

**Minutes of a Regular Meeting of Amherst Town Council
Held in Council Chambers
Monday, November 24, 2008 at 7:00 PM**

PRESENT: Mayor Rob Small
Councillor Robert Angel
Councillor George Baker
Councillor Robert Bird
Councillor Dale Fawthrop
Councillor David March
Councillor Terry Rhindress
Greg Herrett, CAO
Rebecca Purdy, Executive Assistant

1. O CANADA

2. HEARINGS / PRESENTATIONS

3. CALL TO ORDER

Mayor Small called the meeting to order at 7:00 PM and welcomed students from NSCC Cumberland Campus, members of the public, and a number of senior staff who were in attendance.

4. SWEARING IN – COUNCILLOR-ELECT ROBERT BIRD

As Justice of the Peace in and for the Province of Nova Scotia, Greg Herrett administered the Oath of Office to Councillor-Elect Robert Bird. He was congratulated and welcomed by members of Council.

5. ACTION ITEMS

5.1 Additions to Agenda

5.5 Approval of Agenda

Moved by Councillor Baker seconded by Councillor Rhindress to approve the agenda as presented.

MOTION CARRIED

5.5 Approval of Minutes

Moved by Councillor Rhindress seconded by Councillor Fawthrop to approve following Council meeting minutes as distributed:

- **September 29, 2008 Regular Meeting**
- **October 17, 2008 Special Meeting**
- **November 3, 2008 Special Meeting**

MOTION CARRIED

5.4 Appointment of Deputy Mayor

The CAO reported that the attempt to elect and appoint a Deputy Mayor at the November 3, 2008 Special Meeting and Swearing In Ceremony ended in a tie between Councillors Baker and Angel. In researching the Town's by-laws as well as Bourinot's and Robert's Rules of Order, the CAO advised Council that it would be appropriate to open the floor for nominations again and proceed with an election by secret ballot

Moved by Councillor Fawthrop, seconded by Councillor Rhindress that Nominations for Deputy Mayor be reopened.

MOTION CARRIED

Councillor Angel was nominated by Councillor March. Councillor Baker was nominated by Councillor Rhindress. The CAO distributed ballots to members of Council, and upon tabulating the votes, declared that Councillor Angel had a majority.

Moved by Councillor March, seconded by Councilor Baker to approve the appointment of Councillor Angel to the Office of Deputy Mayor.

MOTION CARRIED

5.5 Council Committee Appointments

Moved by Councillor March seconded by Deputy Mayor Angel that Council approve the following committee appointments for terms ending 30 November 2009:

Mayor Small	Airport Committee (as Ex-Officio) Planning Advisory Committee (as Ex-Officio) Heritage Advisory Committee (as Ex-Officio) Police Commission Police Commission Tyndal Wellfield Advisory Committee Dangerous and Unsightly Premises Committee Tree Committee Amherst/Cumberland Cooperation Committee
Councillor Angel	Fundy Shore Tourism Destination Area Committee Planning Advisory Committee Tyndal Wellfield Advisory Committee Cumberland Regional Library Board Heritage Advisory Committee
Councillor Baker	Downtown Amherst Revitalization Committee Cumberland Joint Services Management Authority VON Board of Directors Amherst/Cumberland Cooperation Committee
Councillor Bird	Planning Advisory Committee Dangerous and Unsightly Premises Committee
Councillor Fawthrop	Amherst Board of Police Commissioners Cumberland Regional Economic Development Authority Tyndal Wellfield Advisory Committee Tree Committee
Councillor March	Planning Advisory Committee Heritage Advisory Committee Amherst/Cumberland Cooperation Committee
Councillor Rhindress	Airport Committee Cumberland Joint Services Management Authority Tyndal Wellfield Advisory Committee Dangerous and Unsightly Premises Committee Cumberland / Amherst Cooperation Committee

AND FURTHER MOVED THAT all members of Council be appointed to the Committee of the Whole of Amherst Town Council, and to the Town of Amherst Audit Committee for terms ending November 30, 2009.

MOTION CARRIED

Moved by Councillor March seconded by Councillor Baker that the following Council Departmental Liaisons be appointed for terms ending November 30, 2009:

- | | |
|------------------------|------------------------------------|
| • Deputy Mayor Angel | Community and Economic Development |
| • Councillor Baker | Planning and Engineering Services |
| • Councillor Bird | Fire Services |
| • Councillor Fawthrop | Police Services |
| • Councillor March | Corporate Services |
| • Councillor Rhindress | Transportation and Public Works |

MOTION CARRIED

5.6 Signing Authorities, RFD#2008102

Moved by Deputy Mayor Angel, seconded by Councillor Rhinress that:

WHEREAS the Town's Signing Authority Policy, #3400-02, requires that a councilor other than the Mayor or Deputy Mayor be designated to sign cheques and banking documents on behalf of the Town; and

WHEREAS Councillor Dale Fawthrop has agreed to be so designated;

THEREFORE BE IT RESOLVED that Council designate Councillor Dale Fawthrop to sign cheques and banking documents on behalf of the Town, in accordance with the Signing Authority Policy, in addition to the Mayor, Deputy Mayor, Town Manager and Treasurer;

AND BE IT FURTHER RESOLVED that the List of Officers and Directors of the Town of Amherst be identified as follows:

OFFICERS		DIRECTORS	
Name	Title	Name	Title
Gregory D. Herrett	CAO	Rob Small	Mayor
Vincent Arbing	Treasurer	Robert Angel	Deputy Mayor
		George Baker	Councillor
		Robert Bird	Councillor
		Dale Fawthrop	Councillor
		David March	Councillor
		Terry Rhindress	Councillor

MOTION CARRIED

5.7 Mutual Aid Agreement – Village of Port Elgin, RFD#2008099

Moved by Councillor Bird, seconded by Councillor Baker that Council approve entering into a mutual aid agreement between the Village of Port Elgin Fire Department and the Amherst Fire Department, and authorize the Mayor and Fire Chief to sign on behalf of the Town.

MOTION CARRIED

6. **ADDITIONAL ITEMS**7. **INFORMATION ITEMS**7.1 Community and Economic Development Department Monthly Report

Moved by Deputy Mayor Angel, seconded by Councillor Fawthrop that Council accept the following report from the Community and Economic Development Department:

MOTION CARRIED

Facility Operations

Operations at the Stadium continue to be busy with Amherst Rambler Play, Minor Hockey, Figure Skating and private bookings. Our Saturday afternoon public skating sessions from 4 to 5:30 are now free to entice more participation and use of our wonderful facility. In addition, we have introduced "pick up" hockey each Wednesday evening at 7:45pm to 8:45pm.

Anyone wanting to book ice time or to get information on advertising opportunities at the Stadium is asked to call 667-6500. Information on scheduled activities at the Stadium is available on our web site at www.amherstns.com or by calling 667-9494

On October 12, during a private booking, one of our long time patrons, John Nuttall passed away on the ice as a result of a heart attack. Team mates along with Stadium staff, paramedics and police personal were valiant in their efforts to revive him but unfortunately his attack was too severe. We would like to express our sincere condolences to the Nuttall family and his teammates.

Victorian Christmas Light Up

The annual Victorian Christmas Celebration commenced on November 21st with the annual Christmas Light Up celebration at the Victoria Park. Attendance this year was excellent and the participation and contribution from the Chamber, Dars, Creda and the businesses community was outstanding. The Annual Christmas Parade which was to take place on Saturday, November 22nd under the direction of the Amherst Y'mens Club was cancelled due to a severe winter storm. (An announcement was made by the Y's Men at the end of the Council meeting that the parade will be re-scheduled for Saturday, November 29 at 6:00 PM.)

DED Program

The department has commenced the process of obtaining quotes to the removal of Dutch Elm diseased trees in the community. Each year, we identify more trees that have been infected and this year, additional resources have been allocated. Residents will see trees which have been identified for quotes for removal clearly marked with a red plastic square. The value of the quotes will determine the actual number of trees that we will have removed this year. Once this is know, Town staff will be circulating authorization forms to homeowners to have the trees removed. As it is more advantageous to remove these trees in colder weather, we expect that the removal process will take place in January 2009.

Staffing

We recently held a competition for the Sales and Marketing position in the Community & Economic Development Department. We received well over 35 resumes, many of high quality. The applicants were initially screened with nine being selected for an interview by a selection committee in accordance with our Hiring Policy. I am pleased to advise that Marcie Smith has been appointed to this position. Marcie commenced her duties with the Town on Monday, November 10th. I know that Marcie will be a great asset to the Town and will fit in well with our staff. I am sure you will join me in welcoming Marcie to our team.

Following the report, Councillor Fawthrop made a comment on the very well attended light up on Friday night, and recognized Dayle's Department Store for their excellent contribution to the event.

Councillor Baker stated that Town staff should be recognized for their response to the incident at the Stadium on October 12, when John Nuttall had a heart attack.

7.2 Corporate Services Department Monthly Report

Moved by Councillor March, seconded by Councillor Fawthrop that Council accept the following report from the Corporate Services Department:

MOTION CARRIED

Yearly Operating Statement

As of October 31, 2008 we are seven months into our fiscal year. Our total revenue to date is \$13,440,034 compared to the budgeted amount of \$13,183,247. Our total expenditures to date are \$7,941,683 compared to the budgeted amount of \$8,314,498.

Monthly Expenditures

Expenditures during the month of October 2008 totaled \$1,614,481 compared to \$1,419,398 for the same month last year. This increase is due to the fact that 3 pay periods fell in October this year as opposed to 2 last year

Outstanding Accounts Receivable

Total amount owing to the Town at the end of October 2008 was \$1,768,209, compared to \$1,907,318 same time last year.

Corporate Services Departmental Update

The quarterly water/sewer bills were mailed October 29th with a due date of November 28th. Collections of property, water and sewer accounts continue to be a priority for the Department.

Two staff members attended the annual Association of Municipal Tax Collectors Conference in Truro, where sessions such as IAS World Information & Assessment were held. Five of our staff at Town Hall attended a one day Records Management Training Workshop held in Guysborough on Thursday, October 23rd.

7.3 Fire Department Monthly Report

Moved by Councillor Bird, seconded by Deputy Mayor Angel that Council accept the following monthly report from the Amherst Fire Department:

MOTION CARRIED

Alarm Responses

During the reporting period from September 16 to November 13, our Fire Department responded to 21 calls in the Town of Amherst. These calls consisted of medical assist to EHS, monitored alarms, alarm equipment malfunctions, fuel leak, structure fires and a chimney fire. In addition to these calls our Fire Department responded to eight calls to the County coverage area consisting of motor vehicle accidents, chimney fire, grass fire, structure fire and monitored alarm calls.

Training and Department Activities

Annual level one training is well under way with a number of firefighters from other fire departments taking part in this required training. Regular weekly training is progressing as scheduled. This training has covered the proper use of ground ladders, rural water supply and equipment maintenance. A hazardous materials response exercise is scheduled for the last training night of the month November. Four members of our fire inspection division attend week long training sessions in Sydney updating them on current codes and inspection procedures. We also had four members from our hazmat team attend a five day technician's course at the Fire School in Waverly. Our annual banquet was held on November 1st and we were pleased to present a number of awards for long service and various committee work. We would like to thank everyone who attended our banquet making it a successful event.

EMO

Chief Crossman recently attended a three day emergency management conference in Yarmouth. The topics and presenters were very informative and a great deal of information was exchanged with the participants bringing us up to date with the programs and initiatives being developed by Emergency Management Nova Scotia.

Recruitment

Our department is very pleased to report that we have five new recruits, who will be joining our Volunteers starting this month and we continue to receive applications from other local residents interested in becoming volunteer firefighters.

In addition to the report as submitted, Councillor Bird urged citizens to pay special attention to fire safety over the Christmas season.

Mayor Small commented on the annual Fire Fighters Banquet and congratulated the members for an excellent event, as well as the numerous awards that were received that evening.

7.4 Transportation & Public Works Department Monthly Report

Moved by Councillor Rhindress, seconded by Councillor Fawthrop that Council accept the following monthly report from the Operational Services Department:

MOTION CARRIED**Water and Sewer Services**

During September and October two new water and sewer service contracts were taken out for services on previously developed streets within Town. As these streets are already serviced, complete with water and sewer services installed to the customer's property line, none of them required our installation work. Water meters were read starting on October 2, 2008 and were completed over a nine day period.

Mains and Structures

The sewer main cleaning tender for 2008 was completed in September and the Public Works Foreman, Gordon Smith, is working on a manhole and main repair list for the next construction season. A water main was extended on Fernwood Drive to the water main behind the Town Court Mall. This main extension will allow us to remove Southgate Village off the high pressure line located on Industrial Park Drive. Winterizing the hydrants started in October and this will continue until they are complete in November. Heavy rains on September 7 dumped 71 mm of rain on the Amherst area. There were a number of backflow and flooding issues that resulted. Our insurance adjustor is dealing with two claims as a result of this event.

Equipment

All our snow removal equipment has been prepared and reconfigured for winter snow removal operations.

Personnel

Ron Patterson, P.Eng., Town Engineer retired on September 26. A drop in was held for him at Town Hall and Council convened a dinner in his honor at the Fire Hall. Ben Pitman, P.Eng. was appointed as Town Engineer. One of our Water Operators was enrolled on a recertification of his backflow prevention certification. One Sewer Leadhand was sent on a wastewater treatment course. Aaron Bourgeois Transportation Foreman attended the Municipal Public Works Association of Nova Scotia fall meeting and seminar.

Patching Program

Our contractor has completed the patching tender for this year. Essentially all patching has been completed to date. The contractor will be patching any new excavations in Town Streets up to the point when the asphalt plant closes

7.5 Planning & Engineering Services Department Monthly Report

Moved by Councillor Baker, seconded by Councillor Rhindress that Council accept the following monthly report from the Planning & Development Department:

MOTION CARRIED

New Development

Eight building permits were issued during the month of October with a total value of \$327,380. This brings the total construction value to date this year to \$6,933,700 as compared to \$11,462,049 at this point last year. So far this year eighteen new dwelling units have been constructed within the Town.

With the recent turnover in building inspection staff and implementation of new building permit software, we are currently working with the provincial assessment department to develop a new reporting procedure. This new procedure will ensure that new development gets on the assessment role in a timely manner.

Unightly Premises

So far to date we have had 55 complaints, 42 of which have been brought into compliance. Ten complaints have resulted in Orders being placed, with two fines being issued.

Capital Projects

- South Albion Street reconstruction is now complete.
- Amherst Stadium Reconstruction Phase III is complete except for a number of minor deficiencies. All contractor liens have been removed from the property.
- Water main replacements on Douglas, Chignecto and Stanley Streets are complete and we are awaiting the contractor to place the asphalt.
- The installation of detector loops at the intersection of Church and Victoria Streets has been deferred until next year, as this portion of Victoria Street is scheduled to be milled and repaved next year.
- The project to replace the windows on the second floor of the library has commenced (funding in the operating budget).
- After an exhaustive search, garbage liners have been found which fit into the prototype two and three stream steel garbage receptacles for the downtown and recreation properties. These liners have been ordered and Rick Gould has been notified to commence construction of the remaining steel receptacles.

6.6 Police Commission Monthly Report

Moved by Councillor Fawthrop, seconded by Councillor Baker that the following monthly report from the Amherst Board of Police Commissioners as submitted by Chair Raymond Gallant be accepted:

MOTION CARRIED

The Board held its first meeting following the Summer hiatus on October 22, and offer the following for Council's information and consideration.

Items of Interest

In response to questions regarding the recently publicized use of a Taser, the Chief advised that the review report of the incident had determined that the use of the Taser fell within the guidelines of the Provincial, Federal and Amherst Police Department policies. He will be reviewing the report and will advise the Board of his findings. He also advised that Departments are required to file a report on all incidents of the "Use of Force" with the Province.

The budgeting process is ongoing and we expect to meet your guidelines.

Human Resources

On October 21, Justice Minister, Cecil Clarke, acknowledged the long and dedicated service of the members of the Amherst Police Department.

Fifteen or more years of service:

Sgt. Robert Alexander MacPherson
Deputy Chief Ian K. Naylor
Const. Derrah James Reid

Twenty Five or more years of service:

Sgt. Aubrey Roy Armsworthy
Sgt. William Atwood Blakeney
Const. Robert Howard Hicks
Sgt. David Willard Lepper
Const. Francis James Smith
S/Sgt. Lester Scott White
Chief Charles Albert Rushton.

Those in attendance received a medal in recognition of their commitment to policing. Those not in attendance will be acknowledged at a future meeting of the Board.

Future Events

The next meeting, scheduled for November 25, will deal with the Board's mandate that requires it to: "Ensure that community needs and values are reflected in the policing priorities, objectives, goals, programs and strategies;" and "Ensure that police services are delivered in a manner consistent with community values, needs and expectations."

7. ADJOURNMENT

Prior to adjournment, Terry MacDonald representing the Y's Men attended the Council meeting and announced that the annual Santa Claus Parade, which was cancelled this past weekend due to severe winter storm, will be scheduled for Saturday, November 29.

On motion by Councillor Rhindress the meeting adjourned at 7:45 PM

APPROVED BY:

Gregory D. Herrett, CA
Chief Administrative Officer

Robert Small
Mayor

Monday, November 24, 2008

AGENDA

1. O'Canada
2. Hearings/Presentations
3. Call to Order
4. Swearing-In (Councillor-Elect Bird)
5. Action items
 1. Additions to the Agenda
 2. Approval of the Agenda
 3. Approval of Minutes
 4. Appointment of Deputy Mayor
 5. Council Committee Appointments
 6. Signing Authorities
 7. Mutual Aid Agreement – Village of Port Elgin
6. Additional Items
7. Information Items
 1. Community & Economic Development Report
 2. Corporate Services Department Report
 3. Fire Department Report
 4. Transportation & Public Works Department Report
 5. Planning & Engineering Services Department Report
 6. Police Commission Report
8. Adjournment