

**TOWN OF AMHERST
Regular Council Meeting
Minutes**

Date: March 22, 2021
Time: 6:00 pm

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

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

Due to the COVID-19 pandemic, this was a hybrid meeting held in person at the Community Credit Union Business Innovation Center and online via Zoom.

1. CALL TO ORDER

Mayor Kogon called the meeting to order at 6:00 p.m.

2. TERRITORIAL ACKNOWLEDGMENT

Mayor Kogon gave the Territorial Acknowledgement.

3. APPROVAL OF AGENDA/MINUTES

3.1 Approval of the Agenda

Moved By Councillor Baker
Seconded By Councillor Fawthrop
To approve the agenda as circulated.

Motion Carried

3.2 Approval of Minutes

Moved By Councillor Christie
Seconded By Councillor Emery
To approve the minutes of the February 22, 2021 regular meeting of Council as circulated.

Motion Carried

4. REQUESTS FOR DECISION

4.1 11 Victor Avenue Development Agreement First Reading

Moved By Councillor Christie
Seconded By Councillor Baker
That Council give first reading of the proposed Development Agreement for 11 Victor Avenue, and schedule a public hearing for April 14, 2021.

Motion Carried

4.2 15 Clinton Street Development Agreement First Reading**Moved By Deputy Mayor Davidson****Seconded By Councillor Landry****That Council give first reading of the proposed Development Agreement amendment for 15 Clinton Street, and schedule a public hearing for April 14, 2021.****Motion Carried****4.3 NSPI Easement Solar Garden Project****Moved By Councillor Landry****Seconded By Deputy Mayor Davidson****That Council authorize the CAO to execute the easement agreement with Nova Scotia Power Incorporated to facilitate the Solar Garden project.****Motion Carried****4.4 Stadium Walking Track****Moved By Deputy Mayor Davidson****Seconded By Councillor Christie****That Council the approve the extension of the 1.7 FTE Term Customer Service Representative position until May 31, 2021 with the additional cost of approximately \$11,000 to be funded from the Operating Reserve.****Motion Carried****4.5 Challenge Fund Purchase and Sale Agreement****Moved By Councillor Emery****Seconded By Councillor Fawthrop****That Council approve the attached purchase and sale agreement for the property identified as PID 25330077 and authorize the Mayor and CAO to sign on their behalf.****Motion Carried****AGREEMENT OF PURCHASE AND SALE****BETWEEN:****THE TOWN OF AMHERST, a municipal corporation, incorporated under the laws of the Province of Nova Scotia (the "Purchaser")****-and-****JOHN NICOLLE of New Maryland, New Brunswick (the "Vendor")****OFFER****1. The Purchaser hereby offers to purchase from the Vendor the parcel of land located at Fort Lawrence, Nova Scotia (the "Property") being PID 25330077 for a sum of Thirty Five Thousand Dollars (\$35,000.00) of lawful money of Canada together with all adjustments pursuant to this agreement.****CONDITIONS****2.****DEPOSIT****3. The Purchaser does not submit a deposit with this offer.****CLOSING DATE****4. This agreement shall be completed on or before April 30th, 2021 (the "Closing Date").
Upon completion, possession of the property shall be given to the Purchaser.****TITLE****5. The Vendor is to furnish the Purchaser with a metes and bounds description of the property which is the subject of this Agreement, after receipt whereof the Purchaser is allowed 10 days to investigate the title to the Property, which he shall do at his own expense. If within that time any valid objection to title is made in writing, to the Vendor, which the Vendor shall be unable or unwilling to remove, and which the Purchaser will not waive, this Agreement shall be null and void.**

CONVEYANCE

6. The Conveyance (of the Property which is the subject of this Agreement) shall be by Warranty Deed drawn at the expense of the Purchaser, to be delivered on payment of the purchase price on the Closing Date. The said property is to be conveyed free from other encumbrances, except as to any easements, registered restrictions or covenants that affect the property and do not materially affect the enjoyment of the property.

ADJUSTMENTS

7. The purchase price shall be paid on the Closing Date subject to an adjustment for municipal property taxes.

HST CERTIFICATE

8. The Vendor shall certify on or before the Closing Date that the Property is not subject to HST.

TENDER OF DOCUMENTS AND CHEQUE

9. Any tender of documents to be delivered or money payable hereunder may be made upon the Vendor or the Purchaser or any party acting for him and money may be tendered by certified cheque or solicitor's trust cheque.

TIME OF ESSENCE

10. Time shall in all respects be of the essence in the Agreement. In the event of a written agreement of extension, time shall continue to be of the essence.

BINDING

11. This Agreement shall enure to the benefit and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

CHANGES OF NUMBER AND GENDER

12. This agreement is to be read with all changes of gender or number required of the context.

ACCEPTANCE DATE

13. This offer shall be open for acceptance until 1:00pm on the ____ day of March, 2021. Dated at Amherst, in the Province of Nova Scotia this _____ day of March, 2021.

TOWN OF AMHERST (Purchaser)

Witness

PER: DAVID KOGON, Mayor

VENDOR'S ACCEPTANCE OF OFFER

14. I hereby accept the above offer and agree to sell on the terms as therein set forth. Dated at _____, New Maryland, New Brunswick this ____ day of March, 2021

Witness

JOHN NICOLLE ((Vendor)

4.6 Volunteer Award Nominations

Moved By Councillor Fawthrop

Seconded By Councillor Landry

That Lisa Gower be submitted as the Town of Amherst Volunteer of the Year to be recognized at the Provincial Volunteer Awards Ceremony which will take place on April 24, 2021; and that Rick McKenney and Rachna Minocha be nominated as the Amherst submission for Nova Scotia Family Volunteer of the Year.

Motion Carried

4.7 Citizen Appointments to the Amherst Board of Police Commissioners

Moved By Councillor Christie

Seconded By Councillor Landry

That Council re-appoint Steve Wells and Roy Pettigrew to the Amherst Board of Police Commissioners for one-year terms from April 1, 2021 ending March 31, 2022, and re-appoint Sandy Fairbanks for a two-year term ending March 31, 2023.

And further confirm the terms of Deputy Mayor Hal Davidson for a 3 year term expiring October 31, 2023 and Councillor George Baker for a 2 year term expiring October 31, 2022.

Motion Carried

4.8 Citizen Appointment to the Planning Advisory Committee

Moved By Councillor Baker

Seconded By Councillor Christie

That Council re-appoint Larry Pardy to the Planning Advisory Committee for a one year term ending March 31, 2022.

Motion Carried

4.9 Council Priorities

Moved By Councillor Emery

Seconded By Councillor Fawthrop

That Council approve of the "Top 10" list of priorities as follows:

Priority Projects

1. The development and construction of a new community centre
2. A complete review of the Town's Municipal Planning Strategy
3. A complete review of the committees of Council, Council's participation on external boards and committees and all Town policies and bylaws
4. The potential expansion of the Amherst and Area Industrial Park

Priority Areas

5. Continuing to foster the conditions to facilitate business development
6. Continuing the work that has been ongoing to ensure community vibrancy
7. Attracting people to live in Amherst by ensuring that it is an inclusive, welcoming community in which to live, work and play
8. Promotion of the history and culture of Amherst through continued festivals and events that celebrate our heritage and culture
9. Addressing drugs and addiction
10. Addressing the need for sufficient, suitable and affordable housing in Amherst

Motion Carried

5. INTERNAL COMMITTEE REPORTS

5.1 Planning Advisory Committee

Information item; no direction given or action required.

5.2 Amherst Board of Police Commissioners

5.3 Audit Committee - No Report

5.4 Amherst Youth Town Council - Rowan Blanch

Information item; no direction given or action required.

6. EXTERNAL COMMITTEE REPORTS

6.1 Cumberland Public Libraries

Information item; no direction given or action required.

6.2 Cumberland YMCA

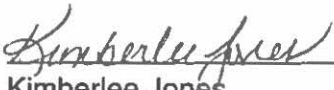
Information item; no direction given or action required.

6.3 Cumberland Joint Services Management Authority - No Report

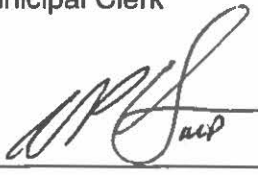
- 6.4 **Northern Region Solid Waste Committee**
Information item; no direction given or action required.
- 6.5 **L. A. Animal Shelter**
Information item; no direction given or action required.
- 6.6 **Senior Safety**
Information item; no direction given or action required.
- 6.7 **Inter Municipal Tourism**
Information item; no direction given or action required.
- 6.8 **Poverty Reduction - No Report**

7. **ADJOURNMENT**
Moved By Councillor Landry
Seconded By Deputy Mayor Davidson
To adjourn the meeting.

Motion Carried



Kimberlee Jones
Municipal Clerk



David Kogon, MD
Mayor