

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, November 27, 2006 at 7:00 PM**

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

REGRETS: Councillor Dale Fawthrop

1. O'CANADA

2. CALL TO ORDER

3. ACTION ITEMS

3.1 Additions to the Agenda

Moved by Councillor Baker, seconded by Councillor Chitty to add the following items:

- 4. 1 December Council Meeting
- 4. 2 Report from the Library Board

MOTION CARRIED

3.2 Approval of Agenda

Moved by Councillor George Baker, seconded by Deputy Mayor March to approve the Agenda as amended.

MOTION CARRIED

3.3 Approval of Minutes – October 23, 2006 Regular Meeting

Moved by Councillor Terry Rhindress, seconded by Councillor Robert Angel to approve the Minutes of the October 23, 2006 Regular Meeting as circulated.

MOTION CARRIED

3.4 Land Use By-Law Amendment – South Albion Street Rezoning (Highway Commercial to Downtown Commercial)

Greg Herrett read two letters, one from Evelyn Bishop and one from Camilla Finley, both objecting to the proposed re-zoning.

Moved by Councillor George Baker, seconded by Councillor Ed Chitty that Council give Second Reading to Bylaw P-2-5 a bylaw to amend the Land Use Bylaw which will change the zone on the area of South Albion Street identified on the attached map from Highway Commercial to Downtown Commercial; change the zone on property located at 69 South Albion Street from Downtown Commercial to Highway Commercial; and add a Special Requirement to the Downtown Commercial Zone to require new buildings fronting on South Albion Street to have a three metre front yard setback and, where adjacent to a Residential Zone, a six metre setback from any residential property line.

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 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 South Albion Street within the Downtown Commercial zone shall be 3 metres, and 6 metres from any residential property line where adjacent to a residential zone.

3.5 Land Use By-Law Amendment – Administrative Amendments, First Reading

Moved by Councillor George Baker, seconded by Deputy Mayor David March that Council give First Reading to By-Law P-2-6, a by-law to amend the Land Use By-Law which will adopt a number of administrative amendments to that document, as recommended by the Planning Advisory Committee.

MOTION CARRIED

**Town of Amherst
 Bylaw to amend the Land Use By-Law P-2
 P-2- 6**

This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the adoption of various administrative amendments.

In the Land Use By-Law:

Section 4.19 is amended to correct the following numbering reference: 4.24 should read **4.26**

Section 4.12 is amended to remove the words “**Except for flag lots**”.

Definition 78 Retail is amended to read, “**Retail means the offering and sale, rent or lease of goods, wares, merchandise, substances, articles, or things whether manufactured by the retailer or purchased at wholesale, to the general public as final consumer for personal or household consumption and not for resale.**”

Section 7.2.2 is amended to correct the following policy references. Policy RP-13 should read **Policy RP-14**; Policy RP-12 should read **RP-13**; Policy RP-15 should read **Policy RP-16**; and Policy RP-8 should read **Policy RP-9**.

Section 7.3.2 is amended to correct the following policy references. Policy RP- 13 should read **Policy RP-14**; and Policy RP- 15 should read **Policy RP-16**.

Section 8.3.2 is amended to correct the following policy references. Policy CP-1 1 should read Policy **CP-10**; Policy CP- 12 should read **Policy CP-I 1**; and Policy CP- 15 should read **Policy CP-13**;

Section 8.3.3 is amended to correct the following policy reference. Policy CP- 17 should read **Policy CP-14**.

The table of contents is amended to reflect the correct spelling of Schedule B.

3.6 Sale of Lawrence Street Property

Moved by Councillor Ed Chitty, seconded by Councillor George Baker that the Town of Amherst enter into an agreement of Purchase and Sale with Armour Realty for the sale of lands on Lawrence Street, described as PID #250050091 and #25353061 in the amount of \$50,000 and that the Mayor and Chief Administrative Officer be authorized to sign this agreement on behalf of the Town.

MOTION CARRIED

THIS AGREEMENT of Purchase and Sale made this ____ day of _____, 2006.
BETWEEN:

ARMOUR REALTY LTD.
 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 Lawrence Street, known as PID numbers 25005071 and 25353061, located in the Town of Amherst, County of Cumberland and Province of Nova Scotia, herein called “the property”.

Purchase Price

2. The purchase price of Fifty Thousand Dollars (\$50,000.00).

Deposit

3. The Purchaser submits with this offer the sum of Two Thousand Five Hundred Dollars (\$2,500.00) cash or cheque payable to the Vendor or the Vendor's Agent as a deposit to be held in trust pending the completion of this agreement and to be credited on the account of the purchase money on closing.

Date of closing

4. The sale shall be completed on or before the 30th day of November, 2006.

Title

5. The Vendor shall convey title to the property by Deed without Covenants. The Vendor (at the expense of the Purchaser) agrees to use best efforts to migrate the property title from the Registry System under the Registry Act to the Land Registration under the Land Registration Act, at least five (5) business days prior to closing, and failing registration, the Purchaser may terminate this agreement and the deposit shall be immediately returned to the Purchaser. On final registration of the property, the Vendor shall so advise the Purchaser, after receipt whereof the Purchaser is allowed three business days to investigate the title to the property, which the Purchaser shall do at the Purchaser's expense. If within that time any valid objection to title is made in writing to the Vendor, which the Vendor are unable to unwilling to remove, and which the Purchaser will not waive, this agreement shall be null and void and the deposit herein shall be returned to the Purchaser without interest and without liability by the Vendor for any expenses incurred or damages sustained by the Purchaser.

Vendor's obligations

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

Purchaser's obligations

7. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this agreement except as expressed herein.

8. Transfer of title shall be by Deed without covenants prepared by the Vendor's solicitor. The Vendor shall not provide a warranty for title except that it has done nothing to encumber the property.

Notices

9. 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:	David Creighton Armour Reality Ltd.
To the Vendor:	The Chief Administrative Officer The Town of Amherst P.O. Box 516 Amherst, N.S., B4H 4A1

Time

10. 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

11. 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

12. The Vendor and Purchaser agree that this agreement 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

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

Binding

14. 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

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

3.7 Stadium Security

Councillor Baker stepped down from the dais for discussion of this matter.

Moved by Councillor Robert Angel, seconded by Councillor Terry Rhindress that Council award the contract for security services at the Amherst Stadium for Amherst Jr. Rambler Hockey Association home games to Epic Protection Group for the balance of the 2006/2007 hockey season at their rate of \$16 per hour.

MOTION CARRIED

3.8 Amend Capital Budget1) Cab for Kubota Tractor

Moved by Deputy Mayor David March, seconded by Councillor Ed Chitty that Council approve an amendment to the Capital Budget as follows:

- **Reduce the budget amount for the purchase of the boom flail from \$31,200 to \$22,030; and**
- **Increase the budget to include the purchase of a cab and related accessories for the Kubota Tractor in the amount of \$4,000.**

MOTION CARRIED

2) Defibrillator for Use at the Amherst Stadium

Moved by Deputy Mayor David March, seconded by Councillor Terry Rhindress that Council approve an amendment to the Capital Budget as follows:

- **Reduce the budget amount for the purchase of the used Ford half ton truck from \$15,000 to \$11,843; and**
- **Increase the budget to include the purchase of a Portable Defibrillator in the amount of \$3,800.**

MOTION CARRIED

3.9 Purchase of Chlorine/Turbidity Analyzer

Moved by Councillor Ed Chitty, seconded by Councillor George Baker that Council accept the low tender from Acrotech in the amount of \$7,986 plus HST for the supply and installation of continuous chlorine, turbidity and PH metering equipment for the Amherst Water supply, with funding to come from the approved 2006/2007 Capital Budget.

MOTION CARRIED

3.10 Purchase Fire Truck

Moved by Councillor Terry Rhindress, seconded by Councillor Robert Angel that Council accept the low tender from Metalfab for the manufacture of the new fire pumper truck at their quoted price of \$324,926 plus HST with funding to come from the approved 2006/2007 Capital Budget.

MOTION CARRIED

3.11 Council Committee Appointments

Moved by Councillor Robert Angel seconded by Councillor Ed Chitty that Council approve appointments to the following committees for the period effective November 2006 to October 31, 2007:

Airport Committee	Councillor Rhindress; Mayor Hallee as Ex-Officio
D.A.R.S.	Councillor Baker
Police Commission	Councillors Angel and Chitty; Mayor Hallee as Ex-Officio
CJSMA	Councillors Fawthrop and Rhindress
CREDA	Councillor Fawthrop
CREDA Joint Tourism	Councillor March
Planning Advisory	Councillors Baker, March and Chitty; Mayor Hallee as Ex-Officio
Tyndal Wellfield	Councillors Angel, Fawthrop and Rhindress; Mayor Hallee as Ex-Officio
Unightly Premises	Councillors Angel, Baker and March; Mayor Hallee as Ex-Officio
Tree Committee	Councillor March; Mayor Hallee as Ex-Officio
Library Board	Councillor Angel
Heritage Advisory Committee	Councillors Fawthrop and March; Mayor Hallee as Ex-Officio
Northern Region Solid Waste	Councillors Fawthrop; alternate Councillor Rhindress
VON	Councillor Baker
Committee of the Whole	Mayor Hallee and all members of Council
Audit Committee	Mayor Hallee and all members of Council

THAT the following Council Departmental Liaisons be appointed for a term effective November 2006 to October 31, 2007:

Operational Services	-	Councillor Baker
Corporate Services	-	Councillor Fawthrop
Planning & Development	-	Councillor Chitty
Fire Department	-	Councillor Rhindress
Community & Economic Development	-	Councillor March
Police Commission	-	Councillor Angel

MOTION CARRIED

3.12 Appointment of Deputy Mayor

Moved by Councillor Terry Rhindress, seconded by Councillor Ed Chitty that Council appoint George Baker as Deputy Mayor for a term that begins immediately and ends on October 31, 2007.

MOTION CARRIED

3.13 Proposed New Policy 210-26, Office of Deputy Mayor

Moved by Deputy Mayor George Baker, seconded by Councillor David March that Council adopt the proposed Policy #210-26, Office of the Deputy Mayor.

MOTION CARRIED

POLICY 210-26 Office of Deputy Mayor**PURPOSE:**

To set out the policy of the Town with respect to the selection and term of office of the Deputy Mayor.

POLICY

1. At its first meeting following an election, Council shall select a Deputy Mayor to hold office from that date to October 31 of the following year.
2. In non-election years, Council shall select a Deputy Mayor at its October Council meeting to hold office from November 1 of that year until October 31 of the following calendar year.
3. Selection of the Deputy Mayor
 - a) The election of the Deputy Mayor shall be placed on the agenda.
 - b) When the item comes up on the agenda at the meeting the Mayor shall open the floor to members of Council for nomination.

- c) If there is only one nominee, the Mayor shall entertain a motion to elect the nominated member as Deputy Mayor.
- d) If there are multiple nominees, the Mayor shall direct the CAO to prepare ballots for the election reflecting the names of the nominees.
- e) All members of Council, including those nominated, are eligible to vote.
- f) Vote shall be by secret ballot.
- g) Results shall be tabulated by the CAO who shall then communicate the results to the Mayor.
- h) The Mayor shall declare the candidate with the most votes the Deputy Mayor for a term ending October 31 of the following calendar year.
- i) Should the Deputy Mayor resign his or her office or cease to be a Councillor for any reason during the term of his or her office, the above noted process will be used to select a new Deputy Mayor, but the term of office shall be to complete the term of the Deputy Mayor whose vacancy created the need for a selection.

3.14 Proposed New Policy 210-25, Written Submissions to Council

Moved by Councillor Robert Angel, seconded by Councillor Terry Rhindress that Council adopt the proposed Policy #210-25, Written Submissions to Council.

MOTION CARRIED

POLICY 211-25, Written Submissions to Council

PURPOSE:

To set out the policy of the Town of Amherst regarding written submissions to Council.

POLICY STATEMENT:

It shall be the policy that all submissions that are not part of a mass mailing shall be acknowledged by the Chief Administrative Officer and distributed to the members of Council. Anonymous submissions to Council shall be destroyed.

If, in the opinion of the Mayor, any member of Council or the Chief Administrative Officer, any correspondence requires consideration, debate or action by Council, it shall be added to the agenda of a meeting of the Committee of the Whole.

3.15 Staff Salary Adjustments

1) Proposed Amended Policy 211-27, Salary Administration

Moved by Councillor David March, seconded by Deputy Mayor Baker that Council approve the Salary Administration Policy, Number 211-27 as amended.

MOTION CARRIED

POLICY #211-27 Salary Administration

Minutes reference date: December 12, 2000

PAGE No. 497

Revised: November 2, 2004-See April 26/04 minutes,
November 27, 2006

Page No. 880
Page No.

PURPOSE: To set out the Policy of the Town of Amherst for Salary Administration for all non-union employees.

POLICY STATEMENT: The Town of Amherst will ensure the fair and equitable compensation of all non-union employees in relation to the duties of their position within the Town.

OBJECTIVES:

1. To eliminate the possibility of salary inequities in the Town's non-union sector.
2. To establish a framework and procedure to determine levels of compensation for new positions.
3. To establish basic principles of a job evaluation system.

DEFINITION OF TERMS

Position Evaluation is the process of analyzing the various components and requirements of a position in order to determine the relative value of the position. Position Evaluation is based on KPMG's "Aiken System". The end result of Job Evaluation is ranking, in which the more complex, responsible and skilled jobs are grouped at the higher end of the hierarchy, while the less complex jobs fall at the lower end of the job position hierarchy. The criterion used in position evaluation is set out in Appendix "A". Note: Position Evaluation means the value of the position, rather than the qualification and abilities of an employee. The current job classification list is set out in Appendix "B".

Salary Grid shows all the salary scales applicable to positions within the Town. The salary grids are contained in Appendices "C", "C-1", "C-2", and "C-3". The salary grid - Appendix C has five steps.

Step Adjustment - a move from one step, within a given salary range, to another (usually the next step) for individual employees is based on a satisfactory performance evaluation.

Salary Range is defined as a range of pay for a level of duties, with a minimum and a maximum. The level and step will initially be established in accordance with Position Evaluation Procedures, and, thereafter, by Performance Appraisal.

Reclassification is the realignment of a new Level to a group, or position, following a review of the entire class of positions, and a comparison with the prevailing market rate for that type and level of work.

Performance Evaluation: A formal evaluation of the employee's job performance. All employees will receive at least one Performance Evaluation in each year of service. Such evaluation shall be carried out in accordance with the Performance Evaluation & Development System.

Annual Economic Adjustment: The adequacy of the salary grid as a whole is reviewed annually by Town Council and adjusted at April 1st in each year by an amount equal to or greater than the annual average percentage change in the Consumer Price Index, All-items, for the Province of Nova Scotia for the previous calendar year, as determined by Statistics Canada.

Job Evaluation Coordinator - A senior employee designated by the Chief Administrative Officer, tasked with impartially evaluating positions within the organization, in accordance with the Aiken System, using the criteria set out in Appendix A.

POSITION EVALUATION

Position Evaluation is concerned with the job requirements, not the qualifications of the employee in the position, or the wages paid to the individual.

The Treasurer shall maintain current **Position Evaluation Forms** for each established non-union position within the organization.

The **job evaluation coordinator** shall evaluate each job using KPMG's "Aiken System" and shall recommend a determination of the relative worth of each job to the Chief Administrative Officer who shall consider it, make appropriate revisions if necessary and recommend a job evaluation to Council for inclusion in the job classification list. The following sources of information should be considered:

- i Existing job descriptions.
- ii A written submission Job Facts prepared by the employee.
- iii An interview with the Supervisor and/or Department Head, if necessary.
- iv Any existing Job Evaluations completed for the position being analyzed.

All Position Evaluations should be periodically examined (every two years) to ensure the validity of the Position Evaluation.

When Position Evaluations have been completed for the entire Town, the Treasurer shall review the Position Evaluation Factors and grades for the various Departments and groups within the Town. All jobs evaluated should be listed on the **Job Classification List**, beginning with the highest point ranking.

The coordinator shall review the job description of all proposed new positions and shall recommend a relative job evaluation to the Chief Administrative Officer for purposes of setting classification levels for new positions.

Employees who wish to have the job evaluation relating to their position reviewed may request such action, in writing through his or her department head, to the Treasurer citing the reasons why he or she feels the review is necessary. The job evaluation coordinator and the Chief Administrative Officer shall conduct the review.

SALARY GRID

An appropriate salary grid for all non-union positions shall be determined by the Council in accordance with the following:

New Positions: Recommendations for placement on the salary grid shall be prepared by the Chief Administrative Officer considering, among other things, the relative worth of the job as recommended by the job evaluation coordinator and forwarded to Council for approval.

Re-Evaluation of Positions: Recommendations shall be prepared by the Chief Administrative Officer considering, among other things, the relative worth of the job as recommended by the job evaluation coordinator and forwarded to Council for approval. Generally, a revised Salary Rating for an existing position will be considered only in cases where the Job Description or Position Evaluation has substantially changed.

Salary Ratings for temporary and casual positions shall be determined by the Chief Administrative Officer, in consultation with the Department Head.

The salary grid shall be reviewed each year after considering any increase in the cost of living and a survey of the salary market for comparable positions may be conducted.

Step Adjustment shall be made only when:

- i The adjustment can be accommodated within the Salary Account of the appropriate Department; and
- ii. A Current Performance Evaluation Form is on file.

Upon completion of a satisfactory annual evaluation the employee shall be moved to the next step on the salary grid within his or her level. If that employee is already at step 5 within his or her level, he or she shall be granted a payment equal to one-half of the difference between step 4 and step 5 of his or her level.

PERFORMANCE EVALUATION

Performance Appraisals shall be conducted by the Chief Administrative Officer/Department Head at the completion of the probation period, and at least annually thereafter recorded on Performance Evaluation Forms.

The Chief Administrative Officer/Department Head shall discuss the employee's Performance Evaluation in detail with the employee, in accordance with the employee evaluation system and standardized forms.

SCOPE OF RESPONSIBILITY

The Town Council shall:

- i Authorize changes to the Policies and Procedures comprising the Program of Employee Compensation.
- ii Review and approve salary ratings for all established positions within the Town.
- iii Determine the annual economic adjustment factor to be applied to the salary grid each year.

The Chief Administrative Officer shall:

- i Review and recommend changes to Policy and procedures as they relate to the Employee Compensation Program.
- ii Ensure the implementation and maintenance of position Evaluation and Salary Rating and Performance Appraisal Procedures.
- iii Conduct Position Evaluation, Salary Rating and Performance Evaluation Procedures relative to Department Head positions.
- iv Conduct annual salary surveys and make recommendations to Council concerning the annual economic adjustment factor.

- v Grant Merit Adjustments to individual employees in accordance with approved Policies and Procedures and, subject to budgeting limitations.
- vi Maintain all personnel files and records.

The Department Head shall:

- i Conduct Position Evaluations, Salary Ratings, and Performance Evaluation procedures relative to the positions and employees within their respective departments, and make appropriate recommendations to the Chief Administrative Officer.
- ii Make recommendations to the Chief Administrative Officer regarding step adjustments for employees within their departments.

APPENDIX "A"

Job Factors used in Evaluating Positions

- Complexity - Judgement
- Education
- Experience
- Initiative
- Result of Error
- Contacts
- Character of Supervision
- Scope of Supervision
- Physical/Mental Demands
- Working Conditions

Appendix "B"

Job Classifications

Level 12	Incumbent Town Engineer - Ron Patterson
Level 11	Town Treasurer Director – Community & Economic Development
Level 10	Director of Planning and Development Fire Chief Operations Manager
Level 9	Vacant
Level 8	Public Works Foreman
Level 7	Community Program Director Engineering Services Manager Building Inspector Technology Officer Assistant Planner Transportation Foreman Accountant
Level 6	Executive Assistant – Executive Office Firefighters/Inspectors
Level 5	Revenue Officer Firefighters Geographic Information Systems Technician Engineering Technician Executive Assistant - Corporate Services Executive Assistant - Operational Services Executive Assistant - Community & Economic Development CED Marketing/Special Events Maintenance Supervisor - Recreation Facilities
Level 4	Public Works Clerk/Secretary Human Resource Officer Accounts Payable Clerk Water/Sewer Billing Clerk
Level 3	Cashier/Receptionist – Corporate Services Technology Assistant
Level 2	Vacant
Level 1	Vacant

Town of Amherst

Salary Scale

April 1, 2006

1.01

APPENDIX C**** Statistics Canada calendar year 2005, rate 2.8 x 4/12 (Sept - Dec)**

Job Level	Step 1	Step 2	Step 3	Step 4	Step 5
12	76,476	78,607	80,738	82,869	85,000
11	67,228	68,951	70,719	72,532	74,393
10	59,392	60,920	62,449	63,978	65,505
9	54,160	55,087	56,014	56,941	57,863
8	49,487	50,423	51,360	52,297	53,234
7	43,874	45,000	46,153	47,337	48,551
6	39,384	40,394	41,429	42,492	43,582
5	35,800	36,397	36,994	37,591	38,189
4	31,812	32,628	33,464	34,323	35,203
3	28,237	28,961	29,703	30,465	31,246
2	25,100	25,743	26,402	27,080	27,774
1	21,961	22,525	23,103	23,695	24,303

Salary Grid – Appendix C-1

<u>Job Level</u>	<u>Salary Amount</u>
Mayor	\$17,161.
Deputy Mayor	\$14,438.
Councillors	\$13,356.

Salary Scale - Appendix C-2
Non-Union Police Positions

<u>Job Level</u>	<u>Salary Amounts</u>
Chief of Police	\$87,257.
Deputy Chief of Police	\$77,846.
Executive Assistant/ Dispatch Coordinator Police	\$41,571.

Hourly Rate Scale – Appendix C-3
Non-Salary Positions

Job Title	Hourly Rate				
	Step 1	Step 2	Step 3	Step 4	Step 5
Canine Control Officer	9.85	10.20	10.55	10.90	11.30
Canteen Manager	10.45	10.95	11.25	11.55	12.00
Canteen Worker	7.50	7.85	8.10	8.40	8.65
Jail Guards	9.85	10.20	10.55	10.90	11.30
School Crossing Guards	7.50	7.85	8.10	8.40	8.65
Casual Firefighter	13.90	14.15	14.40	14.65	14.90
Casual Employee -Other	7.50	7.85	8.10	8.40	8.65

- 2) Proposed Amended Policy 211-21, Overtime – Non-Union

Moved by Councillor David March, seconded by Councillor Terry Rhindress that Council approve the Overtime Policy – Non Union Employees, Number 211-21 as amended.

MOTION CARRIED

TOWN OF AMHERST POLICY**DEPARTMENT:** ALL TOWN DEPARTMENTS**TITLE:** **Overtime Policy – Non-Union Employees 211- 21**

Minutes reference date: August 15, 1983

1st Revision date: March 19, 19902nd Revision date: March 25, 19963rd Revision date: November 27 2006

PURPOSE: To establish Council Policy respecting the authorization, administration and compensation for overtime worked by non-union employees other than Department Heads.

POLICY STATEMENT: When employees are required to work extra time in addition to their normal working hours they shall be compensated for such overtime as set out in this policy.

OBJECTIVES: To regulate the administration of approved overtime compensation, by listing and clarifying authority and conditions for such compensation.

1. For non-union employees in Level 8 and below as indicated in Appendix B of the Salary Administration Policy, the Town will compensate overtime, at each pay period, at the rate of:
 - a) one and one-half times the hours worked in excess of the number of hours required per day.
 - b) double time for work on Sundays or Holidays.
2. Upon request of the employee, the Town may grant compensatory time off in lieu of paid overtime at the Town's discretion at the appropriate overtime rates.
3. Compensatory time off may be accumulated to a maximum of 40 hours to be used at a later time upon mutual agreement. Time in lieu must be used by the end of each calendar year or will be paid off on the first pay in January.
4. Department Heads are the authority for the approval of overtime requests. It shall be the responsibility of the Department Head to determine whether overtime or compensatory time be granted to the employee when compensatory time is requested in lieu of paid overtime.
5. All positions in Level 9 and above as indicated in Appendix "B" in the Salary Administration Policy shall not be paid for overtime. Reasonable compensatory time off based on straight time may be approved by the employee's immediate supervisor.
6. Department Heads will exercise discretion in the utilization of overtime within their department's operating/capital budgets.
7. Time involved in travelling to/from or in attendance at conferences or training courses is not eligible for overtime compensation.

4. INFORMATION/DISCUSSION ITEMS**4.1 Transient Retail Issues**

Greg Herrett stated that, as a result of the Laundry's Wholesale Furniture

Moved by Councillor Ed Chitty seconded by Deputy Mayor Baker that the issue of transient vendors be given consideration and full discussion at Committee of the Whole.

MOTION CARRIED

5. ADDITIONAL ITEMS

5.1 December Council Meeting

Moved by Councillor David March, seconded by Councillor Terry Rhindress that the Decmeber meeting be changed to Monday, December 18, 2006.

MOTION CARRIED

5.2 Library Update

Councillor Angel provided an update on upcoming activities at the Cumberland Regional Library – Amherst Branch - over the Christmas season.

6. DEPARTMENTAL REPORTS

6.1 Planning and Development

Moved by Deputy Mayor George Baker, seconded by Councillor Robert Angel that Council adopt the following monthly report from the Planning and Development Department:

MOTION CARRIED

Building Activity

As of October 31, 2006 the total value of building permits issued in the Town was **\$10,106,412** compared to **\$4,574,130** at this point last year. During the last month there were 15 new housing units constructed within Town, including two new 4-unit apartment buildings. This brings our total new residential construction this year to 50 units. Approximately one half of the new units are single detached dwellings.

Dangerous and Unsightly Premises

So far this year we have had 31 complaints, 25 have been resolved. Four orders have been issued and 3 are active. All complaints received have been investigated 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.

Other Items

The Department will be participating in a pilot project with the Province, the County of Cumberland, the County of Yarmouth and the Town of Yarmouth. This project will look at the potential of tracking land use in the Provincial civic number database. It is hoped that this will reduce the need to collect land use information from scratch every few years.

Other Towns

Staff continue to work on the new Municipal Planning Strategy for the Town of Parrsboro. We continue to provide development officer duties for the Town of Oxford and are working on a land use bylaw amendment for the Town of Springhill.

Bylaw Enforcement

As Council is aware a retail furniture business was operating from 11 Tupper Boulevard between October 18 and November 13, 2006. This retail operation was conducted in contravention of Section 9.1 of our Land Use Bylaw which prohibits retail sales in the Industrial Zone unless such sales are accessory to the main industrial type use on the property. No development permit was issued for this business, and the operators were repeatedly instructed in writing to cease operation. A summons was issued for this business to appear in Provincial Court on December 4, 2006 regarding the above noted violation. Council will be updated on the outcome of these court proceedings accordingly.

6.2 Corporate Services

Moved by Councillor David March, seconded by Councillor Ed Chitty that Council adopt the following monthly report from the Corporate Services Department:

MOTION CARRIED

MONTHLY EXPENDITURES

Expenditures during the month of October 2006 totaled \$1,169,274 compared to \$1,122,153 for the same month last year.

	October 2006	October 2005
Corporate Services	\$ 283,611	\$ 353,618
Police Department	183,632	166,509
Fire Department	95,451	97,510
Operational Services	350,329	270,833
Planning Department	23,604	21,245
Community & Economic Development	115,352	113,809
Water	117,294	98,630
	\$ 1,169,274	\$ 1,122,153

COLLECTIONS

Total amount owing to the Town at the end of October 2006 was \$1,674,273. During the month of October 2006 we collected \$954,366.

	October 2006			October 2005		
	Current	Prior	Total	Current	Prior	Total
Property Taxes	\$ 587,313	\$ 206,120	\$ 793,432	\$ 594,844	\$ 311,749	\$ 906,593
Business Taxes	117,741	151,519	269,260	132,739	191,784	324,522
Sewer Rates	204,462	16,568	221,030	190,301	48,373	238,674
Water Rates	253,559	69,058	322,617	248,819	135,938	384,757
Other	46,765	21,169	67,934	68,486	20,805	89,291
	\$ 1,209,839	\$ 464,434	\$ 1,674,273	\$ 1,235,189	\$ 708,648	\$ 1,943,837

Amounts collected in the month of October 2006:

	<u>October</u>				
Property Taxes	\$ 463,371				
Business Taxes	69,303				
Sewer Rates	18,958				
Water Rates	23,978				
Other (Note 1)	378,756				
	\$ 954,366				
		Note 1 - includes all other grants, fines, fees, including stadium revenue.			

YEARLY OPERATING STATEMENT

As of October 31, 2006 we are seven months into our fiscal year. Our total revenue to date is \$11,802,201 compared to the budgeted amount of \$11,810,070. Our total expenditures to date are \$7,080,823 compared to the budgeted amount of \$7,571,297.

6.3 Operational Services

Moved by Councillor Ed Chitty, seconded by Deputy Mayor George Baker that Council adopt the following monthly report from the Operational Services Department:

MOTION CARRIED

During October Operational Services crews were busy with our yearly preparations for winter which include the change over of our salt trucks from summer operation to winter operation as well as inspecting and repairing our plows and blowers. 25,000 LED lights were installed in Victoria Park as well as 37 snow flake light displays for Albion Street and the downtown core for the Victorian Christmas light up.

During October the water meters were read throughout the Town. Our yearly hydrant inspections were completed by the second week of November. The Town has almost 400 fire hydrants to inspect and winterize before freeze-up. These include over 50 private hydrants.

In October the Water Department concluded our data collection phase of our Chlorine Water Quality investigation. This data is being analyzed by our consultants at CBCL. The next phase of the program is to increase the amount of water that is turned over in the Willow Street reservoir. Our consultants have recommended that we change 25% of the water everyday.

Last summer CJSMA staff conducted audits on 44 commercial establishments in Amherst and found 26 of them to be fully compliant with our Solid Waste Bylaws requirements for source separation. Those who were not compliant were advised as to what was required to become compliant. The major deficiencies were a lack of source separation of recyclables and compostables from the waste stream. A follow up audit will begin this week and those still not compliant will be issued a warning letter informing them of the consequences of continued non-compliance with our Solid Waste Bylaw.

Staff continue to be very busy working with the contractors on the north town collector project, as well as wrapping up the deficiencies on the stadium renovations project. The Croft Street project experienced some delays as the new sidewalk was built but the project is now complete. The Rambler/Erncliffe water and sewer replacement project is also complete. Staff are now working with Dillon on the tender documents for the Eddy Street and Derby Street lift stations and with Sperry and Associates on the Phase 2 renovation documents for the stadium. We expect both tender calls to be ready early in the new year.

6.4 Police Department

Moved by Councillor Robert Angel, seconded by Councillor Terry Rhindress that Council adopt the following monthly report from the Police Department:

MOTION CARRIED

Personnel

Cs. Ken Gilbert is on an indefinite sick leave effective October 17th 2006.

Training

Constables Hunter, Pike and Fudge attended a one day training workshop in Truro in early November entitled "Improving First Line Law Enforcement Responders Recognition of Emotionally Disturbed Persons." This training session was presented by the Dalhousie University Faculty of Medicine.

Halloween 2006

Again this year, Halloween was a relatively uneventful night in our community. Police responded to 22 routine calls for assistance. Only six calls were related to Halloween. There was no damage reported, and no arrests or charges laid as a result of Halloween.

The department would like to thank the Amherst Fire Department, Pumpkin Patrol and the Westcum Amateur Radio Club for helping to make this Halloween safe for the children and the community.

Major Crime Unit

Police have charged a 14 year old male youth with Arson in connection with an October 28th early morning fire at the CACL Bridge Adult Service Centre on Croft Street. The male will appear in Youth Justice Court on November 9th to enter a plea.

The discovery of possible human leg bones in the Dickey Street area on November 1st remains under investigation. It is believed at this time that the bones are that of an animal.

Winter Parking Regulations

Winter Parking Regulations will be effect again this year from the 15th day of November 2006 until the 15th day of April 2007 and are pursuant to Section 152(1) of the Motor Vehicle Act respecting parking meters, being Chapter 293 of the Revised Statutes of Nova Scotia 1990. They state that:

- (a) No owner or driver or person having control or custody of any vehicle, shall between the 15th day of November A.D. 2006 and the 15th day of April A.D. 2007, park or leave standing the same upon any highway or street in the Town of Amherst between the hours of 12:00 o'clock midnight and the hour of 7:00 o'clock in the morning of the same day.
- (b) No owner or driver or person having control or custody of any vehicle shall between the 15th day of November A.D. 2006 and the 15th day of April A.D. 2007, park or leave the same standing and unattended by a person authorized to move or capable of operating the same upon any highway or street in the Town of Amherst in such manner as to hinder, inconvenience or prevent the proper removal of snow or ice from such highway or street.

A fine of \$15.00 will be levied for vehicles not in compliance.

Justice Leadership Forum

On Thursday November 2, 2006 the Deputy Minister of Justice held the second annual Police Leadership Forum in Truro. The participants represented a stakeholder group which included representatives from boards of police commissioners, police managers, public prosecution services, corrections, policing consultants, etc. Councilor/commissioner Angel and Chief Rushton were in attendance representing the policing interests for the Town of Amherst.

It was a day for leaders in policing to discuss the strategic direction of public safety in our Province, policing trends that are on the horizon and how collaborative efforts can address such trends to help us be better prepared for the future.

It was an interesting and productive session with many suggestions offered on potential changes in policing direction and how those changes could be best managed. The department of justice will consolidate the information gathered and provide a documented overview in the near future.

Preliminary Implementation - Allocation of 250 Provincial Policing Positions:

On Thursday November 16, 2006 Department of Justice personnel held a briefing session to advise senior police officials of the Provinces plan for the allocation of the 250 police officers promised by Premier MacDonald.

The 250 officers are to be introduced over the next four year period. Eighty positions are allocated effective April of 2007 the remaining positions are to be allocated as follows, 70 positions for 2008-2009, 20 in 2009-2010 and the remaining 80 in 2010-2011. Each municipality got at least one police officer. The larger municipalities received more with Halifax getting 32 and Cape Breton being assigned ten. Amherst has received one position. The new positions are to be in addition to the current strength and are not to be utilized to backfill current positions. The Province has suggested four main areas in which these positions are to be utilized, Street Crime Enforcement, Integrated Child Exploitation Units, School Safety Resource Officers and Identified Police Initiatives. An allocation of \$100,000 per position is available for each position. Amherst is currently reviewing how we could best utilize the new position within the parameters established by the Department of Justice.

6.5 Fire Department

Moved by Councillor Terry Rhindress, seconded by Deputy Mayor George Baker that Council adopt the following monthly report from the Fire Department:

MOTION CARRIED

Alarm Resonances:

From – October 12/06 – November 08/06, the members of our Fire Department responded to 7 calls in the Town of Amherst and 2 call to the County coverage area.

Training and Fire Department Activities:

Our level one firefighter training program that the Amherst Fire Department provides each year is presently under way, 10 firefighters from 5 different fire departments are taking advantage of this training. We have 2 new volunteer members in our department. Our recruiting campaign is under way with hopes of getting at least 5- 10 more applications. With one month into the campaign, the results presently are disappointing with only two applications received to date. One member of our department attended a two day course on maintenance and repair of forestry pumps. Three of our fire inspectors have received their provincial certification and two others should be completing their inspectors training by the end of next year. The Fire Department had their annual banquet on Nov. 04, and we would like to thank the Mayor and all of those Councilors that attended. A number of industries in our Town have made changes to their buildings and equipment and tours to these businesses have been arranged so that our firefighters can visit them on our training nights, to become more familiar with the building and operations. Maritimes Northeast Gas has a mock exercise planned for November that will include our HazMat Unit and a number of other fire departments from the county region.

Fire Prevention and Emergency Preparedness:

Our fire inspectors are still concentrating on apartment building inspections and have estimated it will still take several months yet to complete. Fire extinguisher and fire safety training is being offered by our fire department and many of the group homes and health care facilities are using our training to meet the government requirements for their staff training.

6.6 Community and Economic Development

Moved by Councillor David March, seconded by Councillor Robert Angel that Council adopt the following monthly report from the Community and Economic Development Department:

MOTION CARRIED

Facilities Operations

All parks and athletic fields have been winterized and staff is now concentrating efforts at the Stadium. We still have ice time available for rent at the stadium and interested parties can contact the Community and Economic Development Department at 667-6500.

Postponement of Ramblers Game

On Saturday, November 11th, the Amherst Junior Ramblers game against the Restigouche Tigers was postponed due to a problem on the south side of the ice surface at the Amherst Stadium. The measurements taken, in one small area of the ice, prior to the game were below acceptable levels for safety. The decision to postpone the game was made after consulting both teams and game officials and all felt it to be wise to address safety first.

The section of the ice affected had not been a problem area in the past. We don't know what may have occurred that resulted in the ice deteriorating to this level however; the slab under the ice has been a concern for some time with it cracking in areas and some areas being higher than other. In addition, the floor is old and it has been noted as a priority for replacement in the coming year. Possibly the temperature and humidity changes over the past weeks together with the temperature that we have to run the plant at may have caused some shifting.

Considering the age of the facility and the need to ensure an uninterrupted service to our customers, Stadium Staff will be increasing the number of ice measurement taken on a weekly basis and will be doing a visual inspection during each shift of the full ice surface. In addition, we are doing extra flooding in an effort to build up the ice surface while at the same time, maintaining the quality of the ice.

The support that staff received from teams, officials and fans was excellent and we would like to thank everyone for their cooperation in assisting us to address this issue.

Centennial Coach Car

Meetings have been held with officials from the Nova Scotia Railway Heritage Society related to the removal of the Coach Car. All services have been disconnected for the unit and it is ready for transport. The company doing the move has been delay on another job by about 2 weeks thus the move is now planned for December 4th.

Morning Skating

Effective Tuesday, November 28, there will be no cover charge for public skating currently offered Tuesday, Wednesday and Thursday mornings, for Adults & Seniors (8:30 to 9:30) and Parents & Tots (9:30 to 10:30). With declining participation a no charge access may augment participation and follow in accordance with objectives in the Town of Amherst's strategic plan, in particular, encouraging healthy and safe communities.

Business Development

The Maritime Pride Eggs is complete and is now operational. We wish the owners and staff all the best in the future. The building and the business are indeed an excellent addition to our community. Initial phases of Office Experts/Stenek building in downtown Amherst is complete and work continues on secondary phases of this development. The building looks great and we applaud Shannon Sears in his faith in our downtown business district to move this project forward.

7. ADJOURNMENT

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

APPROVED:

Gregory D. Herrett, CA
Chief Administrative Officer

Jerry Hallee
Mayor

Amherst Town Council Meeting
Monday, November 27, 2006 at 7:00 PM
AGENDA

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 (23 October 2006 Regular Meeting)
 - 3.4 2nd Reading, By-Law to Amend the Land Use By-Law (Albion Street)
 - 3.5 1st Reading, By-Law to Amend the Land Use By-Law (Administrative)
 - 3.6 Sale of Lawrence Street Property
 - 3.7 Stadium Security
 - 3.8 Amend Capital Budget
 - Cab for Kubota Tractor
 - Defibrillator for Use at the Amherst Stadium
 - 3.9 Purchase Chlorine/Turbidity Analyzer
 - 3.10 Purchase Fire Truck
 - 3.11 Council Committee Appointments
 - 3.12 Appointment of Deputy Mayor
 - 3.13 Proposed New Policy 210-26, Office of Deputy Mayor
 - 3.14 Proposed New Policy 210-25, Written Submissions to Council
 - 3.15 Staff Salary Adjustments
 - Proposed Amended Policy 211-27 Salary Administration
 - Proposed Amended Policy 211-21 Overtime (Non-Union)
4. Information/Discussion Items
 - 4.1 Transient Retail Issues
5. Additional Items
 - 5.1 December Council Meeting
 - 5.2 Cumberland Regional Library
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 Department Monthly Report
7. Adjournment