

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, September 25, 2006 at 7:00 PM**

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, CAO
Rebecca Purdy, Executive Assistant

1. O'CANADA

2. CALL TO ORDER

3. ACTION ITEMS

3.1 Additions to the Agenda

3.2 Approval of Agenda

Moved by Councillor Baker, seconded by Councillor Chitty to approve the Agenda as circulated.

MOTION CARRIED

3.3 Approval of Minutes

Moved by Councillor Baker, seconded by Councillor Rhindress to approve the Minutes of the June 26, 2006 Regular Meeting as circulated.

MOTION CARRIED

Moved by Councillor Baker, seconded by Councillor Fawthrop to approve the Minutes of the July 19, 2006 Special Meeting as circulated.

MOTION CARRIED

Moved by Councillor Baker, seconded by Councillor Angel to approve the Minutes of the August 21, 2006 Special Meeting as circulated.

MOTION CARRIED

3.4 Dickey Brook Upgrades/Centennial Trail – Capital Budget

Moved by Councillor Fawthrop, seconded by Deputy Mayor March that Council authorize a change to the Dickey Brook/Centennial Trail project approved in the 2006/2007 Capital Budget, to permit the relocation of the walking trail to the south side of Dickey Brook and eliminate the bridges, holding pond, benches and trees.

MOTION CARRIED

3.5 Coach Car Disposition

Moved by Councillor Fawthrop, seconded by Councillor Baker that the Town of Amherst accept the proposal in the amount of \$100 from the Nova Scotia Railway Heritage Society for the purchase and relocation of the Centennial Coach Car.

MOTION CARRIED

3.6 Legion Request to Use Parking Lot, LaPlanche Street

Moved by Councillor Chitty, seconded by Deputy Mayor March that Council approve the request from the Amherst Royal Canadian Legion for permission to use the Town owned parking lot on the Robb Ball Field Complex on bingo nights, and that Council deny the request to have a Town contractor plow the snow.

MOTION CARRIED

3.7 Request for Assistance – Bantam Baseball

Moved by Deputy Mayor March, seconded by Councillor Fawthrop that Council approve the request from the Amherst Bantam-Midget Baseball Association for financial assistance in the amount of \$250.

MOTION CARRIED

3.8 Tender - Loader

Moved by Councillor Chitty, seconded by Councillor Rhindress that Council accept the proposal from Atlantic Cat for a new Caterpillar 930G wheel loader, together with a snow plow and wing, as well as the automatic greasing feature at their net price of \$133,450.

MOTION CARRIED

3.9 Amend Land Use By-Law – Albion Street Commercial Zone

Moved by Councillor Baker, seconded by Councillor Chitty that Council approve first reading of By-Law P-2-5, a by-law to amend the Land Use By-Law by applying the Downtown Commercial zone to the area identified on the zoning map; by changing the zone on property located at 69 South Albion Street from Downtown Commercial to Highway Commercial; and that a Special Requirement be added to the Downtown Commercial Zone to require new buildings fronting on Albion Street and South Albion Street in the area identified on the attached map to have a three-metre front yard setback.

MOTION CARRIED

Town of Amherst
Bylaw to amend the Land Use By-Law P-2
P-2– 5

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of the application of the Downtown Commercial zone to property along a portion of South Albion Street identified on the attached Map.
2. In the Land Use By-Law, Schedule A (the Zoning Map) is hereby amended by applying the Downtown Commercial Zone to the property along South Albion Street identified on the attached Map; and by applying the Highway Commercial zone to property located at 69 South Albion Street.
3. In the Land Use Bylaw the following Section is added:

8.3.5 Front Yard Setback on Albion Street
Notwithstanding any other provision of this Bylaw, the front yard setback for a new building fronting on Albion Street or South Albion Street within the Downtown Commercial zone shall be 3 metres.

3.10 Retaining Wall at Robb Recreational Complex

Moved by Councillor Angel, seconded by Councillor Chitty that Council amend the Capital Budget by approving the expenditure of \$10,000 plus HST to remove the concrete and sandstone retaining wall at the Robb Recreational Complex and landscape the disturbed area, and that an appropriate commemorative plaque be affixed to the brick gate.

MOTION CARRIED

3.11 Amend Police 211-07 – Sale of Usable Town Owned Land

Moved by Deputy Mayor March, seconded by Councillor Fawthrop that Policy 211-07 Sale of Usable Town Owned Lands be amended to permit the Town to post “property for sale” signs on surplus usable Town-owned properties, and to change the requirement from two appraisals to one.

MOTION CARRIED

TOWN OF AMHERST POLICY**NUMBER 211- 07****DEPARTMENT:** OPERATIONAL SERVICES**TITLE:** SALE OF USABLE TOWN OWNED LANDS

Minutes reference date: August 17, 1992, p. 14

1st Revision date: January 20, 19972nd Revision date: December 13, 19993rd Revision date: October 24, 20054th Revision date: September 25, 2006**PURPOSE:**

To establish a policy on the sale of surplus usable Town owned land.

DEFINITION:

"Usable" All Town-owned property which meets the requirements of the Subdivision By-Law, Municipal Planning Strategy and Land Use By-Law, and is not required for Town use.

POLICY STATEMENT:

The Town of Amherst shall make available for sale usable property which Council deems, from time to time, to be surplus to its needs.

The sale of property will be undertaken by either public tender, public auction, commission arrangement with local real estate firms, and/or by the Town posting the property for sale. The minimum asking price to be stipulated will be based on the appraised value for the property, prepared by an appraiser licensed and certified to practice in Nova Scotia and will be approved by Council before the land is listed for sale.

Any sale at a price less than the asking price must receive prior Council approval and Council may consider any offer presented after public tender.

For sale by public auction, Council will set a minimum price.

3.12 Request for Assistance – Christmas for Kids

Moved by Councillor Rhindress, seconded by Councillor Angel that Council decline the request for \$1,000 from the Christmas for Kids Campaign, as it is not in keeping with the Town's Grants to Organizations Policy.

MOTION CARRIED**3.13 North Town Collector – Canada/Nova Scotia MRIF**

Moved by Councillor Chitty, seconded by Deputy Mayor March that Council accept the August 30, 2006 offer from the Canada/Nova Scotia Municipal Rural Infrastructure Fund of \$910,172 to assist with the construction costs of the North Town Collector Sewer Project.

MOTION CARRIED**3.14 Transient Automobile Vendors By-Law, Second Reading**

Moved by Councillor Baker, seconded by Councillor Rhindress that Council approve Second Reading of the Transient Automobile Vendors By-Law, P-6.

MOTION CARRIED

**TOWN OF AMHERST
Transient Automobile Vendors Bylaw
BYLAW (P-6)**

Pursuant to Section 171 of the Municipal Government Act, BE IT ENACTED by the Council of the Town of Amherst as follows.

1. (1) This Bylaw shall be known as the "Transient Automobile Vendors Bylaw".
 - (2) Where a provision of this Bylaw conflicts with the provision of another Bylaw in force within the Town, the provision that establishes the higher standards to protect the health, safety, and welfare of the general public shall prevail.
2. This Bylaw does not hereby authorize the sale of vehicles by persons otherwise prohibited by the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293.

DEFINITIONS

3. In this Bylaw

- a) "CAO" means the Chief Administrative Officer of the Town of Amherst.
- b) "Council" means the Council for the Town of Amherst.
- c) "Dealer" means a person who carries on or conducts, either for the whole or part of his time, the business of buying, selling or dealing in motor vehicles, trailers or semi-trailers who is a licensed dealer pursuant to the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293 and *Dealers' Licenses Regulations*, N.S. Reg. 11/95.
- d) "Land Use Bylaw" means the Land Use Bylaw as adopted by the Town of Amherst including amendments as may be made from time to time.
- e) "License" means a Transient Automobile Vendors License provided for in this Bylaw.
- f) "Licensing Authority" means the CAO, or such employee or agent of the Town as the CAO may designate to receive applications for Licenses under this Bylaw.
- g) "Motor Vehicle" means every device in, upon or by which a person or property is or may be transported or drawn upon a public highway and which is propelled or driven otherwise than by muscular power, but does not include motorized wheelchairs, or vehicles used exclusively upon stationary rails or tracks.
- h) "Operation" means the sale of Motor Vehicles to which a License pertains.
- i) "Owner" includes any one or combination of the following as defined in the *Municipal Government Act*, S.N.S. 1998, c. 18, s. 3(ay):
 - i. a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or building, or
 - ii. in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building, in the absence of proof to the contrary, the person assessed for the property.
- j) "Principle Place of Business" means owned or leased premises which contains:
 - i. A building or buildings with adequate facilities to service and repair a minimum of two vehicles;
 - ii. Outside parking for a minimum of ten vehicles;
 - iii. Two qualified mechanics during the Dealer's normal business hours;
 as set out in the *Dealers' Licenses Regulations* made under sections 32 and 60 of the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293, N.S. Reg. 11/95, s. 6.
- k) "Sell" means selling, trading, or otherwise transferring for a valuable consideration, whether present or executory.
- l) "Town" means the Town of Amherst.
- m) "Transient Automobile Vendor" means a Dealer selling Motorized Vehicles within the Town of Amherst who does not have a Principle Place of Business in the Town.
- n) "Vend or Vending" means the sale, or offering for sale, of goods, food, beverages or services to the general public.
- o) "Vendor" means a Transient Automobile Vendor.

TRANSIENT AUTOMOBILE VENDORS LICENSE REQUIRED

- 4. (1) All Transient Automobile Vendors shall obtain a License prior to setting up their Operation within the Town of Amherst. Any sale of a Motor Vehicle by a said Vendor without a License shall constitute a violation of this Bylaw.
- (2) Any peace officer shall have enforcement authority under this Bylaw.

- (3) A License shall not be issued unless the activity is permitted on the subject property by the Land Use Bylaw, and occurs in a manner permitted within the Land Use Bylaw. Application for a License shall also constitute an application for a Development Permit as required by the Land Use Bylaw.
- (4) An application for a License shall be made to the CAO by the Vendor, on the application form which is contained in Schedule A of this Bylaw. All information requested on Schedule A shall be required to be submitted prior to the issuance of a License.
- (5) A separate License is required for each Transient Automobile Vendor which occupies the same piece of property during any given time period.
- (6) A Transient Automobile Vendor shall make the application for the License and only he or she shall be held accountable under the provisions of this Bylaw for failure to obtain the said License.

LICENSE REQUIREMENTS

5. (1) A License shall be valid for the days as specified on the said license.
- (2) A License is renewable upon application and payment of the required fee.
- (3) An application is not considered complete until all relevant information is provided and payment is made.
- (4) The application shall include a site plan showing location of the Operation on the property, access to and egress from the site, the location of all buildings on the property and the area being utilized for the Operation.

LICENSE FEE

6. (1) The fee for the License shall be Two Thousand Dollars (\$2,000.00) per day.
- (2) A License is not transferable.

CONDITIONS OF LICENSE

7. (1) Any sign to be erected on the site shall be included in the site plan submitted at the time of application and shall meet the requirements of the Land Use Bylaw. A separate Development Permit is not required for the said sign(s).
- (2) Receptacles sufficient to satisfy the Town of Amherst Solid Waste Bylaw shall be situated on the site, particularly where food is for sale intended for immediate consumption.
- (3) The Vendor or property owner shall provide proof of a minimum public liability insurance of Two Million Dollars (\$2,000,000).
- (4) All facilities associated with the sale of Motor Vehicles pursuant to the License shall be removed from the site once the Operation ceases, or the permit expires, whichever comes first. Failure to remove all facilities and any associated solid waste constitutes a violation of this Bylaw.
- (5) A License can be revoked where:
 - a) The licensee has provided incorrect information in the application for a License;
 - b) The licensee is selling Motor Vehicles not stipulated in the License application;
 - c) The licensee's provincial Dealer's License under the *Motor Vehicle Act*, R.S.N.S. 1998, c. 293 and the *Dealers' Licenses Regulations*, N.S. Reg. 11/95 has been revoked or is no longer in force;
 - d) The licensee is in violation of any provision of this Bylaw or any other Bylaw of the Town of Amherst;
 - e) The licensee does not have insurance in force as required under this Bylaw or any condition of the Licensing agreement.
- (6) A License issued under this Bylaw must be conspicuously displayed at all times at the location where the Transient Automobile Vendor conducts the sale of Motor Vehicles.

PENALTY

- 8. (1) Every person who violates or fails to comply with any of the provisions of this Bylaw shall be liable, upon summary conviction, to a penalty of Ten Thousand Dollars (\$10,000).
- (2) Every day during which an offence pursuant to this Bylaw continues is a separate offence.
- (3) The Town may apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order where:
 - a) Land is being used in contravention of this Bylaw;
 - b) A person is selling Motor Vehicles without having paid the license fee required; or
 - c) A breach of this Bylaw is anticipated or is of a continuing nature.

Schedule A
TOWN OF AMHERST
Transient Automobile Vendors Bylaw Application

Location of Sale: _____
 (please enter civic address here)

Date of Sale: _____ to _____, 200__

Applicant Information:	Information for the Owner of the Property at the location of proposed Operation:
Name: _____	Name: _____
Address: _____	Address: _____
Postal Code: _____	Postal Code: _____
Phone #: _____	Phone #: _____

License Information:

- Site Plan Attached** (must show location of sale on property, access to and egress from site and the locations of all buildings on the property)
- Owners Permission** (applicant must submit a letter from the owner, outlining permission to use the property for the sale)
- Vehicle Description** (applicant must submit a description of the type(s) of Motor Vehicles it will be offering for sale)
- Sign Schedule** (all signs must conform to the Land Use Bylaw and be submitted in the form of a schedule showing where on the property they will be located and what size each sign is)
- Proof of Insurance** (proof of insurance must be attached to the application)
- License Fee** (license fee must accompany the application, amount payable is \$2,000.00)

Signature of Applicant: _____ **Date:** _____

By signing the above you are hereby verifying that all information submitted for this application is factual and complete.
 - For Office Use Only -

- Location of Sale is in conformance with LUB**
- Proposed Signs are in conformance with LUB**
- Application is complete including fees**

Approved by: _____ **Date Approved:** _____

4. INFORMATION ITEMS

4.1 Chlorine Levels in the Water

Councillor Chitty presented the following report to Council:

Since the law governing the operation of municipal drinking water supplies changed we have been not only required to chlorinate our drinking water supply but also to ensure a 0.2 milligram per liter chlorine residual at all times.

We have had complaints from consumers who feel that on occasion they have very high levels of chlorine in their drinking water.

The Engineering Consulting Firm CBCL of Halifax has been contracted to investigate our chlorination system and the complaints we have received regarding chlorine taste in our drinking water.

The following terms of reference was developed for this investigation:

1. Does the Town of Amherst have the proper chlorination equipment?
2. Is the Town of Amherst Water Department following proper chlorination methods?
3. What is the cause of complaints regarding chlorine in the water?
4. What changes should we make to our equipment and operating procedures to reduce customer complaints?

For the purposes of assessing and understanding the true nature of the distribution system water quality staff are now monitoring chlorine residual values at selected locations in the areas where most complaints originate.

From examining the current sampling program and historical residual values the following locations are being monitored:

- Amherst Regional High School
- Poly Cello (or Ducks Unlimited)
- Jerry's Supermarket
- Fire Hall
- Amherst Mill Works

The data collected will be used to get a better understanding of the residual variance within older sections of the distribution system.

Our reservoir operations require fine tuning. As currently operated the volume of our main reservoir has a turnover rate of 20-30 days. During this time the chlorine dissipates from the water which upon entering the distribution system occasionally results in low chlorine residual readings which are corrected by increasing chlorination in the wellfield which in turn gives rise to taste complaints from our customers.

The reservoir operation will be adjusted to decrease turnover time. The process now underway will take a few weeks to complete and we are optimistic the result will be a higher degree of consumer satisfaction with our municipal drinking water supply.

4.2 Maple Leaf Day – September 27, 2006

Councillor Baker presented the following report to Council:

September 27th is slated as Maple Leaf Day in Canada. Amherst has been chosen as one of 30 communities across Canada to receive trees and participate in a tree planting ceremony recognizing this day. Maple Leaf Day will be the one day when Canadians will be asked to reflect on the link between their lives and the maple leaf – a symbol of Canadians' historical, economic and environmental link to trees.

The Town has participated in past Trees Canada Programs. This contribution being made though the program funding partner, Amherst Home Hardware is an excellent example of business giving back to the community. Staff has worked with Trees Canada, Home Hardware and Provincial Government representatives in selecting appropriate species that would be consistent with existing growth. Ten trees (three White Ash and seven Green Ash) have been chosen and are consistent in size and diameter as required under current Town Policy.

A Tree Planting Ceremony is being planned for Wednesday, September 27th at 1:30 pm at Curry Park. This time will coincide with other sites across Canada and will be locally publicized to ensure maximum participation. The Mayor and Council will help plant the first tree at that time and any citizens who may wish to participate are invited to participate.

4.3 Turbidity in the Water

Councillor Fawthrop presented the following report to Council:

Prior to our regular water main flushing program, it was decided that we should flush our transmission main from Willow Street to the North Tyndal Wellfield. This had not been done during the previous five years and in the past year we had a number of turbidity events that seemed to originate from the wellfield.

On Tuesday, September 12 we received a number of phone calls about dirty water from residents of the Willow Street/Robert Angus Drive area, and IMP. We found that the water was silty and proceeded to start flushing the water mains in Town.

Our crews worked throughout the night until 4:30a.m. Wednesday morning trying to clean up the water. At 8:00a.m. we found the water was again silty throughout the town. Our crews continued to work on Wednesday until the water was clean about mid- afternoon.

Turbidity in the water is not a health issue but rather an aesthetic issue. Turbidity is caused by suspended silt particles from the wells in the water. At no time was the safety of the water compromised, but the water quality did have a negative impact on several of our customers .

We plan to reduce the impact of silty water on our customers in the future by:

1. installing a turbidity monitor in the wellfield. This device will detect turbidity and automatically warn us or even shut the system down, allowing us to deal with the problem before it reaches even the first customer;
2. updating our flushing procedures; and
3. updating our customer notification procedures

5. **ADDITIONAL ITEMS**

6. **INFORMATION ITEMS**

6.1 **Planning and Development Department Monthly Report**

Moved by Councillor George Baker, seconded by Deputy Mayor March to adopt the following Planning and Development Department Monthly Report.

MOTION CARRIED

Building Activity

As of August 31, 2006 the total value of building permits issued in the Town was **\$8,073,847** compared to **\$3,274,130** last year. During the last month there were new 7 single detached dwellings, two mini homes and one 4-unit apartment building constructed within Town. This brings our total new residential construction this year to 30 units. The current year is turning out to be a solid year for residential construction and a very good year for industrial construction.

Dangerous and Unsightly Premises

So far this year we have had 26 complaints; 15 have been resolved. Four Orders have been issued and all remain active. All complaints have been investigated and are being actively pursued by the Unsightly Premises Administrator.

Efforts will be made to ensure clean-ups are performed on these properties prior to the winter season setting in.

Civic Numbering

Staff have previously collected all existing civic numbers within the Town. Some problems were identified, mainly concerning multi-tenant commercial buildings. Staff will be contacting these property owners to rectify these problems during the fall of this year.

North Town Development Study

Staff are currently working with the Dalhousie School of Urban and Rural Planning to have a group of students conduct a design study for the area of Town which will be serviced by the North Town Collector. The aim of the study is to design an optimum street layout for the area and thus avoid piecemeal, inefficient development in the newly serviced area. The study will be prepared by the students and presented to the Planning Advisory Committee. The study will be a valuable real work learning experience for the students and will form part of their overall course mark. Cost to the Town will be minimal and would include travel and materials.

New Developments

The Town has taken over a new street (Casper Court) just east of Willow Street off of Webster Avenue. This newest subdivision has 18 residential building lots, 7 of which have already seen construction. Staff continue to work with local developers on plans for additional new developments, both for single family homes and small scale apartment buildings.

Other Towns

During the spring of this year staff were working on the development of the Town of Parrsboro's new municipal planning strategy and land use bylaw. With the recent announcement of a significant new employer coming to that Town, we are now in the process of ensuring that the proposed documents remain appropriate.

We are also working on correcting civic numbering problems in the Towns of Parrsboro and Oxford, as an extension of the project we are carrying out in Amherst.

6.2 Corporate Services Department Monthly Report

Moved by Deputy Mayor David March, seconded by Councillor Rhindress to adopt the following Corporate Services Monthly Report.

MOTION CARRIED

Monthly Expenditures

Expenditures for the months of June, July and August 2006 totaled \$3,261,653 as detailed below. Comparative figures for last year are also presented.

	<u>June, July, Aug 2006</u>	<u>June, July, Aug 2005</u>
Corporate Services	\$ 537,493	\$ 481,999
Police Department	645,553	534,047
Fire Department	329,312	307,934
Operational Services	931,848	862,543
Planning Department	87,777	75,361
Community & Economic Development	422,565	393,307
Water	307,104	313,069
	<u>\$ 3,261,653</u>	<u>\$ 2,968,260</u>

Collections

Total amount owing to the Town at the end of August 2006 was \$5,765,642. During the months of June, July and August 2006 we collected \$1,982,976.

	<u>August 2006</u>			<u>August 2005</u>		
	Current	Prior	Total	Current	Prior	Total
Property Taxes	\$ 4,397,371	\$ 251,621	\$ 4,648,992	\$ 4,014,886	\$ 344,590	\$ 4,359,476
Business Taxes	681,828	161,682	843,510	752,083	216,959	969,041
Sewer Rates	62,121	22,856	84,977	73,975	56,451	130,425
Water Rates	64,071	73,313	137,385	79,515	142,412	221,928
Other	29,309	21,470	50,779	21,641	21,994	43,635
	<u>\$ 5,234,699</u>	<u>\$ 530,943</u>	<u>\$ 5,765,642</u>	<u>\$ 4,942,100</u>	<u>\$ 782,406</u>	<u>\$ 5,724,506</u>

Amounts collected in the months of June, July and August 2006:

	<u>June</u>	<u>July</u>	<u>August</u>
Property Taxes	\$ 368,267	\$ 113,383	\$ 239,151
Business Taxes	39,124	29,555	9,478
Sewer Rates	40,117	32,144	105,247
Water Rates	67,003	50,582	166,674
Other (Note 1)	132,041	156,809	433,403
	<u>\$ 646,551</u>	<u>\$ 382,473</u>	<u>\$ 953,952</u>

Note 1 - includes all other grants, fines, fees, including stadium revenue.

Yearly Operating Statement

As of August 31, 2006 we are 5 months into our fiscal year. Our total revenue to date is \$10,820,911 compared to the budgeted amount of \$10,861,051. Our total expenditures to date are \$4,528,243 compared to the budgeted amount of \$4,828,001.

Yearly Operating Statement - April 1 to August 31, 2006:

	YTD	Budget	Variance	%
Corporate Services				
Revenue	\$ 3,064,014	\$ 3,056,136	\$ 7,878	100.26%
Expenditure	(703,908)	(747,288)	43,380	94.19%
Net Contribution (Cost)	2,360,106	2,308,848	51,258	
Police Department				
Revenue	2,318,755	2,311,567	7,187	100.31%
Expenditure	(986,546)	(1,077,450)	90,904	91.56%
Net Contribution (Cost)	1,332,209	1,234,117	98,091	
Fire Department				
Revenue	1,153,913	1,162,264	(8,351)	99.28%
Expenditure	(525,738)	(565,784)	40,046	92.92%
Net Contribution (Cost)	628,176	596,480	31,695	
Operational Services				
Revenue	2,819,603	2,858,420	(38,817)	98.64%
Expenditure	(1,548,274)	(1,591,841)	43,567	97.26%
Net Contribution (Cost)	1,271,330	1,266,579	4,750	
Planning & Development				
Revenue	313,147	307,235	5,912	101.92%
Expenditure	(136,806)	(152,752)	15,946	89.56%
Net Contribution (Cost)	176,341	154,483	21,858	
Community & Economic Development				
Revenue	1,151,479	1,165,429	(13,949)	98.80%
Expenditure	(626,971)	(692,886)	65,915	90.49%
Net Contribution (Cost)	524,508	472,543	51,965	
Grand Totals				
Revenue	10,820,911	10,861,051	(40,140)	99.63%
Expenditure	(4,528,243)	(4,828,001)	299,759	93.79%
Net Contribution (Cost)	\$ 6,292,668	\$ 6,033,050	\$ 259,618	104.30%

DEPARTMENTAL INFORMATION

We have filled the Front Counter/Receptionist position and the successful applicant was Suzanne Guilderson. Jennifer Borne has accepted the Executive Assistant position with Community & Economic Development and therefore she will be leaving Accounts Payable. The Accounts Payable Clerk job has been posted externally and we hope to have this job filled by the end of September.

Our summer students finished on September 1 and once again we had another summer of very talented help.

6.3 Operational Services Department Monthly Report

Moved by Councillor Ed Chitty, seconded by Councillor Baker to adopt the following Operational Services Department Monthly Report

MOTION CARRIED

Work is progressing on the renovations at the Stadium. The contractors work schedule slipped in July resulting in increased pressures to meet our occupancy requirements for the Ramblers training camp and exhibition games.

A site meeting was held on September 21 with senior officials of our contractor, Avondale Construction, our Architect from Sperry & Associates as well as representatives of the major sub trades.

Work of the major sub-trades will be substantially complete by the end of this week with work on the system controls to be wrapped up by October 13.

The hot water supply and heat to the dressing rooms will be operational this week.

Painting has been carried out on all of the seating located in the bowl. A coat of floor paint was applied to all wooden stairs, aisles and upper mezzanine.

Work is to begin in early October on the north town collector sewer. A pre-construction meeting has taken place with the contractor, Costin Paving and Contracting, and all necessary requirements have been discussed.

The replacement of the sanitary sewer and water mains, as well as new domestic services on Croft Street will be completed this week. The road surface will be repaved shortly thereafter. Temporary water has been connected to all affected households.

The curbing and paving of Webster Street, Paradise Avenue, Abbey Road and Ridgewood Court is complete and landscaping is in progress.

The new boom flail for the trackless has arrived and is installed. Instruction has been given to staff and the shoulders of many town streets have now been mowed.

The construction of the Robert Angus Drive asphalt sidewalk is now complete. Landscaping is being carried out now, with completion in the next couple of weeks. We have had several positive comments on this project.

During the summer months Operational Services concentrated efforts on maintenance projects including sidewalk repairs, down town clean up, catch basin and manhole replacements, supervising our contracted street patching, street line marking, sidewalk tripper repair and curb replacement.

It is our procedure to annually inspect every sidewalk in town. This was completed in July and the next step was to repair trip hazards using hot asphalt. One crew spent the majority of the month of August repairing trippers, with a total of 34 tons of asphalt used for sidewalk tripper repairs.

This crew also replaced a number of broken concrete curb sections in problem areas.

Our asphalt street patching has been contracted out this year to Costin Paving and Contracting. Thus far we have used 515 tons of asphalt for street patching. Street patching was started in May this year and completed in June. We will continue to patch pot holes, utility cuts and minor repairs throughout the fall.

This year we did a major clean up of the downtown area. We hired three students to work five mornings per week on the down town area to maintain it. In the afternoon these students worked on other things such as cleaning Dickey Brook, Robert Angus Drive, the Industrial Park and sidewalk repair.

This summer our Sewer Department rebuilt eight sewer manholes at various locations. These manholes were identified in our manhole inspection program that has been on-going now for three years. In July our sewer main cleaning and inspection program was completed by Industrial Hydrovac of Halifax. This fall and winter we will continue to inspect and repair manholes as the budget permits.

On August 31, 2006 our long time Mechanic Dave Richard retired after over 30 years of service. All staff wish Dave and his wife a long and healthy retirement. Dave's vacant position as Mechanic has been replaced by John Michels, a local licensed mechanic.

In July our quarterly meter reading was completed with 3245 meters being read. A separate crew was given the task of repairing meter problems discovered on the reader's shift. The meters were read and repaired by July 11th.

6.4 Police Department Monthly Report

Moved by Councillor Robert Angel, seconded by Deputy Mayor March to adopt the following Police Department Monthly report.

MOTION CARRIED

Personnel

Cst. Reid and Cst. Becker have both returned to work from sick leave. Two cadets from the Atlantic Police Academy in PEI who have completed the on-the-job training portion of the Police Sciences program at our department this summer, returned to the Academy and graduated on September 1st 2006. Darryl Carter of Moncton N.B. and Christopher Jobe of Springhill N.S. participated in the competition for full time / part time officers on September 13-15th 2006. The competition consisted of a written examination and oral interview, conducted by Councillor / Commissioner Robert Angel, Deputy Chief Naylor, and Deputy Chief David MacNeil of the Truro Police Department. Eight candidates competed for the positions. A decision will be made in the near future.

Training

D/Chief Naylor and Sgt. Blakeney attended a two day PROS workshop in June in Truro. All members of the department completed annual firearms training in September at the Springhill Institution range. Training consisted of qualification exercise, "shooting on the move", legal articulation skills, "low-light" shooting, "light-aided" shooting (eg: use of flashlights.)

Major Crime Unit

Investigation continues into two separate complaints of computer fraud involving large sums of money. A male Young Offender has been charged with robbery following a September 1st incident involving a local taxicab. The young male remains in custody pending his next court appearance on September 25th 2006. A 61 year old female from the Truro area has been charged with robbery in relation to an incident at the Scotiabank on South Albion Street on September 5th 2006. An adult female was remanded for a psychiatric evaluation to determine if she is fit to stand trial. Her next court appearance is September 25th 2006.

CACP Fall Conference 2006

Chief Rushton attended the Conference in St. John's Newfoundland from August 19th – 24th.

6.5 Fire Department Monthly Report

Moved by Councillor Terry Rhindress, seconded by Councillor Chitty to adopt the following Fire Department Monthly Report.

MOTION CARRIED

Alarm Responses

From – June 12/06 – Sept. 11/06, the members of our Fire Department responded the following calls: In June there were 7 calls in Town and 3 calls to our County coverage area. In July there were 13 calls in Town and 7 calls to the County coverage area. In August there were 15 calls in Town and 4 calls to our County coverage area. In September to date we have responded to 6 calls in Town and 3 calls to the County.

Training and Fire Department Activities

The fall firefighter training schedule has been developed, and will cover the critical areas of training required to keep our firefighters current with today's requirements. The Fire Department will be once again recruiting new volunteers starting in October. In the past we have been able to recruit at least 5 new members a year which enables us to maintain our Fire Department at 50 – 55 members. The Fire Department is still attempting to find a permanent location to develop their training centre, since the Pumping Station property is no longer a suitable location. There are a couple of possible locations being looked at and hopes are strong that one of the locations will be suitable.

Fire Prevention and Emergency Preparedness

October is Fire Prevention month for our Fire Department and October 08 – 14, 2006 is Fire Prevention Week across Canada. This Year we will be setting up for the day, in the parking lot at the Canadian Tire store on October 07, where we will be providing people with fire prevention information and will be there to answer questions that residents may have. During the month of October fire safety and prevention materials will be available from the fire station and messages will be placed in the local news paper as well as announcements on the radio.

Chief Crossman is presently reviewing the Town of Amherst Emergency plan and any additions or revisions will be presented to Council in draft form in the near future for consideration.

The Province is presently reviewing the Fire Safety Regulations and is requesting submissions for revisions or amendments by October 31/06. Chief Crossman is presently reviewing the Provincial Regulations and is considering a position on the Committee.

6.6 Community and Economic Development Department Report

Moved by Councillor Dale Fawthrop, seconded by Councillor Rhindress to adopt the following Community and Economic Development Department Report.

MOTION CARRIED

Tourism Information Services

Summer Staffing at the Kiosk at the Nova Scotia Visitors Information Centre concluded on August 31st. The number of visitors counseled this year was down considerable this summer which is reflective of the recent media reports that tourism is down throughout Atlantic Canada. In 2006, 4,784 visitors were counseled compared to 7,510 in 2005. In June we saw an increase in traffic; in July a small decrease however in August, there was a significant. In August last year, our stats were up but not to the same degree.

Stadium Operations

Staff started ice making on August 18th and were ready for the Ramblers to commence their hockey camp and hockey school on August 29th as planned. Under normal conditions, ice making in August is difficult having to deal with heat and humidity however, this year, being under renovations, we had to deal with additional concerns including water availability and construction dust. Spectator seating has all been painted as well the entrance area. Additional security measures have been taken in the Zamboni room with the addition of gates on the north and south sides of the room to prevent access by the public. Renovations are continuing and we thank all the users of this facility, players and spectators both, for their consideration, while this renovation project continue. Lastly, we would like to applaud the Stadium Crew and the Canteen Staff for a job well done in getting the Stadium operational under difficult conditions. They all worked extremely hard and at the same time provided quality customer service for all users.

Parks and Athletic Fields

The opening of the Stadium does not mean the grass stops growing. Our summer students finished work in late August and regular staff has set priorities for mowing and maintenance for the remainder of the growing season. At the same time, staff is currently preparing to start the process of winterizing various town facilities over the next 6 weeks. Our Park students worked hard all summer and did a good job. We would like to thank them and wish them well with their studies this fall.

Staffing

Fred Pettigrew has accepted the position of Stadium Attendant. Fred will work in recreation maintenance as in the past during the summer months. This is a new Stadium Position approved in this year's budget

Frank Downey has accepted the position of Stadium Attendant. Frank was a part time stadium attendant and will continue to work in recreation maintenance as in the past during the summer months. This is a new Stadium Position approved in this year's budget.

Jennifer Borne has accepted the position of Executive Assistant for the Department, commencing her duties on September 18th. Jennifer replaces Peggy O'Blenis who resigned on August 11th.

Community and Youth Summer Programming

Our summer program staff finished in late August and all programs were viewed to be successful. I would like to thank the summer staff for the hard work they put in through the summer months and wish them well with their studies this fall.

This year instructional swim program and weekday recreational swim sessions were again successful. An average of 70 children participated in the recreational swim program daily (73 per day 2005) and we had no negative feedback from users. The instructional program had just short of 250 registered which fills both July and August classes. The tennis program continues to grow in popularity with 40 registered and we have gained additional interest in the playground program with almost 150 children registered in total.

Business Development

This summer continued to be a busy one with work being completed on the Stenek building and construction in full swing on the Maritime Egg Facility. Heritage Gas completed their second year of construction related to natural gas distribution. The recent announcement by Staples Business Depot that they are building a 65000 square foot distribution facility for their catalogue and online sales is very encouraging. This operation will employ 25 or more people and increases our exposure as being a central location for both manufacturing and distribution. We welcome Staples to our community.

We continue to work with a number of other site selectors and developers related to industrial and business growth in hopes of attracting additional employment opportunities to the community.

Escalante/Amherst Municipal Partnership

A project definition mission has just been completed which saw four representatives from the City of Escalante in Amherst for ten days. In May, the Town participated in an assessment mission during which seven possible areas of interest related to Local Economic Development were identified for the second phase of the partnership. During this mission, participants observed various models related to these areas in order to narrow the focus of the partnership down to three key subjects. Staff from both communities is currently reviewing their findings and the results will become part of the partnership agreement for the second phase.

In addition, The Town of Amherst was recently recognized for their work with this partnership by the Federation of Canadian Municipalities (FCM) as a recipient the Outstanding International Volunteer Contribution Award. The FCM's Outstanding International Volunteer Contribution Awards recognize and enhance awareness of outstanding volunteer contributions by Canadian municipalities and individuals in FCM municipal international cooperation and partnership initiatives. Amherst was one of three Canadian communities to receive this award this year.

Greg Herrett added a comment about the particularly busy capital program the Town has undertaken this year, especially with the Stadium Renovation Program, and that Operational Services staff, particularly Ron Curtis and Kraig Morris, have been very busy.

He also extended appreciation to Roger MacIsaac, Ray Gouchie, Mike Shay and the rest of the staff at the Stadium, stating that though the department had recently been reorganized, staff had done an excellent job keeping up with the job set before them.

7. ADJOURNMENT

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

APPROVED:

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Gregory D. Herrett, CAO

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Jerry Hallee, Mayor

AGENDA September 25, 2006

1.	O CANADA
2.	CALL TO ORDER
3.	ACTION ITEMS
3.1	Additions to Agenda
3.2	Approval of Agenda
3.3	Approval of Minutes a) June 26, 2006 Regular Meeting b) July 19, 2006 Special Meeting c) August 21, 2006 Special Meeting
3.4	Dickey Brook Upgrades/Centennial Trail – Capital Budget
3.5	Coach Car Disposition
3.6	Legion Request to Use Parking Lot, La Planche Street
3.7	Request for Assistance – Bantam Baseball
3.8	Tender – Loader
3.9	Amend Land Use By-Law – Albion Street Commercial Zone
3.10	Retaining Wall at Robb Field
3.11	Amend Policy 211-07 Sale of Usable Town Owned Land
3.12	Request for Assistance – Christmas for Kids
3.13	North Town Collector – Canada/Nova Scotia MRIF
3.14	Transient Automobile Vendors By-Law, Second Reading
4.	INFORMATION ITEMS
4.1	Chlorine Level in Water
4.2	Maple Leaf Day – September 27, 2006
4.3	Turbidity in the Water
5.	ADDITIONAL ITEMS
6.	DEPARTMENTAL REPORTS
6.1	Planning and Development Department Monthly Report
6.2	Corporate Services Department Monthly Report
6.3	Operational Services Department Monthly Report
6.4	Police Department Monthly Report
6.5	Fire Department Monthly Report
6.6	Community & Economic Development Monthly Report
7.	ADJOURNMENT