

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, January 28, 2008 at 7:00 PM**

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

1. **O'CANADA**
2. **HEARINGS / PRESENTATIONS**
3. **CALL TO ORDER**
4. **ACTION ITEMS**

4.1 Additions to Agenda

Moved by Councillor Chitty, seconded by Councillor March that the following item be added to the agenda: 5.1 Sewage Treatment Plant - 'Building Canada' Application

MOTION CARRIED

4.2 Approval of Agenda

Moved by Councillor Baker, seconded by Councillor Fawthrop to approve the Agenda as amended.

MOTION CARRIED

4.3 Approval of Minutes – December 17, 2007 Regular Meeting

Moved by Deputy Mayor Rhindress, seconded by Councillor Baker to approve the Minutes of the December 17, 2007 Regular Meeting as circulated.

MOTION CARRIED

4.4 Building By-Law, Second Reading RFD#2008001

Moved by Deputy Mayor Rhindress, seconded by Councillor March that Council approve Second Reading and enactment of By-Law D-6, the Building By-Law.

MOTION CARRIED

**TOWN OF AMHERST
BUILDING BYLAW**

This By-Law shall be known as By-Law Number D-6, and may be cited as the "Building By-Law". The Town's Authority to enact this By-Law comes from the Building Code Act, R.C., c. 46, s. 1., s. 7.

PART 1 – DEFINITIONS

- 1.1 a) "authority having jurisdiction" means the Town Council of the Town of Amherst and its officials, acting pursuant to Section 5 of the Act.
- b) "construct" means erection, installation, extension, relocation, material alteration or material repair of a building and includes the installation of a factory-made building fabricated or moved from elsewhere.
- c) "demolition" means the removal of a building or any material part thereof.
- d) "material alteration" and "material repair" means the alteration or repair of a building which work is covered by the Building Code.

- e) "owner" includes a person controlling the property under consideration, and also includes prima facie the assessed owner of the property whose name appears on the assessment roll prepared in accordance with the Assessment Act.
- f) "location certificate" means a surveyed drawing containing the geographic location of the footings in relation to the property lines. Dimensions will be shown from the footing to the property lines.

PART 2 – PERMITS

- 2.1 A footing permit, building permit, occupancy permit and demolition permit shall be in the form as provided by the authority having jurisdiction.
- 2.2 Before a permit is issued, an application must complete an application form, to be provided by the authority having jurisdiction.
- 2.3 Every application for a permit shall:
 - a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made;
 - b) describe the land on which the work is to be done by a description that will readily identify and locate the proposed building;
 - c) include plans and specifications as required by the Building Code and show the occupancy of all parts of the building;
 - d) state the valuation and cumulative area of the proposed work and be accompanied by the required fee; and
 - e) state the names, addresses and telephone numbers of the owner, architect, professional engineer, other designer and constructor.
- 2.4 When an application for a permit has not been completed in conformance with the requirements of the Bylaw within six months after it is filed, the application shall be deemed to have been abandoned.
- 2.5 A permit is valid for one year from the date of issuance and is renewable.
- 2.6 The Code applies, but a building permit is not required for:
 - (a) accessory buildings not greater than 20 square meters (215.2 square feet) in area;
 - (b) except under Part 2.6(c), interior and exterior non-structural material alterations and material repairs with a monetary value of five thousand dollars or less;
 - (c) replacement or installation of a new plumbing fixture that does not increase the hydraulic load of the drainage system or require alterations to an existing water distribution system or drainage system.
- 2.7 In addition to the permit requirements of the Regulations, an occupancy permit shall require that the exterior be permanently clad and roofing completed and all interior plumbing and electrical wiring is completed before the occupancy permit is issued.
- 2.8 Before issuing a building permit, the authority having jurisdiction shall be satisfied that a development permit has been issued pursuant to the Land Use Bylaw of the Town of Amherst.
- 2.9 Before issuing a demolition permit, the authority having jurisdiction shall be satisfied that:
 - a) the building is not subject to the provisions of a by-law passed pursuant to the Heritage Property Act, and
 - b) the remaining structural integrity of a building will not be jeopardized if only a portion of a building is being demolished.
- 2.10 A permit for a temporary building:
 - a) shall state the date after which the conditions under which the permit is no longer valid, and
 - b) may be extended in writing.
- 2.11 A permit "at owners risk":
 - a) may be issued at the risk of the owner, with conditions to ensure compliance with the Building Code, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted, and
 - b) shall be clearly marked "at owner's risk".
- 2.12 Other Information Required:
 - a) A permit for a whole project may be issued conditional upon the submission of additional information prior to commencing the work for which the information is pertinent, provided that the information is of such a nature that withholding the permit until the information was available would delay the work unreasonably.
 - b) The condition shall be set out on the face of the permit.

PART 3 – PERMIT FEES

- 3.1 Fees for permits shall be as prescribed in the Town of Amherst User Fee Policy, Policy 3470-03, and as amended from time to time.

PART 4 – INSPECTIONS

- 4.1 The owner of a building being constructed under the scope of Part 9 of the Code shall notify the authority having jurisdiction to inspect for compliance with the Code at the following stages of construction:
- (a)
 - (i) footings in place;
 - (ii) before commencing backfilling of the laterally supported foundation, before a superstructure is placed on the foundation;
 - (iii) the framing, roofing, and plumbing and mechanical;
 - (iv) insulation and vapor barrier before wall framing is covered; and
 - (v) before occupancy.
 - (b) for mobile and modular homes:
 - (i) footings in place;
 - (ii)
 - (a) in the case of a mobile home, the site preparation, foundation installation and anchorage in accordance with CSA CAN3 - Z240.10.1-94 "Recommended Practice for Site Preparation, Foundation, and Anchorage of Mobile Homes";
 - (b) in the case of a modular home site preparation and foundation;
 - (iii) installation and anchorage; and
 - (iv) before occupancy.
- 4.2 The owner of a building being constructed outside the scope of Part 9 of the Code shall notify the authority having jurisdiction to inspect for compliance with the code:
- a) of the intent to undertake construction that will be inspected and will be reviewed as per the appropriate Letter of Undertaking required by Article 2.1.1.5., 2.1.1.6., or 2.1.1.7., of the Provincial Building Code Regulations;
 - b) of intent to cover construction that has been ordered to be inspected by the authority having jurisdiction before covering;
 - c) at intervals deemed necessary by the authority having jurisdiction based on the complexity of the building; and
 - d) when construction has been completed so that a final inspection can be made.
- 4.3 Location Certificates are required for all new main building construction. They are required once footings or pads have been put in place and prior to the footing inspection being performed. The authority having jurisdiction will provide the permit holder instructions to continue the work once the required setbacks have been approved.
- a) The following will be excluded from the requirement of a location certificate:
 - i) temporary buildings, and
 - ii) buildings not having a permanent foundation.
- 4.4 The authority having jurisdiction shall be given a minimum of 24 hours notice to inspect the various stages of construction. Each stage of construction is to be complete in full prior to inspection, or no inspection will occur.

PART 5 – HOURS OF OPERATION

- 5.1 No person shall engage in construction or the operation of any construction equipment in connection with construction between the hours of 10:00 p.m. and 6:00 a.m. except where such construction or operation of equipment is on any highway, Town-owned street, sidewalk, or water or sewer utility.
- 5.2 Any person may make application to the Building Official to be granted an exemption from Part 5.1 of this Bylaw. Any exemption so granted shall:
- (a) specify a time period of not greater than three days during which the exemption shall be effective, and
 - (b) shall include such terms and conditions as the Building Official deems appropriate, which may include a requirement that the applicant provide advance notice to abutting land owners or tenants of the hours of the construction or operation of construction equipment to occur in accordance with the exemption.

- 5.3 In deciding whether or not to grant an exemption under Part 5.2 or in determining terms or conditions of the exemption, the Building Official shall give consideration to:
- (a) the volume, nature, duration and consistency of noise emission from the construction or operation of construction equipment;
 - (b) the proximity and nature of abutting or adjacent land uses;
 - (c) the proposed hours of operation;
 - (d) the nature and degree of any inconvenience to adjacent or abutting land owners;
 - (e) the reason for the requested exemption, and the effect on the applicant if the exemption is not granted; and
 - (f) 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.
- 5.4 Any contravention of the terms or conditions of an exemption pursuant to Part 5.2 shall constitute a contravention of this Bylaw. In addition to any other available remedies for such contravention, the Building Official may suspend or cancel an exemption.
- 5.5 Any person who contravenes Part 5.1 or the terms or conditions of an exemption granted pursuant to Part 5.2 is punishable on summary conviction by a fine of not less than \$200 and not more than \$5000 and to imprisonment of not more than 30 days imprisonment in default of payment thereof.

PART 6 – REPEAL

- 6.1 The Town of Amherst Building By-Law D-6 as amended by Council on 24 August 1998 and filed with the Minister of Housing and Municipal Affairs on 1 October 1998 is hereby repealed.

4.5 Request to De-Register Heritage Property at 192 Victoria Street East - RFD#2008003

Moved by Councillor March seconded by Councillor Chitty that Council deny the request to de-register the property located at 192 Victoria Street East from the Town's list of registered heritage properties.

MOTION DEFEATED 5-2

NAY: Councillors Angel, Baker and Fawthrop; Deputy Mayor Rhindress and Mayor Hallee
IN FAVOUR: Councillors Chitty and March

Councillor Chitty stated that it is time to come up with some sort of incentive plan through the Town's Heritage Advisory Committee to encourage registered heritage property owners to retain their designations

4.6 Request for Financial Support - Amherst Ramblers Alumni RFD#2008004

Moved by Councillor March, seconded by Deputy Mayor Rhindress that Council approve providing assistance in the amount of \$250 to help offset some of the costs related to the Alumni Game for the Amherst Rambler Alumni Scholarship Society scheduled for February 16, 2008 at the Amherst Stadium.

MOTION CARRIED

4.7 Request for Financial Support - AAA Midget All Star Game - RFD#2008005

Moved by Councillor Baker, seconded by Councillor Baker that Council approve providing assistance in the amount of \$250 to help offset some of the costs for the Cumberland County AAA D W Thompson Scotsburn Dairy Ramblers to host the AAA Midget All Star Game held on January 12, 2008.

MOTION CARRIED

4.8 Amherst Stadium - Event Security - RFD#2008006

Councillor Baker removed himself from his seat and did not take part in discussion or voting on this issue

Moved by Councillor March seconded by Councillor Chitty that Council award the contract for security services at the Amherst home games to Reliant Security Services Ltd.

MOTION CARRIED

4.9 Amherst Stadium - Amend Capital Budget (2 new offices) - RFD#2008007

Moved by Councillor March, seconded by Councillor Rhindress that Council amend the 2007/2008 Capital Budget to provide for the expenditure of \$20,741 for two new offices on the second floor of the Amherst Stadium.

MOTION CARRIED

4.10 Amherst Stadium - Amend Capital Budget (Office fixtures & furnishings) RFD#2008008

Moved by Deputy Mayor Rhindress, seconded by Councillor Fawthrop that Council amend the 207/2008 Capital Budget to provide for the purchase of office systems for the Stadium and Recreation Offices at the Stadium, and that the proposal from Chandler Office Environments in the amount of \$9,888.04 plus HST be accepted to supply and install the front reception counter, two office work stations, and office partitions and work stations for the Programs Office.

MOTION CARRIED

4.11 Amherst Stadium - Canteen Services - RFD#2008009

Councillor Baker removed himself from his seat and did not take part in discussion or voting on this issue

Moved by Councillor Chitty, seconded by Councillor March that the Town of Amherst request proposals from the private sector for the operation of the canteen and concession services at the Amherst Stadium and Robb Centennial Complex.

MOTION CARRIED 5-1

NAY: Deputy Mayor Rhindress

4.12 Appointments to Police Management-Employee Relations Committee - RFD#2008010

Moved by Councillor Fawthrop, seconded by Councillor Angel that Council appoint the Chief Administrative Officer, the Chair of the Amherst Board of Police Commissioners, and the Chief of Police to the Police Management-Employee Relations Committee.

MOTION CARRIED

4.13 Former RCMP Building on Victoria Street East

Moved by Councillor Angel, seconded by Councillor Baker that Council direct the CAO to reply to the letter dated January 2, 2008 from Public Works & Government Services Canada requesting a 30 day extension to determine whether the Town of Amherst would be interested in acquiring the former RCMP property on East Victoria Street.

MOTION CARRIED

5. **ADDITIONAL ITEMS**5.1 Sewage Treatment Plant - "Building Canada" application - RFD#2008011

Moved by Councillor Chitty, seconded by Councillor Fawthrop that:

WHEREAS one of our outstanding infrastructure deficiencies is the sewage treatment plant project; and

WHEREAS our new federal/provincial funding program has been recently announced; and

WHEREAS our sewage treatment plant project is one of the eligible components of this program;

THEREFORE BE IT RESOLVED that Council declare this project as our priority, and authorize the submission of an expression of interest for funding under the new 'Building Canada' infrastructure program.

MOTION CARRIED

6. INFORMATION ITEMS**6.1 Community & Economic Development**

Moved by Councillor Baker, seconded by Councillor Chitty that Council accept the following monthly report from the Community & Economic Development Department.

MOTION CARRIED

FACILITIES OPERATION

The Stadium is busy once again after the Christmas and New Year's Break. Our ice is in excellent shape and we continue to receive positive comments on the renovations completed to date and the anticipation of the opening of the front of the Stadium. During a planned closure of the Stadium from January 14 to 17, the contractor closed in the front of the building and replaced the construction wall to a chain link fence to accommodate the next steps of construction. In addition, the old second floor wall and windows were removed along with the steel and the new second floor wall was closed in, painted, windows installed and the hockey mural put in place. It is anticipated that we will have substantial completion of the project by the end of February. We still have ice time available for rent at the Stadium and interested parties can contact the CED Department at 667-6500 or 667-6523.

AMHERST/ESCALANTE MUNICIPAL PARTNERSHIP

A two member delegation representing Amherst will be traveling to the Philippines working with partners in the City of Escalante on an Ecotourism and Enterprise Development Project. The delegation, which includes Roger MacIsaac and Trevor Franker, a senior planner with the NS Department of Natural Resources, will commence on February 16th with all costs for travel, etc being paid by the Federation of Canadian Municipalities.

TRAINING

As part of our professional development program, three of our staff including Ray Gouchie, Frank Downey and Andy Keirstead attended the Midseason Ice Maintenance Seminar in New Glasgow on January 16. This seminar focused on areas related to ice maintenance, refrigeration plant maintenance and risk management. In addition, Jenn Borne successfully completed the local government module under the National Advanced Certificate in Local Authority Administration program.

COMMUNITY FAIR FOR SERVICE CLUBS AND ORGANIZATIONS

Over the years, Community and Economic Development have frequently been contacted for information on volunteer groups. In an attempt to respond to inquiries, this department will facilitate a forum showcasing the strength of our various agencies, not for profit groups and volunteer organizations, on May 31, 2008 at the Amherst Stadium.

The purpose of this event is to bring together community service clubs and organizations within Amherst, so the general public can learn about their mandates and how they are working to improve the quality of life in Amherst. In addition a number of Provincial organizations will be invited to participate.

BUSINESS DEVELOPMENT

On January 22nd, Atlantic Windows announced their plans for expansion. They have leased the former Venture Lighting building and will be ramping up operations over the next 5 years to 200 employees. We welcome this expansion to our community and Atlantic Windows certainly compliments existing industry in the park. I would like to recognize the efforts of Nova Scotia Business Inc. in promotion Amherst and all of Nova Scotia to industries such as Atlantic Windows. We value our partnership with NSBI and look forward to continued success.

6.2 Corporate Services Department Monthly Report

Moved by Councillor March seconded by Councillor Baker that Council accept the following monthly report from the Corporate Services Department.

MOTION CARRIED

CORPORATE SERVICES DEPARTMENTAL UPDATE

Tentative operating and capital budgets for the 2008/09 fiscal period were completed December 24, 2007. During the month of January, the Treasurer and Department Heads reviewed and made changes as more information became available.

One property (land only) which did not receive any bids at the November Tax Sale has been advertised for Tender as Land to be Sold for Taxes. The Tender closes on February 13. Another Tax Sale Process is underway for six properties with the required advertising and notices having been done. This Tax Sale is scheduled for February 1st at 10:00 a.m. at Town Hall.

As a further update on temporary staffing arrangements, the Accountant has now gone on Maternity/Parental Leave and, as reported earlier, our Accounts Payable Clerk, Shawn Canton, is filling in at that desk for the term of the leave, while Kim Burke has been hired as her replacement on a term basis, following an external competition. Ms. Burke has worked for Corporate Services on a casual basis for the past two years and was the successful applicant for the Accounts Payable term position.

The Town's Revenue Officer will also be taking a Maternity/Parental Leave soon and this term position has been posted internally and filled by Ann Porter, the existing Water/Sewer Billing Clerk for the Town. Mrs. Porter's position was posted internally and has been filled by Kim Burke. This left the Accounts Payable position vacant again, so the candidate who finished second to Ms. Burke in that competition, Marie MacDonald, was re-interviewed and will be filling the term position of Accounts Payable Clerk for the balance of the Accountant's Maternity/Parental Leave. At that time, Mrs. Canton will resume her position as Accounts Payable Clerk.

Although the process has been a lengthy one, the experience gained by those employees who will be receiving training and giving training at the same time, will be of benefit to them and to the Town, with the much of the departmental staff receiving the benefit of cross-training. The co-operation of all those involved in the temporary arrangements is greatly appreciated. Some minor delays may occur over the first few weeks, but we are confident the public will continue to receive the high level of service they have enjoyed in the past.

MONTHLY EXPENDITURES

Expenditures during the month of December 2007 totaled \$987,540 compared to \$1,052,438 for the same month last year.

Cost centers	December 2007	December 2006
***** Corporate Services	234,371	285,173
***** Amherst Police Department	181,795	165,077
***** Amherst Fire Department	115,650	118,636
***** Operational Services	263,486	237,526
***** Planning Department	15,521	24,262
***** Community & Economic Development	96,205	112,062
*****Water	80,512	109,702
TOTAL	987,540	1,052,438

OUTSTANDING ACCOUNTS RECEIVABLE

Total amount owing to the Town at the end of December 2007 was \$1,089,116

	December 2007			December 2006		
	Current	Prior	Total	Current	Prior	Total
Taxes & Other	\$ 560,441	\$ 394,400	\$ 954,841	\$ 711,873	\$ 347,274	\$ 1,059,147
Sewer Taxes	29,713	25,718	55,432	43,573	14,597	58,170
Water Taxes	34,227	44,617	78,843	41,441	67,063	108,504
	\$ 624,381	\$ 464,735	\$ 1,089,116	\$ 796,887	\$ 428,934	\$ 1,225,821

YEARLY OPERATING STATEMENT

As of December 31, 2007 we are nine months into our fiscal year. Our total revenue to date is \$12,938,046 compared to the budgeted amount of \$12,914,756. Our total expenditures to date are \$9,881,902 compared to the budgeted amount of \$10,474,013 a difference of \$615,399 under budget. In general all departments are under budget for expenditures.

Yearly Operating Statement - April 1 to December 31, 2007:

	<u>YID</u>	<u>Budget</u>	<u>Variance</u>	<u>%</u>
Corporate Services				
Revenue	\$ 3,853,776	\$ 3,759,838	\$ 93,938	102.50%
Expenditure	(2,535,848)	(2,644,291)	108,443	95.90%
Net Contribution	<u>1,317,928</u>	<u>1,115,547</u>	<u>202,381</u>	
Police Department				
Revenue	2,561,975	2,610,375	(48,400)	98.15%
Expenditure	(1,815,065)	(2,032,932)	217,867	89.28%
Net Contribution	<u>746,910</u>	<u>577,443</u>	<u>169,467</u>	
Fire Department				
Revenue	1,360,586	1,328,787	31,799	102.39%
Expenditure	(1,056,244)	(1,098,857)	42,613	96.12%
Net Contribution	<u>304,342</u>	<u>229,930</u>	<u>74,412</u>	
Operational Services				
Revenue	3,499,819	3,497,665	2,154	100.06%
Expenditure	(3,167,941)	(3,219,408)	51,467	98.40%
Net Contribution	<u>331,878</u>	<u>278,257</u>	<u>53,621</u>	
Planning & Development				
Revenue	370,158	337,963	32,195	109.53%
Expenditure	(216,670)	(277,803)	61,133	77.99%
Net Contribution	<u>153,488</u>	<u>60,160</u>	<u>93,328</u>	
Community & Economic Development				
Revenue	1,291,732	1,380,129	(88,397)	93.60%
Expenditure	(1,090,135)	(1,200,722)	110,587	90.79%
Net Contribution	<u>201,597</u>	<u>179,407</u>	<u>22,190</u>	
Grand Totals				
Revenue	12,938,046	12,914,757	23,289	100.18%
Expenditure	(9,881,903)	(10,474,013)	592,110	94.35%
Net Contribution	<u>\$ 3,056,143</u>	<u>\$ 2,440,744</u>	<u>\$ 615,399</u>	<u>125.21%</u>

6.3 Fire Department Monthly Report

Moved by Councillor Chitty, seconded by Deputy Mayor Rhindress that Council adopt the following monthly report from the Amherst Fire Department.

MOTION CARRIED

ALARM RESPONSES

During the reporting period from December 08/07 – January 13/08 our Fire Department responded to 22 calls in the Town of Amherst and 7 call to the County coverage area. The call in Town consisted of structure fires, overheated pots on stove, alarm equipment malfunction, carbon monoxide detection and assists to other agencies, and motor vehicle accidents. The calls to the County coverage area consisted of alarm equipment malfunctions, structure fires, and assists to other agencies.

TRAINING & DEPARTMENT ACTIVITIES

Recruit training is going well with training being held every second week end for the members. The January departmental training schedule has been developed, and training will be provided to the members of our department that will include fire ground operations, fire investigation awareness, hazmat operations and record keeping.

Our Hazmat team has been invited to take part in an emergency service provider training day that will be held at the Agri Tech Park in Bible Hill on February 9, 2008. Six very informative sessions will be presented at this day-long event and Fire Departments, Police, EHS/EMS and Emergency Management personnel are invited to attend. Eight members of our Hazmat team will be attending this training day event.

FIRE PREVENTION

Our Fire Inspectors are busy with fire inspections throughout the Town and are concentrating on day care centers, churches, establishments requiring a liquor license and other assembly occupancies. During the upcoming summer months extra efforts will be put into dealing with issues related to residential occupancies. We would like to remind residents of the Town of Amherst that complaints dealing with fire safety issues in dwelling buildings must be made in writing before our fire inspectors can address the issues.

EMERGENCY MEASURES

Chief Crossman, our Emergency Management Coordinator attend a Central Zone meeting in Truro on January 10th where a number of topics were discussed including Emergency Plans evaluations and training schedules for providing required training on Basic Emergency Management, Emergency Site Management, Emergency Operation Centre, and Public Information Officer. Dates and locations for these courses will soon be identified and made public.

6.4 Operational Services Department Monthly Report

Moved by Councillor Angel, seconded by Councillor Fawthrop that Council adopt the following monthly report from the Operational Services Department.

MOTION CARRIED

In December snow removal and salting was our major issue with the Town receiving 88cm of snow. To date this winter we have now had more snow than the last two winters combined, which results in cost increases in the areas of overtime for our employees, fuel costs for our equipment, highway salt purchases and costs for contract snow removal from our public parking lots. Snow plows and wings were repaired a number of times as a result of the amount of plowing activity.

Our street plowing is done by three loaders and one truck plow, each of which has a one-way plow and a wing plow. Sidewalk plowing and ice control is carried out by our two trackless plows both of which have blowers for deep snow and sanding units for ice control.

During December we used 335 tonnes at highway salt as compared to the 143 tonnes the previous December. We had eight storms that required street and sidewalk plowing.

Our public works operators and supervisors have performed admirably under challenging conditions. Since we have had two consecutive mild winters many persons are frustrated with the re-appearance of normal winter conditions.

The onset of severe winter conditions on December 1st has delayed construction progress at the Stadium by a month. Council had a tour of the construction site at the Stadium this afternoon and we can see major progress the past two weeks. The building is now weather tight and we are projecting substantial completion by the first week of March.

The new handicapped viewing room and the new heated room, both of which have a view of the ice surface, are now framed up. Elevator installation will begin this week and it is expected that temporary heat will be supplied to the office areas.

In addition to the wind-up of this year's capital projects, engineering staff have also been busy with design work and planning related to our proposed capital budget for the coming year.

6.5 Planning and Development Department Monthly Report

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

MOTION CARRIED

BUILDING ACTIVITY

As of December 31, 2007 the total value of building permits issued in the Town was **\$11,839,349**. During the month of December there was one new house constructed within the Town. So far this year 78 dwellings have been constructed in the Town.

DANGEROUS AND UNSIGHTLY PREMISES

Very little dangerous and unsightly premises issues have come forward last month, however due to staffing issues there is no report available.

VARIANCE UPDATES

There were no variances issued during the month of December.

155 EAST VICTORIA STREET – CONDOMINIUM DEVELOPMENT AGREEMENT

A public participation session was held on January 9, 2008 regarding an application for a development agreement in order to construct a 32 unit condominium building on the property. Local residents were very vocal in their opposition to the proposal. The Planning Advisory Committee decided to defer their recommendation until next month in order to consider the issues and allow for further written input.

GPS

Last month our GPS unit was sent away for repairs. During this time the Town of Springhill graciously loaned their GPS to us to carry out some very time sensitive work. Our GPS has since been repaired as is working fine.

STAFFING

Tim Lefurgey, one of our Development Officers and Building Inspectors will be off work for a few months while dealing with a very serious illness. We wish Tim a successful surgery and speedy recovery.

There was further discussion on the proposed condominium development at 155 Victoria Street East by members of Council, and members of the public were encouraged to submit written submissions - either in favour of or against the proposed development - by February 5. The developers have stated that they are prepared to work with the community and would be willing to consider changes to the design. In terms of process, once the Planning Advisory Committee considers the request for a development agreement, it will make a recommendation to Council. Once that recommendation is received, Council will need to consider the PAC's recommendation for first and second readings, with a public hearing prior to second reading.

6.6 Police Department Monthly Report

Moved by Councillor Fawthrop, seconded by Councillor Chitty that Council adopt the following monthly report from the Amherst Police Department:

MOTION CARRIED**PERSONNEL**

Kim Davison remains off duty. Her sick benefits and vacation time has been exhausted. Cst. Jeremy Kelly hired on a part time basis on October 29th 2007, resigned his position effective December 22nd in order to work full time with the Fredericton Police Force. The process to replace him has not yet begun. Cst. Dwayne Pike has been selected as the second member of the Major Crime Unit, backfilling the vacancy left by Cst. Tim Hunter who moved to the North Cumberland Street Crime Unit. Cst. Pike has been a member of the department since 1996.

TRAINING

The following members of the department have enrolled in Dalhousie's Henson College Police Leadership courses for the winter semester, constables Chris Jobe, Kelly Cassie, Phil Miller, Kevin Girouard, Steve Maddison and Dwayne Pike. The courses being taken by the various members are, Police Ethics, Legal Issues in Policing, Communication Skills and Strategic Human Resource Management.

TASER PRESENTATION

A presentation on conductive energy devices (CED) will be provided at the January meeting of the Amherst Board of Police Commissioners by Constable Brian Gairns. The presentation would include information on the technical working of the CED (taser) and discharge protocol. Constables Gairns and Hunter are the taser instructors for the Amherst Police Department.

WINTER PARKING REGULATIONS

Members of the public are reminded that Winter Parking Regulations remain in effect in the Town of Amherst until April 15th 2008. The Regulations state: **No owner or driver or person having control or custody of any vehicle shall between the 15th day of November A.D. 2007 and the 15th day of April A.D. 2008, park or leave the same standing and unattended by a person authorized to move or capable of operating the same upon any highway or street in the Town of Amherst in such manner as to hinder, inconvenience or prevent the proper removal of snow or ice from such highway or street.**

Offenders are subject to a fine of \$15.00.

In addition to the written report, Councillor Fawthrop added that five Amherst Police Commission members including newly appointed Commissioners Ray Gallant, Lisa Emery, Councillors Dale Fawthrop and Ed Chitty as well as Executive Assistant Rebecca Purdy attended the Police Boards training in Truro on Saturday, put on by the Department of Justice and the Nova Scotia Association of Police Boards.

Also in addition to the written report, Councillor Angel commended the department staff on the recent illegal tobacco arrests.

7. ADJOURNMENT

On motion by Deputy Mayor Rhindress the meeting adjourned at 8:00 PM

APPROVED:

Gregory D. Herrett, CA
Chief Administrative Officer

Jerry Hallee
Mayor

Amherst Town Council Meeting
Monday, January 28, 2008 at 7:00 PM
AGENDA

1.	O'CANADA			
2.	HEARINGS/PRESENTATIONS			
3.	CALL TO ORDER			
4.	ACTION ITEMS	RFD	Presenter	Agenda Page
4.1	Additions to Agenda	--	Chitty	
4.2	Approval of Agenda	--	Baker	
4.3	Approval of Minutes – December 17, 2007 Regular Meeting	--	Rhindres	2
4.4	Building By-Law, 2nd Reading	2008001	Rhindress	15
4.5	Request to De-Register Heritage Property - 192 Victoria St. E.	2008003	March	22
4.6	Request for Financial Support - Amherst Ramblers Alumni	2008004	March	27
4.7	Request for Financial Support - AAA Midget All Star Game	2008005	Baker	30
4.8	Amherst Stadium - Event Security	2008006	Fawthrop	33
4.9	Amherst Stadium - Amend Capital Budget - 2 New Offices	2008007	March	45
4.10	Amherst Stadium - Office Furniture & Fixtures	2008008	Rhindress	50
4.11	Amherst Stadium - Canteen Services	2008009	Chitty	53
4.12	Police Management-Employee Relations Committee	2008010	Fawthrop	56
4.13	Former RCMP Building on Victoria Street		Angel	58
5.	ADDITIONAL ITEMS			
5.1	Sewage Treatment Plant - Building Canada Application	2008011	Chitty	61
6.	INFORMATION ITEMS			
6.1	Community & Economic Development		Baker	67
6.2	Corporate Services		March	68
6.3	Fire		Chitty	71
6.4	Operational Services		Angel	72
6.5	Planning & Development		Rhindress	73
6.6	Police		Fawthrop	74
7.	ADJOURNMENT			