

**TOWN OF AMHERST
Regular Council Meeting
Minutes**

Date: September 28, 2022
Time: 6:00 pm
Location: Council Chambers, Town Hall

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

Staff Present Jason MacDonald, Chief Administrative Officer
 Dwayne Pike, Police Chief
 Greg Jones, Director of Fire Services
 Aaron Bourgeois, Director of Operations
 Andrew Fisher, Director of Planning & Strategic Initiatives
 Kim Jones, Director of Corporate Communications and
 Community Well Being / Municipal Clerk
 Sarah Wilson, Senior Accountant / Acting Treasurer
 Krista Crossman, Acting Manager of Financial Services
 Tom McCoag, Corporate Communications Officer
 Natalie LeBlanc, Deputy Clerk

Others Present Mark Milner, Jorgensen & Bickerton Inc.

1. **CALL TO ORDER**
The Mayor called the meeting to order.
2. **TERRITORIAL ACKNOWLEDGMENT**
The Mayor gave the Territorial Acknowledgement.
3. **APPROVAL OF AGENDA/MINUTES**
 - 3.1 **Approval of the Agenda**
 Moved By Councillor Emery
 Seconded By Councillor Baker
 To approve the agenda as circulated.

Motion Carried
 - 3.2 **Approval of Minutes**
 - 3.2.1 **June 8, 2022 Special Council**
 Moved By Councillor Davidson
 Seconded By Deputy Mayor Christie
 To approve the minutes of the June 8, 2022 Special Council meeting
 as circulated.

Motion Carried
 - 3.2.2 **June 13, 2022 Public Hearing**
 Moved By Councillor Baker
 Seconded By Councillor Landry
 To approve the minutes of the June 13, 2022 Public Hearing as
 circulated.

Motion Carried
 - 3.2.3 **June 27, 2022 Regular Council**
 Moved By Councillor Emery
 Seconded By Councillor Davidson
 To approve the minutes of the June 27, 2022 regular meeting of
 Council as circulated.

Motion Carried

- 3.2.4 July 4, 2022 Special Council
Moved By Deputy Mayor Christie
Seconded By Councillor Landry
To approve the minutes of the July 4, 2022 special meeting of
Council as circulated.**

Motion Carried

- 3.2.5 July 27, 2022 Public Hearing
Moved By Councillor Baker
Seconded By Councillor Davidson
To approve the minutes of the July 27, 2022 Public Hearing as
circulated.**

Motion Carried

- 3.2.6 September 6, 2022 Special Council
Moved By Councillor Emery
Seconded By Deputy Mayor Christie
To approve the September 6, 2022 special meeting of Council as
circulated.**

Motion Carried

4. REQUESTS FOR DECISION

- 4.1 Lot 2021-2R Brown/Mosher Street Apartment Complex Development Agreement First Reading**

**Moved By Deputy Mayor Christie
Seconded By Councillor Baker**

That Council give First Reading to a Development Agreement for Lot 21-2R that would permit the construction of three, 54 unit apartment buildings, and schedule a Public Hearing for October 20, 2022.

Motion Carried

- 4.2 Flemming / Paradise Avenue Rezoning First Reading**

**Moved By Councillor Davidson
Seconded By Deputy Mayor Christie**

That Council give first reading to an amendment to the Land Use Bylaw Schedule 'A' Zoning Map, by changing the zoning of a portion of PID 25001926 located on Paradise Avenue from Low Density Residential to General Residential, and schedule a Public Hearing for October 20, 2022.

Motion Carried

- 4.3 Salary Review**

**Moved By Councillor Landry
Seconded By Councillor Davidson**

That the following salary reclassifications and corresponding amendments to the Salary Administration Policy #4530-01 be approved by Council:

A. Reclassify the following positions on Appendix C – Job Categories and Appendix C-1 Salary Scales as follows:

- i. Administrative Assistant – CWB/Clerk's Office: reclassify from current Level 2 to Level 3;**
- ii. Capital Asset Coordinator/Property Manager: reclassify from current Level 5 to Level 7 and; rename the position to "Engineering Technologist".**
- iii. Facility Manager: reclassify from current Level 5 to Level 6;**
- iv. GIS Coordinator: reclassify from current Level 3 to Level 5;**
- v. Procurement Coordinator: reclassify from current Level 3 to Level 4;**
- vi. Transportation Foreman: reclassify from current Level 5 to Level 7 and; rename the position to "Public Works Foreman";**
- vii. Corporate Communications Officer: reclassify from current level 3 to Level 4;**
- viii. Revenue Officer: reclassify from current Level 3 to Level 4.**
- ix. Criminal Records Check: reclassify from current Level 1 to Level 2**

B. Housekeeping:

- i) **Correction to Director of Corporate Communications title -- spelling error**
- ii) **Removal of Incumbent Town Engineer in Appendix A-1, which is no longer applicable;**
- iii) **Under Scope of Responsibility for the CAO, bullet point #4: market review of all non-union positions will be completed every three (3) years, or as directed by Council.**

Motion Carried

TOWN OF AMHERST POLICY

NUMBER 04530-01
Page 3 of 9

DEPARTMENT: ALL DEPARTMENTS

TITLE: SALARY ADMINISTRATION POLICY

| | | | |
|-----------|--------------------|---|--------------------|
| Minutes | December 12, 2000 | November 2, 2004 (See April 26, 2004 Minutes) | November 27, 2006 |
| Reference | December 18, 2006 | February 26, 2007 | July 16, 2008 |
| Date | September 29, 2008 | March 30, 2009 | March 29, 2010 |
| | April 26, 2010 | March 28, 2011 | January 30, 2012 |
| | May 23, 2012 | November 26, 2012 | May 1, 2013 |
| | September 23, 2013 | October 28, 2013 | April 30, 2014 |
| | May 21, 2015 | March 29, 2016 | September 2, 2016 |
| | May 23, 2017 | June 26, 2017 | December 18, 2017 |
| | February 26, 2018 | March 14, 2018 | September 28, 2020 |
| | June 7, 2021 | October 5, 2021 | September 28, 2022 |

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 the position within the Town.

OBJECTIVES:

1. To promote salary equity in the Town's non-union sector.
2. To establish a framework and procedure to determine categories of compensation for new positions.

DEFINITION OF TERMS:

Salary Grid - shows all the salary scales applicable to positions within the Town. The salary grids are contained in Appendices A, A-1, B, C-1. The salary grid – Appendix C-1- has eight 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 category of duties, with a minimum and maximum. The range will be established by Council after considering the recommendation of the CAO.

Overall Market Review – A review of the appropriateness of the Job Category Listing (Appendix C) and the Salary Grid (Appendix C-1). The review shall include a survey of the market value of similar positions.

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.

SALARY GRID:

An appropriate salary grid for all non-union positions shall be determined by the council:

New Positions: Recommendations for placement on the Job Category Listing shall be prepared by the Chief Administrative Officer and forwarded to Council for approval.

Salary ratings for temporary and casual positions shall be determined by the Chief Administrative Officer, in consultation with the departmental Director.

Student wage rates shall be set by the CAO in consultation with the Director, with reference to the minimum wage in effect and the individual requirements of the job.

Step adjustments shall be made only when:

1. The adjustment can be accommodated within the Salary Account of the appropriate department; and
2. A current Performance Evaluation form is on file.

Upon completion of a satisfactory annual evaluation, the employee may be moved to the next step on the salary grid within his or her category. All step movements must be approved by the CAO.

An employee in Step 8 in a year in which there is no overall market review shall receive a bonus equal to salary times CPI for the immediately preceding calendar year. This amount will be separate and not added to the base salary.

The CAO may, on the recommendation of the Director, authorize a movement of up to 3 steps in one year to recognize exceptional performance. In normal circumstances employees would move one step each year upon a satisfactory performance evaluation.

TRAVEL VEHICLE ALLOWANCES:

The Treasurer and Directors of departments shall receive a monthly vehicle allowance of \$150.00. Mayor and Council shall receive the same monthly vehicle allowance of \$150.00 effective November 1, 2008.

The monthly vehicle allowance is for reimbursement for all local travel using one's personal motor vehicle for travel within the boundary of the Town of Amherst. Travel outside the boundary is covered under Policy #03000-01. The monthly vehicle allowance shall be reviewed each year after considering any changes in the cost of operating a motor vehicle.

LUNCH BREAKS:

The lunch break period shall be for a one-hour period.

PERFORMANCE EVALUATION:

Performance appraisals shall be conducted by the Chief Administrative Officer/Director at the completion of the probation period, and at least annually thereafter recorded on Performance Evaluation forms.

The Chief Administrative Officer/Director 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:

1. Authorize changes to the policies comprising the program of employee compensation.
2. Review and approve salary categories for all established positions within the Town.
3. Review and consider for approval the recommendations of the CAO in regard to the appropriateness of the salary classifications and ranges from time to time if necessary.

The Chief Administrative Officer shall:

1. Review and recommend changes to policy and procedures as they relate to the employee compensation program.
2. Ensure the maintenance of the salary rating and performance appraisal procedures.
3. Conduct salary rating and performance evaluation procedures relative to Director positions.
4. Monitor salary surveys and make recommendations to Council concerning market conditions as appropriate with an overall market review to be completed every three (3) years, or as directed by Council.
5. Grant step and/or merit adjustments to individual employees in accordance with approved policies and procedures and subject to budgeting limitations.
6. Maintain all personnel files and records.

The Director Shall:

1. Conduct performance evaluation procedures relative to the positions and employees within their respective departments, and make appropriate recommendations to the Chief Administrative Officer.
2. Make recommendations to the Chief Administrative Officer regarding step adjustments for employees within their departments.

APPENDIX A

Town of Amherst Salary Grid

January 1, 2019

| Job Level | Salary Amount | |
|--------------|---------------|-------------|
| Mayor | Stipend | \$41,178.00 |
| Deputy Mayor | Stipend | \$27,723.00 |
| Councilor | Stipend | \$25,050.00 |

APPENDIX A-1
April 1, 2022

| Salary Grid | |
|---------------------------|------------------------|
| Other Non-Union Positions | |
| Job Level | |
| | Chief of Police |
| | Deputy Chief of Police |

**Effective April 1, 2018 the Chief of Police and Deputy Chief of Police salaries will be calculated on April 1st of each year as being 141% and 129% of the first-class constable rates.

Town of Amherst
Hourly Rate Grid – Casual

APPENDIX B
January 1, 2022

| Job Title | Hourly Rate | | | | |
|----------------------------|-------------------------|--------|--------|--------|--------|
| | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
| Casual Firefighter | 17.27 | 17.55 | 17.86 | 18.17 | 18.46 |
| Jail Guards | 17.27 | 17.55 | 17.86 | 18.17 | 18.46 |
| Canine Control Office | 13.47 | 13.92 | 14.38 | 14.84 | 15.37 |
| School Crossing Guards | 13.47 | 13.92 | 14.38 | 14.84 | 15.37 |
| Ice Marshall | 13.42 | 13.84 | 14.31 | 14.76 | 15.29 |
| Other (including Students) | Provincial Minimum Wage | | | | |

APPENDIX C JOB CATEGORIES

| Category | Position |
|--|---|
| 9 | Chief Financial Officer |
| 8 | Director of Corporate Communications and Community Well Being |
| | Director of Operations |
| | Director of Planning and Strategic Initiatives |
| | Director of Fire Services |
| | Director of Solid Waste and Bylaw Enforcement |
| 7 | Engineering Technologist |
| | Public Works Foreman |
| 6 | Building Official |
| | Business Development Officer |
| | Community Well-Being Manager |
| | Facility Manager |
| | IT Manager |
| | Land Use Planner |
| | Senior Accountant |
| Solid Waste Education and Coordination Officer | |
| 5 | Deputy Clerk |
| | Exec Asst/Dispatch Coordinator |
| | Fire Inspector |
| | GIS Coordinator |
| | Horticulturist |
| 4 | Human Resources |
| | Corporate Communications Officer (CCO) |
| | Dangerous and Unsightly Premises Administrator |
| | Fire Fighter |
| | Procurement Coordinator |
| 3 | Revenue Officer |
| | Active Living Coordinator |
| | Administrative Assistant – Community Well Being & Clerk's Office |
| | Bylaw Enforcement Officer |
| | Crime Prevention Coordinator (2-year term) |
| | Culture, Community Events & Marketing Coordinator |
| | Customer Service/Accounts Payable Clerk |
| | Dispatcher |
| | IT Coordinator |
| | Payroll & Administrative Assistant (Public Works) |
| Water/Sewer Billing & Accounting Clerk | |
| 2 | Criminal Records Checks |
| 1 | Vacant |

APPENDIX C-1

January 1, 2022

| Level | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 |
|-------|---------|---------|---------|---------|---------|---------|---------|---------|
| 9 | 106,252 | 107,504 | 108,755 | 110,007 | 111,258 | 112,509 | 113,761 | 115,012 |
| 8 | 87,814 | 89,656 | 91,502 | 93,346 | 95,189 | 97,034 | 98,878 | 100,722 |
| 7 | 72,585 | 73,652 | 74,719 | 75,786 | 76,854 | 77,921 | 78,988 | 80,055 |
| 6 | 60,481 | 62,314 | 64,148 | 65,981 | 67,814 | 69,647 | 71,481 | 73,314 |
| 5 | 53,620 | 55,078 | 56,535 | 57,992 | 59,449 | 60,906 | 62,363 | 63,820 |
| 4 | 52,037 | 53,357 | 54,676 | 55,996 | 57,315 | 58,635 | 59,954 | 61,273 |
| 3 | 43,753 | 45,519 | 47,285 | 49,051 | 50,816 | 52,582 | 54,349 | 56,114 |
| 2 | 40,247 | 41,252 | 42,256 | 43,260 | 44,264 | 45,269 | 46,272 | 47,277 |
| 1 | 37,566 | 38,452 | 39,339 | 40,226 | 41,112 | 41,999 | 42,886 | 43,772 |

4.4 Municipal Reorganization

Moved By Councillor Emery

Seconded By Councillor Landry

That the following amendments to the Salary Administration Policy #4530-01 be approved, namely:

- Remove Chief Financial Officer (CFO) position;
- Remove Director of Solid Waste & Bylaw Enforcement position;
- Remove Senior Accountant position;
- Remove Human Resources position;
- Remove Horticulturist position;
- Add Director, Finance position;
- Add Director, Human Resources and Customer Services position;
- Add Director, Community Living position;
- Add HR, Payroll + Benefits Administrator position;
- Add Parks & Recreation Foreman position;
- Rename title of Director of Corporate Communications & Community Well-Being position to Director, Corporate Communications / Town Clerk;
- Rename title of Customer Service/Accounts Payable Clerk position to Cashier / Customer Service;
- Rename title of Payroll & Administrative Assistant (Public Works) position to Accounting Clerk / Accounts Payable;
- Rename title of Water / Sewer Billing & Accounting Clerk position to Water / Sewer Billing Clerk.

And further, that the hourly rate grid in Appendix B be amended to comply with Nova Scotia minimum wage, as legislated by minimum employment standards.

Motion Carried

4.5 Appointment of Directors

Moved By Councillor Baker

Seconded By Deputy Mayor Christie

That Council formally approve the appointments of:

Sarah Wilson - Director, Finance

Krista Crossman - Director, Human Resources and Customer Services

Motion Carried

Moved By Councillor Fawthrop

Seconded By Councillor Emery

And further that a competition for a Director of Community Living be commenced, with a hiring committee consisting of the CAO, Director of Human Resources and Customer Service, Mayor Kogon, and Councillors Landry and Davidson.

Motion Carried

4.6 Appointment of Municipal Fire Inspector

Moved By Councillor Baker

Seconded By Councillor Emery

That Council appoint Marty Furlong as a Municipal Fire Inspector for the Town of Amherst.

Motion Carried

4.7 Amherst Youth Town Council Appointments**Moved By Councillor Davidson****Seconded By Deputy Mayor Christie****That Council appoint the students listed below to the Amherst Youth Council for the 2022-23 school year:**

1. Kiahna Brennan – Grade 11 - Returning
2. Leah Brunt – Grade 10 - Returning
3. Mathias Mayhew – Grade 7 - New
4. Kennedy Allen – Grade 9 - Returning
5. Rowan Blanch – Grade 11 - Returning
6. Harmoni Caldwell – Grade 7 - New
7. Ava Crocker – Grade 7 - New
8. Oskar Sigtryggsson – Grade 12 - Returning

Motion Carried**4.8 Homeless Shelter****Moved By Councillor Landry****Seconded By Councillor Emery****That Council consider a meaningful financial contribution towards the establishing of an emergency shelter.****Motion Carried****4.9 Guaranteed Basic Income****Moved By Councillor Landry****Seconded By Councillor Davidson****That Council direct staff to prepare a letter to senior governments advocating for a guaranteed basic income for citizens and authorize the Mayor to sign on Council's behalf.****Motion Carried****4.11 Year End Capital Financial Adjustments****Moved By Deputy Mayor Christie****Seconded By Councillor Landry****That Council approve the following changes to the funding for the 2021/22 Water and General Capital Budget:**

1. Approval of the increase of Water Operating capital from revenue from \$40,000 to \$122,000;
2. Approval of the increase of General Operating capital from revenue from \$476,000 to \$493,340.64.

Motion Carried**4.10 Amherst Water Utility Audited Financial Statements****Moved By Councillor Emery****Seconded By Deputy Mayor Christie****That Council accept the recommendation of the Audit Committee: approving the Town of Amherst Water Utility Financial Statement for the year ending March 31, 2022 which have been audited by the firm Jorgensen & Bickerton Inc.****Motion Carried****4.12 Year End Reserve Transfers****Moved By Councillor Davidson****Seconded By Councillor Baker****That Council approve of the following transfers from the Operating Reserve to General Operating:**

1. Withdraw from the Operating Reserve – Reserve for Solid Waste of \$9,434.10 to fund the deficit in the Solid Waste department for the 2021/22 fiscal year.
2. Withdraw from the Operating Reserve – Reserve for Mandatory Provincial Contribution Area Rate of \$20,761.80 to fund the deficit in the Mandatory Provincial Contribution Area Rate for the 2021/22 fiscal year.

Motion Carried

4.13 2022/23 Water Utility Capital Budget Amendment**Moved By Deputy Mayor Christie****Seconded By Councillor Emery****That Council amend the 2022/23 Amherst Water Utility Capital Budget to increase the approved budget amount in the Water Capital budget for the purchase of Inline Turbidimeters for the PRV Chambers from \$20,000 to \$40,000.****Motion Carried****4.14 Lions Park MOU****Moved By Councillor Emery****Seconded By Deputy Mayor Christie****That Council approves of amendments to the current Memorandum of Understanding in where the Town of Amherst agrees to assume responsibility for water and sewer billing costs associated with the Lions Park on Hickman Street.****Motion Carried**

**Memorandum of Understanding
THE TOWN OF AMHERST
(Hereinafter referred to as "the Town")**

**AMHERST LIONS CLUB
AND
(Hereinafter referred to as "the Club")**

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

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

1. The Club agrees that the park should be integrated into the Town's recreation plan to achieve maximum usage of the park's facilities including daily scheduling and annual open and closing.
2. The Town will maintain the park as per the standards, policies and procedures established by the Town for all properties within the Town park system. For clarity this will include:
 - a. green space, flowers and trees;
 - b. cleaning of washrooms;
 - c. maintenance of the trails, tennis court, splash pad and other facilities within the park;
 - d. The Town shall make every reasonable effort to keep the Park for the pedestrian use only and keep vehicles off the field, except, insofar as vehicles are necessary to properly maintain the Parks and its facilities
3. The Club shall be responsible for all cost associated with replacing broken equipment.
4. The Town shall pay the property taxes on the property.
5. **The Town will pay the water and sewer bill(s) for the property.**
6. The Town shall not provide, rent or engage in any third-party agreement without consent of the Club.
7. Any proposals for upgrades, changes or proposed capital projects must be reviewed by both parties. While a mutual agreement is always desired as the park owners the club must have final approval authority.
8. The Club and Town shall maintain open communication regarding all work to be performed at the park to prevent scheduling, and misunderstandings. Public complaints, inquires and concerns shall be reported to the club and the Town.
9. Communication with the Club shall be via the Park Chairperson or assistant, that communication with the Town shall be via the facilities of the Town of Amherst.
10. This agreement shall be in effect for a period of ten years with options to extend, however maybe dissolved by either party in writing given 3 months notice.

This Memorandum of Understanding reflects an agreement between the Town of Amherst and the Amherst Lions Club.

SIGNED, SEALED AND DELIVERED)

TOWN OF AMHERST

Witness

Jason MacDonald, CAO

AMHERST LIONS CLUB

5. INTERNAL COMMITTEE REPORTS

- 5.1 **Planning Advisory Committee - Christie**
Information item; no direction given or action required.
- 5.2 **Amherst Board of Police Commissioners - Davidson**
Information item; no direction given or action required.
- 5.3 **Audit Committee - Baker**
Information item; no direction given or action required.
- 5.4 **Amherst Youth Town Council - No Report**
- 5.5 **Accessibility Advisory Committee - Landry**
Information item; no direction given or action required.
- 5.6 **Inclusion Diversity and Equity Committee - Emery**
Information item; no direction given or action required.


6. EXTERNAL COMMITTEE REPORTS

- 6.1 **Cumberland Public Libraries - Kogon**
Information item; no direction given or action required.
- 6.2 **Cumberland YMCA - Kogon**
Information item; no direction given or action required.
- 6.3 **Northern Region - Baker**
Information item; no direction given or action required.
- 6.4 **L. A. Animal Shelter - Kogon**
Information item; no direction given or action required.
- 6.5 **Senior Safety - Emery**
Information item; no direction given or action required.
- 6.6 **Inter Municipal Tourism - No Report**
Information item; no direction given or action required.
- 6.7 **Poverty Reduction - Landry**
Information item; no direction given or action required.
- 6.8 **Municipal Alcohol Project - No Report**
Information item; no direction given or action required.


7. ADJOURNMENT

Moved By Councillor Landry
Seconded By Deputy Mayor Christie
To adjourn the meeting.

Motion Carried



Kimberlee Jones
Municipal Clerk



David Kogon, MD
Mayor