

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, January 24, 2011 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
Roger MacIsaac, Director of Community & Economic Development
Kim Jones, Policy, Research and Human Resources
Rebecca Purdy, Executive Assistant

1. O CANADA

2. HEARINGS / PETITIONS / PRESENTATIONS

2.1 Relay for Life

Sharon Bristol thanked Council for the opportunity to make this address on behalf of the Canadian Cancer Society's Relay for Life; they wanted to recognize the Town of Amherst for its support. Over \$730,000 has been raised by the Amherst Relay for Life since it began in 2004. She presented Mayor, Council and members of staff with t-shirts to be worn on February 4, Relay for Life Kick Off Day. The Relay will be held on June 3.

Mayor Small thanked Sharon and the organizing committee for their efforts and the amount of funds that they have raised. He signed the following proclamation:

WHEREAS each year on the first Friday in June, hundreds of citizens of the Town of Amherst come together in the fight against cancer to join the Relay For Life; and

WHEREAS the majority of citizens of the Town of Amherst have been profoundly affected by Cancer; and

WHEREAS the Canadian Cancer Society contributes to world-class cancer research that addresses prevention, medical and treatment advances, and quality of life; and

WHEREAS the Canadian Cancer Society provides reliable information to people for the prevention, diagnosis and treatment of cancer through money raised in Relay For Life; and

WHEREAS the Canadian Cancer Society provides support programs to cancer patients and their families and the provision of accommodations at The Lodge That Gives for individuals requiring cancer-related appointments in Halifax, Nova Scotia through funds raised in Relay For Life.

NOW, THEREFORE, I, Rob Small, Mayor of Amherst, do hereby proclaim Friday, February 4, 2011 to be **Relay For Life Kickoff Day** in Amherst and urge our citizens and all business, agencies and industries interested in putting an end to this devastating disease to unite on this day by wearing your Relay For Life t-shirt, come forth to join a Relay For Life team, volunteer, or in any other way support this cause. Stand united, wear your t-shirt and join the Fight For Life as we continue to work to eliminate cancer from our lives.

3. CALL TO ORDER

3.1 Amendments to the Agenda – N/A

3.2 Approval of Agenda **M-1101-04
Moved by Deputy Mayor Baker, seconded by Councillor March to approve the agenda as circulated.**

MOTION CARRIED

3.3 Approval of Minutes **M-1101-05
Moved by Councillor Rhindress, seconded by Councillor Angel to approve the minutes of the December 20, 2010 Regular Meeting as circulated.**

MOTION CARRIED

4. REQUESTS FOR DECISION

- 4.1 **By-Law at 1st Reading: Amend Solid Waste By-Law, RFD#2010109** **M-1101-06**
Moved by Councillor Fawthrop, seconded by Councillor March that Council approve first reading of the By-Law to Amend the Solid Waste By-Law to require that all residual garbage be placed in clear bags, allowing one small opaque privacy bag per clear bag, and that the amount of residual garbage bags be reduced from six bags per property to four clear bags per dwelling unit.

CAO presented the following staff report:

As I listened to the presentation from CJSMA Solid Waste Manager Stephen Rayworth at Committee of the Whole and as I listened to the comments from the members of Council and staff as we discussed the issue, I became more and more concerned that we may be proposing to make changes when we have not had the larger discussion about the whole solid waste management strategy.

Upon further reflection I came to the realization that there are, indeed, many more issues which need to be discussed and considered. For example, it is acknowledged by most that much of the issue with source separation arises in the ICI sector. Yet almost all of our discussion and certainly all of our proposed amendments directly impact the residential sector. Further, it is proposed to move to a four bag limit from a limit of six bags when we have a collection contract which allows for six bags. It would seem to me that we should at least be considering deferring the bag reduction to coincide with the expiry of our current contract (fall of 2012) so that we have the opportunity to realize real cost savings in doing so. (We might find that by then the issue I moot because the conversion to clear bags makes it unnecessary to reduce the limit and would have no impact on diversion)

As well there are a host of other issues to be considered, including but not limited to:

- 1) What strategies can we put in place to improve source separation in the ICI sector?
- 2) What can we do in terms of real enforcement of those strategies?
- 3) Should we be enforcing the provisions of the by-law which prohibit scavenging and, if not, should we remove them from the by-law?
- 4) Should we be planning to replace our green bins anytime soon? How should they be funded? How should that be administered?
- 5) Should we consider completely outsourcing the management and administration of solid waste to the CJSMA?

Finally, as Council is aware, there are separate subcommittees of the CJSMA currently working on potential changes to the Inter-Municipal Agreement and on a standardized solid waste by-law for all five units in Cumberland. It may make sense to ask the CJSMA to expedite this work so that all of these issues can be considered in any changes that we may make in our Solid Waste Strategy.

To be clear, I'm not suggesting that we should just drop this issue. I am suggesting that Council should consider tabling first reading of the by-law amendments for a month and consider directing staff to bring back a report to the February Committee of the Whole which sets out some options to address the issues I have raised as well as any that come from the discussion of my comments on a timely basis. There is no sense in amending this by-law now and then again in a few months. Let's do it once and let's do it right.

Motion to Table **M-1101-07**
Moved by Deputy Mayor Baker, seconded by Councillor Rhindress to table this motion.

MOTION CARRIED
ORIGINAL MOTION TABLED

- 4.2 **Appointment of Development Officer, Sharel Longhurst, RFD#2010116** **M-1101-08**
Moved by Councillor Rhindress, seconded by Councillor Fawthrop that Council appoint Sharel Longhurst as Development Officer for the Town of Amherst.

MOTION CARRIED

- 4.3 **Release Right of Way, Lamy Street, RFD#2010117** **M-1101-09**
Moved by Deputy Mayor Baker, seconded by Councillor Angel that Council approve the Release of Right of Way on property located at 16 Lamy Street, and authorize the Mayor and CAO to sign on behalf of the Town.

MOTION CARRIED

RELEASE OF RIGHT OF WAY

Parcel Identifier: 25452103
Releasor: Town of Amherst
 5 Ratchford Street, P.O. Box 516, Amherst, NS B4H 4A1
Releasee: Dean Donald Smith and Kimberley Ann Smith
 22 Lamy Street, Amherst, NS B4H 4C7

THE RELEASOR, in consideration of the sum of One Dollar and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby discharges and releases to the Releasee and the Releasee's successors and assigns the right of way encumbering the those lands and premises identified as PID 25452103, which Grant of Right of Way was registered in the Cumberland County Registry Office on July 11, 1956 in Book 217 at Page 288 as Document Number 759 and directs the registrar to remove the easement from the title register for the specified parcel.

Date: January ____, 2011

SIGNED SEALED & DELIVERED)
 in the presence of:) **TOWN OF AMHERST**
) _____
) Robert Small, Mayor
) _____
) Gregory Herrett, CAO

4.4 Volunteer of the Year M-1101-10
Moved by Councillor Bird, seconded by Councillor Fawthrop that Council select Julia Beal as the Town of Amherst Volunteer of the Year, and James Gaudet as the Town of Amherst Youth Volunteer of the Year, both to attend the Provincial Volunteer Awards Ceremony in Halifax in April 2011.
MOTION CARRIED

4.5 School Boundary Issue M-1101-11
Moved by Councillor March, seconded by Deputy Mayor Baker that,
WHEREAS the Chignecto Central Regional School Board is currently conducting a boundary review for the three elementary schools within the Amherst area, namely Spring Street Academy, West Highland Elementary and Cumberland North Academy; and
WHEREAS this review will set the boundaries of the catchment area for the children attending each school once the replacement for the West Highlands Elementary is opened; and
WHEREAS Amherst Town Council is of the opinion that each and every child living in Amherst should have the opportunity to attend an elementary school within the Town limits;
THEREFORE BE IT RESOLVED that Amherst Town Council request that the Chignecto Central Regional School Board respect the wishes of Amherst Town Council and the expectations of the residents of the Town and set the school catchment area for the three schools in such a manner that any elementary school age child living within the Town of Amherst has the opportunity to attend an elementary school located within the boundaries of the Town.
MOTION CARRIED

4.6 Funding Request: Balanced Living Expo, RFD#2010119 M-1101-12
Moved by Councillor Angel, seconded by Councillor March that Council authorize funding support in the amount of \$250 under the Town's Festivals and Events Policy, for the Balanced Living Expo to be held in Amherst on February 19, 2011.
MOTION CARRIED

4.7 Funding Request: Tae Kwon-Do Association, RFD#2010120 M-1101-13
Moved by Councillor Fawthrop, seconded by Councillor Angel that Council authorize funding support in the amount of \$500 under the Town's Grants to Organizations Policy, to the Amherst and Area Tae Kwon-Do Parents Association to assist with the costs for Melanie Paugh to attend and compete in the World Tak Kwon-Do Competition in New Zealand in March 2011.
MOTION CARRIED

- 4.8 **Town Crier** **M-1101-14**
Moved by Councillor March, seconded by Councillor Rhindress that Council accept, with regret, Mr. Randall's retirement as Town Crier, and that his contribution to the Town of Amherst be appropriately recognized at a later date.

MOTION CARRIED

5. INFORMATION / DISCUSSION ITEMS

5.1 Four Fathers Festival Update

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

On January 11th a meeting took place to discuss and identify plans for the Four Fathers Festival and to discuss how the Town may better support this and other events in the Town. During meeting held in the fall, it was decided that the timing of the festival and the format of festival needed to be changed. The festival needed to be more of a cultural and heritage event and timed to attract a broader base of the community.

The committee has decided that the Four Fathers activities be moved to September and that the Arts, Culture and Heritage community would take the lead role in facilitating activities supported by the Town. September is planned to become Arts, Culture and Heritage Month in Amherst so this would be a logical time for the Four Fathers activities to take place. The Four Fathers Festival would become a slate of activities that relate directly to our culture and heritage that would take place throughout the month with key weekend events. For example, plans are underway for an 18th Century Encampment during the second weekend of September and the Cumberland Museum has plans for the Four Fathers Dinner to be held on September 30th. All activities would be supported by Andrew McGregor, our Arts, Culture and Heritage Coordinator and Town staff with marketing, promotion and in-kind services.

In addition, the committee agrees that there are opportunities to grow or support some additional events in the community including but not limited to the Cross Border Challenge, Victorian Christmas and Fibre Arts Festival. In addition there are opportunities for other activities such as a Winter Festival, possibly another Cross Border activity and something in support to the Blueberry festival similar to what the YMCA proposed in 2010. These all need and can benefit from marketing, promotion and in-kind support.

In addition, a meeting with representatives from various events in the community, including sporting cultural and community events will be organized in February. The purpose of this meeting would be to determine the plans for each of these groups identify any gaps and determine the level of support they require to be successful and to determine what opportunities can be identified to make their event increasingly successful. The overall objective is to have better coordination and communication between these various groups and to ensure these events continue to be successful in our community.

6. STRATEGIC PRIORITIES

6.1 Downtown Action Strategy

Councillor March presented the following update on the Downtown Action Strategy:

As Council is aware, the Province has announced \$500,000 in funding for phase one of the Centre First – Downtown Amherst Action Strategy. Procurement documents for projects being funded in this phase are currently being developed and should be issued by January 28, 2011. The specific projects include:

1. Replacement of decorative street lights for Victoria Street (old ones will be refurbished for use elsewhere);
2. New gateway signage and informational kiosks;
3. New directional signage;
4. Design of new entrance gateways at the Church / Albion Street intersection and the LaPlanche / Lawrence Street intersection (including construction drawings);
5. Design (including public participation) of improvements to Victoria Square (including construction drawings). The public participation will take place in February.

Subject to the terms of the Provincial funding, these projects must be completed prior to March 31, 2011.

7. INTERNAL COMMITTEE REPORTS

7.1 Planning Advisory Committee

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

Architectural Heritage Area Report to PAC

The Planning and Advisory Committee, at its January 10, 2011 monthly meeting, discussed the proposed Architectural Heritage Area Amendment which would regulate new main building construction in the defined Architectural Heritage Area, which includes portions of Victoria Street East, Rupert and Regent Streets. The purpose of the proposed amendment is to ensure new development will be built in a manner sympathetic to the surrounding streetscape and by Development Agreement.

PAC made the following suggestions which staff are currently addressing:

- consideration for regulating design standards along West Victoria, a “phase two” of this initiative;
- regulation of accessory buildings to be built in a manner architecturally sympathetic to the surrounding streetscape;
- development of Design Guidelines to accompany the proposed amendment.

A public meeting was held the evening of January 10th to discuss the proposed Architectural Heritage Area. Generally, the public meeting demonstrated a positive response to the proposed amendments with a number of concerns. The Committee Chair indicated that the concerns raised will be addressed by staff and the Committee at their February meeting. It is possible that the Committee could decide to make another recommendation to Town Council.

Consistent Streetscape Report to PAC :

The Planning Advisory Committee also discussed regulating residential building orientation and setback to facilitate a consistent streetscape to avoid the siting of residential dwellings at the rear of lots and to ensure buildings are oriented towards the street. As well, to ensure buildings on corner lots are designed so both exposed facades are oriented towards the street. PAC made a number of suggestions, which staff are currently addressing and will present at the next meeting of the 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:

Youth Advisory Council met on January 10, 2011 for their monthly meeting. This meeting began with an information session presented by the CED department staff. This session was an overview of service delivery for CED followed by a question and answer period. These information sessions will occur at the beginning of each monthly meeting, and are in accordance with the Youth Advisory Council policy that members should be encouraged to become more familiar with workings of local government through education, participation and involvement.

Youth Advisory Council members will be involved in the 24 hour activity day on February 26, 2011. Kevin Hatheway will sit on the planning committee for this event. Members divided into working groups, and each group will focus on an agenda item for meeting with Town Council to be held on February 7 in Council Chambers. .

Effective January 11, 2011, Hannah Melanson has resigned from Youth Advisory Council due to other commitments. Hannah has been with the Youth Advisory Council since its inception and we wish her well in her future endeavours.

Council directed that a letter of appreciation be sent to Hannah Melanson.

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:

Name Change

We are now Cumberland Public Libraries! You will be seeing this on new library cards, promotional materials, signage, website, etc. This change will be phased in over the next few months and we will be holding some official launches at a later date, so keep your eyes peeled. We will also be getting an exciting new logo. This is all part of our branding exercise to update the library's image and broadcast our wide range of service.

Computer Classes

With the help of funding from the Community Access Program (C@P) the Cumberland Public Libraries is pleased to present a number of basic computer classes for free at our branches throughout the county. For more information on our classes call your local library.

Statistics

In the months of October and November, Cumberland Public Libraries signed out over 20,000 items to residents of Cumberland County, that includes books, magazines, movies, TV shows and more; an increase of over 3% from 2009.

Downloadable Audiobooks & E-books

In November, over 70 items were checked out digitally from our website. The downloadable audiobooks and e-books collection includes everything from the latest fiction to self-help to books for children and teens. Check out what's available on the library's webpage (www.crl.library.ns.ca).

Did you know...

...that Books By Mail is a FREE library outreach service provided for residents of Cumberland County who are unable to visit our branch libraries. In order to qualify for Books By Mail service, you must live five kilometers or more from one of our branch libraries, or be physically unable to visit the library. For more information take a look at Services on our webpage (www.crl.library.ns.ca).

8.2 CREDA

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

On January 20th CREDA received funding to complete Phase II of a multi-year, phased approach to the restoration of the Thinkers Lodge National Historic Site in Pugwash. The major funding for the \$1.1 million Phase II consisted of \$750,000 from ACOA and \$100,000 from Parks Canada. This part of the complete project will include interior restoration of the Thinker's Lodge building and enhancement of the grounds. It will also include the development of an interpretive master plan, business plan and marketing strategy addressing operational requirements and public access.

The magnitude and international significance of the site, once restoration work is completed, will have a strong global impact. It is truly a unique site steeped in history. Pugwash is famous for being the site of an international conference of scholars organized by [Bertrand Russell](#) in 1957, and hosted by Pugwash's native son, steel magnate [Cyrus Eaton](#) (1883–1979), at the lodge on his estate located just north of the village. This conference brought high-level scientists from both sides of the [Cold War](#) divide to state their opposition to [nuclear weapons](#). The vision for the site includes its value as a tourism destination and significant opportunities for conferences and on-site educational opportunities.

When I think of the value of Thinkers Lodge I am remind of the philosopher Santayana who said the memorable words: "Those who cannot remember the past are condemned to repeat it."

Recently, CREDA received its Mid Year scoring from the Department of Economic and Rural Development. Again CREDA's scoring rates exceed expectations. Some of the rating comments from the evaluators include:

- CREDA continues to be fully engaged with the community and sets goals that are ambitious and delivers on stated objectives;
- CREDA has enthusiastically and successfully undertaken on world calibre projects.
- CREDA continues to not only meet but exceed the targets set out in its 2010 Business Plan.
- There appears to be excellent strength in both board and staff.
- CREDA delivers on ambitions.

8.3 DARS - Nil Report

8.4 CJSMA

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

Both the Inter-municipal Agreement Committee and the Inter-municipal Bylaw Committee continue to meet and make progress on their mandates. The next meeting of these Committees is scheduled for February 3, 2011. The Agreement Committee is working towards modifying the Inter-municipal Agreement which governs the CJSMA in order to improve its operations and implement some of the recommendations of the recently completed Regional Solid Waste Study. The Bylaw Committee is working towards recommending changes to each member municipality's solid waste bylaw in order to streamline operations, and implement some of the recommendations of the recently completed Regional Solid Waste Study.

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 next meeting of the Northern Region Solid Waste Committee is scheduled for March 3, 2011 in East Hants.

The Committee has been notified by the Resource Recovery Fund Board (RRFB) that there are changes to the Municipal Approved Funding Program for the upcoming year. These funds will now be tied to our diversion rate and will not require an application or approval from the RRFB.

While this change makes the funding source more 'secure' it is likely that the total amount of funding available will be less than previous years. In addition, this fund will now pay for 100% of a project, as opposed to the previous 50% cap. This year we used this fund to hire two people to pick up litter throughout the Town.

8.9 **VON**

Deputy Mayor Baker presented a verbal report on behalf of the Victorian Order of Nurses, highlighting statistics on the various programs carried out by the organization.

10. **ADJOURNMENT**

Prior to adjournment, Mayor invited everyone to come out to the PANS Hockey Game on January 27.

On motion by Councillor Rhindress the meeting adjourned at 8:15 PM.

APPROVED BY:

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

Robert Small
Mayor

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