

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, November 28 , 2005 at 7:00 P.M.**

PRESENT: Mayor Jerry Hallee
Deputy Mayor David March
Councillor Robert Angel
Councillor George Baker
Councillor Ed Chitty
Councillor Dale Fawthrop
Councillor Terry Rhindress
Greg Herrett, Chief Administrative Officer
Rebecca Purdy, Executive Assistant

1. O'CANADA

2. PRESENTATIONS/PUBLIC HEARINGS

1) Public Hearing on Proposed By-Law to Repeal Swimming Pool By-Law

There were no presentations or submissions.

3. CALL TO ORDER

Mayor Hallee called the meeting to order at 7:00 P.M.

4. BUSINESS ITEMS

1. Additions to the Agenda

2. Approval of the Agenda

Moved by Councillor Baker, seconded by Deputy Mayor March that the Agenda be adopted as circulated.

MOTION CARRIED

3. Approval of Minutes

Moved by Councillor Baker, seconded by Deputy Mayor March that the Minutes of the October 24, 2005 Regular Meeting be approved as circulated.

MOTION CARRIED

4. Presentation of Audited Financial Statements

Gary Bickerton presented the audited financial statements on behalf of Jorgensen & Bickerton inc.

General Operations

The Town ended the March 31, 2005 fiscal year with an operating surplus of \$14,969. Revenues for the year totaled \$12,422,467 compared to budgeted revenues of \$12,504,105, a decrease of \$81,638. Expenditures for the year totaled \$12,407,498 compared to budgeted expenditures of \$12,504,105, a decrease of \$96,607.

General Capital Operations and Water Capital Operations

During the year, the Town spent \$1,885,210 on capital purchases, \$379,995 for the water department and \$1,505,215 for general purposes. These purchases were financed as follows:

Reserve funds	\$	495,695
Capital borrowings		805,250
General operations		484,025
Other		14,750
Capital lease		85,490
	\$	<u>1,885,210</u>

Water Operating

The water operations ended the March 31, 2005 fiscal year with a surplus of \$2,176 compared to a budgeted surplus of \$75,000, a decrease of \$72,824. Revenues for the year totaled \$1,332,500 compared to budgeted revenues of \$1,341,500, a decrease of \$9,000. Expenditures for the year totaled \$1,330,324 compared to budgeted expenditures of \$1,266,500, an increase of \$63,824. The loss was largely the result of increased cost in the transmission and distribution and the administrative cost centres. The water operating fund is presently carrying a deficit of \$1,041,214, which will be covered in future years via rate increase.

Reserve Funds

The Town presently has funded Reserves totaling \$810,258. During the year these Reserves were increased by a net amount of \$389,825, which was used to contribute towards the funding of capital purchases.

Long Term Debt

The outstanding long term debt as of March 31, 2005 was \$3,716,872. During the year new debt in the amount of \$805,250 was issued. \$667,168 was paid on existing debt and \$192,708 interest cost was incurred. The new debt was issued to finance various capital purchases as detailed on page 31 of the financial statements. Of the total outstanding debt, \$40,000 is payable to the town Reserve Funds leaving a balance of \$3,676,872 payable to the Municipal Finance Corporation.

Overview

Internal reports and accounting records were accurately prepared and maintained on a timely basis, thanks to all those staff and management that were involved in the day to day operations and recording of same in the financial records from which Financial Statements are prepared.

Moved by Deputy Mayor March, seconded by Councillor Fawthrop that Council accept the Audited Financial Statements for the year ended March 31, 2005.

MOTION CARRIED

5. Second Reading, By-Law to Repeal the Swimming Pool By-Law By-Law

Moved by Councillor Rhindress, seconded by Deputy Mayor March that Council approve Second Reading of By-Law D-8 (A), a by-law to repeal the Swimming Pool By-Law, D-8, which was replaced by Section 4.26 of the Land Use By-Law on August 11, 2005.

MOTION CARRIED

**TOWN OF AMHERST
BY-LAW TO REPEAL THE SWIMMING POOL BY-LAW**

1. The purpose of this by-law is to repeal the Swimming Pool By-Law, D-8, dated December 10, 1979, which was replaced by Section 4.26 of the Land Use by-Law on August 11, 2005.

6. Tenders

1) Sale of Surplus Vehicles

Moved by Councillor Chitty, seconded by Councillor Baker that Council accept the recommendation from Administration to award the tenders for the sale of surplus vehicles to the following:

1994 ¾ tonne Chev to Charlie McInnis at his high bid of \$832;

1989 one-tonne dual wheel Ford bucket truck to Allan McInnis at his high bid of \$710;

1997 Crown Victoria to Allan McInnis at his high bid of \$275.

MOTION CARRIED

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2) **Fuel Tender, 2005-2007**

Moved by Councillor Chitty, seconded by Councillor Rhindress that Council accept the recommendation from Administration to award the tenders for gasoline/diesel and furnace oil/stove oil for Town-owned buildings and equipment as well as they YMCA and the Cumberland Joint Services Management Authority at Little Forks to the low bidder, Imperial Oil, at their tender price of 2.5 ¢ per litre above and beyond the Halifax Rack Price for each of gasoline, diesel, stove oil and furnace oil, and that the contract with Imperial Oil be effective as of December 5, 2005 for a two-year period.

MOTION CARRIED

7. **Planning Advisory Committee Recommendations**

1) **35 Poplar Street, By-Law to Amend the Land Use By-Law P-2-1**

Moved by Councillor Chitty, seconded by Councillor Angel that Council accept the recommendation from the Planning Advisory Committee and approve First Reading of the By-Law to Amend the Land Use By-Law, Number P-2-1, to rezone 35 Poplar Street from Institutional to General Residential.

MOTION CARRIED

TOWN OF AMHERST
BY-LAW TO AMEND THE LAND USE BY-LAW, P-2-1

1. The purpose of this by-law is to amend the Land Use By-Law of the Town of Amherst with respect to the matter of the application of the General Residential zone to the property identified by PID 25027616 on Poplar Street.

2. In the Land Use By-Law, Schedule A (the Zoning Map) is hereby amended by applying the General Residential Zone to the property identified by PID 25027616 on Poplar Street.

2) **Public Notification Policy**

Moved by Councillor Chitty, seconded by Deputy Mayor March that Council accept the recommendation from the Planning Advisory Committee and adopt a new **Public Notification Policy, Number 260-04.**

MOTION CARRIED

**TOWN OF AMHERST POLICY, NUMBER 260-04
PUBLIC NOTIFICATION POLICY**

POLICY STATEMENT:

To establish a public notification policy for the adoption of the Municipal Planning Strategy, Subdivision Bylaw, Land Use Bylaw, Development Agreements and amendments thereto, as well as the issuance or denial of variances and site plans.

AUTHORITY

This policy is intended to carry out the notification requirements of the Town's Public Participation Policy as well as Municipal Government Act Sections 232, 236 and 237 (Site Plans, Variance Procedures and Variance Appeals and Costs) and Section 206 (Public Hearings).

The Director of Planning and Development, or his designate, will draft the required notifications and be responsible for the administration of this policy.

POLICY:

Public Participation Session

1. The required newspaper ad will appear in the Amherst Daily News at least 6 days and no more than 13 days prior to the session.

2. When notification is required for surrounding properties, such notification will be hand delivered to each dwelling unit and commercial business at least 6 days and no more than 13 days prior to the session.
3. When notification is required for all assessed property owners, such notification shall be sent by regular mail at least 13 days and no more than 20 days prior to the session.
4. When a public participation session is the result of an application by an individual(s) or business(s) notification of the session will be sent by registered mail at least 13 days and no more than 20 days prior to the session to the applicant.

Public Hearing

1. An advertisement sufficient to satisfy Section 206 of the MGA will be forwarded to the Chief Administrative Officer who will have the ad published in the Amherst Daily News once a week, for two successive weeks, the first of which shall be published at least fourteen days before the date of the public hearing.
2. When a public hearing is the result of an application by an individual(s) or business(s) notification of the session will be sent to the applicant by registered mail at least 13 days and no more than 20 days prior to the public hearing.
3. One copy of the relevant staff report(s) will be provided to the Chief Administrative Officer at the same time as the advertisement for the public hearing. At least 10 copies of the relevant staff report(s) will be provided to the front counter for public distribution.

Variance / Site Plan

1. Within seven days after granting a variance or a site plan, the development officer shall give notice in writing of the variance or site plan granted to every assessed owner whose property is within thirty metres of the applicant's property. Such notice shall be sent by regular mail.
2. Within seven days after refusing a variance or site plan, the development officer shall give written notice of such refusal to the applicant. Such notice shall be by registered mail.
3. Where an applicant appeals the refusal to grant a variance or site plan, the development officer shall send a notification to all assessed property owners within 30 metres of the subject property by regular mail at least 13 days and no more than 20 days prior to the hearing. The applicant shall be notified of the hearing by registered mail at least 13 days and no more than 20 days prior to the hearing.

Documentation and Coordination

1. The Operational Services Administrative Assistant shall be responsible for filing all correspondence and proof of such correspondence associated within this policy.
2. A copy of any draft newspaper ad as well as the covering letter sent to the newspaper shall be kept in the subject file; copies of the actual ad as it appeared in the paper shall be clipped and saved in the file.
3. A list of all assessed property owners who were mailed a notification shall be placed in the file, the date of mailing shall also be included as well as the name of the mailer;
4. A map showing all properties which received a hand delivered notification shall be kept in the file. This map shall contain the date that the notifications were dropped off, and be signed by the individual undertaking the task.
5. A copy of the registered mail delivery confirmation shall be kept on file.

8. Requests for Participation in CREDA Sub-Committees

Moved by Councillor Angel, seconded by Councillor Rhindress that Council accept the recommendation from Administration and make appointments to represent the Town of Amherst on CREDA Sub-Committees as follows:

Councillor Dale Fawthrop to the Joggins Fossil Cliffs Advisory Board;

Mayor Hallee to the Repopulation Strategy Sub-Committee and the Beaubassin Development Sub-Committee.

MOTION CARRIED

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9. **Application Support – Community Investment Support Program**

Moved by Councillor Fawthrop, seconded by Councillor Angel that Council accept the recommendation from Administration and support the efforts of the Cumberland Regional Economic Development Association in applying for funding support under the Community Investment Support Program, a federal initiative to help Canadian communities attract, retain and expand employment-creating foreign direct investment.

MOTION CARRIED

10. **Amherst Stadium Addition and Renovation Process**

Moved by Councillor Fawthrop, seconded by Councillor Chitty that Council accept the recommendation from Administration and commence the Amherst Stadium Addition and Renovation Project in the spring of 2007, once all opportunities for partnerships and funding are fully explored.

MOTION CARRIED

11. **December Council Meeting**

Moved by Deputy Mayor March, seconded by Councillor Baker that Council accept the recommendation from Administration and change the next regular monthly meeting of Council to *Monday, December 19, 2005* at 7:00 P.M.

MOTION CARRIED

12. **Divestiture of R. B. Dickey Elementary School**

Moved by Deputy Mayor March, seconded by Councillor Chitty that:

WHEREAS Council has declared the former R. B. Dickey School property (PID 25041666) surplus to its needs; and

WHEREAS Council has advertised a Request for Proposals for the subject property in the local and Nova Scotia and New Brunswick provincial newspapers; and

WHEREAS Callaghan & Weatherbee Land Development Limited was the only respondent to the Requests for Proposals which satisfied all the terms of the said Request for Proposals; and

WHEREAS Council has received an appraisal from a certified Nova Scotia Real Estate Appraiser that the value of the land is \$95,000, as well as an estimate of the cost of demolition of the building on the property for \$112,900 from a qualified demolition company; and

WHEREAS all respondents to the Request for Proposals for the sale of the property bid \$1 for the said property; and

WHEREAS given the above information, Council is of the opinion that the sale price of \$1 represents market value of the property;

THEREFORE BE IT RESOLVED that Council authorize the Mayor and Chief Administrative Officer to enter into a Purchase and Sale Agreement between the Town of Amherst and Callaghan & Weatherbee Land Development Limited.

MOTION CARRIED

THIS AGREEMENT of Purchase and Sale made this day of November, 2005.
BETWEEN:

**CALLAGHAN & WEATHERBEE LAND DEVELOPMENT
LIMITED**

Hereinafter called “the Purchaser”

- and -

THE TOWN OF AMHERST,

Hereinafter called “the Vendor”

Property

1. The Vendor agrees to sell and the Purchaser agrees to purchase from Vendor a lot of land owned by the Vendor being land located on Dickey Street (PID 25041666), in the Town of Amherst, County of Cumberland and Province of Nova Scotia, being the former RB Dickey Elementary School property, herein called “the property”.

Purchase Price

2. The purchase price of One Dollar (\$1.00) Dollar.

Deposit

3. The Purchaser does not submit a deposit with this offer.

Date of closing

4. The sale shall be completed on or before the 21st day of December, 2005.

Deed

5. The Vendor shall convey title to the property by deed without covenants. The Purchaser shall have until 14 days prior to the date of closing to examine the title and if valid objection is made in writing to the Vendor which the Vendor is unable or unwilling to remove, remedy or satisfy and which the Purchaser will not waive, this agreement notwithstanding any immediate acts or negotiations in respect of such objection shall be at an end and all monies theretofore paid shall be returned with the interest earned as described heretofore, and the Vendor shall not be liable for any costs or damages. Except for any valid objection to title made by the 14 days prior to closing, the Purchaser shall be conclusively deemed to have accepted the Vendor’s title to the property.

Vendor’s obligations

6. The completion of the purchase by the Purchaser is conditional upon:
 - a) The Vendor passing a resolution approving of the within sale;

Purchaser’s Obligations

7. The Purchaser covenants and agrees with the Vendor as follows
 - a) To purchase the property on an as is basis;
 - b) To assume responsibility and to remediate any past or present environmental issues as may be determined as a consequence of any environmental assessment or inspection;
 - c) To be responsible for all survey costs associated with the transfer of the land and the subsequent development;
 - d) To be responsible for all costs associated with migrating the property to the land registry system, under the Land Registration Act;
8. The Purchaser further covenants and agrees with the Vendor within 120 Days from the date of closing or at a time as otherwise specified herein:
 - a) To demolish and remove the Buildings and structures forming the R. B. Dickey Elementary School presently situate on the Vendor’s property and to remove all demolition debris no later than April 30, 2006. Any infrastructure not salvaged from the property is to be disposed of at a provincially certified C & D waste site.

Should the Purchaser fail to meet the deadline as set out herein for the demolition to be completed, the purchaser shall pay to the vendor the sum of \$200/ day for each day by which the deadline is exceeded and if the deadline is exceed by 30 days the Vendor may exercise the option as set out in Paragraph 8 to require the Purchaser to reconvey the property to the Vendor;

- b) To submit an application for a residential subdivision development and proposed street on or before May 30th, 2006;
 - c) To grant to the Vendor a six (6) metre wide easement over the existing sanitary sewer line running along the east end of the property and if required, the existing storm sewer line may be re-located at the purchaser's expense, and the new storm sewer line must satisfy the Vendor's specifications for such infrastructure;
 - d) To provide a storm drainage plan to the Vendor prior to the development and or re-location of the existing storm sewer line on the property;
 - e) To develop the subject property in general conformance with the attached plan, minor deviations from the site plan shall be permitted provided the number of lots does not change and the deviations are in conformity to all polices and bylaws of the Vendor. There shall be no restrictive covenants on the property, limiting the minimum size of a dwelling.
 - f) To commence construction of the proposed street no later than May 30th, 2006, and to have the street completed, opened and dedicated for use as a public highway on or prior to July 30th, 2006. This street is to be completed in accordance with the street construction standards of the Town of Amherst;
 - g) To install any water main, hydrants sewer mains or other utilities together with lot services for any building lot and residence being erected on the lands and in accordance with any development plan and bylaws of the Vendor. This installation is to be completed to the satisfaction of the Engineer of the Town of Amherst;
 - h) The Purchaser shall ensure that all necessary steps are taken to ensure environmental protection during construction and completion of the road-way and other aspects of the development, of any nearby stream, brook or other waterway; and
 - i) The Purchaser is to have no less than eight (8) of the proposed residential building lots available for purchase directly to the general public no later than August 31st, 2006. Such lots are to remain available for purchase to the general public for a period of not less than twelve (12) months.
 - j) The Purchaser shall take reasonable measures to mitigate the effects of dust, noise and other objectionable impacts on adjacent property during the demolition of the building on the site.
9. On closing date the Purchaser shall execute an agreement with the Vendor containing the terms and conditions as set out in Paragraph 7 and further providing that if those terms have not been met, the Purchaser shall execute and deliver a warranty deed conveying the said property free from other encumbrances, to the Vendor and to be liable to the Vendor for all costs incurred by the Vendor for completion of any construction, demolition or cleanup.
10. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this agreement except as expressed herein.
11. Transfer of title shall be shall be by deed without covenants prepared by the Vendor's solicitor. The Vendor shall not provide a warranty of title except that it has done nothing to encumber the property.

Notices

- 12. All notices hereunder shall be in writing and shall be delivered either personally or by facsimile transmission, addressed to the parties as follows:

To the Purchaser: Callaghan & Weatherbee Land Development Limited
 14269, Route 4
 Wentworth, N.S., BOM 1Z0

To the Vendor: The Chief Administrative Officer
 The Town of Amherst
 P.O. Box 516
 Amherst, N.S., B4H 4A1

Time

- 13. Time shall in all respects be of the essence hereof provided that the time for doing or completing any matter provided for herein may be extended or abridged by an agreement in writing signed by the Vendor and the Purchaser or by their respective solicitors who are hereby expressly appointed in this regard.

Tender of Money

- 14. Any tender of documents or money hereunder may be made upon the Vendor or the Purchaser or the respective solicitors on the date of closing. Money may be tendered by bank draft or cheque certified by a Canadian chartered bank or trust company.

Telefacsimiles and Reproduction

- 15. The Vendor and Purchaser agree that this offer to purchase when executed and the executed acceptance thereafter may be communicated by telefacsimile and that such agreement shall be legal and binding upon the parties hereto. The Vendor and Purchaser further agree that reproduction of signatures by telefacsimile will be treated as originals.

Governing Law

- 16. This agreement shall be governed by and interpreted in accordance with the provisions of the laws of the Province of Nova Scotia.

Binding

- 17. This agreement shall be binding upon and enure to the benefit of the Vendor and Purchaser and their respective heirs, executors, administrators, successors and assigns, except as otherwise herein provided.

Headings

- 18. Section headings herein are for ease of reference only and shall not be considered as part of this agreement.

5. ADDITIONAL ITEMS

6. INFORMATION ITEMS

1. Report on Crows

Jason MacDonald, Director of Planning and Development submitted the following report:

In response to a request from Council, staff have researched options the Town has in order to deal with an influx of crows, which are causing a nuisance in certain parts of Town.

The Town of Kentville has been dealing with an influx of significant number of crows for some time. They have utilized a machine called a Phoenix Wailer to scare off the birds. These machines are programmed to send crow distress signals and crow predator sounds between the hours of 4 and 7 pm, which are intended to scare off the birds. In combination with the above noted machines, the Town of Kentville also scares the birds off with starter pistols. These pistols do not hurt the birds, but are immediately effective in getting the birds to move on. For maximum effectiveness, a combination of the two methods is used. Furthermore, it is best to scare off the birds before they nest for the winter, during the month of December.

The Town of Kentville has graciously offered to lend us one of their Phoenix Wailers. Staff will also look into having an employee use a starter pistol to scare the birds. As a final note, the public should be notified of the Town's actions prior to undertaking this project.

2. Report on Vacant Buildings

Jason MacDonald, Director of Planning and Development submitted the following report:

In response to a request from Council, staff has researched options the Town has in order to deal with a number of vacant buildings within the central business district of Town. Staff have reviewed the Municipal Government Act and contacted officials with Service Nova Scotia and Municipal Relations and it seems that Council's options to require that buildings be actively used are very limited.

Council does have one option to deal with a side product of this issue, that is, the boarding up of vacant buildings. Specifically, MGA Section 172(1) states: a council may make by-laws for municipal purposes, respecting the condition or maintenance of vacant buildings, And may

- (i) adopt property maintenance and performance standards;*
- (ii) prescribe the manner in which buildings or structures may be secured by owners or the municipality; and*
- (iii) limit the length of time that buildings or structures may remain boarded up.*

Should Council intend to pursue this issue further, staff will have to consult legal advice and research the issue further. A draft by-law could be prepared for Council's consideration in the near future.

Moved by Councillor Rhindress, seconded by Councillor Fawthrop that Council direct staff to continue the process by further researching this issue and preparing a draft by-law for Council's consideration in the near future.

MOTION CARRIED

3. Report on Transient Vendors

Jason MacDonald, Director of Planning and Development submitted the following report:

In response to a request from Council, staff have researched options the Town has in order to deal with out of town mobile vehicle vendors. Section 172(1)(f) of the Municipal Government Act permits Council to enact a by-law regulating "business, business activities and persons engaged in business." Section 172(2)(e) allows council, in such a by-law, to provide for a system of licenses, permits, or approvals, including any or all of:

- (i) establishing fees for licenses, permits or approvals, including fees for licenses, permits or approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue, which fees may be set or altered by policy;....*

- (iii) *providing that terms and conditions may be imposed*
- (v) *providing for the duration of licenses, permits and approvals....”*

It is clear from the legislation that Council has the authority to adopt a by-law regulating out of town mobile vehicle vendors. Within such a by-law, Council may establish fees for such operations as well as set out terms and conditions for the operation. Should Council desire, staff can have such a by-law drafted for Council's consideration in the near future.

Moved by Councillor Chitty, seconded by Councillor Angel that Council direct staff to draft a by-law addressing this issue, for Council's consideration.

MOTION CARRIED

4. Monthly Reports

1) Planning and Development Department

Councillor Baker presented the following monthly report from the Planning and Development Department:

Building Activity

As of October 31, 2005 the total value of building permits issued in the Town was \$4,574,130 compared to \$7,996,810 last year. During the last month, two new three-unit residential buildings were constructed, for a total of 32 new residential units so far this year.

Unsanitary Premises

So far this year we have had 66 complaints, 63 of which have been resolved. There have been 10 Orders issued to properties; only two Orders remain outstanding.

Staff Training

Andrew Milton, our Geographic Information Systems Technician recently attended a GIS course in Halifax, which covered database design and internet based GIS. The Department is looking into making our GIS data available on the Town website. The Director recently attended a basic emergency measures training course in order to provide support to the emergency operational centre in the event of an emergency in the Town.

Heritage

The Nova Scotia Voluntary Planning Heritage Strategy Task Force held a meeting in Amherst on November 16, in order to obtain public input on the development of a province-wide heritage strategy. The Town's Heritage Advisory Committee submitted a verbal presentation detailing their concerns to the Task Force at the meeting. Council will be kept up to date on the development of the strategy and its impact on the Town of Amherst. At a recent meeting of the Heritage Advisory Committee, it was decided that the Committee will ask Council to provide it with a formal Terms of Reference as well as a mandate to develop a program to preserve the heritage of the Town. Staff will research this subject and provide advice to Council on the matter.

2) Corporate Services Department

Deputy Mayor March presented the following monthly report from the Corporate Services Department

Monthly Expenditures

Expenditures during the month of October 2005 totaled \$1,121,699 compared to \$1,080,776 for the same month last year.

Yearly Operating Statement

As of October 31, 2005 we are 7 months into our fiscal year. Our total revenue to date is \$11,399,499 compared to the budgeted amount of \$11,479,924. Our total expenditures to date are \$6,793,333 compared to the budgeted amount of \$7,169,588.

Collections

The total amount owing to the Town at the end of October 2005 was \$1,943,837. During the month of October 2005 we collected \$701,770.

Training

Jen O'Brien, Revenue Officer and Ann Porter, Receptionist attended the Association of Municipal Tax Collection Workshop on Collecting Municipal Accounts Receivable. Jen also attended another workshop, where information was given on Business Occupancy Update and how the Province is preparing to eliminate the Business Occupancy Tax, as well as, information on changes relating to Capped and Seasonal Assessments. Kathy Bates, Personnel Officer attended a WCB Workshop regarding safety, prevention and rates as well as incentive programs.

Sarah Wilson, Accountant is in the finals weeks of completing a CGA Course, Financial Accounting 1. She recently attended a FOIPOP and Privacy Workshop that dealt with the various privacy issues relating to governments.

3) Operational Services Department

Councillor Chitty presented the following monthly report from the Operational Services Department:

Water Rates

Staff are working with consultants to prepare an application to the N. S. Utility and Review Board for our first water rate increase since 1994. One significant change is that we are considering getting rid of the two-block system for usage charges. Under this system, our customers pay 79¢ per 1000 gallons consumed up to 25,000 gallons per quarter, and then the rate drops to 57¢ per 1000 gallons for all consumption over 25,000 gallons per quarter. In effect, the current declining block rate encourages businesses to use more water through the cheaper rate. This change will have a significant impact on major customers. However, like the introduction of our sewer consumption charges, it will encourage owners to consider ways to reduce water consumption. 99% of residential customers will not be affected by this change.

Works Crews

Operational Services crews have been busy with our annual winter preparations. This included the changeover of our salt trucks from summer operation to winter operation, as well as checking over our plows and blowers. Preparations were made for the Christmas Light Up in Victoria Park on November 18. As well, another 14,000 LED lights were installed in the Park with an additional 11 snowflake light displays erected along Albion and South Albion Streets.

Meters were read and yearly hydrant inspections were started and are now completed. The Town has almost 400 hydrants to inspect and winterize before freeze up, including over 50 private hydrants.

Stadium

The new zamboni was put into operation at the end of October; the old zamboni was sold to the Town of Oxford, purchased by the Oxford Lions Club. At this time, the zamboni is powered by propane; the natural gas fuel station will be installed in mid to late December. The new netting around the ice surface has been a positive addition to the Stadium. Overall, spectators understand the importance and safety of the netting. We continue to have issues with the illegal alcohol consumption in the stands during the Rambler games.

Walking Trail

The walking trail through Strawberry Fields has been completed for the fall; we will be doing more drainage work and adding crusher dust in the spring. The trail between Charles and Academy Streets, behind the new elementary school, has been started but we now need some decent weather to complete the project.

Tree Committee

14 elm trees infected with Dutch Elm Disease have been identified for removal. Removal will take place during January/February.

4) **Police Department**

Councillor Angel presented the following monthly report from the Police Department:

Personnel

Cst. Tasha Estabrooks was hired on a part time basis on October 22. Cst. Estabrooks completed the on-the-job portion of her police sciences course at our department this summer and graduated from the Atlantic Police Academy in September. A competition was held during the week of November 21 to replace positions left vacant in the past few months. Three full time and one part time position will be filled. As well, a three year full time secondment will be filled in anticipation of the position to be left vacant by the member chosen to act as Field Intelligence Officer. Three members of our department currently working part time hours will complete for these positions, along with five new applicants.

Training

Members were recertified in Standard First Aid and CPR during October and November. Sgt. Gairns attended the Canadian Police College in Ottawa from October 31 to November 4 for a crisis Negotiator Refresher course. D/Chief Naylor and Nancy Guilderson attended an information session on November 15 at the Bible Hill RCMP Detachment on expected upgrades to the PROS program. Our department uses the RCMP's CPIC system to access information on vehicle ownership, criminal records, warrants, etc. CPIC is in the process of being upgraded, and all members and staff are required to participate in self-instructional training consisting of completing a workbook in the program for a period of six to eight hours, depending on the user requirements. This training is expected to be completed by the middle of December

Enhanced CISNS Infrastructure

As a result of the funding initiative by the Province of NS to enhance the Criminal Intelligence Service Nova Scotia Bureau in its gathering and sharing capabilities aimed at the fight against terrorism, organized and serious crime in Nova Scotia, our department has been chosen as one of six sites to house a district office. A member of the Amherst Police Department will be seconded for a three year term to act as one of the Field Intelligence Officers, along with a member of the local RCMP. Six members of our department have expressed an interest in this position. Each department chosen to house one of the six units is responsible for choosing the member who will occupy the position, which will begin operation on January 1, 2006. In order to house this district office, some renovation will need to take place in the immediate future.

Digital Audio/Video Recording System

The system is in place and operational.

Canadian Association Chiefs of Police

In November, Chief Rushton attended a course entitled Public Safety and National Security: Making Police, Law Enforcement and First Responders Interoperability Happen, sponsored by CACP in Vancouver.

Major Crime Unit

Complaints continue to be received regarding fraudulent cheques received by members of the community, resulting from connections made over the internet. A purchase is made via the internet and payment is received in the form of a cheque or money order in an amount much higher than the selling price. Upon attempting to cash the cheque or money order, it is found to be fraudulent. Citizens are reminded that any offer of "money for nothing" received by telephone, mail or the internet should be treated as skeptical.

Winter Parking Regulations

Winter parking regulations are in effect from November 15 2005 to April 15, 2006.

5) **Fire Department**

Councillor Rhindress presented the following monthly report from the Fire Department:

Alarm Responses

From October 15 to November 15 members of our Fire Department responded to five calls in the Town of Amherst and six calls to the County coverage area.

Training and Fire Department Activities

Our recruiting campaign was very successful this year. To date we have been able to bring nine new people into the fire department, and their training started on November 12. Our department is offering the Level One Firefighter Training Program again this year, and we have 20 firefighters from several other fire departments signed up to take this very important training. Two new pieces of equipment that were approved in the capital budget have arrived, and been put into service. The new heavy hydraulics rescue tools have been ordered and are expected to arrive very soon. We have two members that were signed up for the basic emergency management course, that is put on by EMO Nova Scotia. Other courses will be provided within the next 12 months by EMO Nova Scotia, involving training for emergencies, and we will have as many people as possible signed up to take these courses. Our fire department safety officer is registered to take a two day safety officers training course in Hansport, NS.

Fire Inspections

All of the Orders to Take Action under the Fire Safety Act that have been written on apartment buildings since February of this year have been addressed by the property owners, avoiding court action being taken against them by the Province. Our inspectors are continuing to focus their attention on apartment building inspections and we hope to have all of these required buildings inspected by June 2006.

6) **Community and Economic Development Department**

Councillor Fawthrop presented the following monthly report from the Community and Economic Development Department:

Veterans Memorial Park

On November 5 there was an excellent turn out as the Mayor and Council hosted the rededication ceremony at the former Ratchford Street Park to honour the Veterans from Amherst and area. Following the formal rededication and unveiling of the new Veterans Memorial Park sign, there was luncheon hosted by the Town of Amherst and the Honourable Ernie Fage. During the luncheon, Minister Fage presented a plaque and a flag to Legion representatives on behalf of the Province of Nova Scotia. Community and Economic Development staff are now working with Veteran representatives to create a revitalization plan for the Veterans Memorial Park.

Marketing and Promotion

The Downtown Amherst Revitalization Society, in partnership with the Amherst and Area Chamber of Commerce and the Town of Amherst launched a holiday advertising campaign on November 14, aimed at attracting shoppers from the Dieppe area. The marketing campaign includes a direct mail brochure and radio ads, both focusing on selling Amherst as a unique shopping experience. The slogan being used is "Amherst – an East coast original. Step outside the big box and make some small town memories with us this Christmas." In addition, all three groups are participating in a local advertising campaign that is complimentary to East Coast Original campaign and will encourage

residents to participate in the Victoria Christmas activities and support the local retain community. The Town of Amherst was fortunate to be the host community for CTV's Live at 5 and the CTV Evening News on Thursday, November 17. Being a host community provided us with a unique opportunity to showcase our town as a great place to invest, live and visit.

Victorian Christmas

The third annual Victorian Christmas celebration commenced on November 18, with the annual Christmas Light Up celebration at Victoria Park. Attendance this year was excellent and the participation and contribution from the Chamber, DARS, CREDA and the business community was outstanding. The annual Christmas Parade took place on November 19 under the direction of the Amherst Y's Men's Club. WE would like to extend our sincere thanks to the Y's Men for their continued hard work in organizing the parade, and to all who participated in both the light up and the parade.

Business Development

We would like to congratulate Shannon Sears and all of the employees of Stenek Corporation on today's announcement related to the construction of a new 40,000 square foot facility in the Amherst Industrial Park. Mr. Sears and Stenek are an important component of our community and this significant capital investment in our community, along with the employment opportunities that he has created are welcomed by all. His commitment to our community is very much appreciated. We would like to thank our provincial colleagues from the Office of Economic Development and Nova Scotia Business Inc for their commitment in making this expansion project a reality and for their ongoing work with businesses in this community, to ensure they continue to strengthen.

Development staff continue to work closely with partners such as the Office of Economic Development and Nova Scotia Business Inc in addressing opportunities with various local businesses who are preparing for future growth. In addition, we continue our efforts to find new potential investors for the various vacant facilities we have in our Town. We are optimistic that, with the continued support of the various federal and provincial agencies, we will be successful.

7) Mayor

Mayor Hallee thanked all the organizations and individuals who organized and participated in the Victorian Christmas Weekend: DARS, CREDA, the Chamber, Ernie Fage, and Council. He expressed appreciation and congratulations to Stenek Corporation, on their announcement today about their new facility. He also expressed appreciation and congratulations to Teletech on the high level of performance achieved and the announcement that they will be adding 50 new seats to their facility. He encouraged Amherstonians to shop at home, and take advantage of the goods, the choices and the prices available right here.

7. ADJOURNMENT

On motion by Councillor Rhindress, the meeting adjourned at 8:30 p.m.

APPROVED:

Gregory D. Herrett, Clerk & CAO

Jerry Hallee, Mayor

**Regular Council Meeting
Monday, November 28, 2005 at 7:00 PM
AGENDA**

- 1. O'CANADA**
- 2. DELEGATIONS/PETITIONS/PUBLIC HEARINGS**
- 3. CALL TO ORDER**
- 4. BUSINESS ITEMS**
 1. Additions to the Agenda
 2. Approval of Agenda
 3. Approval of Minutes, October 24, 2005 Regular Meeting
 4. Presentation of Audited Financial Statements
 5. Second Reading, By-Law to Repeal the Swimming Pool By-Law
 6. Tenders:
 - 1) Sale of Surplus Vehicles
 - 2) Fuel
 7. PAC Recommendations:
 - 1) First Reading, LUBA P-2-1, 35 Poplar Street, Re-Zoning Request
 - 2) Draft Public Notification Policy
 8. Request for Participation on CREDA Sub-Committees
 9. Community Investment Support Program
 10. Stadium Renovations
 11. Recommendation to Change the Date of December Council Meetings
 12. Divestiture of R. B. Dickey School
- 5. ADDITIONAL ITEMS**
- 6. INFORMATION ITEMS**
 1. Report on Crows
 2. Report on Vacant Buildings
 3. Monthly Reports
 - 1) Planning and Development Department
 - 2) Corporate Services Department
 - 3) Operational Services Department
 - 4) Police Department
 - 5) Fire Department
 - 6) Community and Economic Development Department
 - 7) Mayor
- 7. ADJOURNMENT**