minutes (2882)

Moved By: Councillor George Baker
Seconded By: Councillor Lisa Emery
 To approve the following minutes:

- February 29, 2016 Regular Meeting
- March 3, 2016 Special Meeting
- March 21, 2016 Special Meeting

Motion Carried

5. REQUESTS FOR DECISION

5.1. Investment Policy (1857)

Moved By: Councillor Frank Balcom
Seconded By: Councillor George Baker
 That Council approves the new Town of Amherst Investment Policy, number 3600-01, as recommended by the Audit Committee, and repeals the policy of the same number and title dated February 18, 1991

Motion Carried 4 – 1
 Opposed: Councillor Robert Bird

1. POLICY STATEMENT

The Policy of the Town of Amherst is to invest excess and reserve funds in a way that preserves capital, ensures liquidity, and provides for investment income. All investment activity will conform to legislative requirements of the Province of Nova Scotia and this Investment Policy will account for the cash flow requirements of the Town of Amherst.

This Investment Policy applies to activities of the Town of Amherst with regard to investing cash as it becomes available.

2. PURPOSE

The purpose of this policy is to guide the investment of the Town of Amherst assets by:

- establishing a clear understanding of the investment goals and objectives of the Town of Amherst;
- offering guidance and limitations for the investment of municipal assets; and
- ensuring the integrity of the investment management process when investing public funds.

This policy governs the investment of surplus funds of the Town of Amherst, while funds held in trust or escrow to complete a transaction or settlement are subject to the *Municipal Government Act*.

3. AUTHORITY

Section 100(1) of the *Municipal Government Act* provides the Town of Amherst with the authority to invest funds in a sinking fund, capital reserve fund, utility depreciation fund, or other fund of the municipality. The Investment Policy has been adopted by the Town of Amherst pursuant to Section 100(1)(b) of the *Municipal Government Act*.

4. OBJECTIVES

The four objectives of the Investment Policy, stated in order of importance, are as follows:

a) Legality

The *Municipal Government Act*, 1998, c.18, s.100, and the Investment Policy shall govern all of the Town of Amherst investments.

Investment activity will be conducted in accordance with all Provincial legislation and regulations and in accordance with the Investment Policy.

b) Preservation of Capital

The investment of funds on behalf of the Town of Amherst shall be conducted in a manner that preserves capital in the portfolio. This policy prohibits the purchase of investments which are determined to be inconsistent with the objective of preserving and protecting capital.

When assessing the suitability of an investment, greater emphasis shall be placed on the preservation of capital than on liquidity or investment returns.

c) Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating or cash flow requirements and eliminate the need for temporary borrowing. This shall be accomplished where possible by structuring investment maturities with anticipated cash demands, and has the ability to readily converted to cash with minimal price impact to meet unanticipated cash requirements.

d) Competitive Return on Investments

The investment portfolio shall be designed with the objective of attaining a competitive and reasonable market rate of return in the context of financial market conditions prevailing in Canada. Maintaining a return on investment is secondary in importance to legality, preservation of capital, and liquidity requirements.

5. STANDARDS OF CARE

a) Prudence

Investments shall be made with judgement and care, under circumstances then prevailing, which a person of prudence, discretion and intelligence exercises in the management of their personal investments, considering the necessity of capital safety and liquidity.

The standard to be used by investment officials shall be the "prudent person" as outlined in the *Trustee Act, PNS R.S., C497*, and shall be applied in the context of managing the portfolio.

b) Ethics and Conflict of Interest

A conflict of interest occurs when an individual has a private or personal interest sufficient to appear to influence the objective exercise of their official duties as an investment officer or employee of the Town of Amherst.

Investment officers and employees shall refrain from personal business activity that may conflict, or have the appearance of conflict, with the proper execution of the investment program, or which could impair their ability to make investment decisions.

Conflicts of interest shall be disclosed immediately to the employee's superiors who in turn shall notify the Treasurer. Any conflicts of interest noted by the Treasurer shall be disclosed to the Chief Administrative Officer. A party with a conflict of interest shall abstain from decision making with respect to the area of conflict. The Treasurer shall maintain a written record of the conflict.

c) Delegation and Authority

The Council of the Town of Amherst shall be responsible for the approval of the Investment Policy. Overall management of the portfolio shall be delegated to the Audit Committee. The Audit Committee may delegate investment decisions to a professional investment manager/advisor, with such appointment to be approved by Council. The Audit Committee is responsible for:

- i) the creation of and recommending amendments to the Investment Policy on an annual basis;
- ii) monitoring the investment portfolio;
- iii) review on an annual basis the compliance of investment practices and procedures with this policy; and
- iv) consult and give advice to the Council on matters concerning the Town of Amherst's investments.

d) Internal Control

The Treasurer shall develop and maintain all operating procedures for the control and management of investment functions. Such internal controls shall provide reasonable assurance that the Town of Amherst investments are properly managed and adequately protected from theft and fraud.

The Treasurer shall generate quarterly reports on the status of the investment portfolio to be submitted to Council on a quarterly basis.

e) Safekeeping and Custody

Investment transactions shall be in the name of the Town of Amherst and registered securities shall bear the name of the Town of Amherst. Transactions entered into by the Town of Amherst shall be conducted on a delivery against payment basis.

The Treasurer is responsible for the safekeeping of securities. The Treasurer will ensure that accurate systems and accounts are maintained for investments. If appropriate, the department will also ensure that an approved custodian accurately maintains physical securities.

6. SUITABLE AND AUTHORIZED INVESTMENTS

a) Securities

The Town of Amherst may invest in securities authorized by this policy. In accordance with the primary objectives of the Town of Amherst Investment Policy, permissible investments are limited to high credit quality bonds, bills, Guaranteed Investment Certificates, deposit accounts, fixed income, or debt instruments issued by approved agencies listed in Appendix B. The Treasurer will maintain the list of approved agencies outlined in Appendix B. For greater clarity, the investment of Town of Amherst funds in equity investments is not authorized by this Policy.

b) Internal Borrowing

Section 451 of the Municipal Government Act authorizes the Nova Scotia Financial Reporting and Accounting Manual (FRAM) Sections 3.14(g) and 3.16(d) to state that the Town of Amherst Council may borrow internally from its funds to fund capital acquisitions. A resolution of Council prescribing the terms of repayment including interest, at a rate not less than the interest rate that the Town would pay to borrow the funds for a similar term from another source is required.

7. DIVERSIFICATION

The Town of Amherst shall diversify its portfolio holding to minimize investment risks, meet cash flow needs, and achieve the optimal balance between risk and return. Diversification may be achieved through investment type and eligible institutions.

Diversification will also be achieved by spreading investments between different time horizons. The Treasurer will maintain the diversification requirements outlined in Appendix A of this document.

8. INVESTMENT INCOME

Investment income shall include interest earned and dividends declared paid. In accordance with Section 100(2) of the *Municipal Government Act*, income arising from the investment of a fund is part of that fund unless otherwise provided by the Town of Amherst Council.

9. REPORTING

The Treasurer shall record all investment transactions. Each month the Treasurer shall assess the Town of Amherst's portfolio and generate a written report for internal purposes that contains:

- all investment activity by class or type;
- maturity of investments;
- book value, interest rate, and income earned;
- portfolio compliance with the parameters outlined in the Investment Policy; and
- any other pertinent information deemed necessary.

Each year the Treasurer shall provide the Council of the Town of Amherst and the Investment Committee with a report on investment activity, returns, and compliance with the Investment Policy.

Appendix A: Portfolio Diversification

This portfolio diversification requirement was developed through a review of various municipal portfolios throughout Nova Scotia, Ontario, Alberta and British Columbia.

The Town of Amherst's portfolio shall be diversified in accordance with the following requirements: see Appendix C for clarification of credit rating limits.

Issuer	Portfolio Limit *	Individual Issuer Limit	Minimum Credit Rating Limit
Cash and Cash Equivalents (<1 year)	100%		
Government of Canada	100%	100%	N/A
Province of Nova Scotia	100%	100%	N/A
Other Province of Canada	40%	10%	R-1 (Mid)
Schedule I Banks	75%	25%	R-1 (Mid)
Schedule II Banks	10%	5%	R-1 (Mid)
Fixed Income (>1 year)	75%		
Government of Canada	100%	100%	N/A
Province of Nova Scotia	100%	100%	N/A
Other Provinces	25%	50%	A (High)
Municipal Government	25%	5%	A (High)
Schedule I Banks	30%	15%	AA (Low)
Schedule II Banks	10%	5%	AA (Low)

*Note: Portfolio limits are calculated at the time of investment. In the event of a change in the total portfolio, investments need not be sold to comply with the percentage maximums.

Appendix B: Approved Investment Institutions

The Treasurer is authorized to purchase investments from the following institutions subject to the provisions of the Investment Policy:

- the Government of Canada;
- the Province of Nova Scotia;
- the governments of other Provinces;
- Canadian municipalities or collective Canadian municipalities with a minimum credit rating of A (High);
- Chartered banks and trust companies with a credit rating of AA (Low) or better;
- Credit unions insured by the Nova Scotia Credit Union Deposit Insurance Corporation, up to insured amount;
- Deposits covered by the Canadian Deposit Insurance Corporation, up to insured amount;
- Any other investments approved by the Minister of Municipal Affairs

Appendix C: Credit Rating System

Investments with a credit rating of BBB – or higher are considered to be investment grade whereas investments with credit ratings below BBB- are considered speculative (junk).

Long Term Debt Credit Rating Systems

Investment Quality	Moody's	Standard and Poor's	DBRS	Fitch
Highest Quality	Aaa	AAA	AAA	AAA
Substantial Payment Capacity	Aa1 Aa2 Aa3	AA+ AA AA-	AA(High) AA(Middle) AA(Low)	AA+ AA AA-
High Payment Capacity	A1 A2 A3	A+ A A-	A(High) A(Middle) A(Low)	A+ A A-
Adequate Payment Capacity	Baa1 Baa2 Baa3	BBB+ BBB BBB-	BBB(High) BBB(Middle) BBB(Low)	BBB+ BBB BBB-
Payment Capacity Vulnerable to Adverse Changes	Ba1 Ba2 Ba3	BB+ BB BB-	B(High) BB(Middle) BB(Low)	B+ B B-
Payment Capacity Not Protected Against Adverse Changes	B1 B2 B3	B+ B B-	B(High) B(Middle) B(Low)	B+ B B-
Substantial Default Risk	Caa1 Caa2	CCC+ CCC	CCC(High) CCC(Middle) CCC(Low)	CCC
Very High Default Risk	Caa3 Ca	CCC- CC C	CC(High) CC(Middle) CCC(Low)	CCC
In Default	C	D	D	DD D D

Short Term Debt Credit Rating System

Investment Quality	Moody's	Standard and Poor's	DBRS	Fitch
Highest Quality	P-1	A-1	R-1(High)	F1
Good Quality	P-2	A-2	R-1(Mid) R-1(Low)	F2
Adequate Credit Quality	P-3	A-3	R-2(High) R-2(Mid) R-2(Low)	F3
Payment Capacity Vulnerable to Adverse Changes	Not Prime	B-1 B-2 B-3	R-3	B
High Default Risk	Not Prime	C	R-4 R-5	C
Under Regulatory Supervision	Not Prime	R	-	-
In Default	Not Prime	D	D	D

5.2. Audit Committee Terms of Reference Policy (2201)

Moved By: Councillor Robert Bird

Seconded By: Councillor Lisa Emery

That Council approves the Audit Committee Terms of Reference Policy, number 3000-05, as recommended by the Audit Committee

Motion Carried

AUDIT COMMITTEE TERMS OF REFERENCE POLICY

NUMBER 03000-05

Purpose

1. The Audit Committee (the "Committee") assists Town Council ("Council") in fulfilling its oversight responsibilities relating to finance and audit matters delegated to management by Council.
2. In particular, the Committee assists Council by reviewing:
 - a. Key financial information that will be provided to the province or made public;
 - b. Strategic financial plans, operating and capital budgets;
 - c. External and/or internal audit activities;
 - d. The system of internal controls, risk management and financial information technology;
 - e. Cash and investment management activities;
 - f. Insurance coverage of significant risks and uncertainties;
 - g. Financial Condition Indicators.

Composition, Operations and Accountability

3. The Committee shall be comprised of all members of Council plus two citizen appointments. The Committee shall be appointed by Council.
4. The initial citizen appointments (effective November 1, 2016) will be for one-year terms, as a transitional measure, and subsequent citizen appointments will be for two-year terms. Citizen appointees shall possess knowledge and understanding of financial and investment matters.
5. The Chief Administrative Officer (CAO) of the Town or his or her appointee shall be the secretary of the Committee
6. The Chief Administrative Officer, Treasurer and Accountant shall be non-voting members of the Committee.
7. The Chair shall be a member of Council and shall be elected annually by the Committee.
8. The Committee shall meet at least four times each year. The Committee Chair will make periodic reports to Council on matters relating to the Committee's duties and responsibilities.
9. The Committee shall meet with the external auditors as it deems appropriate to consider any matter that the Committee or auditors determine should be brought to the attention of Council.
10. Through the CAO the Committee may request members of the Town's senior management to attend meetings of the Committee as deemed necessary.
11. The Committee provides open avenues of communication among management, employees, external auditors and Council.

Duties and Responsibilities

12. The Committee has the following responsibilities and will perform the following duties.

Financial Information

- a. The Committee will review the following financial information that will be provided to the Province or made public:
 - i. Annual audited financial statements;
 - ii. Management discussion and analysis that accompanies the audited financial statements
- b. Ensure that meaningful financial information regarding current financial results and up to date forecasts is received on a timely basis, and that it provides information required for decision making.

- c. Review quarterly internal financial reports.
- d. Review:
 - i. the appropriateness of accounting policies and financial reporting practices and any proposed changes thereto;
 - ii. any new or pending developments in accounting and reporting standards; and
 - iii. significant estimates contained in the financial statements and other financial information.
- e. The Committee will:
 - i. assess the performance of the external auditor;
 - ii. review and recommend that Council approve the engagement or reappointment of the external auditor as required;
 - iii. oversee the activities of the external auditor by:
 - 1. reviewing, assessing and receiving assurances as to the independence of the external auditor;
 - 2. reviewing the provision of non-audit services performed by the external auditor;
 - 3. reviewing the external audit plan including the engagement letter, materiality limits, staffing, timetable and proposed fees;
 - 4. if necessary, requesting to meet with the external auditor without management present;
 - 5. reviewing matters with respect to the conduct and reporting of the external audit with particular reference to any difficulties encountered or restrictions imposed by management; and
 - 6. receiving and reviewing the external auditor's:
 - a. audit report;
 - b. findings with respect to the appropriateness of accounting policies, management estimates and significant accounting and/or reporting issues;
 - c. management letter including managements responses thereto and the evaluation of the internal control system; and
 - d. other matters of relevance identified in the audit.
- f. The Committee will periodically evaluate the need for the establishment of an internal audit function and make appropriate recommendations to the Council.

Internal Control, Risk Management and Financial Information Systems

- g. The Committee will review:
 - i. the system of internal control;
 - ii. financial policies;
 - iii. the strategic and financial risk assessment process to ensure that key strategic and financial risks are identified, assessed and risk mitigation strategies are implemented;
 - iv. financial information technology to ensure that it effectively supports or provides for current and future planning, financial activities;
 - v. the security of financial information, financial information technology and financial information disaster recovery plans; and
 - vi. compliance with financial statutory and regulatory obligations.

Investment Management Activity

- h. The Committee shall be responsible for the management of the Town's investment portfolio in accordance with paragraph 5 (c) of the Investment Policy, #03600-01.

Banking Services

- i. The Committee will periodically assess banking services and oversee the procurement of these services in accordance with Council policy.

Insurance Coverage of Significant Risks and Uncertainties

- j. The Committee will review the adequacy of insurance program and coverage for significant risks and uncertainties.

Terms of Reference for the Committee

- 13. The Committee will review its terms of reference annually.

5.3. Dangerous and Unsightly Premises Policy (2638)

Moved By: Councillor Lisa Emery

Seconded By: Councillor Frank Balcom

That Council approve amendments to the Unsightly Premises Policy 66510-01 as recommended

Motion Carried

DANGEROUS OR UNSIGHTLY PREMISES POLICY

NUMBER 66150-01

PURPOSE:

1. 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).
2. Part XV of the *Municipal Government Act* states, "Every property in a municipality shall be maintained so as not to be dangerous or unsightly".

POLICY STATEMENT:

3. Council delegates its authority to declare a property as dangerous or unsightly to the Dangerous or Unsightly Premises Administrator. The Administrator will determine whether or not a property is considered dangerous or unsightly in accordance with the definition of such in the *Municipal Government Act*.
4. 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 Planning Advisory Committee.
5. Council delegates its authority to bring into compliance a property which has been declared dangerous or unsightly to the Administrator. The Administrator will utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to achieve compliance.
6. 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 to demolish a building issued by the Planning Advisory Committee.
7. Council delegates its authority to conduct appeal hearings when an appeal is launched against a decision of the Administrator to the Planning Advisory Committee.

ROLES:

Planning Advisory Committee:

8. Upon recommendation by the Administrator, the Planning Advisory Committee will make a decision on the issuance of an order to demolish a building.
9. Upon an appeal of a decision of the Administrator, the Planning Advisory Committee will determine if a property is dangerous or unsightly and any remedial action to be taken.

Administrator:

10. Receive all complaints in relation to this policy;
11. Conduct an initial investigation of the complaint and determine if the property is dangerous or unsightly in accordance with the relevant provisions contained within the *Municipal Government Act*;
12. Utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to bring a property into compliance;
13. Provide a monthly report to Council detailing number of complaints, number of open files, number of resolved files, type of infraction, etc.

COMPLAINTS:

14. 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.

15. 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.
16. Complaints may be received by staff or Council.
17. All complaints shall be submitted to the Administrator.
18. The Administrator shall acknowledge receipt of a complaint by regular mail to the complainant.
19. Complaints shall be considered confidential but are subject to Part XX of the *Municipal Government Act*, *Freedom of Information Protection of Privacy*.

ENFORCEMENT:

- ~~1. Staff will proactively enforce this policy on all streets within the Town.~~
- ~~2. After the annual spring special solid waste collections are completed, the Administrator will conduct a survey of all streets to determine which properties fall within the definition of dangerous or unsightly as contained within the *Municipal Government Act*.~~
- ~~3. Once the above survey of all streets is complete, the Administrator will create a priority list of unsightly properties, as outlined in the Dangerous or Unsightly Premises Procedure. Properties with a higher priority will be processed first.~~
- ~~4. In addition to the initial survey above, the Administrator will periodically survey all streets within Town to determine which properties fall within the definition of dangerous or unsightly as contained within the *Municipal Government Act*~~
- 20. Enforcement of the Dangerous and Unsightly Premises section of the MGA will primarily be on a complaint basis.**
- 21. The Administrator will follow up on any notices delivered by CJSMA staff in relation to materials left at the curb which did not qualify for the special collections pickup.**
- 22. It is recognized that there are limited staff resources to carry out the function of this policy. Therefore the following priority will be followed when dealing with dangerous or unsightly files:**
 - a. Dangerous Properties**
 - b. Complaints for properties on Arterial Streets**
 - c. Complaints for properties on Collector Streets**
 - d. Complaints for properties on Local Streets**

HEARINGS:

23. Notification of any 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.
24. The complainant will be notified of the hearing in writing no less than seven days prior to the hearing.
25. The Administrator's report will not be made public prior to the hearing.

APPEALS (OF ADMINISTRATOR DECISIONS):

26. Any decision of the Administrator may be appealed to the Committee within seven days of such decision. Such appeal must be submitted in writing to the Chief Administrative Officer.
27. Appeals may be lodged by the property owner or complainant.
28. The Planning Advisory Committee may make any decision that the Administrator could have made.
29. A decision of the Planning Advisory Committee is not appealable.

APPEALS (OF PLANNING ADVISORY COMMITTEE DECISIONS):

30. ~~Any decision~~ **Decisions** of the Planning Advisory Committee **in relation to the demolition of a building** may be appealed to Amherst Town Council within seven days of such decision. Such appeal must be submitted in writing to the Chief Administrative Officer.
31. Appeals may be lodged by the property owner or complainant.
32. Council may make any decision that the Planning Advisory Committee could have made.
33. A decision of Council is not appealable.

5.4. Salary Administration Policy (2569)

Moved By: Councillor Frank Balcom

Seconded By: Councillor George Baker

That Council approve amendments to Salary Administration Policy 4530-01 (Appendix B) as recommended

Motion Carried

SALARY ADMINISTRATION POLICY

NUMBER 04530-01

Job Classifications

APPENDIX B

Level 12	Deputy CAO / Operations
Level 11	Director of Corporate Services Director - Community & Economic Development Director of Recreation
Level 10	Fire Chief / Safety Compliance Officer Operations Manager
Level 9	Vacant
Level 8	Engineering Services Manager Planner Senior Building Official
Level 7	Transportation Foreman Accountant Executive Assistant - Executive Office Human Resources Coordinator Executive Assistant / Dispatch Coordinator Police Building Official
Level 6	Firefighter/Inspector Marketing and Communications Coordinator Geographic Information Systems Technician Business Development Officer Unsanitary Premises Administrator/Building Official 1 Procurement Coordinator
Level 5	Firefighters Executive Assistant Physical Activity Coordinator Revenue Officer Payroll Officer
Level 4	Transportation & Public Works Clerk/Secretary Accounts Payable Clerk Water/Sewer Billing Clerk Cashier/Receptionist - Corporate Services Administrative Assistant – Corporate and CED Marketing and Communications Term
Level 3	Technology Assistant Dispatcher By-law Enforcement Officer Custodian – Town Hall
Level 2	Vacant
Level 1	Vacant

5.5. Standing Offer for Electrical Services (2803)

Moved By: Councillor George Baker

Seconded By: Councillor Frank Balcom

That Council approve the renewal of the existing standing offer for electrical services with J & K Electric from April 1, 2016 to March 31, 2017

Motion Carried

5.6. **Debenture Pre-Approval Resolution (2791)**

Moved By: Councillor Lisa Emery

Seconded By: Councillor Robert Bird

That Council approve the amendment to the 2015/16 capital budget funding sources for the police facility as follows: \$750,000 from Capital Reserve, \$130,000 from Operating Reserve, and \$2,187,000 from long term debt

Motion Carried

Moved By: Councillor Lisa Emery

Seconded By: Councillor Frank Balcom

That Council approve the Resolution for Pre-Approval of Debenture Issuance in the amount of \$2,379,700 for the long term financing of the Victoria Street East water main replacement and new police facility and authorize the Mayor and CAO to sign the Resolution on behalf of the Town

Motion Carried

Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

WHEREAS Section 91 of the *Municipal Government Act* provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs;

AND WHEREAS the resolution of council to borrow for the capital purposes of: police services; and water systems was approved by the Minister of Municipal Affairs on the 18th day of August, 2015;

AND WHEREAS clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the *Municipal Government Act*, the **Town of Amherst** borrow by the issue and sale of debentures a sum or sums not exceeding **\$2,379,700 (two million, three hundred seventy-nine thousand, seven hundred dollars)** for a period not to exceed **15 (fifteen)** years, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the **Town of Amherst** in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of **5.5%**;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the Town of Amherst held on the ____ day of March, 2016.

GIVEN under the hands of the Mayor and the Clerk and under the seal of the Town of Amherst this ____ day of _____, 2016.

5.7. **Citizen Appointments to the Police Commission (2785)**

Moved By: Councillor Lisa Emery

Seconded By: Councillor George Baker

That Council reappoint Harold Miller and William Hiltz to the Amherst Board of Police Commissioners for one year terms expiring March 31, 2017

Motion Carried

5.8. **Citizen Appointment to the Planning Advisory Committee (2790)**

Moved By: Councillor Robert Bird

Seconded By: Councillor Lisa Emery

That Council reappoint Cathy LeBlanc to the Planning Advisory Committee for a one year term expiring March 31, 2017

Motion Carried

5.9. **APD Exercise Equipment (2883) & (2891)**

Moved By: Councillor George Baker

Seconded By: Councillor Frank Balcom

That council approve the transfer of \$9,162 from the Capital Reserve for the purchase of new exercise equipment for the Amherst Police Department, and further, that the 2015-16 Capital Budget be amended to add \$9,162 for the purchase of exercise equipment for the Amherst Police Department

Motion Carried

6. **INFORMATION / DISCUSSION ITEMS**

7. **INTERNAL COMMITTEE REPORTS**

7.1. **Planning Advisory Committee (2884)**

Councillor Balcom reviewed the Planning Advisory Committee report included in the agenda.

7.2. **Amherst Board of Police Commissioners (2885)**

Councillor Emery reviewed the Amherst Board of Police Commissioners report included in the agenda and addressed comments and enquiries from Council.

7.3. **Amherst Youth Town Council (2886)**

Councillor Balcom reviewed the Amherst Youth Town Council report included in the agenda.

8. **EXTERNAL COMMITTEE REPORTS**

8.1. **Cumberland Public Libraries (Verbal Update) (2887)**

Councillor Balcom made a verbal update responding to an enquiry at last month's Council meeting; Councillor Baker had asked what happened to the surplus library books that weren't sold at book sales. According to the Chief Librarian, they let school library staff pick out any books they want that are leftover after the sales and the remainder are donated to the prison, Autumn House, and local nursing homes. They have also sent boxes to Better World Books who sell them and give money to charity. The libraries receive thousands of books in donations and don't have enough room to store them, but they try very hard to place them.

8.2. **Cumberland YMCA (2888)**

Councillor Bird reviewed the Cumberland YMCA report included in the agenda and addressed comments and enquiries from Council.

8.3. **Cumberland Joint Services Management Authority (2889)**

Councillor Emery reviewed the Cumberland Joint Services Management Authority report included in the agenda and addressed comments and enquiries from Council.

CAO added that he attended the presentation to UNSM by representatives from Regional Chairs and the Priorities Group on March 11; it included Enhanced Producer Responsibilities (EPR) and the preferred model; this issue will be coming back to the municipal councils once further information is available, and UNSM will be asking units to express their opinions.

8.4. Northern Region Solid Waste Committee (2890)

Councillor Baker reviewed the Northern Region Solid Waste Committee report included in the agenda.

9. ADJOURNMENT

Moved By: Councillor Lisa Emery

Seconded By: Councillor George Baker

To adjourn at 7:45 PM

Gregory D. Herrett, CPA, CA
Town Clerk and CAO

Robert Small
Mayor