



Town of Amherst  
Committee of the Whole

Date: **Monday, March 15, 2021**  
Time: **4:00 pm**  
Location: **Zoom Virtual Meeting**

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	Pages
<b>1. Call to Order - 4:00 p.m.</b>	
<b>1.1. Approval of Agenda</b>	
<b>1.2. Approval of the Consent Agenda</b>	1 - 1
<b>1.3. Approval of Minutes - February 16, 2021</b>	2 - 5
<b>2. Council Direction Requests</b>	
<b>2.1. Stadium Walking Track Hours - MacDonald - 4:05 p.m.</b>	6 - 7
<b>2.2. 'A' Fresh Start - MacDonald - 4:10 p.m.</b>	8 - 18
<b>2.3. Noise Bylaw - Pike - 4:20 p.m.</b>	19 - 27
<b>2.4. NSPI Easement - Solar Garden Project - Fisher - 4:40 p.m.</b>	28 - 37
<b>3. Monthly Reports</b>	
<b>3.1. Corporate Services</b>	38 - 39
<b>3.2. Operations</b>	40 - 41
<b>3.3. Police Services</b>	42 - 44
<b>3.4. Fire Services</b>	45 - 45
<b>3.5. Planning &amp; Strategic Initiatives</b>	46 - 46
<b>3.6. Business Development</b>	47 - 47
<b>4. In Camera - 4:45 p.m.</b>	
<b>4.1. Approval of In Camera Agenda</b>	
<b>4.2. Approval of In Camera Minutes</b>	

- 4.3. MGA 22(2)(c) - personnel matters
- 4.4. MGA 22(2)(a) - acquisition, sale, lease and security of municipal property
- 4.5. MGA 22(2)(c) - personnel matters
- 4.6. MGA 22(2)(c) - personnel matters
- 4.7. MGA 22(2)(a) - acquisition, sale, lease and security of municipal property
- 4.8. MGA 22(2)(h) - public security
- 4.9. MGA 22(2)(h) - public security

5. Adjournment

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Town of Amherst  
Committee of the Whole  
Monday, March 15, 2021

### **Consent Agenda**

#### **MOTION:**

**That Council approve the following items as part of the consent agenda:**

- 1.3. Approval of Minutes**
- 3.1. Corporate Services Monthly Report**
- 3.2. Operations Monthly Report**
- 3.3. Police Services Monthly Report**
- 3.4. Fire Services Monthly Report**
- 3.5. Planning & Strategic Initiatives Monthly Report**
- 3.6. Business Development Monthly Report**

**Amherst Town Council  
Committee of the Whole  
Minutes**

**Date:** February 16, 2021  
**Time:** 4:00 pm  
**Location:** Zoom Virtual Meeting

**Members Present** Mayor David Kogon  
Deputy Mayor Hal Davidson  
Councillor George Baker  
Councillor Sheila Christie  
Councillor Lisa Emery  
Councillor Dale Fawthrop  
Councillor Leon Landry

**Staff Present** Greg Herrett, CAO  
Jason MacDonald, Deputy CAO Operations  
Mike Hunter, Chief Financial Officer  
Dwayne Pike, Police Chief  
Greg Jones, Fire Chief  
Andrew Fisher, Manager of Planning & Strategic Initiatives  
Tamara Porter, Business Development Officer  
Tom McCoag, Corporate Communications Officer  
Kim Jones, Municipal Clerk  
Natalie LeBlanc, Deputy Clerk

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Due to the COVID-19 pandemic and the requirement for physical distancing, this was a virtual meeting held via Zoom.

**1. Call to Order 4:00 p.m.**

Mayor Kogon called the meeting to order at 4:06 p.m.

**1.1 Approval of Agenda**

**Moved By Councillor Baker**

**Seconded By Councillor Fawthrop**

**To approve the agenda as circulated.**

**MOTION CARRIED**

**1.2 Approval of the Consent Agenda**

**Moved By Councillor Emery**

**Seconded By Councillor Christie**

**To approve the consent agenda as circulated.**

**MOTION CARRIED**

**1.3 Approval of Minutes**

The following motion was approved as part of the Consent Agenda:

**Moved By Councillor Emery**

**Seconded By Councillor Christie**

**That the minutes of the January 11, 2021, January 18, 2021, January 25, 2021 and February 8, 2021 Committee of the Whole meetings be approved as circulated.**

**2. Council Direction Requests**

**2.1 Appointments of Members of Council to External Boards Committees and Commissions**

**Moved By Deputy Mayor Davidson**

**Seconded By Councillor Landry**

**That the Policy for Appointments of Members of Council to External Boards, Committees and Commissions as amended be forwarded to the February 22, 2021 regular meeting of Council for approval.**

**MOTION CARRIED**

**2.2 Council Committee Review**

The CAO spoke to the draft Policy on Internal Committees as in the agenda package. He suggested Committee of the Whole schedule a special meeting to discuss this, and that Council review the Terms of References for each Committee and forward any suggested changes to the Clerk for the special meeting.

**2.3 Proceedings of Council Policy**

The CAO spoke to the Proceedings of Council Policy as included in the agenda package, pointing out that amendments are being suggested to include virtual meetings as the MGA requires that all meetings be in-person. Further to discussion, the CAO will continue to draft amendments to this Policy and bring it back to Committee of the Whole.

**2.4 Request to Present - YMCA of Cumberland UpLift Program**

**The following motion was approved as part of the Consent Agenda:**

**Moved By Councillor Emery**

**Seconded By Councillor Christie**

**That staff be directed to arrange for a YMCA of Cumberland Uplift Program presentation to Council.**

**MOTION CARRIED**

**2.5 Mandatory Provincial Contribution Area Rate**

**Moved By Councillor Baker**

**Seconded By Councillor Fawthrop**

**The setting of the Mandatory Provincial Contribution Area Rate provides funding for provincial services the Town is mandated by the province to**

pay for. They include amounts for Education, Property Valuation Services Corporation (PVSC) Assessment Services, Correctional Services, Housing and the Library. It is recommended that the setting of the Mandatory Provincial Contribution Area Rate at \$0.402, an increase of 0.005, for the 2021-22 fiscal year be referred to the February 22, 2021 regular meeting of Council for approval.

**MOTION CARRIED**

**2.6 Northern Solid Waste Agreement**

**Moved By Councillor Emery**

**Seconded By Deputy Mayor Davidson**

**That Committee of the Whole place the attached Northern Region Intermunicipal Solid Waste Agreement on the February 22, 2021 meeting of Amherst Town Council for consideration and approval.**

**MOTION CARRIED**

**2.7 Noise Bylaw**

**Chief Pike will continue to work on a draft Noise Bylaw and bring it back to Committee of the Whole.**

**3. Information Items**

**3.1 Recognition of Individuals and the Renaming of Lord Amherst Drive**

**Moved By Councillor Baker**

**Seconded By Councillor Emery**

**To defer this matter to a future meeting.**

**MOTION CARRIED**

**NAY votes: Deputy Mayor Davidson, Councillor Landry and Mayor Kogon**

**4. Monthly Reports**

The following monthly reports were approved as part the Consent Agenda. Information items only; no direction given or action required.

4.1 Corporate Services

4.2 Operations

4.3 Police Services

4.4 Fire Services

4.5 Planning & Strategic Initiatives

4.6 Business Development

**5. In Camera**

**Moved By Councillor Baker**

**Seconded By Councillor Christie**

**That the Committee move to an In Camera session.**

**MOTION CARRIED**

- 6. Adjournment**  
**Moved By Councillor Landry**  
**Seconded By Councillor Fawthrop**  
**To adjourn the meeting at 6.22 p.m.**

**MOTION CARRIED**

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Kimberlee Jones  
Municipal Clerk

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David Kogon, MD  
Mayor

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**TO:** Mayor Kogon and Members of Council

**SUBMITTED BY:** Corey Crocker, Facility Manager

**DATE:** March 15, 2021

**SUBJECT:** Continuation of Extended Hours of Stadium Walking Track

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**ORIGIN:** Motion of Council January 25, 2021: **That Council approve an amendment to the Salary Administration Policy to add the position of Term Customer Service Representative (1.7 FTE) to job category Admin/Customer Service Level 1 in order to allow for extended walking track hours and public skating at the Amherst Stadium during the current COVID-19 pandemic and that the additional cost of the service until March 31, 2021 to be accommodated within the current year operating budget of the Town.**

**LEGISLATIVE AUTHORITY:** 65A (1) Subject to subsections (2) to (4), the municipality may only spend money for municipal purposes if (a) the expenditure is included in the municipality's operating budget or capital budget or is otherwise authorized by the municipality;

**RECOMMENDATION:** That Committee of the Whole forward to the March 22, 2021 regular meeting of Council the approval of the extension of the 1.7 FTE Term Customer Service Representative position until May 31, 2021 with the additional cost to be funded from the Operating Reserve.

**BACKGROUND:** Pre-COVID, the walking track at the Amherst Stadium was open to the public 7 days a week, whenever the stadium was open and no paid event was underway (generally 7 am to 10 pm.) Participants were not required to register and the number of participants was not monitored. With COVID-19 restrictions in place, contact tracing is required and only 25 participants are permitted to walk at the same time. In order to follow these rules, the Town implemented a pre-registration requirement. This required the stadium doors to be locked and for entry to be controlled with very limited walking hours available.

At the January 25 meeting of Council, the addition of 1.7 FTE term customer service representatives were created. These positions have been filled by three part time workers and the stadium track is now open from 7 am to 9 pm Monday to Friday and limited hours on the weekend.



**DISCUSSION:** Participation numbers have been increasing weekly with a high of 525 walkers the week of February 22 – 28. The additional staff has also resulted in the resumption of public skating.

With COVID restrictions still in place in order to keep the walking track open and public skating available, an extension of the 1.7 FTU Customer Service Representatives position is required.

**FINANCIAL IMPLICATIONS:** The cost to extend this service until May 31, 2021 is approximately \$11,000 and can be accommodated from the Operating Reserve.

**SOCIAL JUSTICE IMPLICATIONS:** Extending the hours at the walking track will significantly increase the opportunity for both physical and mental well being at this facility for those who wish to partake.

**ENVIRONMENTAL IMPLICATIONS:** There are no environmental implications to opening the walking track at the stadium.

**COMMUNITY ENGAGEMENT:** Community will be engaged through social media and in-person.

**ALTERNATIVES:** Revert back to having the walking track available 10 hours / week and do not allow public skating.

**ATTACHMENTS:**

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Report prepared by:

Report and Financial approved by:

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**TO:** Mayor Kogon and Members of Council

**SUBMITTED BY:** Cheryl Laliberté – Community Well-being Manager

**DATE:** March 15, 2021

**SUBJECT:** ‘A’ Fresh Start COVID Process

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**ORIGIN:** Need to alter process for the ‘A’ Fresh Start Community Support Grant due to COVID-19 restrictions

**LEGISLATIVE AUTHORITY:** MGA sections 47(1) states “The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law”; TOA Policy 72000-08

**RECOMMENDATION:** That staff be directed to alter the process of making presentations and public voting for the spring intake and award of the ‘A’ Fresh Start Community Support Grant so that applicants who make the finals will prepare a five-minute video presentation which will run on social media with public voting occurring electronically.

**BACKGROUND:** According to policy all qualifying applicants are eligible to be one of 5 finalists reviewed by a staff committee and approved by Council in May who will then make a live presentation to the public at the Community Credit Union Business Innovation Center in June. Attendees will vote to rank the quality of the presentations. Once the ranking is complete, Council will determine the final decision on funding to be allocated to the final five presenters.

**DISCUSSION:** With the current COVID restrictions in place, having a large public meeting for applicant presentations is not allowed. Even if restrictions are relaxed by the time of the event, public sentiment regarding large social gatherings may limit participation. A viable alternative to the usual process is to have all five top applicants prepare a short video presentation which will be shared on social media with voting taking place electronically to rank the presentations. A suggested timeline is as follows:

March 23: News release issued

March 23 -April 11: Promoting acceptance of applications on social media

April 12: Deadline for receipt of applications

April 13-May 10: Staff review applications, determine Top 5



- May 17: Present the Top 5 to the Committee of the Whole
- May 25: Announce Top 5 at the May council session
- June 9: Deadline for receiving videos
- June 14-18: Videos posted on town's social media pages / Voting period opens
- June 20: Voting ends at 4:30 p.m.
- June 21: Council views video presentations and gets results of vote in an in-camera committee of the whole session
- June 28: Council announces decision at its regular June council meeting

**FINANCIAL IMPLICATIONS:** There are no financial implications anticipated to moving to an electronic format.

**SOCIAL JUSTICE IMPLICATIONS:** This process is meant to increase public participation and inclusion in the voting process.

**ENVIRONMENTAL IMPLICATIONS:** There are no environmental implications anticipated at this time.

**COMMUNITY ENGAGEMENT:** Community engagement will occur with online voting.

**ALTERNATIVES:** Cancel the spring intake of the 'A' Fresh Start Community Support Grant

**ATTACHMENTS:** Community Support Grants Policy

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Report approved by: Jason MacDonald, Deputy CAO - Operations

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**DEPARTMENT:** ALL TOWN DEPARTMENTS

**TITLE:** **COMMUNITY SUPPORT GRANTS POLICY**

Minutes reference date: 23 September 2013 27 October 2014 21 May 2015 25 June 2018 24 September 2018  
28 October 2019 27 January 2020

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**POLICY STATEMENT**

1. The Community Support Grants Policy guides the allocation of financial and in-kind contributions to non-profit or charitable organizations that are based in the Town of Amherst and are considered by Council to enhance the lives of residents. Every year the Town receives more grant requests than it can fund. The purpose of this policy is to establish equitable guidelines for the distribution of limited amounts of funds to non-profit and charitable organizations in the community in a manner approved by Council.
2. This program does not govern the following, which are separately administered:
  - (1) Tax Exemption for Non-Profit Organizations (full and partial tax exemption by-laws); and
  - (2) Residential Property Tax Rebates (low-income homeowners).

**POLICY OBJECTIVES**

3. The objectives of this policy are:
  - (1) To outline the requirements to apply and be considered for a Community Support Grant from the Town of Amherst;
  - (2) To ensure that groups applying for Community Support Grants are evaluated on a consistent, equitable basis, utilizing the same evaluation criteria; and
  - (3) To provide for public disclosure of a list of grant recipients and the amounts of those grants.

**EXCLUSIONS**

4. The following are exclusions from the grant program:
  - (1) It is not the intent of this policy to fund activities of organizations that are clearly within the mandate of the Government of Nova Scotia (hospitals, medical programs, treatment services or social services programs) or the Government of Canada (e.g. health, social services, housing).
  - (2) The Town of Amherst will not consider requests received as part of general (mass) mailing or telemarketing campaigns.
  - (3) Funding applications will not be considered from the following:
    - Businesses;

- Provincial Government organization like
  - School Boards or quasi government organizations;
  - Non-profit organizations for the purpose of funding accumulated deficits;
  - Any organization for the purpose of fundraising to distribute to other organizations/individuals; and
  - Organizations with political affiliations.
- (4) Funding will not normally be provided to religious organizations where services include the promotion or required adherence to a particular belief.
- (5) Funding will also not normally be provided to fundraising campaigns of national charitable organizations.
- (6) Funding will not normally be provided to organizations who are planning to give proceeds of the event to another organization.

### **ALLOCATION OF FUNDS**

5. Council is not obligated to:

- (1) Provide funding in the form of Community Support Grants;
- (2) Spend all the funds allocated for grants in any given year;
- (3) Award the full amount requested in an application; or
- (4) Renew any grant.

### **SPECIAL CONSIDERATION**

6. The following Grants are provided annually, and the recipients must comply with the applicable requirements under the **application process** below. Failure to do so could result in future funding being suspended.
- a) Amherst Food Assistance Network
  - b) Cumberland Early Intervention Program
  - c) Sexual Health Centre for Cumberland County
  - d) Cumberland County Transition House (Autumn House)
  - e) Senior's Safety Advisory Committee
  - f) Cumberland County Museum
  - g) Amherst Little League Baseball Association
  - h) Amherst Little League T-Ball Baseball
  - i) NSCC Grant last payment fiscal 2021/22
  - j) Maggie's Place

Council reserves the right to discontinue and/or alter funding for these organizations without notice. Council will ensure consideration is made to provide notice to applicants or a gradual decrease to the amounts above wherever possible. Support for these organization and the amounts are reviewed annually. It is anticipated that funding from the Town of Amherst is note the main source of funding for the above organizations.

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**LIMITATIONS**

7. The following limitations apply to funding for the Programs listed below:
- a) Funding shall be limited to no more than 40% of overall costs for an event or program.
  - b) Funding will be provided for a maximum of five consecutive years.
  - c) Funding cannot be used to purchase alcohol.
  - d) An organization can only apply for funding under either the regular Community Grant or “A” Fresh start for the same activity, item or event. For example, an event cannot apply under “A” Fresh Start and under the Festivals and Events Grant.
  - e) Those organizations receiving funding under number seven above are not eligible for funding under the programs listed below.

**PROGRAMS**

8. The following are a list of the grants available:
- a) ”A” Fresh Start

There are two annual intakes with a maximum annual allocation \$35,000. See Appendix A.

- b) Sport and Physical Activity Grants and Assistance

- i. Maximum funding considered under this component will be \$500 for a team and \$250 for an individual.
- ii. This includes amounts for teams traveling to Provincial, National and International competitions when the team or individual has been successful at a regional qualifying competition recognized by its relevant provincial or national umbrella organization (e.g. Hockey Nova Scotia or Skate Canada).
- iii. The team is in the Town of Amherst and is considered by the provincial or national umbrella organization to be the home for the team.
- iv. The individual is competing as an individual and has their principal residence in the Town of Amherst.

- c) Festivals and Events Grants

- i. Less than 1,000 people anticipated to participate:
  1. Maximum funding considered under this component will be \$1,000
  2. Must demonstrate broad community support; and
  3. Provides a unique experience not duplicated by other ongoing events, festivals or activities.
- ii. More than 1,000 people participating:
  1. Maximum funding will be determined by Council but will not exceed \$5,000;
  2. Draw spectators from the Maritimes, nationally or internationally and increases the profile of our community; and

3. Must be a minimum of three days in length and must be affiliated with a local community non-profit organization.
- d) **Organizational Equipment**  
Operational and capital equipment purchase requests will be considered by Council to a maximum of \$500.
- e) **Community Well-Being**  
Funds have been allocated for initiatives that directly impact community well-being and result in a reduction in poverty in the community. The reporting requirements and limitations in section 8 apply to these grants.
  - i. Applications will be considered up to a maximum of \$5,000

### **APPLICATION PROCESS**

9. The following outlines the application process:
  - a) Applications may be submitted throughout the year. Council reserves the right to refer the request to the following year's budget process if they deem so appropriate. Budget deliberations begin in November of each year. Deadline for submission is December 1st of each year for the following fiscal year. The Town's fiscal years runs April 1-March 31.
  - b) Council will only approve one application per year per group in addition to the "A" Fresh Start grant. Applications for "A" Fresh Start must be for new initiatives and must not include events applied for under the Community Support Grant process.\
  - c) An applicant for amounts under \$1,000 must submit the following information as application for grant funds:
    - a. A complete Community Grant Application in the form prescribed by the Town of Amherst, including a proposed budget for the project.
  - d) An applicant for amounts over \$1,000 must submit the following information as application for grant funds:
    - a. A complete Community Grant Application in the form prescribed by the Town of Amherst, including a proposed budget for the project.
    - b. The most current financial statements of the organization designated to receive the grant funds in the application, as well as a budget for the upcoming year.
  - e) The Town of Amherst may request additional information.

### **APPROVAL PROCESS**

10. The follow outlines the approval process for applications:
  - (1) Staff will review the applications to ensure the proper information has been provided. Applicants who have not provided proper information will be identified in the information provided for the Committee of the Whole meeting;
  - (2) Applications will be reviewed at Committee of the Whole for eligibility, evaluation and recommendation to Council;

- (3) Council determines all grant levels per organization as per maximum allocations identified in number 9 above.

11. Council retains the authority to provide amounts over the maximum amounts in unusual or special circumstances where it is in the Town's best interest to do so.

12. Following annual Council budget deliberations, successful applicants will be notified in writing of their grant amount, as well as any additional conditions that must be met by the applicant in order to receive the full amount of funding offered.

### **AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER**

13. The Chief Administrative Officer (CAO) may approve applications submitted under this sections 6 B (1, 2 & 3) and 6 C (1) of this policy that are \$500 and less, provided such applications qualify in accordance with this policy and fall within the thresholds established. Council will be notified by email upon approval of each application and a media release will be issued to communicate the support provided by the town under the application. A list of applications approved will be provided to Council quarterly. (March, June, September and December)

### **PAYMENT PROCESS**

14. For amounts over \$1,000 payment will be made as follows:

- (1) 75% at the time of award
- (2) 25% at the time of receipt of the final report. Reports must be received by no later than March 31 in the year of award. Failure to submit final reports by March 31, will result in the final 25% not being awarded.

### **CONDITIONS**

15. Grant recipients shall:

- (1) Make no misrepresentation on their application;
- (2) Use the grant as described in the application;
- (3) Provide a final report after the completion of the activity; and
- (4) Use the funds in the year granted.

16. Grant recipients receiving less than \$1,000 shall submit a final report once the activity has been completed but not later than March 31 of the fiscal year in which it was awarded. The report shall include:

- (1) A copy of receipts for funding used; and
- (2) An outline of the impact of the grant upon the organization and community.

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17. Grant recipients receiving \$1,000 or more shall submit a final report once the activity has been completed but not later than March 31 of the fiscal year in which it was awarded. The report shall include:
    - (1) A copy of receipts for funding used;
    - (2) An outline of the impact of the grant upon the organization and community; and
    - (3) The proposed project budget submitted with the original application with updates for actual revenue and expenditures.
  18. Grant recipients shall keep proper books of accounts and receipts of all expenditures related to the project and shall make them available for inspection by the Town of Amherst upon request.
  19. Non-compliance in number 17 above, could result in no funding being awarded in the future year(s).
  20. Grant recipients are required to acknowledge the financial support of the Town of Amherst in all advertising, publicity, programs and signage for which funds are granted.
  21. Grant recipients who fail to comply with these conditions may be required to return all or partial funds to the Town of Amherst and may be deemed ineligible for Community Support Grant funding in future years.

**PUBLIC DISCLOSURE**

22. The Town of Amherst will provide financial information with respect to the budgeted amounts disbursed and actual amounts disbursed on an annual basis.
23. A summary of grant awards will be posted on the Town of Amherst's website in accordance with s.65C(1) of the *Municipal Government Act*.

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Appendix A – “A” FRESH START – Maximum Annual Allocation \$35,000

This money would be granted in a program called “A” Fresh Start- Community Initiative. This program would be twice per year, with up to \$17,500 available each time. The process would be administered, and events convened, by the Amherst Recreation Department.

(1) Applications

- (a) Organizations may apply twice a year
- (b) Organizations may only be chosen once every two years
- (c) Application Deadlines
  - (i) April 1st for first public voting- in June
  - (ii) August 1st for second public voting- in October.

(2) Qualifying applications

- (a) In order to qualify the presentation, idea, or use of the money must be for creative, new events or initiatives or that enhance current programs. For example: a new cultural play, new event, festival, fundraising event with funds going back into Amherst and area, or new enhancement to an existing service or event.
- (b) Normal ongoing operations of an organization do not qualify.

(3) Selection Process

- (a) All qualifying applicants, are eligible to be one of 5 FINALISTS reviewed by a staff committee and approved by Council at both the May and the September council meetings.
- (b) The 5 selected are required to present at the public event in June and October.

(4) Presentations

- (a) The public meeting would be for 1 ½ hours from 7pm- 8:30 pm- June and October at the Community Credit Union Business Innovation Centre.
- (b) All presenters and public are welcomed to attend.
- (c) Those persons 16 years of age and over will be charged a \$2.00 fee at the door and will receive a ballot to vote.
- (d) The door proceeds will be donated to a local charity
- (e) Selected applicants are required to make presentations of 10 minutes each.

(5) Decision making

- (a) After all presentations are complete, members of the public who have paid for a ballot at the door will vote to rank the quality of the presentation.
- (b) Council will review the applications immediately following the public event, taking into consideration the results of the presentation vote and other factors, and determine by vote final decision on funding to be allocated to the final 5.

(c) Awards

- (i) Up to \$17,500.00 to be awarded, but all 5 chosen get an award- the money at the door is donated to charity.

- (ii) Public vote on top 5– council then votes on final ranking of all 5.
- (6) Other
  - (a) Where applicable While voting is going on- previous winner makes a presentation on how they spent the money for their cause.
- (7) Transition – As 2018/19 is the initial year of the program there will only be a fall event in the 2018/19 fiscal year.
- (8) Those receiving grants will receive 80% of the funding granted in advance of their event with the remaining 20% issued after completion of a final report that must be presented to the Town following the completion of the event.
- (9) Those receiving grants will have 12-months after the approval date to plan and execute the event.

Date: \_\_\_\_\_

**REQUEST FOR FINANCIAL SUPPORT**

**1. ORGANIZATION INFORMATION:**

Name of Organization: \_\_\_\_\_

Full Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**2. AMOUNT OF FUNDING ASSISTANCE BEING REQUESTED**                      \$ \_\_\_\_\_

**3. What is the purpose for the funding requested? (Sport and Physical Activity, Festivals and events, Organizational Equipment, Community Well-Being etc.)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. Please attach a budget for the tournament, event or activity; include sources of revenue and ALL costs. **Please attach all documents that support the funding request.****

**5. What are the expected benefits to the community? (event participation numbers; local, regional, provincial or national attraction; time span; community assets being used; support from business community)**

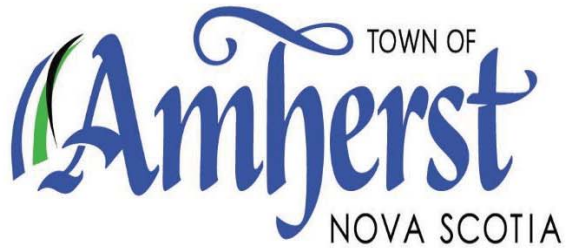
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Please list all funding sources and/or other community partners for this event:**

NAME	FUNDING IF ANY

**7. How many volunteers contribute to this event or festival:** \_\_\_\_\_





**COMMITTEE OF THE WHOLE**

**CDR# 2021010**

**DATE: March 15, 2021**

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**TO:** Mayor Kogon and Members of Council

**SUBMITTED BY:** Dwayne Pike, Chief of Police

**DATE:** March 15, 2021

**SUBJECT:** Noise By-law

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**ORIGIN:** December 14, 2020 Committee of the Whole

**LEGISLATIVE AUTHORITY:** MGA 172(1)(d) A council may make by-laws, for municipal purposes respecting nuisances, activities and things that, in the opinion of council, may be or may cause nuisances, including noise.

**RECOMMENDATION:** Staff are seeking Council's direction on whether they would like to continue to proceed toward a Noise By-law. Council has been provided with an opportunity to review a draft by-law and provide feedback and/or direction on the draft. There was only minimal feedback received and staff are looking for direction to move forward with the draft. It is also recommended that if approved, the draft be reviewed by legal counsel prior to taking next steps to implement the by-law.

**BACKGROUND:** At the December 14<sup>th</sup>, 2020 Committee of the Whole meeting, Council was provided with a report in regards to questions about a noise by-law to address concerns of loud mufflers. As a result of that conversation, a draft bylaw was presented to Council on February 16<sup>th</sup>, 2021 for Council to review and provide feedback for any changes or concerns. It was determined that a noise by-law will not effectively deal with muffler noise, but would help address other noise/disturbance issues in the municipality.

**DISCUSSION:** Police routinely receive complaints concerning noise in our community. Outside of a by-law, we have several options that may apply when dealing with noise complaints.

**Criminal Code:** Section 430(1)(c) of the Criminal Code makes it an offense to interfere with the 'lawful use and enjoyment of property'. In these cases, we have to specify how the behavior or problem interfered with the ability to enjoy property. Charges under the Criminal Code are usually reserved for the more serious of incidents. Section 175(1) of the Criminal Code deals with 'Causing a disturbance' when the disturbance is at or near a public place. Disturbances can be a result of people fighting, screaming, shouting, swearing, singing, using insulting language or by being drunk.

**Protection of Property Act:** The Nova Scotia Protection of Property Act is a provincial statute that deals primarily with property issues such as trespassing. Section 7 of the Act deals with ‘disturbing an occupier of premises’ by either ‘unreasonable’ operation (for recreational purposes) of a Motor Vehicle or by disorderly conduct. For these matters, Police can issue a summary offense ticket.

A draft by-law was prepared and presented to council for their review on February 16<sup>th</sup>, 2021. Council was asked to provide feedback on the draft. During the meeting Council expressed their support for a Noise By-Law, but there was little feedback from council in respect to the draft that was provided. Some minor changes were made in relation to municipal operations when working on issues relating to infrastructure.

The proposed draft contains:

- Interpretation Section;
- General Prohibition against any activity that *‘unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood’*;
- Prohibition against *‘profane, obscene, abusive or provoking language, taunting epithets or threatening gestures in any public place or a place that is open to the public, or while attending a sports event, activity or public meeting within the Municipality’*;
- Fixed exemptions for emergency services, essential repair services, municipal operations in regards to infrastructure, activities for which a permit or permission has been granted by the municipality or the traffic authority and other similar activity;
- A section on ‘grant of exemptions by council’ which also provides guidance on exemption decisions;
- A penalty section;
- Schedule ‘A’ that lists prohibited activities which include:
  - Noise as a result of mechanical deficiencies;
  - Use of a public address system, radio, television or other similar device in an unreasonable manner;
  - The detonation of fireworks within the municipality, except where an exemption has been granted by council;
  - Fighting, screaming or shouting that causes any loud and unreasonable noise;
  - The operation of a recreational vehicle within 30 meters of a residence except for the reason of operation for the purpose of parking or storage on one’s own property;
  - The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a residential area unless certain criteria are met (cold weather, etc)
  - Time frames for which domestic power tools may be used (other than snow removal)

Once a draft has been approved by Council, it should be provided to legal counsel for review before coming back to council for final approval.

## **CONCLUSION**

A noise by-law may be very useful in addressing issues as loud parties/gatherings, idling vehicles, fireworks, construction and any noise caused by disorderly behaviour. A draft by-law has been prepared and if approved by council, should be reviewed by legal counsel prior to making final decisions and approving the by-law.

**FINANCIAL IMPLICATIONS:** None

**SOCIAL JUSTICE IMPLICATIONS:** None identified at this time

**ENVIRONMENTAL IMPLICATIONS:** None identified at this time

**COMMUNITY ENGAGEMENT:** None

**ALTERNATIVES:** Do not complete a Noise By-law and use other means to address issues relating to noise and disturbances (Criminal Code, Protection of Property Act, etc)

**ATTACHMENTS:** Draft By-Law "Noise and Disturbances By-Law"

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Report prepared by: Dwayne Pike, Chief of Police  
Report and Financial approved by:

## TOWN OF AMHERST

### RESPECTING EXCESSIVE NOISE AND DISTURBANCES

The Town of Amherst under authority of the *Municipal Government Act*, in Section 172(1) (a), (c) and (d) authorizes a council to make by-laws for municipal purposes respecting the health, well-being, safety and protection of persons; persons and activities in public places and places open to the public; and nuisances, including burning, odours and fumes.

#### Short Title

- 1) This By-law may be cited as By-law #, the “Noise and Disturbances By-law”.

#### Interpretation

- 2) In this By-law

(a) “**CAO**” means the Chief Administrative Officer of the Town of Amherst;

(b) “**Construction**” includes erection, alteration, repair, dismantling and demolition of structures and includes structural maintenance, hammering, land clearing, moving of earth, rock or felled trees, rock breaking, grading, excavating, the laying of pipe or conduit whether above or below ground level, working with concrete, alteration or installation of any equipment, the structural installation of construction components or materials in any form whatsoever, the placing or removing of any construction related materials and includes any related work, but does not include blasting;

(c) “**Council**” means the Council of the Town of Amherst;

(d) “**Dwelling unit**” means self-contained living quarters fit for occupancy that are accessible from a private entrance, either outside the building or in a common area within the building, that are occupied, or if unoccupied are reasonably fit for occupancy, and that contain kitchen facilities within the unit, and have toilet facilities that are not shared with the occupants of other dwelling units;

“**Dwelling Unit**” also includes the real property upon which the dwelling unit is located as well as the lawns, yards and surrounding areas;

(e) “**Emergency Response Personnel**” includes police, fire departments or brigades, registered emergency service providers, search and rescue personnel, provincial, regional or municipal Emergency Measures Organizations, ambulance or emergency health service providers and includes volunteer or military personnel responding to an apparent conditional of emergency;

(f) “**Fireworks**” means any article containing a combustible or explosive composition or any substance or combination of substances prepared for, capable of, or discharged for the purposes of producing a pyrotechnical display which may or may not be proceeded by, accompanied with, or followed by an explosion, or an explosion without any pyrotechnical display;

(g) “**Municipality**” means the Town of Amherst;

(h) “**Police Officer**” means a member of the Amherst Police Department or a member of the Provincial Police as defined by Police Act, SNS 2004, c 31;

(i) “**Point of Reception**” means any point on the premises of a person where sound originating from other than those premises, is received;

(j) “**Premise**” means a tract of land or property which may include buildings;

(k) “**Occupant(s)**” shall mean anyone who resides at, or has care and control of a dwelling unit;

(l) “**Recreational Vehicle**” means any motor vehicle which is designed to be, or intended to be, used other than on a public highway or on the surface of the water and includes, without limiting the generality of the foregoing all-terrain vehicles, trail bikes and snowmobiles but does not include a motor home or travel trailer for the purposes of this By-Law;

### **General Prohibition**

3.

(a) No person shall engage in any activity that unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood;

(b) Without limiting the generality of subsection (a), the activities listed in Schedule “A” during the prohibited times and places as set out therein are deemed to be activities that unreasonably disturb the peace and tranquility of a neighbourhood;

(c) No person shall use any profane, obscene, abusive or provoking language, taunting epithets or threatening gestures in any public place or a place that is open to the public, or while attending a sports event, activity or public meeting within the Municipality;

(d) For the purposes of a prosecution pursuant to subsections (a), (b) or (c), evidence that one neighbour is unreasonably disturbed by a noise is prima facie evidence that the neighbourhood is disturbed by noise;

(e) No occupier of premises or a dwelling unit, or a person who has care of control of a premise or a dwelling unit shall permit any activity that is prohibited by this By-Law.

## **Fixed Exemptions**

4. Except where noted, this by-law does not apply to:
  - a) Emergency response personnel engaged in the execution of their emergency response duties;
  - b) Persons acting at the request of emergency response personnel during an actual or apparent emergency condition;
  - c) Persons involved in the repair of essential services such as electrical power, sewer systems, water distribution, and telephone services;
  - d) Municipal operations in relation to infrastructure or anyone contracted by the Municipality to work on municipal infrastructure;
  - e) Construction activities between the hours of 7:00am and 10:00pm for which all necessary permits have been obtained;
  - f) Parades, processions or demonstrations for which a permit or permission has been granted by the Municipality or the traffic authority;
  - g) Any community or community-group sponsored festival, jubilee, event or activity for which a permit or permission has been granted by the Municipality;
  - h) Athletic, recreational or school activities in arenas, playing fields, courts, school grounds and the like between the hours of 7:00am and 12:00am;
  - i) The reasonable ringing of a bell or chimes of a church;
  - j) Noise relating to industrial activities that are occurring or located in Industrial Zones.

## **Grant of Exemptions by Council**

5. Any person may make application to Council to be granted an exemption from any of the provisions of this by-law with respect to the emission of noise from an industrial, institutional, commercial or community activity for which that person may otherwise be prosecuted. Council, by resolution, may refuse to grant the exemption or may grant the exemption applied for or any exemption of lesser effect. Any exemption so granted shall:
  - a) Specify a time period of not greater than 2 years for which the exemption shall be effective;
  - b) Shall be confirmed in writing by the CAO before becoming effective; and

- c) Shall include such terms and conditions as Council deems appropriate
6. In deciding whether or not to grant an exemption under section 5 or in determining terms or conditions of the exemption, Council shall give consideration to:
- a) The social or economic benefit of the proposed activity to the Municipality;
  - b) The volume, nature, duration and consistency of noise emission from the proposed activity;
  - c) The proximity and nature of abutting or adjacent land uses;
  - d) The hours of operation of the proposed activity; and
  - e) Any other factor relevant to balancing the interests of the applicant in the proposed activity against the interests of those persons who might be disturbed by the proposed activity.
7. In those cases where an exemption is granted, Council may revoke the exemption if it believes that a breach of same has occurred;
8. Any alleged breach by the applicant of any of the terms and conditions of any exemption granted by Council shall be investigated by Municipality Staff and reported to Council in writing. Council shall determine whether or not a breach has occurred and where it has been determined that a breach has taken place, as much as five (5) days may be allowed for ceasing the activity.

**Penalty**

9. Every person who violates the provisions of this Part shall be liable to a penalty of not less than Two Hundred Dollars (\$200.00) and not exceeding Two Thousand Dollars (\$2,000.00) for each offence, and in default of payment thereof to imprisonment for a period not exceeding fourteen (14) days.
10. Every day during which an offence pursuant to section 9 continues is a separate offense.

## Schedule "A"

### **Part 1 – Activities prohibited at all times**

Activities that unreasonably disturb the peace and tranquillity of a neighbourhood throughout the Municipality, and at all times, where the sound resulting therefrom is audible at a point of reception.

1. The operation of any combustion engine or pneumatic device without an effective exhaust in intake muffling device in good order and in constant operation;
2. The operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to an improperly secured load or equipment or inadequate maintenance;
3. The operation of a motor vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices;
4. The operation of any public address system, television set, radio, disc player, tape deck, phonograph or other electronic sound reproduction or amplification system if the resulting sound is audible beyond the bounds of the property where it is being created;
5. The detonation or use of fireworks within the Municipality limits except where an exemption has been granted by Council;
6. Fighting, screaming, shouting that causes any loud and unnecessary noise;
7. The operation of a recreational vehicle within 30 meters of a residence except for the reason of operation for the purpose of parking or storage on one's own property;
8. Persistent barking, calling, whining or the making of any similar persistent noise-making by an animal;
9. The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a residential area unless;
  - a. Weather conditions justify the use of heating or refrigerating powered by the motor or engine for the safety and welfare of the operator, passenger or animals, or the preservation of perishable cargo, and where the vehicle is stationary for purposes of delivery or loading;

- b. Prevailing low temperatures make longer idling periods necessary immediately after starting the engine

**Part 2 – Activities prohibited any day before 7:00am and after 10:00pm**

1. The operation outdoors of any power tool for domestic purposes other than snow removal
2. The operation of a chainsaw for any domestic purpose

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**TO:** Mayor Kogon and Members of Council

**SUBMITTED BY:** Andrew Fisher, Manager of Planning & Strategic Priorities

**DATE:** March 15, 2021

**SUBJECT:** **Easement Agreement for NSPI – Solar Garden Project**

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**ORIGIN:** As part of the Solar Garden project, a request by Nova Scotia Power Inc. (NSPI) for an easement over Town property.

**LEGISLATIVE AUTHORITY:** Municipal Government Act Section 50(3) *The property vested in a municipality, absolutely or in trust, is under the exclusive management and control of the council, unless an Act of the Legislature provides otherwise.*

**RECOMMENDATION:** That the easement agreement with NSPI to facilitate the Solar Garden project be forwarded to the March 22, 2021 meeting of Council to authorize the CAO to execute the agreement.

**BACKGROUND:** In November 2020 Council approved a lease of town property on Tupper Boulevard in the Industrial Park to NSPI to facilitate a Solar Garden. As part of that project, NSPI is requesting an easement over town lands to accommodate the connection between the solar PV system and the electrical grid. The easement is approximately 6 m wide and 90 m long along the back of Lot 11 (PID 25004722), as shown on the attached map.

The easement authorizes NSPI to access the power line location and clear any vegetation or other obstructions on an ongoing basis.

**DISCUSSION:** This easement could be considered a 'housekeeping' item associated with the solar garden project.

**FINANCIAL IMPLICATIONS:** There are no financial implications related to this issue.

**COMMUNITY ENGAGEMENT:** Community engagement is not required.

**ENVIRONMENTAL IMPLICATIONS:** There are no environmental implications specific to this issue.

**SOCIAL JUSTICE IMPLICATIONS:** There are no social justice implications to this issue.

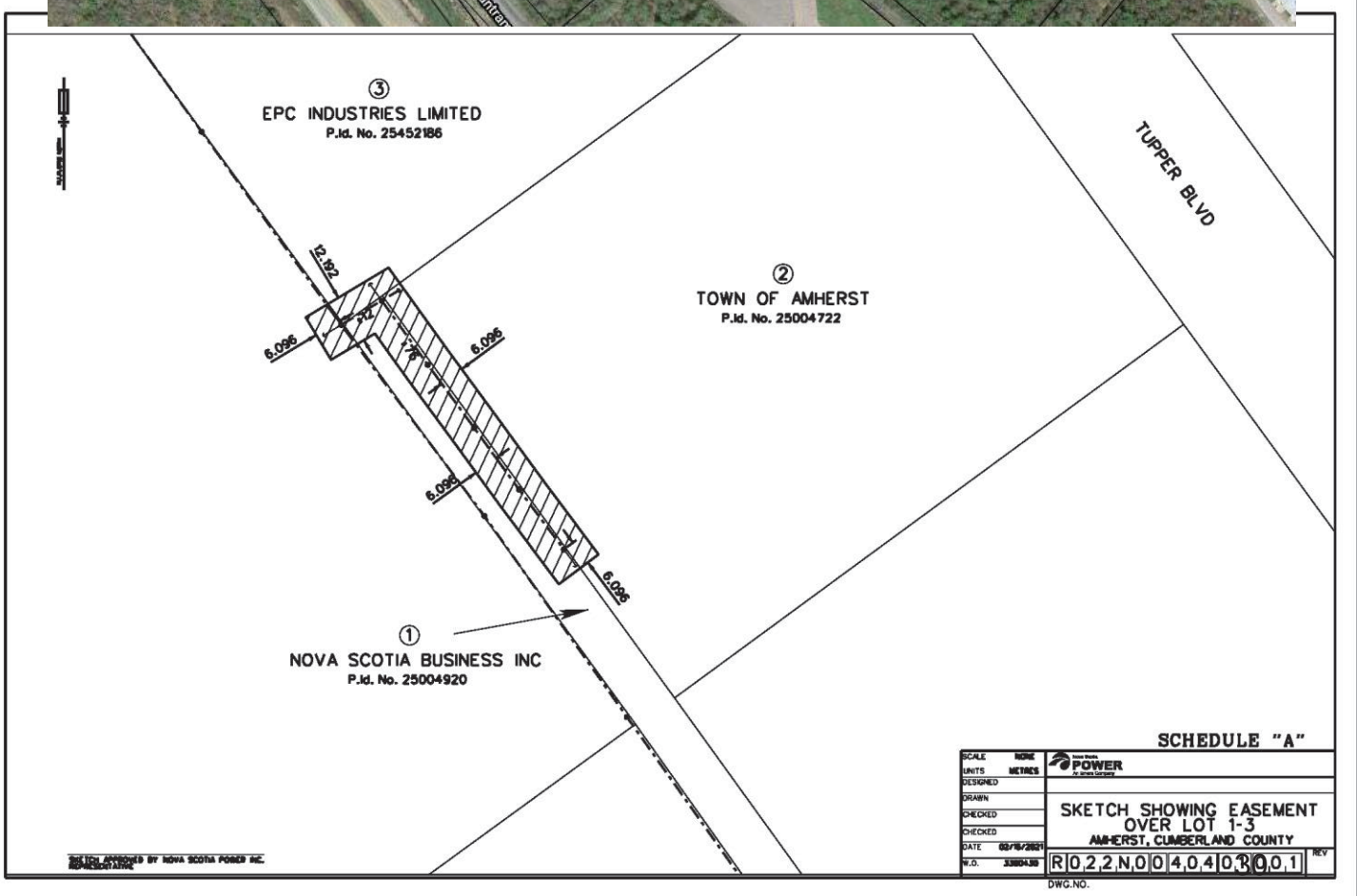
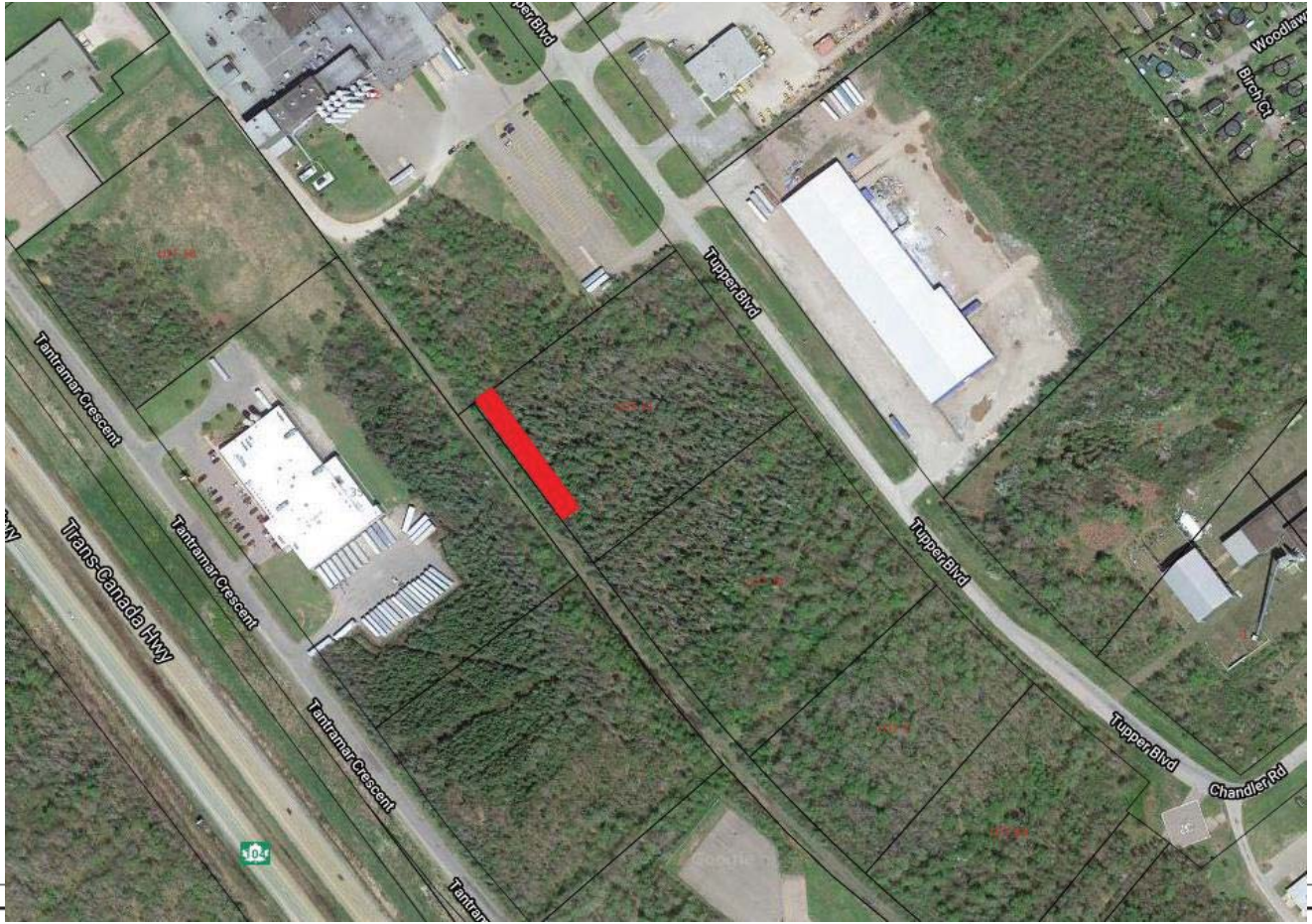
**ALTERNATIVES:** Do not grant the easement. This is not recommended as it would contradict the Town's efforts to see the Solar Garden project be constructed in town.

**ATTACHMENTS:**

- 1) Map of subject easement location.
- 2) Easement agreement between the Town and NSPI.

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Report prepared by: A. Fisher  
Report and Financial approved by:



**THIS GRANT OF EASEMENT** made as of \_\_\_\_\_, 2021

**BETWEEN:**

**TOWN OF AMHERST**, a body corporate

(the "Grantor")

- and -

**NOVA SCOTIA POWER INCORPORATED**,

a body corporate

("NSPI")

**WHEREAS:**

- A. The Grantor is the owner of a certain property located at Tupper Boulevard, Amherst, in the County of Cumberland, Province of Nova Scotia as described in the deed recorded at the Registry of Deeds for Cumberland County as Document No. 115842149 and more particularly identified as Property Identification Number (PID) 25004722 (the "Lands").
- B. NSPI wishes to secure a distribution easement over a portion of the Grantor's lands.

**WITNESSETH** that in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the parties agree as follows:

- 1. The Grantor hereby grants to NSPI the free and uninterrupted right, privilege, liberty and easement in perpetuity over, under and through a strip across the Lands as outlined on the sketch attached hereto as Schedule "A" (the "Easement") to do the following:
  - (a) inserting, laying, erecting and maintaining a line of poles and wires with all necessary foundations, excavations, anchors and guy wires (collectively the "Distribution Line"), for the purpose of conveying electric power and energy in all forms, as well as any and all other communication or other signals capable of being transferred over, under, through and across the Easement;
  - (b) to clear or remove in any manner deemed expedient by NSPI, all vegetation, brush, trees, and other obstructions and impediments to construction, excavation, and maintenance of the Distribution Line upon the Easement and to use any method deemed expedient to keep the Easement clear of trees, vegetation, brush, or other obstructions, and to remove any such trees, vegetation or brush beyond the limits of the Easement that are deemed a potential hazard to or affect the Distribution Line or the purposes of the Easement;

- (c) to enter upon and across the Easement from time to time with vehicles, machinery, equipment and materials as deemed expedient for any purpose whatsoever to fulfill the privileges granted herein;
- (d) to enter upon any portion of the Lands, immediately adjacent to the Easement, from time to time to access the Easement and as may be reasonably required by NSPI to carry out any of its rights and privileges as herein granted;
- (e) to generally to do all acts necessary to exercise the rights and privileges granted herein together with all rights and privileges necessarily ancillary thereto.

2. The Grantor hereby covenants and agrees with NSPI that it **will not:**

- (a) excavate, drill, install, erect, construct, or permit to be excavated, drilled, installed, erected, or constructed on, under or over the Easement, any foundation, building or other structure or installation, pile material or plant any growth upon the Easement that, in the opinion of NSPI, may interfere with or endanger the Distribution Line;
- (b) disturb or otherwise interfere with the Distribution Line or the Easement;
- (c) plant or establish within the Lands, including the Easement, any trees, shrubs or other vegetation which could encroach and interfere with the Distribution Line or the Easement at any time unless previously consented to by NSPI; or
- (d) remove, damage or retard in anyway, any vegetation established within the Easement as part of the management of the Easement without prior written permission from NSPI;

provided that it is acknowledged by the Grantor herein that should it be in breach of any of the foregoing that NSPI, in its discretion, shall be entitled to remedy the breach at the sole cost of the Grantor.

Notwithstanding the foregoing, the Grantor may build a driveway within the easement for the purposes of accessing the Lands, provided NSPI shall not be required to remove, reposition or adjust any of its equipment to accommodate the driveway and provided the construction of the driveway in no way impacts the equipment. Nothing herein shall restrict the Grantor from developing the Lands provided said development in no way impacts the rights herein conveyed.

- 3. The Grantor represents and warrants to NSPI that the Grantor has good title in fee simple to the Lands and that the right to grant the Easement as hereby granted. The Grantor will procure any such further assurances as may be reasonably required.
- 4. The Grantor agrees that NSPI may authorize any other utility, service provider, or





**PROVINCE OF NOVA SCOTIA**

I, \_\_\_\_\_, a Notary Public/Commissioner of Oaths for the Province of Nova Scotia, duly authorized and commissioned, residing and practising at \_\_\_\_\_, in the said Province, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, **TOWN OF AMHERST**, one of the parties in the foregoing Indenture, signed and executed the said Indenture in my presence and I have signed as a witness to such execution.

\_\_\_\_\_  
IN WITNESS WHEREOF, I have hereto my  
Hand and Notarial Seal of Office  
subscribed and set at \_\_\_\_\_  
in the Province of Nova Scotia  
This \_\_\_\_\_ day of \_\_\_\_\_, 2021

My Commission expires \_\_\_\_\_

**PROVINCE OF NOVA SCOTIA**

I, \_\_\_\_\_, a Notary Public/Commissioner of Oaths for the Province of Nova Scotia, duly authorized and commissioned, residing and practising at \_\_\_\_\_, in the said Province, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the subscriber personally came and appeared, \_\_\_\_\_, a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **TOWN OF AMHERST**, one of the parties thereto, signed, sealed and delivered the same in his/her presence.

\_\_\_\_\_  
IN WITNESS WHEREOF, I have hereto my  
Hand and Notarial Seal of Office  
subscribed and set at \_\_\_\_\_  
in the Province of Nova Scotia  
This \_\_\_\_\_ day of \_\_\_\_\_, 2021

My Commission expires \_\_\_\_\_

**ADDENDUM**

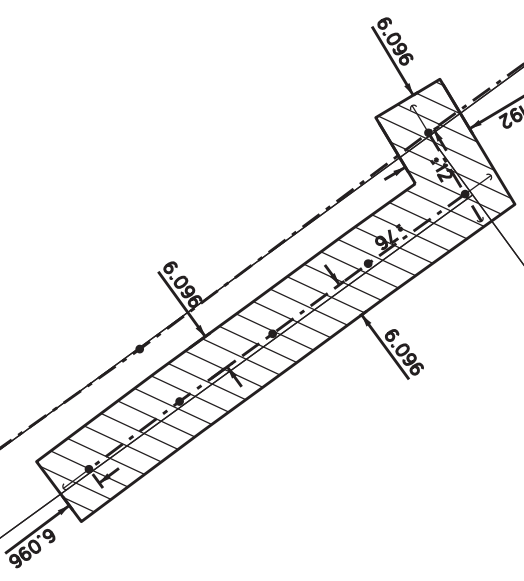
The following additions/deletions to this easement have been agreed to by the Grantor(s) and NSPI:




③  
EPC INDUSTRIES LIMITED  
P.I.d. No. 25452186

②  
TOWN OF AMHERST  
P.I.d. No. 25004722

①  
NOVA SCOTIA BUSINESS INC  
P.I.d. No. 25004920



TUPPER BLVD

SCALE	NONE	 NOVA SCOTIA POWER CORPORATION	<b>SCHEDULE "A"</b>  SKETCH SHOWING EASEMENT OVER LOT 1-3 AMHERST, CUMBERLAND COUNTY
UNITS	METRES		
DESIGNED			
DRAWN			
CHECKED			
DATE	02/16/2021	REV	
W.O.	3390430	REV	
R022N0040401001			

SKETCH APPROVED BY NOVA SCOTIA POWER INC.  
REPRESENTATIVE

DWG.NO.

# Monthly Departmental Report

## Corporate Services

### March 2021

#### CORPORATE SERVICES

Bank reconciliations for January were completed and reviewed. Bank reconciliations for February are in progress

#### PAYROLL

Payroll and WCB remittances are up to date.

The payroll year-end process been completed. T4 and T4A have been distributed to all staff.

#### FINANCIAL

The capital budget was presented to Council on February 23 with a follow up meeting held on March 8.

Staff continue to work on the operating budget for the general rate, sewer, solid waste and the community support area rate. Operating budget segments are expected to be presented to Council in the near future.

The January financial reports for the Cumberland Business Connector were completed and reconciled.

3<sup>rd</sup> Quarter Results are completed and we are reviewing projections to year end which will be presented to the Audit Committee soon.

#### 2021 SPRING TAX SALE

The spring tax sale will be held on Tuesday May 11, 2021. There were six properties that have been sent for title search.

#### 2021 ASSESSMENT APPEALS

The Town received the Appeal Inventory & Summary reports from PVSC on March 3<sup>rd</sup>. There were 54 accounts who have appealed their assessment, 50 of these are outstanding and 4 are pending.

	# of Accounts Appealing	Total Assessment Value Being Appealed	Appeal Completed as of Mar 1/21	Pending as of Mar 1/21	Withdrawn as of Mar 1/21	Outstanding Appeals as of Mar 1/21	Appeals Successful as of Mar 1/21	Loss of Assessment Value	Amount of Revenue Reduction	Nova Scotia Assessment Appeal Tribunal Status
Residential/Resource	31	15,280,300	0	3	0	28	0	\$ -	\$ -	0
Commercial	23	25,154,700	0	1	0	22	0	\$ -	\$ -	0
TOTAL	54	\$40,435,000	0	4	0	50	0	\$ -	\$ -	0

#### WATER / SEWER BILLING

Water/sewer bills were due on February 26. There were ten (10) real estate sales that required final water/sewer bills in February.

#### CUSTOMER SERVICE TRACKING – E11

There was a total of 56 opened cases in February and 52 cases closed. The categories with the most opened/closed cases in February were related to compost bin repairs.

## HUMAN RESOURCES

A candidate has been selected for the Manager of Information Services position and the hiring process is being finalized. The competition for the Customer Service Assistant position(s) for the Stadium concluded with the hiring of Sam Pike, Lindsay Richards and Monica Gibbons, who commenced their roles in late February. A competition has also commenced for summer student recruitment and will continue into the latter part of March.

## PROCUREMENT

Staff continues with preparing procurement documents for both capital projects and operational requirements needed. Procurement is reviewing scopes and working with the departments to have procurements readied for release.

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan
<b>Capital</b>													
Anticipated Procurement from Capital Budget: 26													
Scopes for capital received in the month	2	5	0	1	4	4	7	0	3	5	2	0	0
<b>All procurement:</b>													
Total new scopes of work received in month	6	8	11	9	6	10	14	0	7	19	3	0	6
Released to the public in the month	4	5	10	8	6	8	16	2	10	23	4	4	7
Closed during the month	3	5	10	9	6	7	16	2	7	21	9	4	6
Awarded by par/council during the month	1	6	9	8	7	9	7	9	7	15	8	3	10
Open at the end of month (released month a, closed month b)	4	5	1	4	5	1	1	3	2	6	5	5	1

## INFORMATION SERVICES (IS)

Held interviews for the IS Manager position in early January and a decision has been made on the successful candidate.

We received delivery of 3 Laptop Computers that were ordered in November. There is a shortage of laptops due to the large order submitted by the Province.

Successfully setup the Community Room at CCUBIC for the first in-person Council meeting since the lock down started in March of 2020. Still used Zoom so the meeting could be recorded.

We were busy with all the everyday Desktop IT issues that occur in all of the buildings for the Town of Amherst.

### IS Cases/Incidents Stats

	Mar 2020	Apr 2020	May 2020	June 2020	July 2020	Aug 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021
Opened	116	61	56	58	28	9	33	16	11	19	33	21
Closed	118	59	57	55	32	9	33	14	12	19	30	19

# Monthly Departmental Report

## Operations

### March 2021

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#### **PUBLIC WORKS**

- The asphalt recycler/hot patcher was used for 6 days in February patching potholes, approximately 15 tonnes of recycled asphalt placed.
- There were 2 significant snow events in February and 3 smaller snow events which required plowing of streets and sidewalks.
  - February 2, 2021 – 20 cm
  - February 7/8, 2021 – 45 cm
  - February 16, 2021 – 5-10 cm of snow and ice pellets
  - February 20, 2021 – 10 cm
  - February 23, 2021 – 10 cm
- The salt truck was called out on 15 occasions in February to salt Town streets.
- Snow was hauled from the downtown and from parking lots on February 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup>, 2021.
- Sidewalks were plowed on 8 occasions and were salted 10 times during the month.
- There was 1 broken water main in February;
  - 253 East Victoria Street – 6” cast iron main
- Wellfield pump and motor that failed in late November was replaced and put back in service.
- There were no major mechanical issues in February, snow removal equipment only required routine preventive maintenance.
- Public Works assisted recreation staff with flooding and ice maintenance on the outdoor rink.

Upcoming / ongoing projects for March:

- Patching of potholes with recycled hot mix asphalt
- Removal of remaining decorative lighting after winter carnival events

#### **COMMUNITY WELL-BEING**

- Community Engagement with community partners ie. Cumberland Kids, YMCA, Darlene Strong re Sand Hill
- Recruited, interviewed and selected three Customer Service Assistants for the Stadium
- Strategic planning with management and Council
- Athletic Achievers presentation
- People attraction strategy: Communicate with people considering moving to Amherst
- Attended committee meetings and workshops ie. Local Leadership Team, Cities Reducing Poverty, Tourism, and MPAL

## **CULTURE MARKETING AND EVENTS**

- Graphics and marketing materials: What's Up Amherst, Community Profile Book, updated Festivals/Events on website, Relocation Guide, Create a Life You Love campaign, stadium signs
- Videos created: Winter Carnival Kick-off, Winter Carnival recap, Flag Day Ceremony, Walking Challenge, Athletic Achievers
- 7<sup>th</sup> Annual Winter Carnival: Chili Challenge, Snowmen Photo, logistics, graphics, attended public skating, social media posts, coordination of all events and community partners
- Selection was made for Town of Amherst Volunteer of the Year and Family Volunteer of the year.
- French Toast Fest: Coordinate with schools and sponsors, restaurants, Dayle's, Hidden Mountain Maple Farms
- Assist other Town Departments in graphics, signs, social media posts, PowerPoints etc

## **ACTIVE LIVING**

- Friday Night Fun was held three times had 22 children aged 5-8, and 23 children aged 9-14
- Snowshoes and walking poles were loaned to 27 people with 59 pairs of snowshoes circulated.
- 31 helmets, 12 pairs of skates were loaned. Senior, adult and tot, and lunch time skating started
- Learn 2 Lead Cumberland hosted 2 online babysitting courses, a home alone course, and a course on diversity and inclusion in the workplace.
- 7<sup>th</sup> annual Winter Carnival: Outdoor adventure scavenger hunt, senior and family skates offered. The town hosted a guided snowshoe excursion on the Marsh Trail led by the Active Living Coordinator.
- The Amherst-to-Amherst walking challenge ran February 1-28. There was international media.

## **PARKS**

- Parks remain open - all washrooms are closed for the season except for the washrooms at Dickey Park which remain open daily from 9:00am to 5:00pm.
- Dog park remains open.
- Outdoor skating surface is open. It is open daily (weather permitting) from sunrise to 10:00pm

## **AMHERST STADIUM**

- The Stadium is open for ice rental but not open to the general public.
- The walking track open. There were a total of 604 walkers during the week of February 15-21 and 1050 walkers the week of February 22-28.
- Public Skating has commenced with times for Adults and Seniors; Parents and Tots; After School Skating and a "Sensory Skate".

# Monthly Departmental Report

## Police Services

March 2021

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### TRAINING

**Phased Interview Training:** The phased interview course was hosted by the Amherst Police Department from February 22<sup>nd</sup> to the 26<sup>th</sup> and was held in the Francis Smith Community Room. Five APD members received this training along with 15 other candidates representing Truro, New Glasgow, Bridgewater, Kentville, Halifax Regional, Westville and Stellarton Police Services. The training was delivered by members of the RCMP Truth Verification Unit. This in-depth training provides members with the most up-to-date techniques in interviewing both suspects and witnesses and covered different kinds of interviews, case law and utilizes role playing and live interviews to assess and build on the skills and knowledge of each candidate. Hosting the training locally allowed us to train more members at a fraction of the normal costs.

**SOTOX ADSE Training:** On February 17<sup>th</sup>, APD hosted SOTOX ADSE training in the Francis Smith Community Room. Constable Robert Kavanagh of the Provincial Impaired Driving Team attended and trained 11 of our members on the new roadside device screening device for cannabis. Our plan is to host additional training to ensure that other members are training to use the unit as the Department of Justice has approved funding so that APD can purchase a second unit for use.

**De-Escalation Training:** Our 2 Use of Force members are scheduled to attend a “De-Escalation Train the Trainer” course in Halifax from March 8<sup>th</sup> to the 11<sup>th</sup>. This training will provide instruction on dealing with high-risk situations and focuses on de-escalation by using officer presence, body language and rapport building. Constable Michelle Harrison has also been selected to attend 2-day training in ‘de-escalation’ on March 12<sup>th</sup>/13<sup>th</sup>. The Department of Justice is providing funding for this training.

### PERSONNEL

**Major Crime Unit:** In January of 2021, Acting Cpl Tom Wood was assigned to the Major Crime Unit, but as a result of many major files and required follow-up tasks, warrants, interviews and coordination, Sgt Aaron Graham has been temporarily returned to the Unit to provide support and to deal with incoming court/crown requests and requirements for investigative files. We have noted a substantial increase in the amount of time and effort required for court and trial preparation and in the investigative steps required for specialized services as well as costs for these services, especially in relation to the examination and extraction of information from cellular devices. These issues have increased the workload for the 1-person unit substantially to the point where competing priorities have limited the effectiveness of the unit. These types of tasks/files cannot be maintained by patrol members who work a staggered schedule and spend much of their shifts responding to incoming calls and complaints.

## **OPERATIONAL**

**Arson – Spring Street:** Two people are facing charges in regards to an Arson that occurred in the early morning hours of February 27<sup>th</sup>, 2021. Police and Amherst Fire responded to a complaint that a fire had been set to the front steps of a residence on Spring Street. The suspect had fled the scene after he appears to have accidentally lit himself on fire. The residence contains several apartments and as a result, the 18-year-old male suspect and a 27-year-old female have been charged with Section 433 of the Criminal Code, Arson with disregard for human life.

**Exhibit Audit – Department of Justice:** Auditors from the NS Department of Justice will be performing an audit of APD exhibits and protocols during the week of March 8<sup>th</sup> to the 12<sup>th</sup>. This will include the review of our policies, protocol, report documentation as well as security and continuity of APD investigative exhibits. As exhibit custodian, Cst Wood will be assisting with this audit.

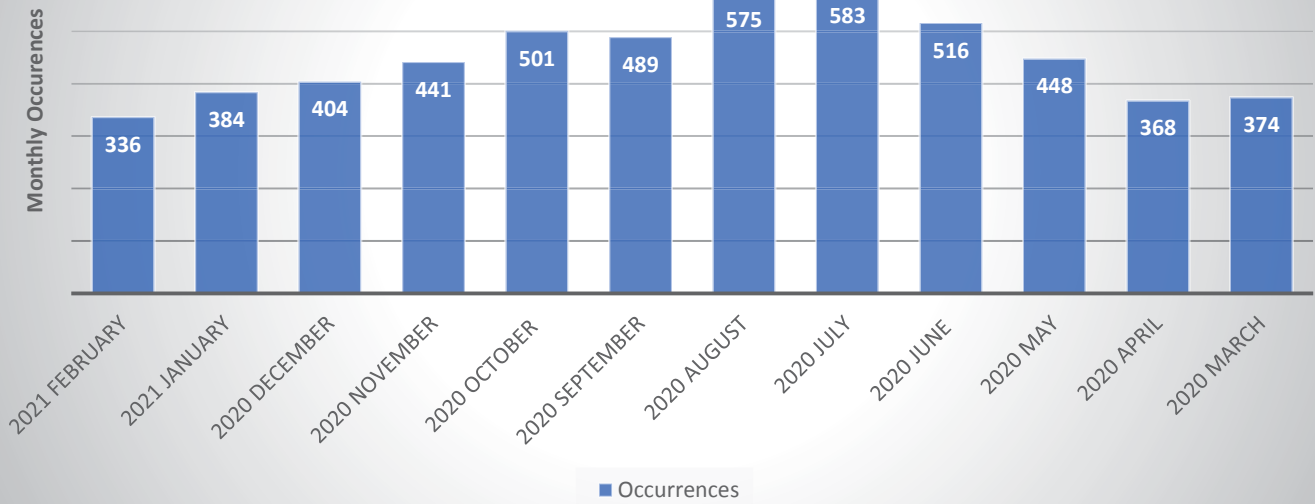
## **CRIME PREVENTION/SCHOOL RESOURCE**

Through the month of February, both Cst Munro and Cst Harrison have been resuming their regular duties for their positions. As school/youth liaison, Cst Harrison has been able to access the schools on a regular basis and Cst Munro, with the assistance of Cst Wood, has been resuming some of the Crime Prevention programs keeping in mind Covid-19 protocols and restrictions. Many of their committee meetings and discussions are done using online platforms such as Zoom, Skype or Teams.

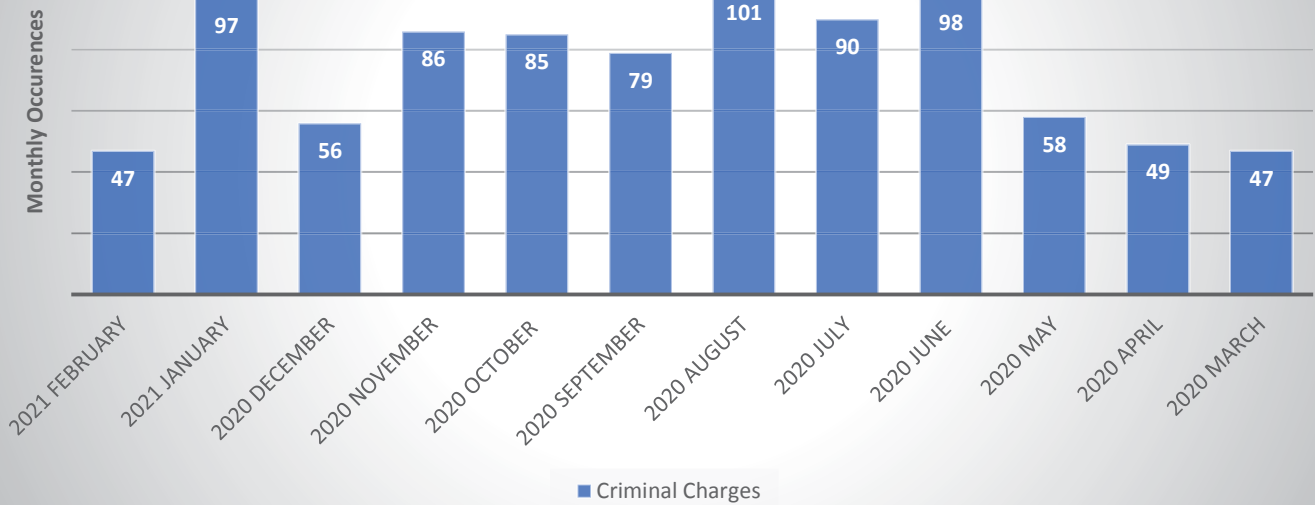
## **OPERATIONAL STATS – February 2021**

Occurrences:	336	Criminal Code Charges:	47
Impaired by Alcohol:	1	CDSA:	0
Impaired by Drug:	0	CBCA:	<b>0</b>
Traffic Tickets:	9	PPA:	1
HPA:	4	Traffic Written Warnings:	6
Vehicle Checks:	72	LCA:	2
Foot Patrol Hours:	13 hrs 8 min	Bike Patrol Hours:	0

## Previous 12 Month Occurrences



## Previous 12 Months - Criminal Charges



# Monthly Report

## Fire Department

### March 2021

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#### **RESPONSE #'s (February)**

##### **Town of Amherst – 7 events**

- 1 Structure fire
- 1 Smell of smoke / Air quality check
- 3 Monitored alarm activations
- 1 Hazards materials
- 1 Flue fire

##### **Contract area (District 2) – 9 events**

- 1 Train accident
- 1 Smoke alarm activation
- 4 Motor vehicle accident
- 1 Flue fire
- 1 Rescue from height
- 1 Wildland fire

#### **FIRE PREVENTION**

9 fire inspections were completed during this period. Based on Covid-19 restrictions the department was unable to participate with in-person fire prevention activities this year.

#### **WEEKLY TRAINING & PROFESSIONAL DEVELOPMENT**

The department continues to focus its training on leadership and operational development. Over the coming weeks you will see members of the department training on Thursday evening at various locations throughout the community.

The department continues to adjust to the pandemic environment and adapt our operational objectives to meet the changing needs during this pandemic. This includes adjusting the services we provide, to ensure that we respect the physical distancing requirements and provisions of the provincial state of emergency order.

#### **RECRUITMENT**

The fire department is starting our annual recruitment program and is looking for new members to join our team. For more information on becoming a member of the Amherst fire department, please visit the Amherst Fire Station, speak to any Amherst fire fighter or go to [www.amherst.ca/volunteer-firefighter](http://www.amherst.ca/volunteer-firefighter).

# Monthly Departmental Report

## Planning & Strategic Initiatives

### March 2021

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Staff held a virtual Public Participation Opportunity on March 3<sup>rd</sup> for a development agreement application to allow three, 6-unit townhouse dwellings proposed on a portion of the former R.B. Dickey School property. In addition to the applicant, four members of the public participated. A summary of the session will be provided to the PAC and Council in April as part of the information package on this issue.

Land clearing for the 2 MW solar farm to be located in the Industrial Park is nearly complete. As noted in last month's report, construction is intended to commence in April or May with completion anticipated for the fall of 2021. Regulatory approval with respect to the project's rate structure should be made public in the coming 1-2 months. Once approval is complete, NSPI will begin promoting participation in the project to town residents and businesses.

Detailed installation planning has begun for two solar photovoltaic systems to be located on the roof of the Fire Station and the Police Department. Both systems will be operational by October 2021.

With regard to Council's Strategic Priorities, a visioning exercise was held on February 18<sup>th</sup> with staff and council to explore the concept of a new community centre.

Planning staff continue to provide planning and development services for the Town of Oxford.

# Monthly Report

## Economic Development

### March 2021

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#### **Business Supports**

Posting local business information and daily promotion continues on the Amherst Loves You Back Facebook page.

Three Mind Your Business Cumberland Workshops were hosted in February. The Immigration workshop panelist included Nova Scotia Office of Immigration, the CEO of Pictou County REN, and an employer from the Colchester area. Three local businesses participated in the Immigration workshop, six signed up for the Recruitment 101 workshop and thirteen for the Managing Mental Health in the workplace.

The joint Community Economic Development Strategy is complete and will be presented to councils in the upcoming month. This CED strategy is a collaborative effort between the Town of Amherst, the Municipality of Cumberland, the Cumberland Business Connector, and the Town of Oxford focusing on economy, population, quality of life, and community capacity.

The Business Development Officer attends monthly Team Cumberland meetings where Cumberland economic professionals share and discuss programs and services, and offer support when needed. The team supports community growth opportunities. Team members include representatives from the Town of Amherst, Municipality of Cumberland, Town of Oxford, CBDC, Chambers of Commerce, ACOA, NSBI, NSCC, CBC, and CANSA.

#### **People Attraction**

Weekly ads are posted on Facebook, Instagram and Twitter promoting Amherst as a great place to live work and play, encouraging people to come home to Amherst and create a life they'll love. Two "Dream Big Grow Here" commercial building promotion ads were posted in February targeting audiences across Canada. One "Amherst employers seeking workers" post reached over 10,000 people with local job vacancies links attached to the post.

The commercial properties for sale list has been updated on Amherst.ca.

#### **Labour Force**

The Business Development Officer is partnering with the Cumberland Business Connector to offer a "Pitch Yourself" competition for students in grades 10 to 12. Students can submit an application form and a 60 second video clip pitching themselves to local employers on why they should be their next hire. The purpose of this competition is to help students find employment and develop basic job searching skills. This competition will take place in April.

#### **Development Opportunities**

The Government of Canada has launched a healthy communities initiative which provides funding to a broad range of organizations including local governments to help communities create safe and vibrant public spaces, improve mobility options, and provide innovative digital solutions to connect people. Staff have developed a concept design and applied for funding under the safe and vibrant theme of this initiative.