

## Regular Council Meeting Minutes

**Date of Meeting:** Monday, March 26, 2012  
**Location:** Council Chambers, Town Hall

**Members Present:** Mayor Robert Small  
 Councillor George Baker  
 Councillor Robert Angel  
 Councillor Robert Bird  
 Deputy Mayor Dale Fawthrop  
 Councillor David March  
 Councillor Terry Rhindress

**Staff Present:** Greg Herrett, CAO  
 Vince Arbing, Treasurer  
 Ben Pitman, Director TPW  
 Jason MacDonald, Director Planning  
 Bill Crossman, Fire Chief  
 Charles Rushton, Chief of Police  
 Rebecca Purdy, Executive Assistant  
 Kim Jones, Policy and HR

1. O'CANADA

3. CALL TO ORDER

3.1. Amendments to the Agenda

3.2. Approval of the Agenda

Moved By: Councillor George Baker  
 Seconded By: Councillor Robert Angel  
 That the agenda be approved as circulated.

Motion Carried

3.3. Approval of Minutes

Moved By: Councillor Terry Rhindress  
 Seconded By: Deputy Mayor Dale Fawthrop  
 That the minutes of the February 27, 2012 regular meeting of Council be approved as circulated.

Motion Carried

4. REQUESTS FOR DECISION

4.1. Dog By-Law

Moved By: Councillor Robert Angel  
 Seconded By: Deputy Mayor Dale Fawthrop  
 That Council approve second reading and enactment of the new Dog By-law, which repeals and replaces the existing by-law approved by Council on July 16, 2010.

Amendment:

Moved By: Councillor Robert Angel  
 Seconded By: Councillor David March

That paragraph 4.3 of the proposed Dog By-law be amended by removing the word "shall" after the words "Chief of Police" and by removing the words "section 4 and 4.1 of" before the words "this by-law."

Amending Motion Carried

**Amendment:**

**Moved By: Councillor Robert Angel**

**Seconded By: Councillor David March**

That the proposed by-law be amended at paragraphs 10.1 and 10.2 by removing the words "the Amherst Veterinary Clinic" and replacing them with the words "a veterinary clinic".

Amending Motion Carried

**Amendment:**

**Moved By: Councillor George Baker**

**Seconded By: Councillor Terry Rhindress**

That paragraphs 18 (c) and (d) be removed from the by-law

Amending Motion Defeated

**Motion to Table:**

**Moved By: Deputy Mayor Dale Fawthrop**

**Seconded By: Councillor George Baker**

To table

Motion Carried  
Original Motion Tabled

**Recorded**

Robert Small	Yes	
George Baker	Yes	
Robert Angel		No
Robert Bird		No
Dale Fawthrop	Yes	
David March	Yes	
Terry Rhindress	Yes	
<b>Results</b>	<b>5</b>	<b>2</b>

**4.2. Transient Automobile Vendors By-law**

**Moved By: Councillor George Baker**

**Seconded By: Councillor David March**

That Council approve second reading and enactment of a by-law to amend the Transient Automobile Vendors By-law in order to reduce the fee for RVs and travel trailers from \$2,000 per day to \$1,000 per day.

Motion Carried

**Town of Amherst**

**By-law to Amend the Transient Automobile Vendors Bylaw P-6-2**

1. This is a by-law to amend the Transient Automobile Vendors By-law with respect to the matter of the daily licence fee for RV and Recreational Travel Trailer dealers.
2. In the Transient Automobile Vendors By-law the following section is deleted:  
Section 6  
(1) The fee for the License shall be Two Thousand Dollars (\$2,000.00) per day.

And to be replaced with:

Section 6

- (1) The fee for the License shall be Two Thousand Dollars (\$2,000.00) per day, except for Dealers selling motor homes, RVs and / or recreational travel trailers, for which the fee for the Licence shall be One Thousand Dollars (\$1,000.00) per day.

**4.3. Smoke Free Recreational Spaces By-law****Moved By: Councillor David March****Seconded By: Councillor Robert Angel****That Council approve first reading of the Smoke Free Places By-law****Amendment:****Moved By: Councillor George Baker****Seconded By: Councillor Terry Rhindress****That the By-law be amended by deleting section 5, and adding a new section 5 that requires "No Smoking" signs to be erected in all locations referred to in paragraph 4. (a) (b) (c) (d) (f)****Recorded**

Robert Small		No
George Baker	Yes	
Robert Angel		No
Robert Bird		No
Dale Fawthrop		No
David March		No
Terry Rhindress	Yes	
<b>Results</b>	<b>2</b>	<b>5</b>

**Amending Motion Defeated****Motion to Table:****Moved By: Deputy Mayor Dale Fawthrop****Seconded By: Councillor David March****To table****Recorded**

Robert Small	Yes	
George Baker	Yes	
Robert Angel		No
Robert Bird		No
Dale Fawthrop	Yes	
David March	Yes	
Terry Rhindress	Yes	
<b>Results</b>	<b>5</b>	<b>2</b>

**Motion Carried  
Original Motion Tabled****4.4. Community Arts Council Committee Policy****Moved By: Deputy Mayor Dale Fawthrop****Seconded By: Councillor Robert Angel****That Council approve Policy 10350-22 for the creation of a Community Arts Council Committee.****Motion Carried****COMMUNITY ARTS COUNCIL COMMITTEE POLICY #10350-22****PURPOSE:**

To establish a policy for the governance of the Community Arts Council (CAC) Committee to carry out the Arts, Culture and Heritage Strategy.

**BASIS:**

The basis for the CAC Committee comes from the Town's Arts Culture and Heritage Strategy known as Authentically Amherst.

## **ROLE OF COMMITTEE:**

The role of a Community Arts Council Committee is to:

1. Provide advice to the Arts, Culture and Heritage Coordinator;
2. Assist the Coordinator in the implementation of the Arts, Culture & Heritage Strategy;
3. Monitor and evaluate and make recommendations concerning all the Town's plans and policies which are expected to have an impact on cultural life in the community;
4. Increase communication and cooperation amongst the community stakeholders;
5. Take leadership in setting community arts direction;
6. Take an active role in promotion of the arts, culture and heritage community;
7. To act as a liaison between Council and the cultural community;
8. To act as an informed resource for staff and Council by responding to requests for information or advice.

## **MEMBERSHIP:**

1. The Council shall appoint members to the Community Arts Council Committee by resolution.
2. Membership shall include:
  - 2 members of Town Council
  - 4 members at large (one from outside the Amherst Geographic Boundary, but based in Cumberland County)
  - 1 member for the hospitality/accommodation sector
  - 1 member from Amherst Youth Town Council
  - The Mayor will be appointed as an ex-officio member.
  - The Director of Community and Economic Development will be a non-voting member and will participate in meetings as required.
3. The term for public members shall be two or three years, and members may be re-appointed to the Committee.
4. In January of each year, an advertisement for the public member(s) whose term is set to expire that fiscal year shall be placed in the local newspaper.
5. At the beginning of the first meeting of the fiscal year the Committee will elect a chairperson as well as a vice-chairperson. Terms for such shall be one year. The chairperson and vice-chair may be re-elected.

## **STAFF RESOURCES:**

1. The Arts, Culture and Heritage Coordinator is responsible for all functions of the Committee including:
  - a. Calling meetings;
  - b. Taking minutes;
  - c. Distributing reports and other information as required;
  - d. Notifying and contacting public as required; and
  - e. Providing Committee motions to the Chief Administrative Officer for inclusion on the Council agenda.
2. Where additional information or work is required of staff by the Committee the Director of Community and Economic Development will be responsible for prioritizing staff resources, in conjunction with the Chief Administrative Officer when required.
3. Meetings are to be attended by the Arts, Culture and Heritage Coordinator or designate. At the discretion of the Coordinator, other staff may be invited / asked to attend as well. Standing invitations to Committee meetings will be given to the Chief Administrative Officer, the Director of Transportation and Public Works, the Director of Planning and Development and the Director of Community and Economic Development.

## **MEETINGS:**

1. Meetings will be scheduled by the Chairperson in consultation with the Arts, Culture and Heritage Coordinator.
2. All meetings are open to the public
3. Meeting agenda packages are to be delivered to Committee members and the CAO at least 48 hours prior to any scheduled meeting.

**Amherst Town Council may at any time by resolution repeal this policy and therefore release the committee members of their obligations as members.**

### **4.5. General Borrowing Resolution**

**Moved By: Councillor Terry Rhindress**

**Seconded By: Councillor David March**

**That Council approve a general borrowing resolution to authorize the borrowing of certain moneys from the Royal Bank of Canada to meet the current expenditures of the Town for the year ending March 31, 2013.**

**Motion Carried**

**GENERAL BORROWING RESOLUTION**

To authorize the borrowing of certain moneys from the Royal Bank of Canada to meet the current expenditure of the Corporation of the Town of Amherst (hereinafter called "the Corporation") for the year ending March 31, 2013.

**WHEREAS** it is necessary to borrow the sum of \$2,000,000 (two million dollars) from the **Royal Bank of Canada** to meet the new current expenditures of the Corporation until such time as the taxes to be levied therefore can be collected;

**BE IT THEREFORE RESOLVED** by the Municipal Council of the Corporation as follows:

1. **THAT** the Mayor and the Treasurer of the Corporation be, and they are hereby authorized under the seal of the Corporation to borrow from the **Royal Bank of Canada** up to the sum of **\$2,000,000 (two million dollars)** as the same may be required from time to time to meet the now current expenditures of the Corporation which said expenditures has been duly authorized by Council; and
2. **THAT** the said Mayor with the Treasurer aforesaid, be, and they are hereby authorized to pay or allow to the said bank, interest on the sum of **\$2,000,000 (two million dollars)** at a rate of Royal Bank Prime minus ¼% per annum, which may be paid or allowed in advance by way of discount or otherwise howsoever as they may deem best; and
3. **THAT** the said sum of **\$2,000,000 (two million dollars)** so to be borrowed shall be made payable on or before the 31<sup>st</sup> day of March, 2013, and the promissory note or notes of the Corporation, if any, given therefore, if made payable before the said 31<sup>st</sup> day of March, 2013, may be renewed by the said Mayor and Treasurer from time to time, but no renewal thereof shall fall due later than the said 31<sup>st</sup> day of March, 2013; and
4. **THAT** the said promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Mayor and Treasurer of the Corporation be given from time to time as required, in security for the amounts borrowed from time to time under the provisions of this resolution; and
5. **THAT** giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only in indebtedness.

This is to certify that the foregoing is a true copy of a resolution of the Council of the Municipal Corporation of the **Town of Amherst** passed at a meeting of the said Council, duly called and held on the 26<sup>th</sup> day of March, 2012 at which a quorum of the Council was present and voting.

Given under the hands of the Mayor and Treasurer of the Town this \_\_\_\_\_ day of March, 2012

**4.6. Insurance Services Provider**

Mayor Small declared a conflict and excused himself from the Council table for discussion and decision on this issue. Deputy Mayor Fawthrop chaired the meeting in his absence.

**Moved By: Councillor Robert Bird**

**Seconded By: Councillor Terry Rhindress**

**That Council accept the renewal proposal from Barnes Insurance Agency, now known as Archway Insurance, as recommended by the Treasurer, based on satisfactory performance and service, for the renewal period from April 1, 201 to April 1, 2013 at the total premium of \$161,586.**

**Motion Carried**

**4.7. Interim Fire Inspection Agreement**

**Moved By: Councillor George Baker**

**Seconded By: Councillor David March**

**That Council enter into an interim agreement with the Municipality of the County of Cumberland for the provision of fire inspection services, and authorize the Mayor and CAO to sign on behalf of the Town.**

**Motion Carried**

4.8. 12 Havelock Street

Moved By: Councillor Robert Angel

Seconded By: Councillor George Baker

That Council declare that a portion of 12 Havelock Street identified on the attached map "surplus" and direct staff to advertise its availability for lease.

Motion Carried



4.9. Tax Sale By Tender

Moved By: Councillor Terry Rhindress

Seconded By: Councillor David March

That Council accept the tax sale tender received from Brian Hargreaves in the amount of \$1,200 for property located at 38 Cornwall Street.

Motion Carried

4.10. Funding Request - CANSA

Moved By: Councillor David March

Seconded By: Councillor George Baker

That Council approve funding in the amount of \$200 under the Town's Festivals and Events Policy in support of the International Day for Elimination of Racial Discrimination as hosted by CANSA.

Motion Carried

4.11. Funding Request - CCMHA House League

Moved By: Deputy Mayor Dale Fawthrop

Seconded By: Councillor George Baker

That Council approve funding in the amount of \$250 under the Town's Grants to Organizations policy in support of Cumberland County Minor Hockey Association's House League Tournament held March 15 - 18, 2012.

Motion Carried

4.12. Funding Request - Minor Football

Moved By: Councillor George Baker

Seconded By: Councillor Terry Rhindress

That Council approve funding in the amount of \$250 under the Town's Festivals and Events policy in support of Cumberland Minor Football's fitness clinic being held in Amherst from May 23 - 26, 2012.

Motion Carried

**4.13. Funding Request - Brad Blenkhorn**

**Moved By: Councillor Robert Bird**

**Seconded By: Councillor Robert Angel**

**That Council approve funding in the amount of \$500 under the Town's Grants to Organizations Policy for Brad Blenkhorn to compete to be on the National Amputee Hockey Team at the 2012 ISHF World Hockey Championships.**

**Motion Carried**

**4.14. List of Electors**

**Moved By: Councillor David March**

**Seconded By: Councillor George Baker**

**That Council approve entering into an Information Sharing Agreement with the Province of Nova Scotia to use the Provincial list of electors for the preparation of the Town of Amherst Municipal Election to be held October 20, 2012, and authorizes the CAO to sign the Agreement on behalf of the Town.**

**Motion Carried**

**5. INFORMATION / DISCUSSION ITEMS****6. INTERNAL COMMITTEE REPORTS****7.1. Planning Advisory Committee - Nil Report****7.2. Amherst Board of Police Commissioners**

Deputy Mayor Fawthrop presented the following report on behalf of the Amherst Board of Police Commissioners:

The Amherst Board of Police Commissioners met in Council Chambers on March 21, 2012. Highlights of that meeting included:

- A report on the Downtown Liaison Program. Headed by Cst. Tom Wood with the assistance of Cst. Normand Bourque, this program was developed in the fall of 2011 in partnership with the Downtown Amherst Revitalization Society. The ultimate goals of the project are enhancing police service to the downtown core, enhancing the image of the downtown core through police presence, and cementing a positive working relationship with the downtown business owners. Questionnaires were created and distributed to 136 downtown business owners asking a number of questions about the issues affecting the downtown, suggestions to address these issues, views on police presence in the downtown and ideas on how to improve the department's role. There was a 65% return rate on the questionnaires with some excellent feedback. The Department is currently reviewing the feedback and looking at ways to address any concerns that were expressed by the downtown community.
- A preliminary review of the proposed operating budget for 2012-13.
- A review of service awards policy and procedures for members of the Amherst Police Department.
- Amherst Board of Police Commissioners Bursary - Which would enable the Police Commission to budget \$1,000 from its own funds each year to grant a bursary to a graduating Amherst student attending the Atlantic Police Academy.

**7.3. Dangerous and Unsightly Premises Committee - Nil Report****7.4. Amherst Youth Town Council**

Councillor Bird presented the following report on behalf of the Amherst Youth Town Council:

AYTC members were extremely pleased with the participation in their Youth Amazing Race as part of the 24 Hour Physical Activity Day on February 25<sup>th</sup>. Roughly 52 individuals were on the start line for this activity. The top place with a time of 1h18 was a team of grade 9 students, Sadie Jacobs-Peters & Katelyn MacNeil. During the race a suggestion box was set up at the Town Hall checkpoint; all race participants indicated their interest in another race that would be held in the summer. AYTC will look at the possibility of hosting a race during the summer.

The last AYTC meeting was held in Council Chambers on March 5<sup>th</sup>. During this meeting, Cst. Derek Hebert attended to provide insight into APD services as per AYTC policy objective. AYTC members enjoyed conversing with Cst. Hebert and getting to know this officer who they frequently see at ARHS.

AYTC members will be volunteering with the Amherst Food Assistance Network on Saturday April 21<sup>st</sup> for their spring food drive.

The majority of AYTC profiles are now live on the website. These profiles will provide the public a greater understanding of this group and enable them to meet their AYTC members.

The Lawrence Street flower bed, part of the Adopt-a-Garden Program, recently became available for the 2012 summer season. AYTC has volunteered to take on this bed and members will plant the bed and maintain the plants throughout the summer.

The next meeting is April 2<sup>nd</sup>. AYTC members will meet at the Fire Hall for a tour and overview of service delivery and then proceed to Town Hall for their regular meeting.

**7.5. Tree Advisory Committee - Nil Report**

**7.6. Heritage Advisory Committee - Nil Report**

**8. EXTERNAL COMMITTEE REPORTS**

**8.1. Cumberland Public Libraries - Nil Report**

**8.2. Cumberland Regional Development Authority - Nil Report**

**8.3. Cumberland YMCA**

Councillor Fawthrop presented the following report on behalf of the Cumberland YMCA:

- Membership numbers as of March 5 are as follows:  
1015 full paying memberships + 105 subsidized members = 1120 YMCA members!
- 24 Hour Physical Activity Day in the Town of Amherst went very well. The YMCA's scheduled events went smoothly and we had 650+ people through the building participating in this event!
- The Cyclefit SPIN-A -THON [March 29, 05:00PM to 09:00PM] organization is complete. Kits with Registration Form, Sponsorship Sheets, etc. have been distributed to known teams, and extras left at the Front Desk. Target is for 18 teams and twelve have been arranged to date. Instructor sequence is almost finalized. [Proceeds to HFR Department];

A permanent plaque in memory of Corey Bates and Nick Merrill was unveiled in the Wellness Centre Weight Room. The families and the Memorial Fund are strong supporters of our YMCA.

**8.4. Downtown Amherst Revitalization Society - Nil Report**

**8.5. CJSMA**

Councillor Rhindress presented the following report on behalf of the CJSMA:

As everyone is aware the Town of Amherst's clear bag program takes effect May 1 of this year. As of that date, all residual garbage will have to be placed in clear bags when put out for pickup. Sorting rules have not changed; the only change is the color of the bag. An acceptable bag is one that is clear, non-colored, and transparent. Tinted color bags will not be accepted. To address privacy concerns, residents will be able to place one opaque bag, no larger than 20" x 20" within each clear bag. If anyone requires more information on this program please call the Solid Waste Hotline at 667-7743 or attend the public open house on April 4<sup>th</sup> from 2:00 PM until 7:30 PM at the Amherst Fire Hall.

**8.6. Northern Region Solid Waste Committee**

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

Staff from various municipal units and solid waste regions have been meeting periodically over the last few months to develop a single procurement document for green carts which will be used as a standing offer for all of Nova Scotia. The goal of the project is to realize lower procurement costs as a result of bulk purchasing from all Nova Scotia municipal units. Staff expect that we will be able to utilize this standing offer for any green cart needs we have this fiscal year.



**8.7. L. A. Animal Shelter**

Councillor Angel presented the following report on behalf of the L. A. Animal Shelter:

The Annual General Meeting of the L A Animal shelter was held Wednesday March 21, 2012 in the activity room of the Amherst Public Library. The President's annual report included the following items:

- The first cat adopt-a thon was held at the shelter last November with 20 cats being adopted. This helped alleviate the strain on the cat accommodations at the shelter. Cat intake still remains at an all time high.
- The Face Book Fan Club Page is going strong with 782 members. This is a venue which allows Shelter staff and volunteers to interact with the public. Throughout the week people are updating activities about dog and cats, shelter events, meeting notices and feedback and success stories from many of the shelters "forever homes".
- Equal in importance is the second Face Book, on line auction, that has 1107 members .Developed and operated by Jo-Ann Livingston to date it has generated an income of\$12,917.00 the shelter.
- The first annual Jessie Payne memorial dog walk held last May from the Amherst Rotary Park raised \$3,160.00 The Second Annual walk is scheduled for Sunday May 27<sup>th</sup> from Rotary Park in Amherst. A walk pledge sheets available and the branch will match the amount they personally collect, up to \$5000.00 This branch is also sponsoring a basket raffle containing a variety of items with a total value\$354.00 The draw will take place at the Jessie Payne memorial dog walk at Rotary park on May 27<sup>th</sup> during the walk.
- Two sets of stainless steel cat cages were purchased recently to create a cleaner and more sanitary environment and greater ease for cleaning the cat cages. The total cost was \$8,706.
- There was a unique case of two puppies being surrendered to the shelter by their owners. Both dogs needed surgery to have one leg amputated. With the outpouring of support from the community enough funds were raised to save the puppies with \$2,238.00 raised .Expenses for both came to \$1,293.00 with \$944.00 in reserve for the emergency dog fund for the next extenuating circumstance that happens outside the jurisdiction of daily shelter operations.
- The Shelter has applied for a Federal student assistant grant for the 2012 summer student work program . If successful, Applications will be available through the shelter office.

Dog tag licenses from the Town of Amherst for the past Shelter fiscal year, January to December 2011, amounted to \$3,945. At 15 per license, this translates into the sale of 263 dog licenses. The Town, under a MOU with the Shelter, will reimburse the Shelter for all dog tag sales up to the amount of \$10,000. As a reminder to all dog owners in the Town of Amherst, the Amherst Dog By-law states that all dogs must be licensed annually by April 1<sup>st</sup> of each year. You may license your dog at Town Hall or at the LA Animal Shelter. Please bring proof of spay or neutering of the dog; if no certificate is provided the licensing fee is \$30.

**9. ADJOURNMENT**

Prior to the adjournment, Mayor Small took the opportunity to point out a few highlights: He congratulated this community, saying it amazes him every weekend with the amount of money raised for so many different things; Amherst truly is a giving community; He extended best wishes to the Amherst Superstore in their effort to set a Guinness World Record for parmesan cheese cracking, as was held over the weekend; He congratulated Amherst's Speedy Autoglass for being the number one auto glass service facility in Atlantic Canada, and Poly Cello on their upcoming expansion. He said he was pleased that the West Highlands School replacement will be discussed again.

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

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Gregory D. Herrett,CA  
Town Clerk and CAO

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Robert Small  
Mayor