



Town of Amherst  
Committee of the Whole

Date: June 21, 2021  
Time: 4:00 pm  
Location: Zoom Virtual Meeting

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5.8.	MGA 22(2)(e) - contract negotiations	
6.	Adjournment	

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Town of Amherst  
Committee of the Whole  
Monday, June 21, 2021

### **Consent Agenda**

#### **MOTION:**

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

- 1.3. Approval of Minutes**
- 3.2 Armories Updates**
- 3.3 Community Credit Union Business Innovation Center Lease**
- 4.1. Corporate Services Monthly Report**
- 4.2. Operations Monthly Report**
- 4.3. Police Department Monthly Report**
- 4.4. Fire Department Monthly Report**
- 4.5. Planning & Strategic Initiatives Monthly Report**
- 4.6. Community Well-Being Report**

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

**Date:** May 17, 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** Jason MacDonald, Interim CAO  
Michael Hunter, Chief Financial Officer  
Dwayne Pike, Police Chief  
Greg Jones, Fire Chief  
Andrew Fisher, Manager of Planning & Strategic Initiatives  
Tamara Porter, Business Development Officer  
Aaron Bourgeois, Operations Manager  
Cheryl Laliberte, Community Well-Being Manager  
Tom McCoag, Corporate Communications Officer  
Kim Jones, Municipal Clerk  
Natalie LeBlanc, Deputy Clerk

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Due to the COVID-19 pandemic this was a virtual meeting held via Zoom.

**1. Call to Order**

Mayor Kogon called the meeting to order.

**1.1 Approval of Agenda**

**Moved By Councillor Fawthrop  
Seconded By Councillor Landry  
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.**

**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 April 19, 2021 Committee of the Whole meeting be approved as circulated.**

**MOTION CARRIED**

**2. Council Direction Requests**

**2.1 Proceeding of Council Policy Amendment**

**Moved By Councillor Landry**

**Seconded By Councillor Christie**

**That Council forward the amendments to the Proceedings of Council Policy to the May 25, 2021 regular meeting of Council for approval.**

**MOTION CARRIED**

**2.2 Sidewalk Curb Construction Policy Amendment**

**Moved By Deputy Mayor Davidson**

**Seconded By Councillor Emery**

**That Council refer approval of the amendments to the Sidewalk / Curb Construction Policy to the regular meeting of Council on May 25, 2021.**

**Against (4): Councillor Baker, Councillor Christie, Councillor Emery, and Councillor Fawthrop**

**MOTION DEFEATED**

**2.3 'A' Fresh Start**

Councillor Emery declared a conflict of interest and left the meeting at this time.

**Moved By Deputy Mayor Davidson**

**Seconded By Councillor Christie**

**That Council forward the top 5 applications to the May 25, 2021 regular Council meeting for approval as presenters through a video presentation.**

**MOTION CARRIED**

Councillor Emery returned to the meeting at this time.

**2.4 Development Agreement Discharge 8 Croft Street**

**Moved By Councillor Landry**

**Seconded By Councillor Fawthrop**

**That the request to discharge the 1991 development agreement for 8 Croft Street be forwarded to the May 25, 2021 meeting of Council.**

**MOTION CARRIED**

**2.5 New Subdivision Streets - Alternative to Complete Construction Draft Policy**

**Moved By Councillor Fawthrop**

**Seconded By Councillor Baker**

**That the policy to allow final subdivision approval prior to installation by the developer of an asphalt driving surface, subject to entering into an agreement and providing a performance surety, be forwarded to the May 25, 2021 meeting of Council.**

**MOTION CARRIED**

**2.6 Diversity and Inclusiveness Committee**

**Moved By Deputy Mayor Davidson**

**Seconded By Councillor Emery**

**That an ad hoc committee of two staff and two councillors be established to explore and develop a proposal, including a draft Terms of Reference, for the addition of a Diversity and Inclusion Committee for the Town of Amherst, to be presented at the June Committee of the Whole meeting.**

**MOTION CARRIED**

**Moved By Councillor Baker**

**Seconded By Councillor Fawthrop**

**That the two staff appointments be the Municipal Clerk and the Community Well-Being Manager, and Council appointments be four instead of two being Deputy Mayor Davidson, Councillor Landry, Councillor Christie and Councillor Emery.**

**MOTION CARRIED**

**3. Information Items**

The following information items were approved as part of the consent agenda.

3.1 Municipal Affairs Correspondence

3.2 NSP

**4. Monthly Reports**

The following monthly reports were approved as part of the consent agenda:

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 Landry**

**Seconded By Councillor Emery**

**To move to an in-camera session.**

**MOTION CARRIED**

- 6. Adjournment**  
**Moved By Councillor Fawthrop**  
**Seconded By Councillor Landry**  
**To adjourn the meeting.**

**MOTION CARRIED**

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Kimberlee Jones  
Municipal Clerk

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David Kogon, MD  
Mayor

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

**Date:** June 7, 2021  
**Time:** 4:30 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** Jason MacDonald, Interim CAO  
Michael Hunter, Chief Financial Officer  
Dwayne Pike, Police Chief  
Greg Jones, Fire Chief  
Sarah Wilson, Senior Accountant  
Andrew Fisher, Manager of Planning & Strategic Initiatives  
Kim Jones, Municipal Clerk  
Natalie LeBlanc, Deputy Clerk

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Due to the COVID-19 pandemic, this was a virtual meeting held via Zoom.

**1. Call to Order**

Mayor Kogon called the meeting to order at 4:30 p.m.

**2. Council Direction Requests**

**2.1 Amendment to the Capital Budget**

**Moved By Deputy Mayor Davidson**

**Seconded By Councillor Baker**

**That Council forward the following additions to the 2021-2022 Capital Budget in the total amount of \$580,000 for the following projects to a special meeting of Council for approval:**

- North Adelaide Pulverize and Pave \$ 200,000
- Victor Avenue Overlay \$ 50,000
- Pender Street Overlay \$ 40,000
- Industrial Park Drive CNR to Southgate \$ 100,000
- Fire Station Parking Lot \$ 80,000

• Central Avenue Overlay	\$ 75,000
• Robbs Basketball Court (Multi-purpose	<u>\$ 35,000</u>
<b>Total</b>	<u><b>\$580,000</b></u>

**MOTION CARRIED**

- 3. Adjournment**  
**Moved By Councillor Landry**  
**Seconded By Councillor Emery**  
**To adjourn the meeting.**

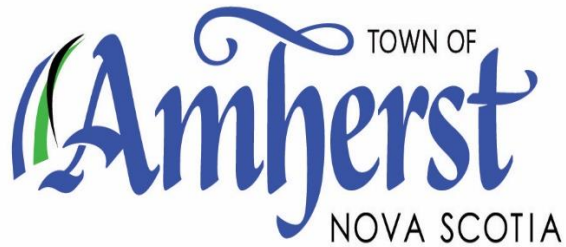
**MOTION CARRIED**

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Kimberlee Jones  
Municipal Clerk

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David Kogon, MD  
Mayor



**COMMITTEE OF THE WHOLE**

**CDR# 2021041**

**DATE: June 21, 2021**

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

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

**DATE:** June 18<sup>th</sup>, 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 completed a draft noise by-law which has been reviewed by legal counsel who have provided recommendations. These recommendations have been included in the latest draft of the Noise By-Law which is attached. Staff are recommending that the "Noise and Disturbances By-Law" be forwarded to the June 28, 2021 meeting of Amherst Town Council for first reading.

**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 bylaw to address concerns of loud mufflers. As a result of that conversation, my advice was that a noise bylaw would not sufficiently address muffler related complaints, but that Council may wish to discuss considering a bylaw to deal with other noise issues, just as many other municipalities our size and structure have done. As a result, similar by-laws were reviewed and a draft by-law was completed. Council was provided with a copy for any input/ideas/concerns they may have and was also submitted to legal counsel who provided recommendations. The recommendations from legal counsel have been incorporated into the newest draft.

**DISCUSSION:** Police routinely receive complaints concerning noise in our community. Outside of a bylaw, 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 under the influence of drugs or alcohol.

**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.

The current draft by-law shares much of the same language and items from other noise by-laws including:

- **General Prohibition Section** that discourages any activity that 'unreasonably' disturbs the peace and tranquility of a neighbourhood. Such activities are listed in Schedule A and are 'presumed' to disturb the peace at all times.
- **Fixed Exemption Section** which covers activities that include any noise that is necessary as a result of emergency response activity (sirens, etc), noise as a result of emergency and essentials repairs or work, construction activities between specific hours that have appropriate permits, parades or similar activities which have been granted permission.
- **Granted Exemptions (by Council):** Council can grant exemption for activities that may normally not be permitted. This can include noise from industrial, commercial or even community activities. An example would be a granted exemption for a live band downtown on Canada Day and includes an application process that is reviewed and considered by council. To aid in reviewing these requests, this section provides guidance in including what criteria council will use to make decisions on request:
  - Social or economic benefit of the proposed activity to the town;
  - The volume, nature, duration and consistency of the sound or noise from the activity;
  - The proximity and nature of abutting or adjacent land uses
  - Balancing the applicants interests against any negative effect resulting from the proposed exemption;
- **Penalty Section** which defines the fine amount as between \$200 and not exceeding \$2000.00 for each offense. Every new day in which the offense continues is considered a 'new day' in relation to the laying of charges under this by-law.

A noise by-law can address noise and disturbances within town limits and the current draft addresses issues such as loud parties and music, idling vehicles/use of recreational vehicles, fireworks and any other noise that 'unreasonably' disturbs the peace and tranquility of the community. Police will have to use their discretion in determining what is unreasonable, taking into consideration the setting which may include the time of day and other circumstances. Ideally, corroborating evidence will help to determine how police should proceed. Depending on the seriousness of the complaint, police may choose to proceed via another avenue which may include the criminal code or other provincial legislation.

**FINANCIAL IMPLICATIONS:** None that I am aware of.

**SOCIAL JUSTICE IMPLICATIONS:** None that I am aware of, with the exception of ensuring that decisions made when applying this by-law are made in a fair and just manner.

**ENVIRONMENTAL IMPLICATIONS:** Unwanted noise and disturbances can have a negative affect on the environment

**COMMUNITY ENGAGEMENT:** None at this time.

**ALTERNATIVES:** Do not send to first reading and rely on other legislation to deal with noises and disturbances in the community.

**ATTACHMENTS:** Draft Bylaw – “Amherst 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 presumed to be activities that unreasonably disturb the peace and tranquility of a neighbourhood;

(c) In the absence of other evidence or by way of corroboration of other evidence, a summary conviction court may infer from the evidence of a peace officer relating to the conduct of a person or person, whether ascertained or not, that a disturbance described in paragraph 3(a) or Schedule “A” of this by-law was caused or occurred.

(d) 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) Construction activities between the hours of 7:00am and 10:00pm for which all necessary permits have been obtained;
- e) Parades, processions or demonstrations for which a permit or permission has been granted by the Municipality or the traffic authority;
- f) Any community or community-group sponsored festival, jubilee, event or activity for which a permit or permission has been granted by the Municipality;
- g) Athletic, recreational or school activities in arenas, playing fields, courts, school grounds and the like between the hours of 7:00am and 12:00am;
- h) The reasonable ringing of a bell or chimes of a church:
- i) Noise relating to industrial or commercial activities that are occurring or located in Industrial or Commercial 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.
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 are presumed to 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

# Memo

**To:** Mayor David Kogon, Jason MacDonald

**From:** Leon Landry

**cc:** Kim Jones

**Date:** June 1, 2021

**Re:** Committee of the Whole Agenda Request – Lord Amherst Drive

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The matter of renaming Lord Amherst Drive has been in front of Council previously. The issue had been accompanied by a suggestion for a replacement name, but I believe it is time to address the issue on its face.

In the wake of the ongoing and tragic revelations surfacing from residential schools across Canada, the importance of examining the impact of colonization on Indigenous communities cannot be overstated. It is incumbent on all levels of government to consider their responsibilities with respect to reconciliation measures and renaming this street is a small step in the right direction.

An issue has been raised stating the businesses operating on this street will endure negative financial consequences as they deal with the logistics of the proposed change, and this is a fair and valid concern, however; numerous meaningful discussions have taken place with these businesses and it appears that all three understand the issue and are prepared to see the name become something different.

**Motion:**

**I move that Council agree, in principle, to remove the name Lord Amherst from Lord Amherst Drive and that Council request a recommendation for a new street name from the Diversity and Inclusion Advisory Committee.**

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

**SUBMITTED BY:** Andrew Fisher, Manager, Planning & Strategic Initiatives

**DATE:** June 21, 2021

**SUBJECT:** Revisions to the Dangerous or Unightly Premises Policy

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**ORIGIN:** Council's approval of the 2021/22 Operating Budget that provides for a dedicated Dangerous & Unightly Premises Administrator reflects a desire to be more proactive with enforcement.

**LEGISLATIVE AUTHORITY:** Part XV of the *Municipal Government Act* provides Council authority to ensure properties are maintained so as not to be dangerous or unsightly.

**RECOMMENDATION:** That the recommended revisions to the Dangerous or Unightly Premises Policy be forwarded to the June 28, 2021 meeting of Council for approval.

**BACKGROUND:** The current version of the subject policy reflects a level of dangerous or unsightly premises enforcement that is primarily complaint based rather than proactive. For a number of years, Administrator duties have been Marc Buske's responsibility as he continued to train to become a fully accredited building inspector. The bulk of building inspections were done by county building inspection staff, which left time for Mr. Buske to undertake dangerous or unsightly premises Administrator duties. With Mr. Buske now fully certified for all building inspections, his time capacity to undertake Administrator duties has diminished. In addition, Council have committed to raising the service level for dangerous or unsightly premises enforcement. These factors result in a need to hire a full-time administrator and to make changes to the corresponding policy.

As shown in the draft revised policy, the recommended changes are found under the 'Enforcement' section. Staff recommend the following changes:

Replace:

20. *Enforcement of the Dangerous and Unightly Premises section of the MGA will primarily be on a complaint basis.*

With:

20. **The Administrator shall survey all streets at least twice per year, typically in spring and fall, to identify properties that fall within the definition of dangerous or unsightly as defined under the Municipal Government Act**



Remove Section 21 below as it relates to 'special collections pickup', which are no longer provided.

21. *The Administrator will follow up on any notices delivered by CJSMA staff in relation to materials left at the curb which did not qualify for the special collections pickup.*

Replace:

22. *The following priority will be followed when dealing with dangerous or unsightly files:*
- a. *Dangerous Properties*
  - b. *Complaints for properties on Arterial Streets*
  - c. *Complaints for properties on Collector Streets*
  - d. *Complaints for properties on Local Streets*

With:

22. **Dangerous or unsightly files will be prioritized as follows:**
- a. **Dangerous Properties**
  - b. **Properties for which a written complaint is received**
  - c. **Properties identified by the Administrator under section 20 of this Policy**

**DISCUSSION:** The new section 20 suggested above will require the Administrator to survey town streets at least twice annually in addition to acting on complaints received for specific properties. This proactive approach should reduce the volume of complaints and the severity of some cases as the offending properties will be identified earlier. The revised section 22 maintains first priority for dangerous properties and second priority for complaints, regardless of location. Staff feel that responding to a complaint is more important than the classification of the street.

**FINANCIAL IMPLICATIONS:** Council have committed to a full time Administrator in the 2021/22 Operating Budget. Enforcement by the Administrator can result in a financial burden to some property owners.

**SOCIAL JUSTICE IMPLICATIONS:** While town staff will always try to work with property owners to achieve compliance in a cost-effective manner, in some cases the raised standards will have a financial impact on low-income property owners.

**ENVIRONMENTAL IMPLICATIONS:** Removal and proper disposal of garbage and unsanitary conditions will have positive environmental implications.

**COMMUNITY ENGAGEMENT:** The budget amendments to fund the full-time Administrator was communicated through the Budget media releases.



**COMMITTEE OF THE WHOLE**

**CDR# 2021042**

**Date: June 21, 2021**

**ALTERNATIVES:** 1) Make no change to the policy; 2) Direct staff to make further changes to the policy.

**ATTACHMENTS:** Revised Policy 66150-01

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



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**DEPARTMENT:** PLANNING AND DEVELOPMENT

**TITLE:** **DANGEROUS OR UNSIGHTLY PREMISES POLICY**

Minutes reference date: 27 February 2006 26 May 2008 27 April 2009 26 April 2010  
24 March 2014 29 March 2016

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**PURPOSE:**

1. The purpose of this policy to delegate the Town’s powers and set priority with regard to Part XV of the *Municipal Government Act* (Dangerous or Unsightly Premises).
2. Part XV of the *Municipal Government Act* states, “Every property in a municipality shall be maintained so as not to be dangerous or unsightly”.

**POLICY STATEMENT:**

3. Council delegates its authority to declare a property as dangerous or unsightly to the Dangerous or Unsightly Premises Administrator. The Administrator will determine whether or not a property is considered dangerous or unsightly in accordance with the definition of such in the *Municipal Government Act*.
4. Council delegates its authority under the provisions of the Dangerous or Unsightly Premises contained in the *Municipal Government Act* to issue an order to demolish a building to the Planning Advisory Committee.
5. Council delegates its authority to bring into compliance a property which has been declared dangerous or unsightly to the Administrator. The Administrator will utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to achieve compliance.
6. Council retains its authority under the provisions of the Dangerous or Unsightly Premises provisions contained in the *Municipal Government Act* to conduct appeal hearings when an appeal is launched against an order to demolish a building issued by the Planning Advisory Committee.
7. Council delegates its authority to conduct appeal hearings when an appeal is launched against a decision of the Administrator to the Planning Advisory Committee.

**ROLES:**

**Planning Advisory Committee:**

8. Upon recommendation by the Administrator, the Planning Advisory Committee will make a decision on the issuance of an order to demolish a building.
9. Upon an appeal of a decision of the Administrator, the Planning Advisory Committee will determine if a property is dangerous or unsightly and any remedial action to be taken.

---

**Administrator:**

- 10. Receive all complaints in relation to this policy;
- 11. Conduct an initial investigation of the complaint and determine if the property is dangerous or unsightly in accordance with the relevant provisions contained within the *Municipal Government Act*;
- 12. Utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to bring a property into compliance;
- 13. Provide a monthly report to Council detailing number of complaints, number of open files, number of resolved files, type of infraction, etc.

**COMPLAINTS:**

- 14. Complaints shall be received in a written format either on a Town of Amherst Complaint Form or via letter or email. Each complaint must include the complainant's name and contact information. The complaint must be signed by complainant. Anonymous complaints will not be investigated.
- 15. Complaints shall contain specific information, including the address of property where the complaint exists, the date that the dangerous or unsightly condition existed and what specifically the complainant believes is causing the dangerous or unsightly condition.
- 16. Complaints may be received by staff or Council.
- 17. All complaints shall be submitted to the Administrator.
- 18. The Administrator shall acknowledge receipt of a complaint by regular mail to the complainant.
- 19. Complaints shall be considered confidential but are subject to Part XX of the *Municipal Government Act*, *Freedom of Information Protection of Privacy*.

**ENFORCEMENT:**

~~20. Enforcement of the Dangerous and Unsightly Premises section of the MGA will primarily be on a complaint basis.~~

~~21. The Administrator will follow up on any notices delivered by CJSMA staff in relation to materials left at the curb which did not qualify for the special collections pickup.~~

20. The Administrator shall survey all streets at least twice per year, typically in spring and fall, to identify properties that fall within the definition of dangerous or unsightly as defined under the *Municipal Government Act*

22.21. The following priority will be followed when dealing with dangerous or unsightly files:

- a. Dangerous Properties

- ~~b. Properties for which a written complaint is received~~
- ~~a-c. Properties identified by the Administrator under section 20 of this Policy.~~
- ~~b. Complaints for properties on Arterial Streets~~
- ~~c. Complaints for properties on Collector Streets~~
- ~~d. Complaints for properties on Local Streets~~

**HEARINGS:**

- ~~23-22.~~ Notification of any hearing will be sent via registered mail no less than 10 days prior to the hearing. In cases where the owner cannot be located, notice of the hearing may be posted on the property no less than 10 days prior to the hearing.
- ~~24-23.~~ The complainant will be notified of the hearing in writing no less than seven days prior to the hearing.
- ~~25-24.~~ The Administrator's report will not be made public prior to the hearing.

**APPEALS (OF ADMINISTRATOR DECISIONS):**

- ~~26-25.~~ Any decision of the Administrator may be appealed to the Committee within seven days of such decision. Such appeal must be submitted in writing to the Chief Administrative Officer.
- ~~27-26.~~ Appeals may be lodged by the property owner or complainant.
- ~~28-27.~~ The Planning Advisory Committee may make any decision that the Administrator could have made.
- ~~29-28.~~ A decision of the Planning Advisory Committee is not appealable.

**APPEALS (OF PLANNING ADVISORY COMMITTEE DECISIONS):**

- ~~30-29.~~ Decisions of the Planning Advisory Committee in relation to the demolition of a building may be appealed to Amherst Town Council within seven days of such decision. Such appeal must be submitted in writing to the Chief Administrative Officer.
- ~~31-30.~~ Appeals may be lodged by the property owner or complainant.
- ~~32-31.~~ Council may make any decision that the Planning Advisory Committee could have made.
- ~~33-32.~~ A decision of Council is not appealable.

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

**SUBMITTED BY:** Corey Crocker, Recreation Facilities Manager

**DATE:** June 21, 2021

**SUBJECT:** **Memorandum of Understanding - Lions Park Operation**

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**ORIGIN:** Following discussions about how the park should be operated and maintained, Town staff and the Lions Club mutually agree that entering into a Memorandum of Understanding (MOU) would be appropriate.

**LEGISLATIVE AUTHORITY:** MGA, Section 65 (ah) Power to expend money states: “The council may expend money required by the municipality for...public grounds, squares, halls museums, parks, tourist information centers, and community centers.”

**RECOMMENDATION:** That Council forward the Memorandum of Understanding between the Lions Club and the Town of Amherst to the June 28, 2021 regular meeting of Council for approval and authorize the CAO to sign on the Town’s behalf.

**BACKGROUND:** The Lions Club purchased the property from the Town of Amherst and have been making annual improvements to fully develop the park. With the installation of a basketball court this summer the final phase of their development plan will be complete. The focus will now be the operational requirements needed to operate and maintain the facility and identify the responsibilities and obligations of both parties. The agreement will help foster the positive working relationship between the Town and the Lions Club, while clearly identifying the roles of both parties with respect to maintenance obligations and future development of the park.

**DISCUSSION:** The attached MOU provides clarity of the role each party has in the continued development and daily operation of the park. Both parties are in agreement that an MOU is needed and both parties have had an opportunity to provide input. For the Town, entering into this MOU will ensure the Lions Park is maintained to the same level of service standard as all other Town owned parks and green spaces.

**FINANCIAL IMPLICATIONS:** There are no financial implications to this MOU in particular. The Town will continue to operate the park and the Club will contribute financially to its repair and improvements.

**SOCIAL JUSTICE IMPLICATIONS:** Parks provide users with a free to use space to be physically active. Green spaces are also associated with contributing to positive mental well being.

**ENVIRONMENTAL IMPLICATIONS:** There are no environmental implications.



**COMMUNITY ENGAGEMENT:** Park amenities and community events hosted at the park will be promoted via the Town's social media outlets.

**ALTERNATIVES:**

1. Direct staff to draft changes to the MOU.
2. Do not approve the MOU with the Lions Club at this time.

**ATTACHMENTS:** MOU between the Town of Amherst and the Amherst Lions Club

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Report prepared by: Corey Crocker, Recreation Facilities Manager  
Report and Financial approved by:



## **Memorandum of Understanding**

### **THE TOWN OF AMHERST**

(Hereinafter referred to as “the Town”)

### **AMHERST LIONS CLUB**

AND

(Hereinafter referred to as “the Club”)

The Town and the Club co-developed phase one (development) of the Lions Park. The Park development commenced with the purchase of the land from the Town and will be completed when the last capital assets is completed this year. Phase two operation and maintenance is the subject of this MOU.

WHEREAS it is the mutual objective of the Town of Amherst and the Amherst Lions Club to continue a positive working relationship in regards to the continued development and operation of the park and both parties understand the outcomes listed below:

1. The Club agrees that the park should be integrated into the Town’s recreation plan to achieve maximum usage of the park’s facilities including daily scheduling and annual open and closing.
2. The Town will maintain the park as per the standards, policies and procedures established by the Town for all properties within the Town park system. For clarity this will include:
  - a. green space, flowers and trees;
  - b. cleaning of washrooms;
  - c. maintenance of the trails, tennis court, splash pad and other facilities within the park;
  - d. The Town shall make every reasonable effort to keep the Park for the pedestrian use only and keep vehicles off the field, except, insofar as vehicles are necessary to properly maintain the Parks and its facilities
3. The Club shall be responsible for all cost associated with replacing broken equipment.
4. The Town shall pay the property taxes on the property.





# Memo

**To:** Mayor David Kogon, Jason MacDonald  
**From:** Councillor Leon Landry  
**cc:** Kim Jones, Municipal Clerk  
**Date:** June 1, 2021  
**Re:** Committee of the Whole Agenda Request – Skate Park Updates

---

I have had several constituents indicate a desire to see some improvements to the skate park outside of the Amherst Stadium. The requested updates included a shelter area as well as a drinking fountain.

These amenities would likely contribute to the skate park being used by more people and for a longer duration.

An information request from staff determined that a shelter area and fountain would cost approximately \$5,000 each, which takes ongoing maintenance costs into consideration. After casual conversations with staff, I believe a reasonable request would be to install both this summer.

## **Motion:**

**I move that an outdoor drinking fountain and shelter area be installed at the Amherst Stadium Skate Park this summer, with funding to come from the unrestricted Operational reserve which has a current balance of \$349,360.**

---

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

**SUBMITTED BY:** Michael Hunter, CPA, CA - CFO

**DATE:** June 21, 2021

**SUBJECT:** **Donation for Children's Programs from The Dr. & Mrs. H.E. Christie Community Foundation**

---

**ORIGIN:** The Town received a request from Paul Mahaney, Executive Director of The Dr. & Mrs. H.E. Christie Community Foundation, to accept a \$12,500 donation to be used for Amherst Little League Baseball Club

**LEGISLATIVE AUTHORITY:** Specific Purpose Trust Fund - FRAM Sec 3(1)(a) – Section D Canada Revenue Agency Charity Guidelines

**RECOMMENDATION:** That Committee of the Whole forward to the June 28, 2021 regular meeting of Council approval of the acceptance of the donation from The Dr. & Mrs. H.E. Christie Community Foundation and disbursement to Amherst Little League Baseball Club, in accordance with the request of the donor.

**BACKGROUND:** The Town is deemed to be a registered charity and can accept donations from other registered charities to use for children's programs in the community. Amherst Little League Baseball is not a registered charity and does not qualify on its own to receive monies directly from another registered charity. The Town historically has accepted donations as a qualified donee and forwards monies received to help fund local recreation activities for children's programs, such as Little League or Minor Hockey, for example.

**DISCUSSION:** Accepting the donation and forwarding the same to Amherst Little League Baseball will allow the Dr. & Mrs. H.E. Christie Community Foundation to make this generous donation leading to improved access to physical activity and group programming for Amherst and area youth.

**FINANCIAL IMPLICATIONS:** There are no financial implications to the Town.

**COMMUNITY ENGAGEMENT:** None required

**ENVIRONMENTAL IMPLICATIONS:** N/A

**ALTERNATIVES:** No real alternative, only a request to transfer funds.



**ATTACHMENTS:** Request

Report prepared by: Michael Hunter, Chief Financial Officer

Report and Financial approved by:

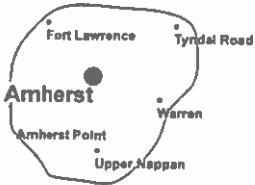
# Christie - Smith Community Fund

consisting of

The Hugh E. Christie Fund and the Michael D. Smith Fund  
administered by

The Dr. & Mrs. H.E. Christie Community Foundation

P.O. Box 986, Amherst, Nova Scotia B4H 4E1  
Phone:(902)667-9650 E-mail: TCCF@eastlink.ca



Christie Fund



Smith Fund

## Trustees:

David H. Christie

4 June, 2021

Morris J. Haugg

Town of Amherst  
98 Victoria Street East  
Amherst, NS  
B4H 1X6

Jennifer Brennan

Barry MacLeod

Donna Fitzpatrick

Attn: Michael Hunter, CFO

Mark Carter

Dear Mike,

Linda Macleod

The Dr. & Mrs. H.E. Christie Community Foundation has approved a grant for the Amherst Little League Baseball Club in the amount of \$12,500.00, conditional on the Town of Amherst Council approving that they will receive this grant on the Club's behalf.

Could you have this request added to the Agenda for the next Council meeting? If approved, please let me know and I will get a cheque delivered to you at the Town Hall.

The contact for the baseball club is Mike LeBlanc at 902 664 9999 or email [mandkleblanc@eastlink.ca](mailto:mandkleblanc@eastlink.ca).

Thank you for your assistance and looking forward to hearing from you.

Sincerely,

Paul A. Mahaney  
Administrator

RECEIVED

JUN 10 2021

Corporate Services  
Amherst, N.S.

# MEMO

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

**FROM:** Deputy Mayor Davidson

**DATE:** June 21, 2021

**RE:** **MI'KMAQ FLAG**

---

I would like to request that the Town of Amherst consider permanently erecting a Mi'kmaq flag and pole along with the three flags currently at the corner of Church and Albion Street. The purpose of this is to symbolically acknowledge that the town is located on unceded Mi'kmaq territory.

We have many Mi'kmaq people living in Cumberland County and these initiatives serve to further foster reconciliation and healing, particularly during these unsettling times of the disclosure of the tragedies associated with the Residential School aftermath.

Further, I would suggest that the Diversity, Inclusion and Equity Committee be involved in the review of this request.

**MOTION:**

**That Council direct staff to forward this matter to the new Diversity, Inclusion and Equity Committee for further review and consultation and bring back a recommendation to Council in the future.**

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

**SUBMITTED BY:** Andrew Fisher, Manager, Planning & Strategic Initiatives

**DATE:** June 21, 2021

**SUBJECT:** Solar for Community Buildings – Police Station system relocation

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**ORIGIN:** On April 23, 2019 Council passed the following motion:

*That Amherst Town Council direct staff to apply for the Solar for Community Buildings Program for the 2019 application cycle.*

**LEGISLATIVE AUTHORITY:** Municipal Government Act (MGA), section 65A(a) “the municipality may only spend money for municipal purposes if the expenditure is included in the municipality’s...capital budget.”.

**RECOMMENDATION:** That the following be forwarded to the June 28, 2021 Council meeting:

1. That the solar project to be located on the roof of the Police Station be relocated to a ground-mounted system at the town water reservoir property at 389 Willow Street, and the Capital Budget for this project be amended from \$184,537 to \$190,730, plus applicable tax.
2. That the system to be located on the roof of the Fire Station be relocated to a ground-mounted system at the Waster Water Treatment Facility, and the Capital Budget for this project be amended from \$183,414 to \$190,730 plus applicable tax.
3. That Council authorizes the CAO to enter into the system supply, install and commission agreement with Thermo Dynamics Ltd. for both projects.

**BACKGROUND:** In September 2019, the Clean Foundation and the NS Department of Energy awarded the Town’s bid to install a solar PV system on the Fire and Police Stations and sell electricity to NSPI through a 20-year Power Purchase Agreement. The Alternative Resource Energy Authority (AREA) in partnership with Thermo Dynamics Ltd. (TDL) developed the bid for the town at no charge. Under the agreement TDL is responsible for the design, installation, and commissioning of the system in conjunction with NSPI. The successful bids are given two years to achieve commercial operation. This deadline is October 2021. The Town does not pay the full contract price until NSPI confirms that the system has achieved operation under the Power Purchase Agreement.



As mentioned, the bids were developed at no financial risk to the town using an established financial formula coupled with basic information about the building, but this did not include a detailed investigation of the building features. This method provided an opportunity to submit bids on multiple buildings and detailed project planning could take place over two years after award. After further investigation of the Fire and Police Stations the presence of natural gas lines on the roof made these locations unacceptable due to safety concerns. AREA did an analysis on other town buildings, but due to unfavorable roof pitch, shading and other factors, their energy production potential would not meet the desired profitability based on the established bid price.

Under the Solar for Community Building Program, a successful bid may be moved to a different location, but the bid price remains the same and the Power Purchase Agreement is reduced from 20 to 18 years. Multiple systems cannot be combined in a single location. Ground mounted systems are acceptable.

Working with AREA and TDL, Staff identified the field next to the town's water reservoir tanks, and the open area to the right of the access road leading to the Wastewater Treatment Facility (WWTF) as alternative locations. These locations were reviewed by Public Works and the Water Utility to identify any issues. The attached site plans show the approximate locations of the panels shown in blue. These locations were chosen as both are within 100 metres of a building with 3-phase power, have unobstructed sun exposure, and the chances that the town might need these spaces for a more productive use are low.

Ground-mounted solar panels are mounted on racks that are angled to maximize sun exposure. Another advantage over the roof mounted systems is the elimination of risk to the building's roof system, and the added cost for a roof system analysis by a structural engineer. The main disadvantage of ground mounted systems is the increased installation cost due the trenching for the rack mounts and the main electrical connection.

Attached are the profit projections for the Police and Fire Stations, followed by the ground mounted system. This information is summarized in the chart below. These projections take into account operating and maintenance costs, and include an estimated \$10,000 in connection cost that are subject to NSPI's site specific requirements. Please note that approximately 90% of the Operating costs are for financing at a conservative 3% (current Municipal Finance rate is approx. 1.5%). The town is not financing these projects, but rather is paying for them out of the Operating Stabilization Reserve. The revenue generated will go back into the Reserve until the project is repaid in approximately ten years. After the capital is paid, the revenue is over 90% profit.

	<b>Police</b>	<b>Fire</b>	<b>Ground Mounts</b>
Total AC Power output	48 KW	48 KW	48 KW
Estimated 20-year Output	1,517,583 kWh	1,531,742 kWh	1,423,339
Total Project Cost	\$184,537 + tax	\$183,414 + tax	\$190,730 + tax
Bid Price	22.1 cents/kWh	21.8 cents/KWh	22.1 & 21.8 cents
Total 20-yr revenue	\$335,386	\$333,154	\$314,558
Total 20-yr Operational Costs	\$276,803	\$275,166	\$246,318
Total 20-yr Net Profit	\$58,582	\$57,988	\$68,240
Margin	17.5%	17.4%	21.7%

This arrangement qualifies for alternative procurement as AREA offered the ability to submit bids at no up-front cost to the Town. Furthermore, AREA completed an RFP process and selected TDL as a solar PV system provider based their experience, expected costs, and ability to carry the risk and cost until the commercial operation is approved for multiple projects simultaneously. The combined purchase volume of multiple projects allows for premium equipment at a lower cost. Staff are not aware of any other entity that provide this type of arrangement.

Regarding warranties, the panels and racking have a 25-year warranty, and installation warranties of 2-years. The warranty period varies amongst different components within the system, but its generally 1-2 years. AREA have advised that typically with solar PV systems, any problems as likely to emerge within the first 2 years.

The attached is the agreement with TDL to design, install and commission the system at the water reservoir site. The terms will be identical for the WWTF. The agreement provides that TDL will provide the Town with a detailed project cost update that includes NSPI's interconnection requirements and any other costs. At this point the town will have the option to cancel one or both of projects if the costs exceed the ground mount financial model created by AREA.

**DISCUSSION:** The Solar for Community Buildings program is a unique opportunity to produce and sell green energy at a profit. The program is not only a solid financial investment but is a way to show leadership in emission reduction and addressing climate change.

**FINANCIAL IMPLICATIONS:** Capital Costs of \$381,460 + tax (\$190,730 x 2) for both projects to come from the Operating Reserve. The net profit margin range between 21.7% and 34%.

**SOCIAL JUSTICE IMPLICATIONS:** None specific to this issue.

**ENVIRONMENTAL IMPLICATIONS:** Adoption of renewable energy reduces GHG emissions.





**COMMITTEE OF THE WHOLE**

**CDR# 2021047**

**Date: June 21, 2021**

**COMMUNITY ENGAGEMENT:** While no public engagement has been part of this initiative yet, there may be future educational and promotional opportunities upon installation of the system.

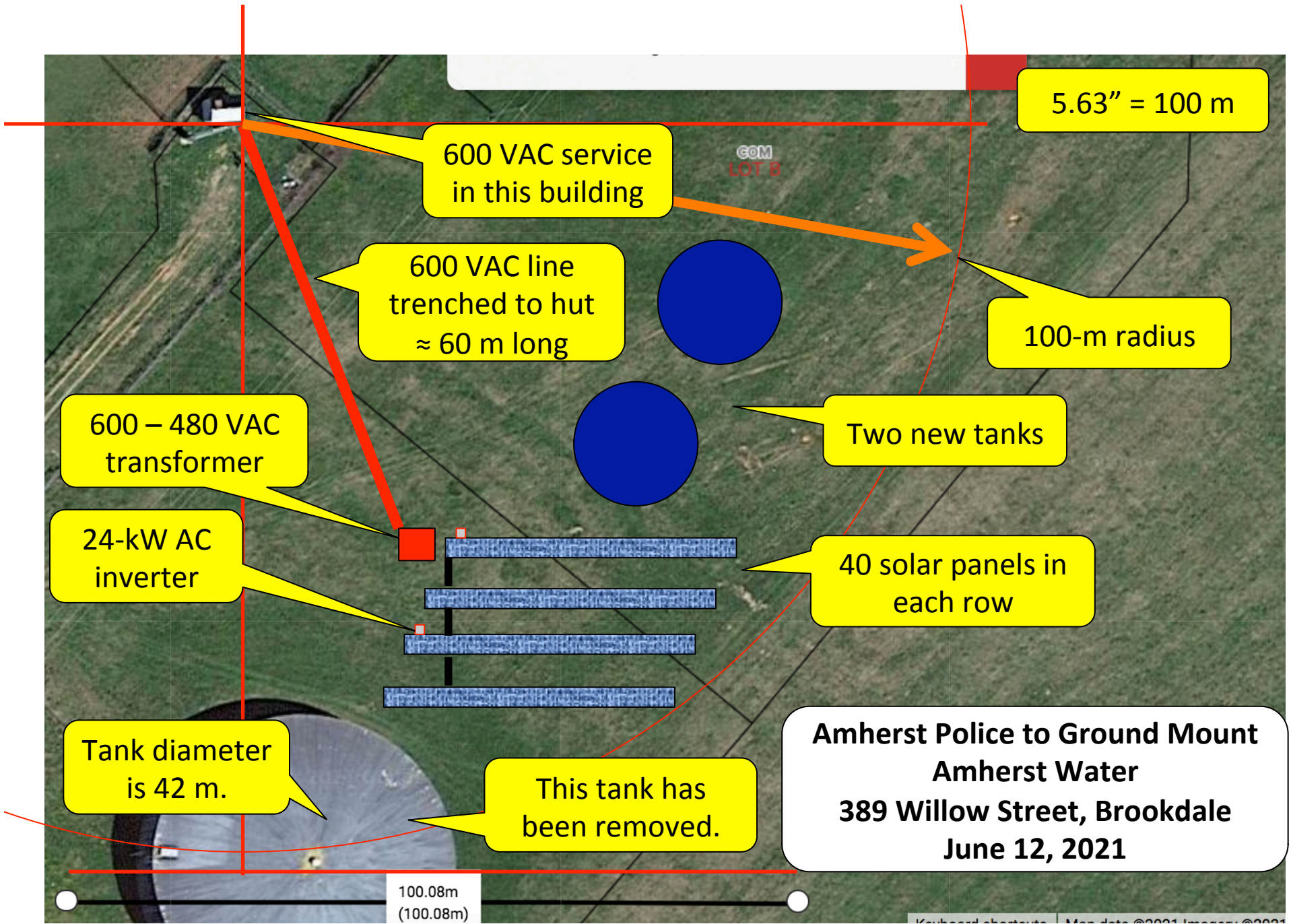
**ALTERNATIVES:** 1) Do not move forward with one or both of the projects.  
2) Direct staff to select a solar PV system installer through the regular procurement process.  
3) Direct staff to provide more information.

**ATTACHMENTS:** 1) Site Plans; 2) Financial Projections; 3) TDL agreement

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Report prepared by: Andrew Fisher  
Report and Financial approved by:

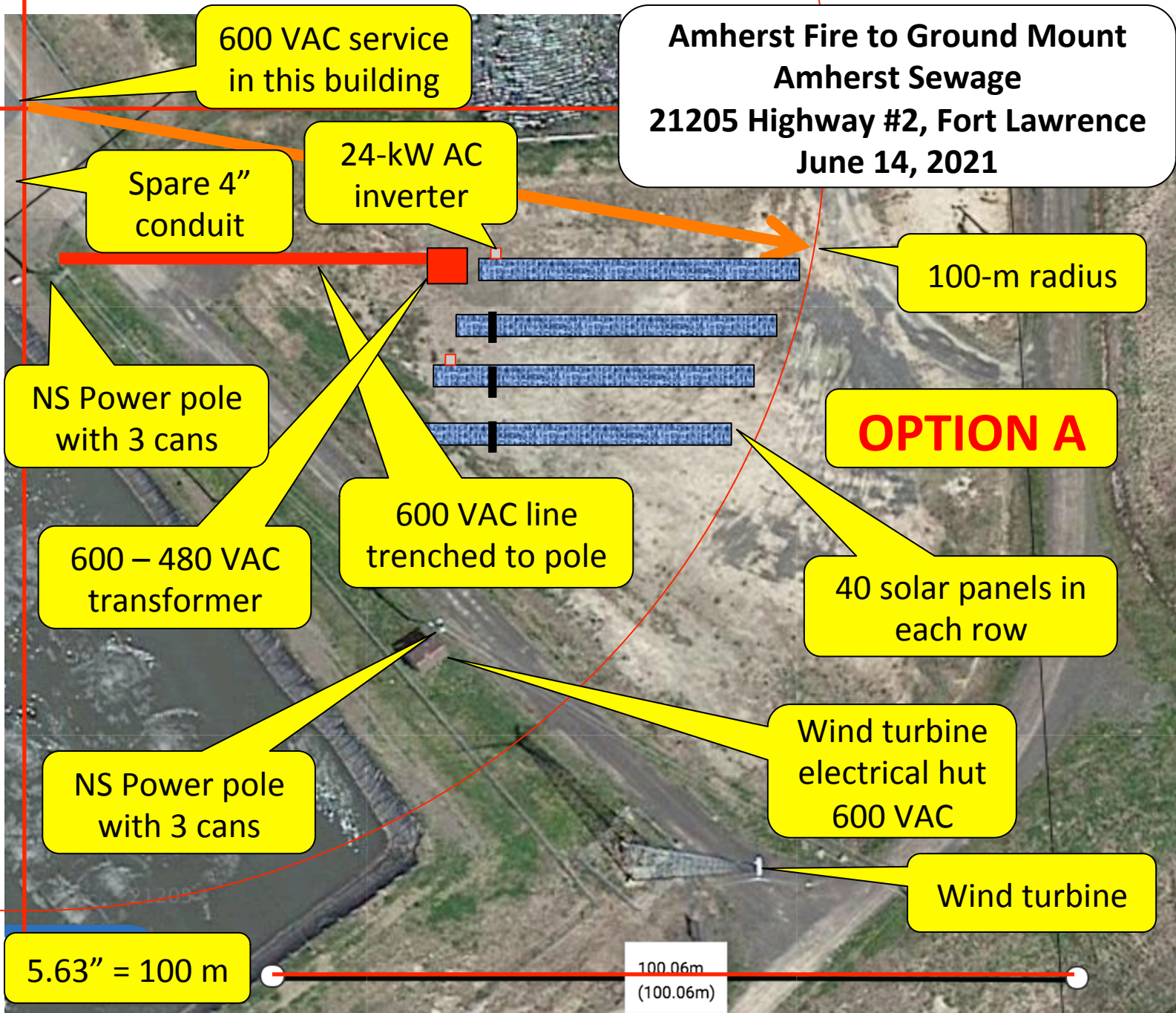




## Notes – 389 Willow Street, Brookdale (Amherst)

- 100-amp disconnect is mounted outside on the east side of the building beside the NS Power meter
- #6 AWG runs from the meter to the transfer switch inside
- 225-amp splitter next to the transfer switch
- $48,000 \text{ W AC @ } 600 \text{ VAC} = 46.2 \text{ amps}$

**Amherst Fire to Ground Mount  
Amherst Sewage  
21205 Highway #2, Fort Lawrence  
June 14, 2021**



5.63" = 100 m

100.06m  
(100.06m)

**Amherst Fire to Ground Mount  
Amherst Sewage  
21205 Highway #2, Fort Lawrence  
June 14, 2021**

24-kW AC  
inverter

100-m radius

**OPTION B**

600 – 480 VAC  
transformer

600 VAC line  
trenched to hut

40 solar panels in  
each row

NS Power pole  
with 3 cans

Wind turbine  
electrical hut  
600 VAC

Wind turbine

5.63" = 100 m

100.06m  
(100.06m)

# Notes – 21205 Highway #2, Fort Lawrence (Amherst)

## Option A

- IC inside the main building
- As with CoAPW, there is a spare conduit running from the NS Power pole to the main electrical room.
- Spare 20-amp breaker can be replaced with 60-amp breaker in the main electrical panel (busbar rated at 800 amps)

## Option B

- IC at the wind turbine hut
- 600 – 480 transformer placed in the field or in the hut.
- Install PV IC equipment in parallel with the wind turbine IC equipment
- Second kWh meter installed beside the existing wind turbine kWh meter

Inflation 2%  
MFC Interest Rate 3.0%  
Price metric \$ 2.75 per kWp, DC

Bid Price 22.1 cents/kWh  
NPV \$53,426.51  
NPV as % CAPEX 28.0%

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Total	
Energy Production (kWh)		82960	82503	82046	81589	81131	80674	80217	79760	79303	78846	78389	77932	77474	77017	76560	76103	75646	75189	<b>1423339</b>	
Revenue		\$ 18,334	\$ 18,233	\$ 18,132	\$ 18,031	\$ 17,930	\$ 17,829	\$ 17,728	\$ 17,627	\$ 17,526	\$ 17,425	\$ 17,324	\$ 17,223	\$ 17,122	\$ 17,021	\$ 16,920	\$ 16,819	\$ 16,718	\$ 16,617	<b>\$ 314,558</b>	
O&M		\$ 727	\$ 741	\$ 756	\$ 771	\$ 786	\$ 802	\$ 818	\$ 835	\$ 851	\$ 868	\$ 886	\$ 903	\$ 921	\$ 940	\$ 959	\$ 978	\$ 997	\$ 1,017	<b>\$ 15,557</b>	
Financing		\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	\$ 12,820	<b>\$ 230,761</b>
Operational Costs		\$ 13,547	\$ 13,561	\$ 13,576	\$ 13,591	\$ 13,607	\$ 13,622	\$ 13,638	\$ 13,655	\$ 13,671	\$ 13,688	\$ 13,706	\$ 13,723	\$ 13,742	\$ 13,760	\$ 13,779	\$ 13,798	\$ 13,817	\$ 13,837	<b>\$ 246,318</b>	
Profit		\$ 4,788	\$ 4,672	\$ 4,556	\$ 4,440	\$ 4,324	\$ 4,207	\$ 4,090	\$ 3,972	\$ 3,855	\$ 3,737	\$ 3,618	\$ 3,499	\$ 3,380	\$ 3,261	\$ 3,141	\$ 3,021	\$ 2,900	\$ 2,779	<b>\$ 68,240</b>	

## Proposal to Design and Install a Ground-Mounted Photovoltaic System for the Town of Amherst

Prepared for:  
 The Town of Amherst (ToA)  
 98 Victoria Street East, Amherst, Nova Scotia B4H 1X6

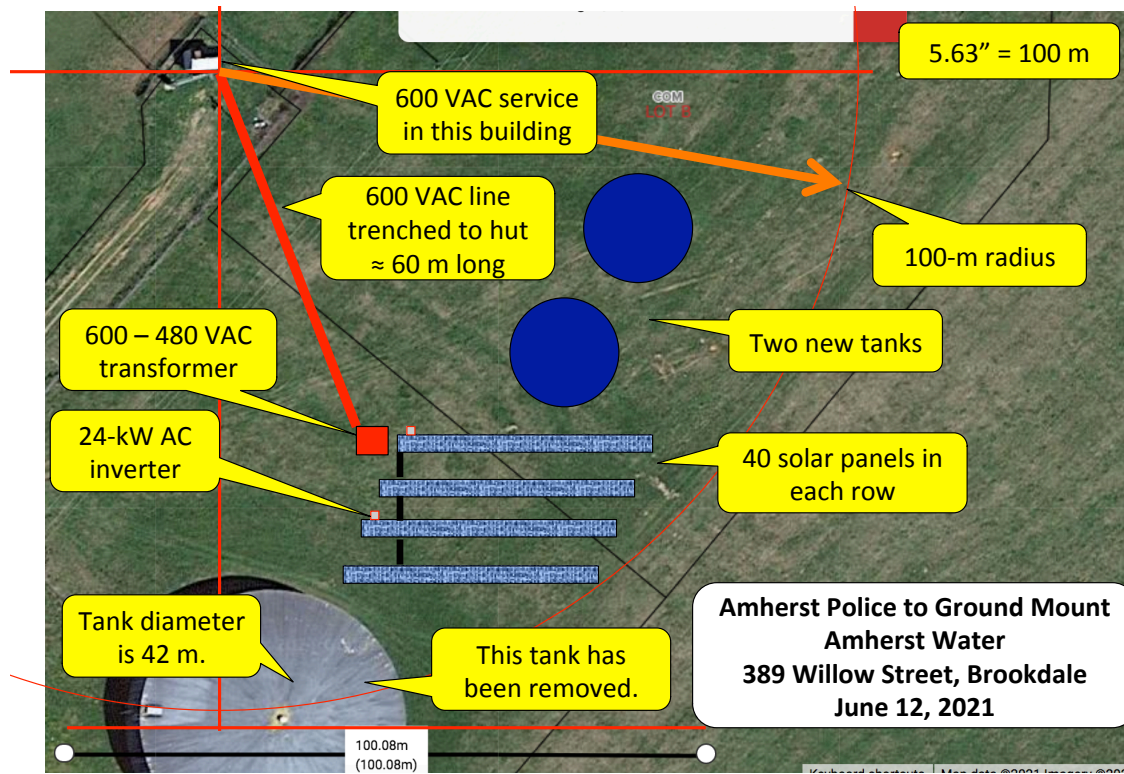
Prepared by:  
 Thermo Dynamics Ltd. (TDL)  
 101 Frazee Avenue, Dartmouth, Nova Scotia B3B 1Z4  
 Tel: (902) 468-1001 Fax: (902) 468-1002  
 Contact: Peter Allen

June 15, 2021

### Project Description

This proposal replaces the proposals submitted by TDL to install photovoltaic (“PV”) systems TDL on the roof of the Amherst Police Department and the roof of the Amherst Fire Department. This proposal is for a ground-mounted system, of essentially the same kilowatt size, to be installed at the site of the town water facility at 389 Willow Street, Brookdale.

The location is depicted in the satellite photograph shown below.



The above satellite photograph is not a recent photograph. The water tank shown in the photograph in the lower left hand corner has been removed and has been replaced by the two smaller tanks.

The main components of the system are

- (i) one or more inverters, with a total AC power output of 48 kW
- (ii) PV modules with a total rated DC power output of 69 kW
- (iii) the mounting hardware required for the PV modules
- (iv) the electrical wiring on the PV side of the system and on the AC side of the system, excluding the interconnection to the Nova Scotia Power grid.

The estimated output from the PV system is 85,700 kWh (AC) per year. The electricity generated by the PV modules will be fed into the electrical system on the site.

The PV modules will be mounted on the ground facing approximately true south, at a slope of approximately 30 - 35 degrees to the horizontal. The PV modules will cover an area of approximately 600 square meters (including spacing between rows). The PV modules will be installed on a ballasted racking system. Fencing may be required around the array of PV modules, depending on the wishes of the local NS Power inspector. To date fencing of ground-mounted PV systems has not been required, however, some NS Power inspectors have suggested that they may require fencing. Trenching from the PV array to the main electrical panel on site may also be required. The extent of the trenching has not been determined, however, in the costing we have assigned a cost of \$4,000 for the trenching. If trenching costs are less, ToA will be credited with the savings; if trenching costs exceed \$4,000, ToA will be billed for the excess over \$4,000.

### Timing of the Project

TDL is prepared to undertake the design and installation upon receipt of this signed proposal, and upon receipt of approval from NS Power. One to two months is required to obtain approval from NS Power for this project. TDL estimates that two months will be required to acquire all the system hardware, and another month is required to install the system and commission it.

### System Price

The price shown below is for one ground-mounted system, as described above

Solar panels	<b>\$61,920</b>
Inverters	<b>\$20,160</b>
Balance of system	<b>\$41,684</b>
Direct labour	<b>\$28,560</b>
Cost of all permits, inspections	<b>\$1,150</b>
Overhead costs	<b>\$5,780</b>
Trenching	<b>\$4,000</b>
Travel	<b>\$7,000</b>
Total upfront installation costs	<b>\$170,254</b>
Sales tax (15%)	<b>\$25,538</b>



Total upfront installation costs **\$195,792**

Thermo Dynamics Ltd. proposes to design, supply and install the above system. The cost of the TDL-supplied system is **\$195,792.00 (one hundred and ninety-five thousand, and seven hundred, ninety-two dollars). This is the price for one ground-mounted system.**

#### **Cost of connection to the NS Power grid**

Additional electrical equipment, not included in the contract price, is required to connect the 480-VAC output from the inverters to the NS Power grid. This equipment may include, but is not limited to, transformer(s), AC switches/breakers, meter bases, meters, wiring and cables. TDL shall procure the equipment specified by NS Power for installation between the solar PV inverter and the NS Power distribution system, and invoice these costs (the interconnection costs) with receipts and without markup to TOA, at the time of a “passed” “final inspection by NS Power. TDL’s installation costs of such equipment is included in the direct labour costs shown above, with the exception of the connection of the PV system to the main electrical system in the building. This final connection shall be made by the electrician retained by ToA to undertake electrical work at this site, and one that is familiar with the electrical system at this site. This PV system requires 600 VAC, 3-phase service by NS Power.

TDL shall provide ToA with a detailed project installation cost that includes NSPI’s interconnection equipment as determined in Section 6 of the SOLAR PV PROJECT DEVELOPMENT, INSTALLATION AND COMMISSIONING AGREEMENT, and any other project cost including but not limited to any required trenching, fencing, site work, or communication equipment, and ToA may remove a solar PV system from Schedule A of the SOLAR PV PROJECT DEVELOPMENT, INSTALLATION AND COMMISSIONING AGREEMENT if the total project installation cost, including contingency, exceeds that estimated in the financial model used by AREA for the submission to the Program.

#### **Payment Schedule**

ToA shall pay to TDL the total contract price plus the interconnection costs shown above upon receipt of an invoice from TDL on the following schedule. Invoices not paid within 30 days of issuance are subject to an late payment charge of 2% per month.

- a) 90% of the total contract price upon TDL’s demonstrating that the project can achieve the inverter’s nameplate electrical production, when adjusted for the prevailing solar power available at the time of the testing;
- b) 10% of the total contract price and 100% of the interconnection costs upon NS Power’s written confirmation that the project has passed the “final inspection”.

#### **Warranty on Workmanship**

Thermo Dynamics Ltd. will provide a 2-year warranty on the workmanship of all the work undertaken by the employees of Thermo Dynamics Ltd. on this project. This warranty includes any adjustments that may be required if the concrete ballast blocks for the racking system sink to an extent such that the integrity of the racking system is compromised.



**For Thermo Dynamics Ltd.**

\_\_\_\_\_ Date \_\_\_\_\_

Peter Allen

**For the Town of Amherst**

I, the undersigned, understand and agree to the terms set forth in the above agreement. I agree to follow the payment schedule listed above, and will pay each installment within 30 days of receipt of invoice.

ToA accepts this proposal for one ground-mounted system.

\_\_\_\_\_ Date \_\_\_\_\_



**COMMITTEE OF THE WHOLE**

**CDR# 2021049**

**Date: June 21, 2021**

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

**SUBMITTED BY:** Michael Hunter, CPA, CA - CFO

**DATE:** June 21, 2021

**SUBJECT:** Capital Paving Tender RFT-21-06

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**ORIGIN:** Capital Budget for the year ended March 31, 2022

**LEGISLATIVE AUTHORITY:** 31700-01 Procurement Policy

**RECOMMENDATION:** That the award of the Capital Paving Tender (RFT-21-06) to the lowest compliant bidder, Classic Construction (2012), at their unit prices based on our estimated quantities in the total amount of \$ \$627,700 plus HST, be forwarded to the June 28, 2021 meeting of Amherst Town Council.

**BACKGROUND:** A tender for the capital paving program was issued with a closing date of June 15, 2021 for the fiscal year ended March 31, 2022. The following three bids were received (plus non-refundable taxes):

- Cumberland Paving \$ 669,530 + (24,000 provisional)
- Costin Paving and Contracting \$ 642,055 + (28,000 provisional)
- Classic Construction (2012) \$ 627,700 + (24,000 provisional)

**DISCUSSION:** The capital paving program for the year ended March 31, 2022, was approved by Council in the Capital Budget. Award of the tender at the June meeting will allow for completion of the work prior to September 30, 2021.

**FINANCIAL IMPLICATIONS:** The approved capital paving budget was \$985,000 including non-recoverable taxes for the year end March 31, 2022. The cost of the proposed work including non-refundable taxes and provisional items is \$679,632. The tender is a unit price contract based on estimated quantities the final cost will be determined by the actual quantities of material used, and will not exceed the budget amount.

**COMMUNITY ENGAGEMENT:** The Town issued a tender as per our Procurement Policy. A media release will be issued pending Council approval. Hand delivered written notices will be delivered to all affected residents and businesses.



**ENVIRONMENTAL IMPLICATIONS:** There are no direct environmental implications to the award of this contract. The repaving of streets with asphalt will generate greenhouse gas emissions, however there is little alternative if our street infrastructure is to be maintained.

The material that will be removed through the pulverization process will be recycled for either road bed material or used in future work such as trails.

**SOCIAL JUSTICE IMPLICATIONS:** There are no social justice implications to the award of this contract.

**ALTERNATIVES:** As all bidders were compliant with the tendering process, Council has no alternative to awarding the contract to the low bidder, unless the project were to be cancelled altogether.

**ATTACHMENTS:** None

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Report prepared by: Michael Hunter, CPA, CA - CFO  
Report and Financial approved by:



## COMMITTEE OF THE WHOLE

CDR#

Date:

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**TO:** Mayor Kogon and Members of Amherst Town Council  
**SUBMITTED BY:** Michael Hunter, CPA, CA - CFO  
**DATE:** June 21, 2021  
**SUBJECT:** **Spring Street Infrastructure Renewal from Church to Croft**

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**ORIGIN:** Capital Budget for the year ended March 31, 2022

**LEGISLATIVE AUTHORITY:** 31700-01 Procurement Policy

**RECOMMENDATION:** That the award of the tender RFT-21-18 Spring Street Infrastructure Renewal be awarded to the lowest compliant bidder, Bowers' Construction, at their unit prices based on our estimated quantities, in the total amount of \$ 373,891 (including provisional items and all non-recoverable taxes), be forwarded to the June 28, 2021 meeting of Amherst Town Council.

**BACKGROUND:** A tender for the Spring Street Infrastructure Renewal was issued with a closing date of June 15, 2021. The following three bids were received (including provisional items, and all non recoverable taxes):

Dexter Construction      \$748,822  
Cumberland Paving      \$459,963

**Bowers Construction \$373,891**

**DISCUSSION:** This project will be very similar to the Albion Street project (2020), however, in this case, all underground infrastructure will be replaced. The water and sewer mains will be replaced and tested, as well as replacing all water services to the property lines during the construction. Once the mains have been tested and put back into service, the street subgrade and asphalt will be replaced. It is expected that the work will be completed by September 30, 2021.

**FINANCIAL IMPLICATIONS:** The approved Spring Street Infrastructure Renewal project was for the amount of \$427,000, including non-recoverable taxes. The cost of the proposed work including non-refundable taxes and provisional items is \$373,891, with funding approved in the Capital Budget for the year ending March 31, 2022. The tender is a unit price contract based on estimated quantities. The final cost will be determined by the actual quantities of material used.



**COMMUNITY ENGAGEMENT:** Prior to construction work taking place, a public notification program will be undertaken.

**ENVIRONMENTAL IMPLICATIONS:** Replacing the water and sewer mains will reduce flow and quality issues and flushing would be reduced because of this. Reducing water main flushing would mean a marginal reduction in the amount of water that is used.

**ALTERNATIVES:** As all bidders were compliant with the tendering process, the only alternative to awarding the contract to the low compliant bidder, is to cancel the tender.

**ATTACHMENTS:** None

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Report prepared by: Ben Pitman, P. Eng., Town Engineer  
Report and Financial approved by: Michael Hunter, CPA, CA - CFO

# MEMORANDUM

TO: Mayor Kogon and Members of Council  
From: Dwayne Pike, Chief of Police  
Date: June 21, 2021  
Subject: Spring Street Concerns

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## **BACKGROUND**

During the January 18<sup>th</sup> 2021 Committee of the Whole meeting, Council requested that staff provide a report regarding concerns along Spring Street in the area of Spring Street Academy. Specifically, Council was interested in a request for a sidewalk along the north side of Spring Street and the possibility of adding crosswalks on Spring Street at Allision Avenue and Westminster Avenue. This motion was amended to include a review of vehicular and pedestrian traffic in the areas Spring Street, Rupert Street, Academy Street, Charles Street and Havelock Street.

## **DISCUSSION**

This request consists of a police review of traffic patterns (both pedestrian and vehicular) in the area of Spring Street Academy, including the installment of extra crosswalks in the area, but also for Operations to review the possibility of installing a sidewalk along the north side of Spring Street.

### **Review of Traffic Patterns**

While APD members have conducted stationary and moving radar along Spring Street on a regular basis, we did conduct regular observation in September 2020 as a result of a complaint of speeding in this area. The complainant in this matter also suggested that traffic would be slowed if 3-way stop signs were installed at several locations along Spring Street. As a result, a file was started and members were tasked with monitoring Spring Street for speeding violations. During the months of September/October 2020, members monitored this area in the morning, often observing over 100 cars, the vast majority of which were travelling under the speed limit. One driver was issued a warning for travelling at a speed of 63kph, while another driver was issued a ticket for driving with no license. They did not make any observations of pedestrian traffic at the time.

Both pedestrian and vehicular traffic patterns have been impacted by the Covid-19 pandemic, with schools closed later in December and again in 2021. As a result, it has been difficult to get a true understanding of traffic patterns, both pedestrian and vehicular, in order to make any kind of recommendation on changes. The pandemic also hindered the ability to hire a consultant to work on this project as a result of the unpredictable nature of rising cases and the effects that this has on regular traffic patterns. As a result, no study of the areas of interest has been initiated as of yet.

## **Installation of Crosswalks**

The motion included that staff review the possibility of adding extra crosswalks on Spring Street at Allison Avenue and Westminster Avenue. These would enable students living on the north side of Spring Street to access the sidewalk on the south side of Spring Street. It would also work to slow traffic in the area.

Crosswalks are often installed/removed after reviewing and utilizing the criteria in the *Transportation Association of Canada (TAC) Pedestrian Crossing Control Guide*. In 2019, as a result of a crosswalk study, a crosswalk that existed at Spring and Regent Street was removed for three reasons:

1. The crosswalk ended at a curb. Crosswalks should be connected to sidewalks on both sides.
2. Pedestrian volumes were less than 15 adult units per hour or 100 over 7 hours
3. Crosswalk is not in a school zone

While any one of the criteria is not normally used to make a decision, in the case of the Crosswalk at Spring and Regent, 3 of the criteria existed to support removing the crosswalk. It is highly likely the same three criteria exist for the areas of Allison Avenue and Westminster Avenue, as both areas are not within a school zone, and neither have sidewalks for connectivity. In either event, it would be very rare to have 2 crosswalks within such close proximity as exists between Allison Avenue and Westminster Avenue and this is another issue identified in the TAC Manual and is often used as criteria for making a decision.

## **Installation of Sidewalks on the north side of Spring Street**

The installation of sidewalks is often completed by Public Works or may be contracted out and is often a decision based several criteria which includes cost, need and consistency. It is not something that is determined or authorized by the traffic authority. The decision to install sidewalks on the north side of Spring Street has little impact on the decision regarding crosswalks in the area. A parallel sidewalk would eliminate the need to access the crosswalk on the south side, but would provide the connectivity required on both sides of the road. The estimated cost of a sidewalk on the north side of Spring Street from Willow to Church is \$80,000. That being said, it cannot be fitted into the work plan of Public Works in the current construction season.

## **CONCLUSION**

A study of the pedestrian and vehicular traffic patterns in the areas surrounding Spring Street Academy requires an in-depth look at the streets, sidewalks and other infrastructure that contribute to safety of our children and citizens who frequent this area to access the school. Such a review must consider not only criteria for change, but also consistency with other parts of town which may have similar or competing concerns. Unfortunately, work has stalled on this initiative as a result of the Covid-19 pandemic which has altered traffic patterns due to closure of the schools and other restrictions. The complexity and scope of this task undoubtedly requires the hiring of a consultant should Council wish to proceed and move forward with this study.

# MEMO

**TO:** Mayor Kogon and Members of Council  
**FROM:** Deputy Mayor Hal Davidson  
**DATE:** June 21, 2021  
**RE:** **Update on the Amherst Armories**

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A virtual Zoom meeting took place in early June with usual participants inclusive of Lenore Zann, MP and her staff, Ray and John from the Highlanders Museum, Morris Haugg, Chief Jones, Darrell Cole, Elizabeth Smith McCrossin MLA and several Armed Forces personnel.

The main purpose for the call was to ensure a seamless transition given the change of command which will take place June 25<sup>th</sup>. The new Armed Forces person in charge of this file will be LT. Col. James LeGresley who is originally from River John, N.S.

That said, the military are still working on getting tenders for the engineering review of the basement and roof. Covid is an impediment as the availability of potential consultants has declined and they are finding fewer contractors and higher material costs. Nevertheless, they are still attempting for complete the tendering process during the summer.

The Highlanders Museum have indicated they have had an expression of interest from The Cumberland Museum to occupy space. The response was that the Armories would have to go through a formal process to ensure fair market value, insurance, fire regulations, etc. are followed. It is an approximate 4-week process.

Mr. Haugg raised concerns about the building's sustainability. MP Lenore Zann made it clear that ACOA will do the feasibility study for what the building can be used for, but only after completion of the basement and roof work.

MLA Elizabeth Smith-McCrossin is asking for the number of reservists before they were moved to Springhill and currently. She also asked about Cadets but was informed Cadets can use the building subject to Covid Health regulations.

It was agreed that the group should attempt to meet in person prior the Change of Command (June 25<sup>th</sup>) should Provincial regulations permit same.

# Memo

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

**From:** Aaron Bourgeois, Operations Manager

**Date:** June 21, 2021

**Re:** Lease and Management Agreement - Community Credit Union Business Innovation Centre

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Since the opening of the Community Credit Union Business Innovation Centre in 2016, the Community Business Development Corporation (CBDC) Cumberland has been renting office space and been the managing partner of the facility.

Subject to clause 2.6 of the current Lease and Management Agreement, CBDC Executive Director Carys Wood has provided notice that they are exercising their option to renew the lease. The term of the renewed lease shall commence on October 1, 2021 for a term of five years, and end on September 30, 2026.

Staff will be meeting with Carys in the near future to discuss any potential changes to the management of the facility.



June 1, 2021

Jason MacDonald  
A/CAO Town of Amherst  
98 Victoria Street,  
Amherst, NS  
B4H 1X6

**Re: Lease and Management Agreement – Community Credit Union Business Innovation Centre**

Since inception of the Community Credit Union Business Innovation Centre in 2016, CBDC Cumberland has been managing partner and rents 7 offices and space of the facility for our staff and partners.

As per section 2.6 of the Lease and Management Agreement, CBDC Cumberland is notifying the Town of Amherst our intent to renew the Lease.

We are aware of the potential changes of process of the rental space in CCUBIC that the Town of Amherst is considering through our open communication and would like to discuss further prior to the end of term as dated September 30, 2021.

Thank you and please feel free to contact me with any questions.

All the best,

Carys Wood  
Executive Director  
CBDC Cumberland

# Monthly Report

## Corporate Services

June 2021

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### CORPORATE SERVICES

As of June 7<sup>th</sup> we are all back working at Town Hall after the Covid outbreak. The work from home period went very smoothly. We would like to welcome Sherry Rideout and Michelle Terfry to the Corporate Services Department. Sherry recently started on a temporary basis to fill in for the Water/Sewer Billing Clerk position. Michelle started in May at the front desk and quickly had to learn how to operate via zoom during our work from home period.

### PAYROLL

Payroll and WCB remittances are up to date.

Payroll remittances are remitted to CRA bi-weekly by the payroll company. The current remittance for statutory deductions will be due June 15.

WCB is remitted automatically via our payroll provider. The current remittance is due June 15.

### FINANCIAL

All of the General and Water Operating budgets have been approved by Council for the year ended March 31, 2022. A revision was made to the March 31, 2022 capital budget at a special meeting of Council on June 7 to add additional paving projects as additional funding was received from the Canada Community Building Fund (formerly Gas Tax).

Bank reconciliations for April were completed. Bank reconciliations for May are in progress.

### 2021/22 INTERIM PROPERTY TAX BILLS

The interim tax bills were due on May 31, 2021.

### 2021 ASSESSMENT APPEALS

As of June 1<sup>st</sup>, there were 53 accounts who have appealed their assessment, 13 of these are outstanding, 0 are pending, 10 are withdrawn and 30 are complete.

	# of Accounts Appealing	Total Assessment Value Being Appealed	Appeal Completed as of Jun 1/21	Pending as of Jun 1/21	Withdrawn as of Jun 1/21	Outstanding Appeals as of Jun 1/21	Appeals Successful as of Jun 1/21	Loss of Assessment Value	Amount of Revenue Reduction	Nova Scotia Assessment Appeal Tribunal Status
Residential/Resource	30	15,262,800	19	0	3	7	13	\$500,500	\$8,283	1
Commercial	23	25,154,700	11	0	7	6	8	\$620,900	\$27,661	0
<b>TOTAL</b>	<b>53</b>	<b>\$40,417,500</b>	<b>30</b>	<b>0</b>	<b>10</b>	<b>13</b>	<b>21</b>	<b>\$1,121,400</b>	<b>\$35,944</b>	<b>1</b>

## **WATER / SEWER BILLING**

Quarterly water bills were sent to customers during the last week of April with a due date of June 30, 2021.

Staff are making preparations for the next quarterly water billing which is completed in July.

## **CUSTOMER SERVICE TRACKING – E11**

There was a total of 49 opened cases in May and 54 cases closed. The categories with the most opened/closed cases in May were related applications for building permits.

## **HUMAN RESOURCES**

The competition for Transportation Foreman concluded with Jason McBurnie being the successful candidate.

The internal competition for full-time public works Operator (sewer division) was concluded with Len Brine being the successful candidate.

Competitions currently in process include:

Seasonal Parks Attendant (Recreation Facilities) – the competition closes June 11.

Seasonal Operator (Public Works) – the competition closes June 14.

Corporate Services welcomed Sherry Rideout to a temporary position in order to back-fill for the Water/Sewer Billing Clerk duties as a result of an employee leave.

The month of May also saw the retirement of two-long term employees: Leonard Tower and Marie MacDonald.

Summer students hiring for the 2021 summer season has now been completed with students commencing work throughout May and June. Hiring had previously been placed on hold due to public health COVID protocol.

Preparation of long-service awards has been completed with the awards scheduled to be presented to staff in June.

## PROCUREMENT

Staff continues with preparing, coordinating and completing the procurement process for both capital projects and operational requirements needed in the capital budget and newly approved operational budget for 2021/2022.

	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
<b>Capital</b>													
Expected Procurement from Capital Budget: 39:													
Scopes for capital received in the month	4	4	7	0	3	5	2	0	0	4	0	8	12
<b>All procurement:</b>													
Total new scopes of work received in month	6	10	14	0	7	19	3	0	6	6	4	14	12
Released to the public in the month	6	8	16	2	10	23	4	4	7	5	3	7	7
Closed during the month	6	7	16	2	7	21	9	4	6	7	4	7	4
Awarded by par/council during the month	7	9	7	9	7	15	8	3	10	5	7	7	2
Open at the end of month (released month a, closed month b)	5	1	1	3	2	6	5	5	1	1	2	3	4

## INFORMATION SERVICES (IS)

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

Purchased most of the Laptops that will be needed this year. Most of those have been setup and are now in service.

Prepared a computer and cell phone for the new IT Manager who has arrived in NS and started work May 10, remotely, while completing his quarantine period.

### IS Cases/Incidents Stats

	May 2020	June 2020	July 2020	Aug 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021
Opened	56	58	28	9	33	16	11	19	33	21	14	11
Closed	57	55	32	9	33	14	12	19	30	19	16	10

# Monthly Report

## Operations

June 2021

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### PARKS

- All parks are open - washrooms remained closed during the current restrictions.
- The dog park is open and the water has been turned on.
- Garbage bins in parks are being monitored and emptied as needed.
- Priority work for CUPE staff is mowing and trimming, with a reduced crew in May it has been difficult to keep up with the mowing.

### AMHERST STADIUM

- On May 18<sup>th</sup> the stadium became the home of the public health northern zone Covid-19 testing centre. It is expected they will use the facility until the ice goes in at the stadium in mid-august.

### ROBB COMPLEX

- Robb Complex is open and operating under the current Covid-19 guidelines, practices are taking place in groups of ten.
- When games are permitted; Men's Softball League, Mixed Softball League, Seniors Softball League and Baseball Leagues will make frequent use of the complex.
- The batting cage is nearing completion and will be ready for use in June.
- The 3 fields were rolled, fertilized, overseeded.
- Infield conditioner was added to the Dwight Jones field.

### STUDENTS

- 5 summer students were hired. Cole Pardy and Jagger Vandewiel are working with CUPE staff and their primary job is push mowing and trimming. Julian MacDonald, Madden Miller and Curtis Allen have been assigned to the Robb Complex.

### HORTICULTURE

- Flowerbed Maintenance included weeding, adding compost and mulch, edging, and removal of dead plants and debris is underway.
- Pruning of early spring flowering trees and shrubs has been completed.
- Downtown street trees were amended with fresh compost and mulch.
- Litter pick-up throughout town is ongoing.
- The Dickey Park sports field was rolled, fertilized, bare patches were seeded.
- Inspected potential hazardous trees in response to citizen concerns.

### OPERATIONS

- Seasonal employees returned to work on May 3, 2021.
- On May 4, 2021 a public works employee tested positive for COVID-19, public health deemed all staff to be close contacts. The works garage was closed for 14 days while staff self isolated.
- Town Engineer Ben Pitman completed the weekly water samples and the County offered their services in the event emergency work had to be completed.

- On May 19 half the staff returned to work and the other half remained at home. The rotational shifts stayed in effect for the remainder of the month.
- The month of May was limited to ensuring the provision of essential services.

Upcoming / ongoing projects for June:

- Splash Pads to open, will run daily from 9:00am to 8:00pm
- Washrooms in parks to open, will be open daily from 8:00am to 8:00pm.
- Internal and external employment competitions to fill departmental vacancies in recreation and public works.
- Traffic line painting.
- Contracted patching of service cuts and spreader patching streets.
- Start capital projects (sidewalk and storm sewer replacements)
- Water department employee David Gautreau is retiring at the end of June. David started his career with the Town on June 8, 1976.

# Monthly Report

## Police Services

June 2021

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### TRAINING

**Search and Seizure Training:** Joint training had been scheduled with the RCMP on May 19<sup>th</sup> in the Francis Smith Community Room at APD. This training, which focuses on Police authorities to search without a warrant was unfortunately postponed due to Covid-19 restrictions. 12 candidates comprised of RCMP and APD members were to attend training.

**Carbine & Firearms Training/Qualifications** – Firearms and carbine training that had been scheduled through May and into June 2021 were postponed as a result of a tightening of Covid-19 restrictions. Firearms training was scheduled for 1 day, while carbine training consists 2 days. Training includes numerous exercises and live action scenarios to increase skills and confidence. Qualifications for firearms are based on Provincial Standards while Carbine qualifications are set at the OPP ERT Team Standards.

### OPERATIONAL

**Covid-19 Restrictions:** As a result of tightening Covid-19 restrictions, APD front counter service was again limited to emergencies only. As a result, certain services were not available between May 7<sup>th</sup> until June 2<sup>nd</sup>, 2021. This included local criminal record checks and fingerprinting and also pushed back dates for taxi by-law licensing requirements.

**Covid-19 Complaints:** During the month of May, police responded to a total of 545 complaints, of these, 72 occurrences were associated to the Covid-19 pandemic. Many of these included compliance checks to ensure people were following self-isolation guidelines, but also included complaints about gathering limits, social-distancing and out-of-province travelers. The vast majority of these complaints were cleared as unfounded or without charges.

**Assault Police officer/Weapon:** An 18-year-old male is facing several charges which include assaulting a police officer with a weapon as a result of an incident on Croft Street on May 7<sup>th</sup>. Police received numerous calls about people using fireworks in the area and when Police arrived, the male aimed fireworks at the officer and shot them off, narrowly missing the officer's head. The male was arrested and charged with mischief and assaulting a Police officer with a weapon. He was later released and is scheduled to appear in court at a later date to answer to the charges.

**Impaired/theft of vehicle:** On May 14<sup>th</sup>, a 56-year-old female was arrested and charged with theft of a motor vehicle after a report was received that the vehicle had been stolen from a parking lot on Church Street. The vehicle and the suspect were located on Laplanche Street minutes later. The suspect was intoxicated and is also facing charges of impaired driving.

**Stolen Vehicle Side by Sides:** On May 15<sup>th</sup>, at approximately 3:00am, two suspects broke into a local business on South Albion Street and stole 2 side-by-side off-road vehicles. One of the vehicles was later located in Sackville NB and appeared to have been in a collision. The matter is still under investigation at this time.



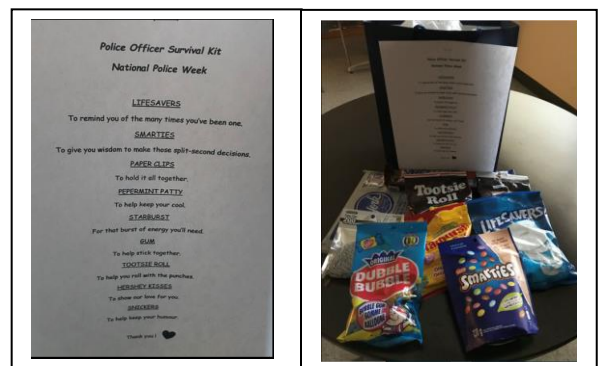
**Scam Calls:** In the last few weeks we have seen a dramatic increase in complaints concerning scams and frauds, many of which were centered around either the CRA or Social Insurance Number scams. As a result of an increase in these complaints, we put information on our Facebook page, alerting and reminding the public to be vigilant when getting these calls.

**Assault Police Officer:** On May 21<sup>st</sup>, a 55-year-old male was arrested and charged with assaulting a police officer and resisting arrest after police received a complaint about gathering limits on Crescent Avenue. When police arrived and were dealing with the issue, they learned that a male on scene had been allegedly operating a motorcycle that was not registered, insured and the male had no license. As Police made the decision to tow the motorcycle, the accused refused to cooperate and punched one of the officers in the face. He was arrested and later released and is scheduled to appear in court at a later date.

**CRIME PREVENTION/SCHOOL RESOURCE**

Through the month both Cst Harrison and Cst Gillam continue to engage with the schools and in crime prevention initiatives, but with the rise in covid-19 cases, these continue to be through online platforms such as Zoom, Skype or Teams. Throughout the month of May, Cst Harrison posted several videos to the APD Facebook page which included episodes of ‘Story time with Officer Michelle’ as well as a short video on Bike Helmet fitting.

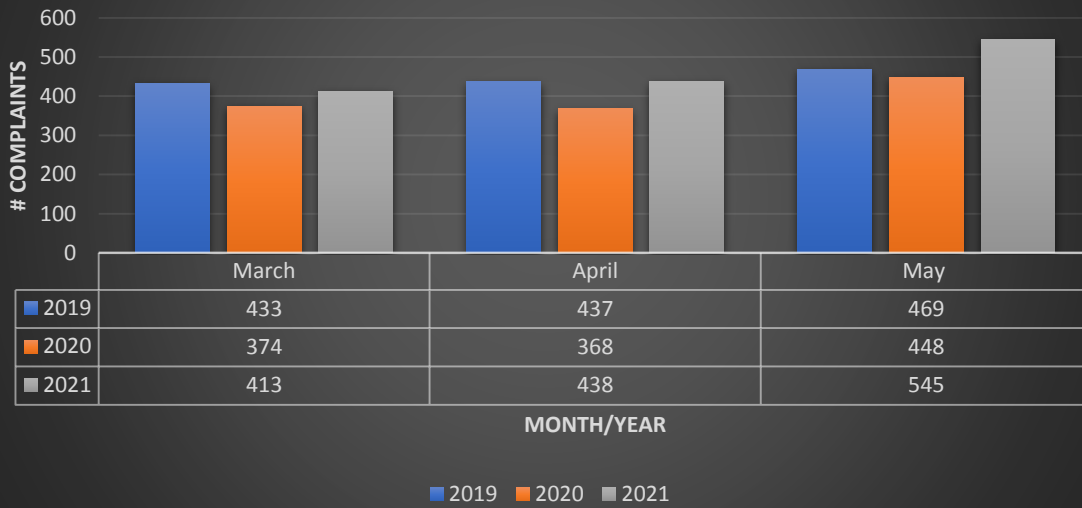
On May 12<sup>th</sup>, in honour of National Police Week, some of the students at Spring Street Academy provided APD members “Police Officer Survival Kit”. The kit included several different treats which included ‘lifesavers’ smarties, paper clips, peppermint patties, starbursts, gum, tootsie rolls, Hershey kisses and snickers. The kindness and the support of the teachers and students is greatly appreciated by our staff and members



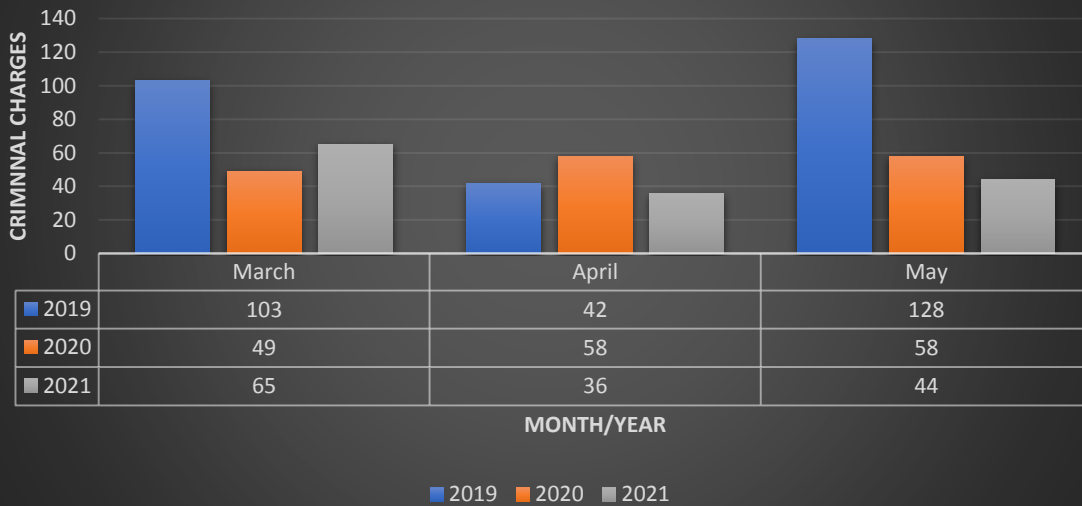
**OPERATIONAL STATS – MAY 2021**

Occurrences:	545	Criminal Code Charges:	44
Impaired by Alcohol:	2	CDSA:	0
Impaired by Drug:	0	BCA:	0
Traffic Tickets:	16	PPA:	4
HPA:	1	Traffic Written Warnings:	5
Vehicle Checks:	108	LCA:	1
Foot Patrol Hours:	5 hrs 31 min	Bike Patrol Hours:	0

### APD Occurrences - 2019, 2020, 2021 Months of Feb, March April



### Criminal Charges 2019, 2020, 2021 March, April May



# Monthly Report

## Fire Department

June 2021

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### RESPONSE #'s (May)

#### Town of Amherst – 10 events

- 2 Motor Vehicle Accident
- 4 Monitored alarm activations
- 1 Motor Vehicle Accident
- 1 Rescue an animal
- 1 Rescue from elevator
- 1 Vehicle fire

#### Contract area (District 2) – 8 events

- 1 Human error
- 1 Monitored alarm
- 1 Motor Vehicle Accidents
- 1 Mutual aid
- 1 Sprinkler head failure
- 3 Wildland fire / Open land

### OPERATIONAL UPDATE

The department continues to monitor the current pandemic environment and adapts our operational objectives to meet the changing needs. This includes adjusting the way we provide services, to ensuring that we respect the physical distancing requirements and provisions of the provincial requirements. I continue to maintain situational awareness and engage with my local, provincial and national colleagues on the impacts and best practices associated with this pandemic. One of the main challenges that we are currently facing is the ability to have face to face conversations, training and social events.

### WEEKLY TRAINING

Since mid-April, all in person training sessions and meetings for the department have been cancelled. We have been able to maintain a social and operational contact with all of our members, by using video conferencing to establish a means to communicate as a group, while ensuring that physical distancing is achieved.

The department continues to focus its training on leadership and operational development through video conferencing and by thinking outside the box. On June 17<sup>th</sup>, the department started face to face company-based training in groups of ten (10) members, while respecting physical distancing and gathering requirements for outside.

### PROFESSIONAL DEVELOPMENT

Members of the department took part in a virtual seminar on fire ground rehabilitation. This seminar was sponsored by the Fire Service Association of Nova Scotia and reviewed climate change and how it affects the emergency ground, firefighter nutrition on the emergency ground, mental health and heat related emergencies.

### RECRUITMENT

The fire department 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

June 2021

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Planning staff and building inspection continue to experience high volumes of permit applications, as well as general inquiries related to land development. As shown on the attached charts, development has remained strong so far in 2021 in terms of increased permits and the number of dwelling units under construction. Overall construction values are down compared to 2020 primarily due to a significant commercial permit issued in 2020. Staff anticipate development to remain robust throughout 2021, particularly in the residential sector.

Spring has also brought a very high volume of property complaints under the dangerous & unsightly premises regulations, which has increased response times. Staff are working to streamline how complaints are processed, and we are getting support from other staff to help reduce the delays. In anticipation of a full-time Administrator being hired, staff have drafted a revised Dangerous or Unsightly Premises Policy for Council's consideration this month.

The three development agreements (15 Clinton, 11 Victor, and Lot 19-3B) that were processed recently are now complete and being executed. Development and Building Permits can now be issued.

Construction on the 2 MW solar farm to be located in the Industrial Park is ongoing. Although delayed, regulatory approval with respect to the project's rate structure should be made public shortly. Once approval is complete, NSPI will begin promoting participation in the project to town residents and businesses.

With regard to the Solar for Community Building Projects for the Police and Fire stations, staff are bringing alternative locations and adjusted project financials for Council's consideration this month.

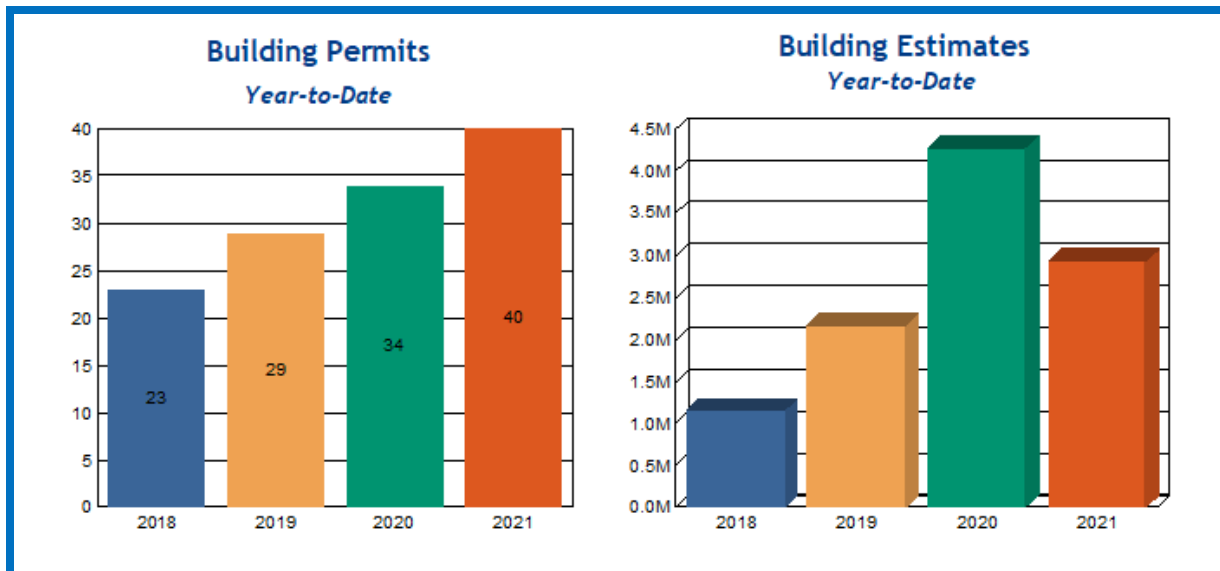
Planning staff continue to provide planning and development services for the Town of Oxford.

With regard to our strategic priority projects, a draft request for proposals (RFP's) for consultant services for the planning of a new community centre and Municipal Planning Strategy are in the final stages of development, as is a report on industrial park expansion options. These issues will be reviewed with Council at an upcoming special committee of the whole meeting. Also at this meeting, staff will review some of the policies identified in the policies review project.

## Development Activity as of May 31, 2021

<b>ACTIVITY REPORT</b>							<i>For Month of May 2021-05-31</i>
Type	<i>May 2020</i>			<i>May 2021</i>			
	Permits	Units	Value of Construction	Permits	Units	Value of Construction	
Single Family	2	0	18,000	4	2	213,500	
Duplex/Semi	0	0	0	0	0	0	
Apartments	1	4	350,000	1	1	12,000	
Other Residential	11	0	64,146	2	0	12,300	
Commercial	3	0	2,510,500	0	0	0	
Industrial	0	0	0	0	0	0	
Inst & Gov	0	0	0	0	0	0	
Agriculture	0	0	0	0	0	0	
Other	0	0	0	0	0	0	
<b>Total</b>	<b>17</b>	<b>4</b>	<b>2,942,646</b>	<b>7</b>	<b>3</b>	<b>237,800</b>	
<b>Year To Date</b>	<b>34</b>	<b>14</b>	<b>4,282,034</b>	<b>40</b>	<b>22</b>	<b>2,926,774</b>	

## Year to Date Comparison



# Monthly Report

## Community Well-Being

### June 2021

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

- A Fresh Start Initiative – application review and evaluation, notified finalists
- Completed and submitted the Municipal Wellness grant
- Staff Support for the newly formed Ad Hoc Joint Poverty Reduction Advisory Committee
- Staff Support for the newly formed Ad Hoc Diversity and Inclusion Advisory Committee. Staff and the Committee are close to finalizing a draft Terms of Reference to be brought to Council at a special meeting in July.
- Attended committee meetings and workshops ie. Cities Reducing Poverty, and Engage Nova Scotia, tour of new youth drop-in site

#### **CULTURE MARKETING AND EVENTS**

- Amherst Youth Town Council Expressions of Interest- select and arrange interviews for positions
- Complete Adobe Illustrator training videos
- Coordinate Canada Day Plan – Opening Ceremony – Variety Show – Contests etc.
- Marketing: Relocation Guide, Cumberland Trails guide, historic walking guide brochure
- Virtual activities to support Indigenous People’s Day, Multicultural Day, Pride Day, National Acadian Day
- Forward planning for: potential night market in September, Harvest Hoedown and Esther Fest

#### **ACTIVE LIVING**

- Girls at Bat program started virtually on May 17 and transitioned to in person activities on June 7, 2021
- ParticipACTION challenge started June 1 with social media and posts promoting the challenge
- Assisted with Community Health Boards Walking challenge
- Completed Active Communities report and the grant application for the upcoming year
- Collaborating with Cumberland County’s Active Living Coordinator on Multisport