

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, March 31, 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

4.2 Approval of Agenda

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

MOTION CARRIED

4.3 Approval of Minutes - February 25, 2008 Regular Meeting

Moved by Deputy Mayor Rhindress, seconded by Councillor Baker to approve the Minutes of the February 25, 2008 Regular Meeting as circulated.

MOTION CARRIED

Approval of Minutes - March 20, 2008 Special Meeting

Moved by Deputy Mayor Rhindress, seconded by Councillor Fawthrop to approve the Minutes of the March 20, 2008 Special Meeting as circulated.

MOTION CARRIED

4.4 Development Agreements at Second Reading

.1 155 East Victoria Street, 32 Unit Condominium RFD#2008033

Moved by Councillor Baker, seconded by Councillor March that Council give second reading to the proposed development agreement for a 32 unit condominium development on property located at 155 East Victoria Street.

MOTION CARRIED 4-3

NAY: RHINDRESS

FAWTHROP

CHITTY

Case No. DA-2008-01

This Agreement made this _____ Day of _____ 2008.

Between:

Excel Realty Owners of property located at 155 East Victoria Street (PID 25034091), hereinafter called the Owners

Of the one part

- and -

The Town of Amherst, a body corporate hereinafter called the Town

Of the other part

WHEREAS the Owner wishes to obtain permission pursuant to Policy RP-8 of the Municipal Planning Strategy of the Town of Amherst, to construct a 32 condominium type development on property located at 155 East Victoria Street.

AND WHEREAS a condition of the granting of approval of Council is that the Owner enter into an agreement with the Town;

AND WHEREAS the Council of the Town, at its meeting on the _____ Day of _____ 2008, approved the said development agreement subject to the registered owner of the land described herein entering into this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Town of the development agreement requested by the Owner, the Owner agrees as follows:

- 1) That the Owner is the registered owner of the aforesaid lands in the Town of Amherst, hereinafter called the lands. The aforesaid lots are the only lands in the Town of Amherst to which this agreement applies, and the lands are illustrated in the plan shown on Schedule B attached hereto and forming part of this agreement.
- 2) That the owner may construct a multi-family residential development up to a maximum of 32 units on the said lands, subject to the following Schedules A, B and C attached.
- 3) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this agreement.
- 4) Should the owner fail to act in accordance with any aspect of this agreement, the Town shall retain the right to discharge the agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 5) The Town shall issue the necessary permit for the development upon the expiration of the appeal period specified for development agreements in the Municipal Government Act, Section 249 , as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 6) Timing
 - a) The applicant shall enter into this Agreement within six months of Council's approval of this Agreement.
 - b) The applicant shall apply for the necessary building and development permits within six months of entering into this Agreement.
 - c) Construction shall commence within one year of the applicant having obtained the necessary permits.

SIGNED, SEALED AND DELIVERED

FOR THE TOWN OF AMHERST

in the presence of

Jerry Hallee
Mayor

Gregory D. Herrett
CAO

FOR THE OWNER

Leslie Carrie

Schedule A

155 East Victoria Street - Development Agreement

Terms and Conditions:

- 1. *The use of the property be limited to a multi-family residential development with a maximum of 32 units;*
- 2. *The building be limited to a maximum of 4 floors and 12 metres in height;*
- 3. *The location of the buildings be generally in accordance with Schedule B;*
- 4. *Street access to be substantially in accordance with the attached Schedule B, and to the satisfaction of the Development Officer;*
- 5. *A minimum of 32 underground parking spaces be provided for residents as well as 10 surface parking spaces for visitors, generally in accordance with schedule B;*
- 6. *The exterior design of the buildings shall be generally in accordance with Schedule C;*
- 7. *The first floor exterior cladding of the main building shall be sandstone type block and the upper floors shall be horizontal cement composite boards (Hardy Board) and generally in accordance with Schedules C;*
- 8. *All driveway and parking areas be maintained with asphalt and kept clear of snow and otherwise be unobstructed at all times so as to be passable by emergency vehicles;*

9. *Water, sanitary sewer and storm sewer services be provided in accordance with the Town of Amherst Subdivision Bylaw & Development Standards and the National Building Code;*
10. *A stormwater management plan be prepared by a qualified professional and submitted prior to the issuance of a building permit, such plan shall ensure that storm water on the site is channeled so as to not impact adjacent properties and so as not to flow directly onto adjacent public streets and sidewalks;*
11. *Signage on the property be limited to one free standing sign a maximum of 1.6 square metres in size and one fascia wall sign with a maximum height of 0.6 metres. Such signage are not to be internally illuminated;*
12. *Usual residential outdoor recreation apparatus shall be permitted on the property, subject to the applicable town bylaws and regulations;*
13. *Garbage pickup will be private, and the responsibility of the owner;*
14. *Landscaping will be provided in accordance with the following:*
 - a. *A one metre high evergreen buffer be planted along the entire length of any property line adjacent to at grade surface parking;*
 - b. *A minimum of 3 deciduous trees be planted at approximately equal intervals along the East Victoria Street frontage of the property, such trees to be a minimum of 1.5 in height at the time of planting.*
 - c. *A minimum of 8 shrubs or trees be planted along South Adelaide frontage of the property, or two 'flower gardens' be planted in the front yard.*
 - d. *Grass or other suitable landscaping material be maintained in all areas of the property not utilized for buildings, parking or walkways.*
 - e. *Such planting is to take place within one growing season of the construction of the said unit.*
 - f. *Existing trees on the property which are maintained after the development may be used to offset the number of trees / shrubs required above.*

.2 171 Willow Street - Long Term Care Facility, RFD#2008031

Councilor Fawthrop declared a potential conflict and excused himself from Chambers for this agenda item.

Moved by Councillor Angel, seconded by Councillor Chitty that Council give second reading to the proposed development agreement for a 36 bed long term care facility and 130 unit integrated retirement community on property located at 171 Willow Street.

MOTION CARRIED

Case No. DA-2008-02

This Agreement made this _____ Day of _____ 2008.

Between: Shannex Healthcare Owners of property located at 171 Willow Street (PID 25002189), hereinafter called the Owners Of the one part

- and-

The Town of Amherst, a body corporate hereinafter called the Town Of the other part

WHEREAS the Owner wishes to obtain permission pursuant to Policy RP-18 of the Municipal Planning Strategy of the Town of Amherst, to construct a 36 bed long term care facility and integrated 130 unit retirement community on property located at 171 Willow Street.

AND WHEREAS a condition of the granting of approval of Council is that the Owner enter into an agreement with the Town;

AND WHEREAS the Council of the Town, at its meeting on the _____ Day of _____ 2008, approved the said development agreement subject to the registered owner of the land described herein entering into this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Town of the development agreement requested by the Owner, the Owner agrees as follows:

- 1) That the Owner is the registered owner of the aforesaid lands in the Town of Amherst, hereinafter called the lands. The aforesaid lots are the only lands in the Town of Amherst to which this agreement applies, and the lands are illustrated in the plan shown on Schedule B attached hereto and forming part of this agreement.

- 2) That the owner may construct a 36 bed long term care facility and integrated 130 unit retirement community for a total of 166 residential units on the said lands, subject to the following Schedules A, B, C, D, E and F attached.
- 3) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this agreement.
- 4) Should the owner fail to act in accordance with any aspect of this agreement, the Town shall retain the right to discharge the agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 5) The Town shall issue the necessary permit for the development upon the expiration of the appeal period specified for development agreements in the Municipal Government Act, Section 249 , as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.

SIGNED, SEALED AND DELIVERED

Schedule A

171 Willow Street - Development Agreement

Terms and Conditions:

1. The use of the property be limited to the following:
 - a. a one storey 36 bed long term care facility;
 - b. a three storey, 40 unit, retirement apartment building;
 - c. a three storey, 70 unit, assisted living retirement building;
 - d. five, 4 unit townhouses;
2. The location of the buildings be in accordance with Schedule B;
3. Street access be limited to two access points on Willow Street and one access point on East Pleasant Street, and be substantially in accordance with the attached Schedule B, and to the satisfaction of the Development Officer;
4. All internal access roads, driveway and parking areas be maintained with asphalt and kept clear of snow and otherwise be unobstructed at all times so as to be passable by emergency vehicles;
5. Parking facilities be located in accordance with attached Schedule B, and more specifically provide:
 - a. 40 spaces at the rear of the long term care facility;
 - b. 19 spaces at the front of the long term care facility, labeled "Visitor Parking"
 - c. 14 spaces at the front of the retirement apartment building, labeled "Visitor Parking"
 - d. 19 spaces at the north of the retirement apartment building;
 - e. 40 underground parking spaces in the retirement apartment building;
 - f. 5 spaces for each of the townhouse buildings;
6. A 1.2 metre high vegetation buffer be planted along the north east and north west edges of the parking lot behind 167 Willow Street and the south and east edge of the parking lot behind 152 and 154 East Pleasant Street. This buffer shall be designed to avoid headlight glare on the adjacent residential properties.
7. The exterior design of the buildings shall be generally in accordance with Schedules C, D and E. The Townhouses shall be one storey in height and compliment the other buildings on the site;
8. The exterior cladding of all buildings shall be some combination of stone, brick, cement composite boards or stucco and generally in accordance with Schedules C, D and E.
9. Water, sanitary sewer and storm sewer services be provided in accordance with the Town of Amherst Subdivision Bylaw & Development Standards and the National Building Code;
10. A storm water management plan be conducted by a qualified professional, and implemented during construction of the development. This plan is to ensure that storm water on the site is channeled so as to not impact adjacent properties and so as not to flow directly onto adjacent public streets and sidewalks. Furthermore, this plan is to ensure that peak storm water flows on the site do not increase from their current levels.

11. Signage on the property be in accordance with attached schedule F and additional directional signage be permitted as per the Land Use Bylaw;
12. Usual residential outdoor recreation apparatus shall be permitted on the property, subject to the applicable town bylaws and regulations;
13. Garbage pickup will be private, and the responsibility of the owner;
14. Landscaping will be provided in accordance with the following:
 - a. A minimum of 10 shrubs be planted in the front of each of the three main buildings on the property;
 - b. A minimum of 3 deciduous trees be planted in the front of each of the three main buildings, such trees to be a minimum of 1.5 in height at the time of planting.
 - c. Grass or other suitable landscaping material be maintained in all areas of the property not utilized for buildings, parking or walkways
 - g. All required planting is to take place within one growing season of the construction of the said unit.

5 Amendments to Town of Amherst Policies

.1 Salary Administration Policy, RFD#2008025

Moved by Councillor March, seconded Councillor Baker by that Council approve an amended Salary Administration Policy, #4530-01 to permit a cost of living increase of 1.9% to all non-union scales (salary and non-salary) effective April 1, 2008, and further that a section to permit and regulate car allowances in the amount of \$150 per month for Department Heads and Mayor and Council be added to the Policy. The effective date for this allowance for Mayor and Council will be November 1, 2008.

MOTION CARRIED

SALARY ADMINISTRATION POLICY #4530-01

PURPOSE:

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

POLICY STATEMENT:

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

OBJECTIVES:

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

DEFINITION OF TERMS

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

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

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

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

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

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

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

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

POSITION EVALUATION:

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

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

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

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

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

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

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

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

SALARY GRID:

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

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

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

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

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

Step Adjustment shall be made only when:

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

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

CAR ALLOWANCES:

The Treasurer, Chief of Police, Director of Operational Services, Director of Community & Economic Development, and Director of Planning shall receive a monthly car allowance of \$150.

Mayor and Council shall receive the same monthly car allowance of \$150 effective November 1, 2008.

The monthly car allowance is for reimbursement for all local travel using one's personal motor vehicle.

The monthly car allowance shall be reviewed each year after considering any increases in the cost of operating a motor vehicle.

PERFORMANCE EVALUATION:

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

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

SCOPE OF RESPONSIBILITY:

The Town Council shall:

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

The Chief Administrative Officer shall:

- i Review and recommend changes to Policy and procedures as they relate to the Employee Compensation Program.
- ii Ensure the implementation and maintenance of position Evaluation and Salary Rating and Performance Appraisal Procedures.
- iii Conduct Position Evaluation, Salary Rating and Performance Evaluation Procedures relative to Department Head positions.
- iv Conduct annual salary surveys and make recommendations to Council concerning the annual economic adjustment factor.
- v Grant Merit Adjustments to individual employees in accordance with approved Policies and Procedures and, subject to budgeting limitations.
- vi Maintain all personnel files and records.

The Department Head shall:

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

Job Factors Used in Evaluating Positions

APPENDIX A

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

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

Salary Scale

APPENDIX C

April 1, 2008

<u>Job Level</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
12	79,566	81,783	84,000	86,217	88,433
11	69,944	71,736	73,576	75,462	77,398
10	61,791	63,381	64,972	66,563	68,151
9	56,348	57,313	58,276	59,241	60,201
8	51,486	52,460	53,434	54,410	55,385
7	45,647	46,817	48,017	49,249	50,512
6	40,975	42,026	43,103	44,208	45,342
5	37,247	37,868	38,489	39,110	39,732
4	33,097	33,946	34,816	35,709	36,625
3	29,377	30,131	30,903	31,695	32,509
2	26,114	26,783	27,469	28,174	28,896
1	22,849	23,435	24,036	24,652	25,284

Salary Scale

APPENDIX C-1

<u>Job Level</u>	<u>Salary Amount</u>	
Mayor	Stipend	\$11,902.86
	Allowance for expenses incidental to the discharge of duties	5,951.43
	Total	\$17,854.29
Deputy Mayor	Stipend	\$10,014.19
	Allowance for expenses incidental to the discharge of duties	5,007.09
	Total	\$15,021.28
Councillor	Stipend	\$9,263.71
	Allowance for expenses incidental to the discharge of duties	4,631.85
	Total	\$13,895.56

Salary Scale

APPENDIX C-2

<u>Job Level</u>	<u>Salary Amounts</u>
Chief of Police	\$90,781.
Deputy Chief of Police	\$80,991.
Executive Assistant/ Dispatch Coordinator Police	\$43,250.

Salary Scale

APPENDIX C-3

Non-Salary Positions

<u>Job Title</u>	<u>Hourly Rate</u>				
	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Canine Control Officer	10.25	10.61	10.98	11.34	11.76
Canteen Manager	10.87	11.39	11.70	12.02	12.48
Canteen Worker	7.80	8.17	8.43	8.74	9.00
Jail Guards	10.25	10.61	10.98	11.34	11.76
School Crossing Guards	7.80	8.17	8.43	8.74	9.00
Casual Firefighter	14.46	14.72	14.98	15.24	15.50
Casual Employee - Other	7.80	8.17	8.43	8.74	9.00

Salary Scale

APPENDIX C-4

HOURLY RATE SCALEStudent Positions

<u>Job Title</u>	<u>Hourly Rate</u>				
	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Ice Marshall	10.19	10.70	11.21	11.72	12.23
Records Management Asst.	8.15	8.66	9.17	9.68	10.19
Parks Worker	8.15	8.66	9.17	9.68	10.19
Physical Activity Coordinator	8.15	8.66	9.17	9.68	10.19
Youth Program Coordinator	8.15	8.66	9.17	9.68	10.19
Summer Secretary	7.90	8.41	8.92	9.43	9.94
Tennis Instructor	7.90	8.15	8.66	9.17	9.68
Activity Leader	7.90	8.15	8.66	9.17	9.68
Ball Field Maintenance	7.90	8.15	8.66	9.17	9.68
Surveyor/Eng. Assistant	10.19	10.70	11.21	11.72	12.23
Assistant Surveyor	9.17	9.68	10.19	10.70	11.21
Tech Assistant	10.19	10.70	11.21	11.72	12.23
Accounting Clerk	8.15	8.66	9.17	9.68	10.19
Tourism	7.90	8.15	8.66	9.17	9.68
Planning Technician	10.19	10.70	11.21	11.72	12.23
Other	7.90	8.15	8.66	9.17	9.68

Note: This scale does not apply to the Co-Operative Student Program.

.2 Grants to Organizations Policy, RFD#2008030

Moved by Councillor Baker, seconded by Councillor March that Council approve the amended Grants to Organizations Policy, Number 72000-03, as recommended by Administration.

MOTION CARRIED

GRANTS TO ORGANIZATIONS POLICY #72000-03**POLICY STATEMENT:**

The Town of Amherst Council directs the operation of the Town through its approved policies. Every year the Town receives more grant requests than it can fund. The purpose of this policy is to establish equitable guidelines for the distribution of limited amounts of funds to non-profit and charitable organizations in the community in a manner approved by Council.

This program does not govern the following, which are separately administered:

- * Tax Exemption for Non-Profit Organizations (full and partial tax exemption by-laws);
- * Residential Property Tax Rebates (low-income homeowners).

AUTHORITY

Authority is provided under Section 65, *Municipal Government Act*, as amended.

APPLICATIONS FOR ASSISTANCE

All grant applications shall normally be submitted on the form provided by the Town. The Town of Amherst will not consider requests received as part of general (mass) mailing or telemarketing campaigns.

Preference will be given to organizations that demonstrate community support, efficient use of resources, sound business practices and develop volunteer knowledge, skills and self-reliance.

Funding will also not normally be provided to fund raising campaigns of national charitable organizations.

The **deadline for grant applications** is **March 1st** and late applications shall only be reviewed after applications received by the deadline have been processed.

POLICY COMPONENTS**A) Support Grants – Community Based Organizations**

“Community Based Organizations” means any charitable, non-profit, athletic, educational, environmental, cultural or social organization within the Municipality providing a service at the local level.

Applications will be reviewed based on consideration of the following criteria:

- Level of responsibility of the Town to provide funding (i.e. people or property service)
- Ability of the Town to provide funding
- The organization meets the applicable criteria in the General Conditions section of this policy
- The mandate of the organization and how it affects the citizens of the Town and/or the general community
- Types of fund-raising that have been done to meet the financial needs of this organization
- The types of short-term and long-term sustainability expected from this organization
- External resources available (i.e. financial, human, etc.)

B) Community Recreation and Program Assistance

(1) Indirect Recreation Programming Support (through reduced rental rates for Town-owned facilities):

- (a) Amounts may be appropriated under this program only when the organization meets all the criteria in section 6 of this policy **and** it provides an organized recreational opportunity through an organization recognized and registered with its relevant provincial umbrella (e.g. Hockey Nova Scotia).
- (b) Support currently provided to the following organizations will be continued:
 - Cumberland County Minor Hockey Association
 - Amherst Skating Club.
- (c) Could include Community Festivals, Events and Conferences which have the potential to attract from a regional, provincial, or greater participant base that may generate positive economic spin-off for the municipality.

(2) Direct Recreation Programming Support

- (a) Amounts may be appropriated under this program only when the organization meets all of the criteria in section 6 of this policy **and** it provides an organized recreational opportunity through an organization recognized and registered with its relevant provincial umbrella organization.

- (b) Support currently provided to the following organizations will be continued:
 - Fundy Youth Soccer Association (assistance directed to the payment of property taxes on the Church Street soccer complex).

C) **Community, Cultural and Recreation Festivals and Events**

(1) Community Based Arts & Cultural (e.g. visual, performing and literary arts)

(2) Financial Assistance to National and Provincial Competition Representatives

- (a) Amounts may be appropriated under this program only when the team individual applying meets all the following criteria: The team/individual has been successful at a regional qualifying competition recognized by its relevant provincial or national umbrella organization (e.g. Hockey Nova Scotia or Skate Canada).

GENERAL CONDITIONS

- A) Applications received after the March 1st deadline are considered late. Late applications are reviewed only after the regular review. Each year the Town receives more applications than it can fund, so it is important for applications to be on time and contain the correct information.
- B) Awards are announced after the Town's budget has been approved (usually in May).
- C) Only one application per organization can be submitted in each funding year.
- D) Grants are not awarded for salary/wages of staff positions or board honoraria.
- E) Grant applications should be able to demonstrate active fundraising efforts to support the continuation of a program, project or service.
- F) Grants may be awarded with certain terms and conditions. The letter of award will state if any particular restrictions apply to the grant. Funding may be revoked for failure to comply with terms and conditions.
- G) Awards may be issued in full (the usual practice) or can be paid in instalments. The letter of award will state if a holdback applies to the grant.
- H) In rare circumstances, an applicant's eligibility may be suspended for a specified time period for misappropriation of funds, failure to report, or misrepresentation.
- I) At the end of a project or the organization's year-end, grant recipients must submit a report and/or financial statement to the Town.

.3 **Installment Tax Billing Policy, RFD#2008026**

Moved by Councillor March, seconded by Councillor Angel that Council approve an amended Installment Billing Policy, #3800-03 to allow the interim billing to be based on last year's assessment.

MOTION CARRIED

INSTALLMENT TAX BILLING POLICY #3800-03

PURPOSE:

To provide authority and guidelines for interim tax billing.

POLICY STATEMENT:

1. In each year, an amount of the last year's assessment times one half of the tax rate levied in the previous fiscal year shall be due and payable to the Treasurer on a day to be determined by resolution of Council.
2. The rates and taxes levied against the property for the current fiscal year, less the payment made under Section 1 of this policy, shall be due and payable on a date to be determined by resolution of Council.

5.1 **Interim Tax Billing - RFD#2008027**

Moved by Councillor March, seconded by Councillor Fawthrop that Council authorize an interim tax billing for the 2008/2009 fiscal period, that bills be sent out during the month of April, with interest at 12% per annum to commence June 1, 2008, and further, that this interim tax billing be based on 50% of last year's annual bill.

MOTION CARRIED

5.2 Write Off Uncollectible Accounts Receivable, RFD#2008018

Councillor Chitty declared a potential perceived conflict, and therefore excused himself from Council Chambers for discussion of this issue,

Moved by Councillor Fawthrop, seconded by Councillor March that Council authorize staff to write off uncollectible accounts in the amount of \$71,114.12.

MOTION CARRIED

5.3 Request for Financial Support - Annie Crocker to Skating Nationals, RFD#2008032

Moved by Councillor Rhindress, seconded by Councillor Angel that the Town of Amherst provide funding in the amount of \$500 to Annie Crocker to assist in the travel costs to compete in the 2008 StarSkate National Championship in Brampton, Ontario from April 2 to 6, 2008.

MOTION CARRIED

5.4 Purchase Vehicle - Police Special Crime Unit, RFD#2008032

Moved by Councillor Chitty, seconded by Councillor March that Council authorize the transfer of \$29,950 from the Police Department operating budget to the capital budget to facilitate the purchase of a vehicle for the Street Crime Unit.

MOTION CARRIED

5.5 UNSM Resolution re Review of Heritage Properties Act, RFD#2008029

Moved by Councillor Angel, seconded by Councillor Chitty that Council approve the following resolution for submission to the UNSM:

WHEREAS the Provincial Government has, in its Heritage Properties Act, authorized municipalities to establish a registry of locally significant heritage properties by adoption of a Heritage By-Law; and

WHEREAS properties are registered by authority of the Municipal Council, on the recommendation of a Heritage Advisory Committee; and

WHEREAS to substantially alter or demolish a municipally registered heritage property, owners must obtain the approval of the Municipal Council; and

WHEREAS failing to obtain such permission, an owner may notify in writing the Municipal Council of the intended alteration, wait one year, and then undertake these alterations without penalty;

THEREFORE BE IT RESOLVED that the Union of Nova Scotia Municipalities request that the Province of Nova Scotia review the Heritage Properties Act with a view to encouraging heritage property owners to retain their designation.

MOTION CARRIED

5.6 Resolution re Review of Youth Criminal Justice Act, RFD#2008033

Moved by Councillor Fawthrop, seconded by Councillor Angel that Council approve the following resolution to encourage the federal government to review and strengthen the Youth Criminal Justice Act:

WHEREAS the Youth Criminal Justice Act (YCJA) came into effect on April 1, 2003 with the goal of providing the legislative framework for a fairer and more effective youth justice system; and

WHEREAS Bill C-25, an Act to amend the Youth Criminal Justice Act seeks to strengthen the provisions of the YCJA on pre-trial detention and sentencing; and

WHEREAS the tragic death of Theresa McEvoy at the hands of a young offender in 2004 and the resulting public inquiry by retired Justice Merlin Nunn led to 34 recommendations on reforming youth justice, including seven specifically focused on strengthening the YCJA; and

WHEREAS the federal Department of Justice has acknowledged that Bill C-25 was "inspired" by the findings of the Nunn Commission; and

WHEREAS the Minister of Justice and Attorney General for Canada has committed to a comprehensive review of the YCJA;

THEREFORE BE IT RESOLVED that the Town of Amherst calls upon Parliament to adopt all seven of the Nunn Commission's recommendations on strengthening the YCJA through Bill C-25 and the federal review of the YCJA, to give Canadians the protection from youth crime they deserve and expect.

MOTION CARRIED

Councillor Fawthrop excused himself and left the Council meeting at 7:45 PM due to another commitment

5. ADDITIONAL ITEMS

6. INFORMATION ITEMS

6.1 Community & Economic Development

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

MOTION CARRIED

Facilities Operations

The Amherst Stadium was busy over the month of March with MJHL playoffs, Skatefest, the Ronnie Elliot Memorial Hockey Tournament and the Provincial Midget AAA Tournament being hosted. All events were deemed to be extremely successful and we would like to recognize the hard work of all the volunteers who donated their time and expertise to ensure the success of all these events.

The front entrance of the Stadium and the walking track were operational on March 6th and comments to date have been excellent. There is still work left to be completed but the community is now beginning to enjoy some of the benefits from the project.

We are winding down operations at the Stadium and intend to remove the ice on April 7th. The Stadium hours for walking in April will be from 7am to 7pm and if April is any indication, the track will be busy during these times. Staff will be addressing maintenance items at the Stadium during the month of April and will be planning for the upcoming parks program and maintenance program for the 2008 season.

Amherst Ramblers

We would like to congratulate the Amherst Rambler executive, management and team on their success this year. Our Stadium Staff and Team officials worked together extremely well this winter notwithstanding of some issue related to completion of the third phase of the renovation plan. All dealings were professional and cordial and we would like to particularly recognize the players this year. They were always on their best behaviour while at the stadium and respected the facility and those working there. They were a pleasure to work with this year.

Volunteer Appreciation Awards

*The Town of Amherst, in observance of Provincial Volunteer Week, will host a Volunteer Ceremony and Reception on Tuesday, **April 29, 2008 at 7pm at the Tantramar Theatre.** Further information related to the nomination process can be obtained by contacting Dwight Jones at 667-6506.*

Dutch Elm Disease

During the month of February, there were 28 trees that were identified as carrying Dutch Elm disease removed and disposed of as per the guidelines provided under NS Natural Resources regulation. This activity address the trees in the community that were view as high priority but unfortunately, there remains addition trees that have been identified as being infected that will need to be removed over the next year. There is no cure for Dutch Elm Disease however, the removal of infected trees will slow the rate of spread and address safety issues related to trees that a dying due to infection.

6.2 Corporate Services Department Monthly Report

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

MOTION CARRIED

MONTHLY EXPENDITURES

Expenditures during the month of February 2008 totaled \$1,000,177 compared to \$934,326 for the same month last year. The increase is mainly due to snow removal expenditures

Cost centers	February 2008	February 2007
***** Corporate Services	200,321	194,123
***** Amherst Police Department	197,727	188,167
***** Amherst Fire Department	81,940	118,908
***** Operational Services	302,856	201,700
***** Planning Department	27,034	26,578
***** Community & Economic D	100,288	115,922
***** Water	90,011	88,928
***** Over/underabsorption	1,000,177	934,326

OUTSTANDING ACCOUNTS RECEIVABLE

Total amount owing to the Town at the end of February 2008 was \$1,026,045

	February-08			February-07		
	Current	Prior	Total	Current	Prior	Total
Taxes & Other	407,091	389,069	796,159	576,096	287,357	863,453
Sewer Taxes	78,307	20,398	98,705	74,530	9,547	84,077
Water Taxes	95,241	35,940	131,181	82,500	32,926	115,426
	<u>580,638</u>	<u>445,407</u>	<u>1,026,045</u>	<u>733,126</u>	<u>329,829</u>	<u>1,062,955</u>

YEARLY OPERATING STATEMENT

As of February 29, 2008 we are eleven months into our fiscal year. Our total revenue to date is \$13,698,046 compared to the budgeted amount of \$13,672,415, a small difference of \$25,637 over budget. Our total expenditures to date are \$11,734,020 compared to the budgeted amount of \$12,314,614 a difference of \$580,593 under budget. All departments are under budget with the exception of Operational Services. They are over budget in expenditures solely due to snow removal costs.

Yearly Operating Statement - April 1 to February 29, 2008 :

	YTD	Budget	Variance	%
Corporate Services				
Revenue	\$3,929,784	\$3,815,823	\$113,961	102.99%
Expenditure	(2,993,094)	(3,116,943)	123,849	96.03%
Net Contribution	<u>936,691</u>	<u>698,880</u>	<u>237,811</u>	
Police Department				
Revenue	\$2,772,124	\$2,813,680	(\$41,555)	98.52%
Expenditure	(2,223,691)	(2,450,876)	227,184	90.73%
Net Contribution	<u>548,433</u>	<u>362,804</u>	<u>185,629</u>	
Fire Department				
Revenue	\$1,442,144	\$1,407,365	\$34,779	102.47%
Expenditure	(1,224,648)	(1,312,749)	88,101	94.81%
Net Contribution	<u>217,496</u>	<u>94,616</u>	<u>122,880</u>	
Operational Services				
Revenue	\$3,827,631	\$3,828,642	(\$1,011)	99.97%
Expenditure	(3,751,035)	(3,712,592)	(38,433)	101.04%
Net Contribution	<u>76,595</u>	<u>116,049</u>	<u>(39,454)</u>	
Planning & Development				
Revenue	\$381,315	\$349,754	\$31,561	109.02%
Expenditure	(262,970)	(330,830)	67,860	79.49%
Net Contribution	<u>118,344</u>	<u>18,924</u>	<u>99,421</u>	
Community & Economic Development				
Revenue	\$1,345,048	\$1,457,151	(\$112,103)	92.31%
Expenditure	(1,278,582)	(1,390,624)	112,042	91.94%
Net Contribution	<u>64,466</u>	<u>66,528</u>	<u>62</u>	

Grand Totals

Revenue	\$13,698,046	\$13,672,415	\$25,631	100.19%
Expenditure	(11,734,020)	(12,314,614)	580,593	95.29%
Net Contribution	1,964,026	1,357,801	606,225	144.65%

CORPORATE SERVICES DEPARTMENTAL UPDATE

On Friday, February 29 we held an informal drop in for our Executive Assistant, Dorritt Amos who is retiring after 27 years of service. Several former employees and friends were present. Her replacement Ann Porter has assumed the Executive Assistant duties. Jennifer Moore our Revenue Officer started her maternity/parental leave for 1 year on February 29, 2008. She has been replaced by Molly Rose Smith. Several of our staff received Advanced Training in Microsoft Excel held in Moncton, New Brunswick. Staff is busy preparing the 2008/09 Operating and Capital budgets.

6.3 **Fire Department Monthly Report**

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

MOTION CARRIED

ALARM RESPONSES:

During the reporting period from February 13/08 – March 12/08 our Fire Department responded to 20 calls in the Town of Amherst, and 4 calls to the County coverage area. The calls in Amherst included monitored alarm calls, chimney fires, carbon monoxide detection calls and one hazardous materials response call. The calls to the County coverage area included motor vehicle accidents and an alarm equipment malfunction.

TRAINING & Department Activities:

Our March training schedule has been prepared by the training committee of the fire department and includes, hazardous materials response training, ladder training, ventilation and forcible entry. Our recruits continue to train on the weekend and will be involved in a live fire exercise this month. Chief Crossman as a member of the Nova Scotia Fire Service Training Committee helped prepare a strategic plan to address the issues of provincial wide firefighter training. This document was presented by the committee to the Minister of Environment and Labour and his Deputy Minister on January 08 of this year and was well received. The committee is expecting a response from the government in early April that will provide funding to address the issues outlined in the document.

FIRE PREVENTION:

Our Fire Inspectors are scheduled to attend level one and level two training in early April. These courses are necessary for the inspectors to maintain their skill levels when dealing with Fire Code related issues

EMERGENCY MEASURES:

Chief Crossman attended a municipal self assessment course which was put on by EMO Nova Scotia at their operations centre in Dartmouth. This course will give Chief Crossman the necessary tools and knowledge to prepare the Town's Emergency Plan for required rating by EMO Nova Scotia. The Town of Amherst and the County of Cumberland will be partnering with a mail out to all of the households with materials that will help them prepare their homes and their families for an emergency.

Councillor Chitty also congratulated the Fire Chief, council and staff of both the Town and the County of Cumberland on the successful conclusion of negotiations that resulted in a 15 year agreement on the provision of fire protection services.

6.4 **Operational Services Department Monthly Report**

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

MOTION CARRIED

During February street and sidewalk plowing followed four storms with only one downtown snow cleanup being required. This month a total of 254 metric tonnes of salt was purchased, as compared to 85 tonnes during each of the two previous Februarys.

One big issue for our crews is the frost heaving in our streets. We have been very busy applying cold mix asphalt patches to fill in dips and potholes as well as to smooth out frost heaves. The unfortunate reality is that the patching material we use is not very effective, and often needs replacement in a very short time. The frost has now begun to come out of the streets and further damage to the street surfaces can be expected. Although spring is now officially here it is normal to expect more winter conditions of snow and ice during the next few weeks.

We have a total of 15 unionized men working the winter months, including our two mechanics. This total includes the water maintenance crew, the sewer maintenance crew and the utility crew which maintains our street signage and traffic control devices as well as monitoring snow/ice conditions around Town buildings and public parking lots. All of these men are operators of equipment during snow and ice removal operations.

Our annual Spring leaf and yard waste collection is April 21 to May 2, with the second phase of our Christmas tree pickup being the week of April 28. The special spring cleanup will be the week of May 5, and our new construction and demolition collection is scheduled for the week of May 26.

The construction project at the Stadium being carried out by Flagship Construction and their subcontractors is now approximately 95% complete. Subcontractors are still working on the final stages of electrical and mechanical components with work remaining on door hardware, finish painting, thermostatic controls and final adjustments to counters and rolling counter shutters to be carried out shortly.

6.5 Planning and Development Department Monthly Report

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

MOTION CARRIED

Building Activity

As of February 29, 2008 the total value of building permits issued in the Town was **\$12,409,449**. One new single detached dwelling was constructed in the Town this month, along with a number of minor renovations. So far this year 82 dwellings have been constructed in the Town.

Dangerous and Unsightly Premises

No new complaint have been received. Staff continue to work towards resolving any outstanding files prior to the start of the spring 'unsightly season'.

Variance Updates

There were no variances issued during the month of January.

Staffing

Interviews were held on March 10 for a temporary replacement for Tim LeFurgey who will be out for a number of months with health issues. We hope to hire the successful candidate soon.

Staff training

Jason MacDonald was in Truro on March 12 attending a workshop of the preparation of Integrated Community Sustainability Plans which are a requirement for the federal "Gas Tax" agreement. I am pleased to report that we are on the right track in the preparation of our plan and will be well ahead of the September 2009 deadline for submission of the draft plan. Jason will also be attending the annual Heritage Conference on Yarmouth on March 19th and 20th. The theme of this years conference is Re-using Old Buildings.

Other Developments

Staff continue to work with a number of developers interested in developing various properties throughout the Town.

6.6 Police Department Monthly Report

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

MOTION CARRIED

Training

The following training was provided to members of the police department during this reporting period:

- Cst. Pike attended a one day Internet Symposium in Halifax in late February.
- Cst. Smith attended the Atlantic Crime Prevention Conference in Halifax from February 8th - 9th.
- Cst. Pike was instructed in Search Warrant drafting in Halifax from March 3rd - 7th.
- S/Sgt. White attended the Domestic Violence Master Instructor training in Halifax from March 4th - 7th, while Cst.'s Reid and Caissie attended the Domestic Violence Instructor training for two days.

Street Enforcement

The department conducted a focused enforcement on Friday and Saturday nights during the first two weeks in March by increasing the number of police officers on duty. The purpose of the focused enforcement was to be proactive in the prevention of disturbances in the down town core through a strict enforcement of the Liquor Control Act. A total of 25 people were charged with Liquor Control Act offences. The offences included Intoxication in Public, Possession of Open Liquor in Public, and Underage Possession of Liquor. 15 of those charged were held in custody due to their level of intoxication. Increased enforcement will continue on an as needed bases to insure those who participate in disturbing the general public are dealt with through the court system.

On January 25th 2008 the North Cumberland Street Crime Unit consisting of members of the Amherst and Springhill Police Departments along with members of North East Nova and Halifax RCMP Customs & Excise section made eleven arrests as a result of searches for illegal cigarettes. Approximately 50,000 illegal cigarettes were seized.

School Liaison

On February 14th, Cst. Smith and Cst. Miller took part in the first Violence Prevention Day at E.B. Chandler Jr. High School. Several other organizations also participated including Autumn House and RCMP, Public Health. Cst. Miller gave a presentation on Attacks of Violence. Information was provided on safe practices designed to prevent becoming a victim of a violent attack, and techniques to use when faced with an attack. Cst. Smith spoke on the issue of Bullying. A letter was received from the school thanking the department for our participation and advising that the event had been well received by students and staff.

Human Resource Issue – Recruitment and Retention

At the March meeting of the Amherst Board of Police Commissioners a video produced by the Police Sector Council on police recruitment and retention was shown. The video provided information on the challenges Canadian Police agencies are currently experiencing in recruiting and retaining police officers. Close to 50% of current police officers are expected to retire over the next five years. Police are in competition with all other careers to attract sufficient qualified candidates to fill these vacancies. Police agencies must develop a recruitment and retention strategy or there will be a critical shortage of officers. Many in the policing field are of the opinion there is already a crisis. The department is in the process of forming a committee to develop a strategy for the department.

Bill 7 – Amendment to the Motor Vehicle Act – Cell Phones

On April 1st, amendments to the Motor Vehicle Act will make it illegal for anyone operating a motor vehicle to use a **hand-held** cellular phone or engage in text messaging on any communications device. The new law does not apply to persons who are reporting an emergency situation. Penalties are \$50.00 for the first offence, \$100 for the second and \$200 for the third and subsequent offences. The purpose of the amendments is to reduce driver distraction, and making roads safer in Nova Scotia. Information on cell phone use and driver distraction can be found on the Department of Transportation and Infrastructure Renewal.

7. ADJOURNMENT

On motion by Councillor Angel the meeting adjourned at 8:05 PM

APPROVED:

Gregory D. Herrett, CA
Chief Administrative Officer

Jerry Hallee
Mayor

AGENDA

4.	ACTION ITEMS	RFD	Presenter	Page
4.1	Additions to Agenda	--		
4.2	Approval of Agenda	--	Baker	
4.3	Approval of Minutes – <ul style="list-style-type: none"> • February 25, 2008 Regular Meeting • March 20, 2008 Special Meeting 		Rhindress	2 15
4.4	Development Agreements at Second Reading <ul style="list-style-type: none"> • 155 East Victoria Street - 32 Unit Condominium • 171 Willow Street - Long Term Care Facility 	2008033 2008031	Baker Angel	20 28
4.5	Amendments to Town Policies <ul style="list-style-type: none"> • Salary Administration Policy • Grants to Organizations Policy • Interim Tax Billing Policy 	2008025 2008030 2008026	March Baker March	39 54 59
4.6	Interim Tax Billing, 2008-2009 Fiscal Year	2008027	March	62
4.7	Write-off Uncollectible Accounts Receivable	2008018	Fawthrop	64
4.8	Request for Financial Support - Annie Crocker to Skating Nationals	2008032	Rhindress	66
4.9	Purchase Vehicle - Police Special Crime Unit	2008028	Chitty	69
4.10	UNSM Resolution re Review of <i>Heritage Properties Act</i>	2008029	Angel	71
4.11	Resolution re Review of <i>Youth Criminal Justice Act</i>	2008033	Fawthrop	74
5.	ADDITIONAL ITEMS			
6.	INFORMATION ITEMS			
6.1	Community & Economic Development		Baker	79
6.2	Corporate Services		March	80
6.3	Fire		Chitty	83
6.4	Operational Services		Angel	84
6.5	Planning & Development		Rhindress	85
6.6	Police		Chitty	86
7.	ADJOURNMENT			