

**TOWN OF AMHERST  
Regular Council Meeting  
Minutes**

**Date:** June 23, 2025  
**Time:** 6:00 pm  
**Location:** Council Chambers, Town Hall

**Members Present** Mayor Rob Small  
 Deputy Mayor Hal Davidson  
 Councillor Charlie Chambers  
 Councillor Nic Furlong  
 Councillor Terry McManaman  
 Councillor Dwayne Ripley  
 Councillor Kathy Wells

**Staff Present** Jason MacDonald, Chief Administrative Officer  
 Aaron Bourgeois, Director, Operations  
 Andrew Fisher, Director, Planning & Economic Development  
 Dwayne Pike, Chief, Police Services  
 Greg Jones, Director, Fire Services  
 Kim Jones, Deputy Chief Administrative Officer  
 Krista Crossman, Director, Human Resources  
 Sarah Wilson, Director, Finance  
 Sharon Bristol, Director, Community Living  
 Sean Payne, Marketing & Communications Officer  
 Lori O'Connell, Marketing & Communications Officer  
 Jeff Bacon, Business Development Officer  
 Natalie LeBlanc, Municipal Clerk  
 Cindy Brown, Administrative Assistant

**Others Present** Jason Haugn, Municipal Advisor  
 Glen Boone, Director of Development and Planning, Municipality  
 of the County of Cumberland

1. **CALL TO ORDER**  
 Mayor Small called the meeting to order at 6:00 p.m.

2. **TERRITORIAL ACKNOWLEDGMENT**  
 Mayor Small gave the Territorial Acknowledgement.

3. **APPROVAL OF AGENDA/ACCEPTANCE OF MINUTES**

3.1 **Approval of the Agenda**  
 Moved By Deputy Mayor Davidson  
 Seconded By Councillor Wells  
 To add item 5.15 Cumberland Museum Request for Operational Funding.

**Motion Carried**

Moved By Councillor Furlong  
 Seconded By Councillor McManaman  
 To approve the agenda with the addition of item 5.15 Cumberland Museum  
 Request for Operational Funding.

**Motion Carried**

3.2 **Acceptance of Minutes**

3.2.1 **May 26, 2025 Regular Council**  
 Mayor Small called for any errors or omissions in the minutes. There being  
 none, the minutes of the May 26, 2025 regular meeting of Council were  
 accepted as included in the agenda package.

3.2.2 **June 4, 2025 Special Council**  
 Mayor Small called for any errors or omissions in the minutes. There being  
 none, the minutes of the June 4, 2025 special meeting of Council were  
 accepted as included in the agenda package.

#### 4. PRESENTATION

##### 4.1 Explore Cumberland - Jeff Bacon and Eileen Davage

Jeff Bacon, Business Development Officer with the Town of Amherst, and Eileen Davage, Economic Development Officer with the Municipality of the County of Cumberland gave a presentation to Council on the Explore Cumberland initiative.

#### 5. REQUESTS FOR DECISION

##### 5.1 Municipal Boundary Change

**Moved By Deputy Mayor Davidson**

**Seconded By Councillor Wells**

**That Amherst Town Council approve the application to the Nova Scotia Energy and Regulatory Boards Tribunal for a change of boundary for the Town of Amherst, by taking into the Town the lands comprising the entirety of one lot known as PID 25038720, containing 47 hectares, owned by Shaw Rural Housing Limited, the property located on the west side of Route 204 in the community of Brookdale and currently bisected by the existing municipal boundary between the Town and County.**

**Motion Carried**

**Moved By Deputy Mayor Davidson**

**Seconded By Councillor Furlong**

**That Council give First Reading of the By-Law to Amend the Discharge into Public Sewers By-Law D-3.**

**Motion Carried**

#### **BY-LAW TO AMEND THE BY-LAW RESPECTING DISCHARGE INTO PUBLIC SEWERS D-3**

The By-law Respecting Discharge into Public Sewers D-3 is hereby amended as follows:

In Section 1. Short Title and Application add the following:

“and shall apply to all areas within the Municipality and to all the areas outside of the Municipality that are serviced by a sewer system discharging directly or indirectly into any of the wastewater facilities owned, operated and maintained by the Municipality.”

**Moved By Deputy Mayor Davidson**

**Seconded By Councillor Chambers**

**That Council approve the amendments to the User Fee Policy, the Building Service Connections Policy, the Sanitary Sewer Service Connection to County Residents Policy, the Standard Specifications for Municipal Services Policy, and further approve a new Sewer Connection Policy.**

**Motion Carried**

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**TITLE:** User Fee Policy  
**SECTION:** FINANCIAL MANAGEMENT  
**POLICY NO.:** 03470-03

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**APPROVAL DATE:** April 28, 2025

**CAO Signature:** \_\_\_\_\_

#### **PURPOSE:**

To establish a schedule of user fees for Council to review for appropriateness and to revise if necessary, during the annual budgeting process.

#### **POLICY STATEMENT:**

It is appropriate for Council to charge fees, as authorized under the *Municipal Government Act*, in the Town's Bylaws, Policies and Procedures in order to defray its administrative costs. In order to allow for a systematic and thorough evaluation of those fees, a comprehensive schedule of User Fees with applicable tax status has been established. The responsibility for the accuracy of the Schedule shall rest with the department to which a fee applies. Any additions/deletions to the Schedule will be updated by the Executive Office. Those fees legislated under Provincial and/or Federal Acts and Authorities will also be shown on the schedules for completeness, but will not be subject to change by Council.

#### **OBJECTIVES:**

To make the administration of the cost recovery portion of the Town's Bylaws, Policies and Procedures more efficient and to determine the impact on each year's projected revenues during the budget process. By combining all of the fees in one document, the review will be more visible and complete.

<b>Corporate Services</b>		
<b>SERVICE/PRODUCT/ADMINISTRATIVE</b>	<b>FEE</b>	<b>HST STATUS</b>
Photocopies	.25/copy	Plus HST
Tax Certificates	\$50.00	HST Exempt
NSF Cheques	\$20.00	HST Exempt
<b>By-Law Fees Collected by Corporate Services</b>		
<b>C-4 Dog-By-Law, Schedule A</b>		
Dog License spayed/neutered	\$15/yr	HST Exempt
Dog License un-spayed/un-neutered	\$30/yr	HST Exempt
Lost Tag Replacement	\$15	HST Exempt
Dog-1 <sup>st</sup> Impoundment	\$75	Plus HST
Licensed Dog-2 <sup>nd</sup> Impoundment	\$150	Plus HST
Licensed Dog-3 <sup>rd</sup> & Subsequent Impoundments	\$150	Plus HST
Unlicensed Dog-Impoundments	\$150	Plus HST
Maintenance fee – Impoundment period	\$25/per day	Plus HST
<b>C-11 False Alarms - After 2<sup>nd</sup> Notice</b>	<b>\$50/alarm</b>	<b>HST Exempt</b>
<b>Operational Services</b>		
It is not the intention of the policy to rent Town of Amherst equipment to the general public; these rates and the availability of this equipment are contemplated for use by commercial concerns only.		
<b>Equipment Charge out Rates</b>	<b>Rate per Hour</b>	<b>HST Status</b>
Backhoe	\$93.00*	Plus HST
Loader	\$97.25	Plus HST
1-ton trucks/Service trucks	\$44.23*	Plus HST
3-5 ton trucks	\$66.00*	Plus HST
Street Sweeper	\$115.00*	Plus HST
Trackless	\$70.00*	Plus HST
Sewer Camera	\$100.00*	Plus HST
Line Locator	\$50.00*	Plus HST
Hole Hog	\$45.00*	Plus HST
Vermeer Brush Chipper	\$60.00*	Plus HST
Steamer	\$30.00*	Plus HST
Trash Pump	\$15.00	Plus HST
Diaphragm Pump	\$15.00	Plus HST
Line Painter	\$115.00/hour	Plus HST
Overhead charges extra – see procedure		
* Price includes one operator and fuel during normal working hours; overtime labour rates are extra.		
<b>Operational Services By-Laws</b>		
<b>D-3 Wastewater Discharge By-Law</b>		
<del>One Connection-Existing Sanitary Sewer Lateral</del>	<del>\$750.00</del>	<del>HST Exempt</del>
New Sanitary Sewer Services	Cost of Service	Plus HST
<del>Storm Sewer Connection (if done at the same time as sewer connection)</del>	<del>\$250.00</del>	<del>HST Exempt</del>
Storm Sewer Connection	Cost of Service	Plus HST
<b>D-19 Sanitary Sewer Rates By-Law</b>		
Residential Metered Customers	\$.99 m <sup>3</sup>	HST Exempt
Commercial/Industrial/Institutional metered customers	\$.49 m <sup>3</sup>	HST Exempt
Annual Base Charges – Meter Size		
5/8"	\$82.80	HST Exempt
3/4"	\$124.20	HST Exempt
1"	\$201.25	HST Exempt
1.5"	\$395.60	HST Exempt
2"	\$626.75	HST Exempt
3"	\$1,247.75	HST Exempt
4"	\$2,300.00	HST Exempt
Annual Non-metered Mobile Home Park Owner	\$189.23 /dwelling unit/year	HST Exempt
Uniform Charge for Wastewater Treatment Facility for unmetered mobile homes billed on the property Tax Bill	\$82.80/yr	HST Exempt

<b>Solid Waste Rates</b>		
Solid Waste Collection billed on Tax Bill	\$278.00/yr	HST Exempt
Replacement Green Bin (Composter)	\$95.00	Plus HST
Replacement White Kitchen Compost (Bucket)	\$5.00	Plus HST

<b>Services/Products – Operational Services</b>		
Electric Vehicle Charging Station User Fee	\$1.50/hr	HST Included
Street Breaking Permit (Policy 31600-08)	\$500.00	Plus HST
<b>Commercial Sewer Service (Policy 31600-14)</b> Estimated by Engineer and final adjustment when work is done	<b>Cost of Service</b>	<b>Plus HST</b>

<b>Planning and Development Department</b>		
Zoning Confirmation Letter	\$50.00	HST Exempt
Copy of Land Use Bylaw or Municipal Planning Strategy	\$20.00	HST Exempt
Copy of Zoning Map (11 x 17)	\$5.00	HST Exempt
Copy of Zoning Map (50 cm x 60 cm)	\$10.00	HST Exempt
Application to Amend the Land Use Bylaw	\$200.00	HST Exempt
Application for a Development Agreement	\$200.00	HST Exempt
Application to Amend the Municipal Planning Strategy	\$300.00	HST Exempt
Application for a Variance or Site Plan	\$75.00	HST Exempt
Creation of Mapping Document	\$60.00/hr (including 10 lineal metres of maps)	Plus HST
Print Existing Map – less than 50 cm x 50 cm	\$25.00	Plus HST
Print Existing Map – more than 50 cm x 50 cm	\$50.00	Plus HST

<b>Building Permits</b>		
New residential buildings, community centres, churches	\$50.00 + \$0.12 per square foot	HST Exempt
New Commercial, Industrial or other building not listed	\$50.00 + \$0.17 per square foot	HST Exempt
All alterations or repairs	\$50.00 + 0.25% of value	HST Exempt
Decks, accessory buildings and farm buildings	\$50.00 + \$0.04 per square foot	HST Exempt
Demolition	\$20.00	HST Exempt
Permit Renewals	\$50.00	HST Exempt
Development Permit	\$50.00	HST Exempt

<b>Police Department</b>		
Commissioner of Oaths Signing	\$15.98	HST Exempt
Criminal Record Check/Vulnerable Sector for Amherst citizens to participate as volunteers for community organizations.	Waived	N/A
Criminal Record Check	\$30.00	Plus HST
Criminal Record Check for Amherst citizens to participate as volunteers for community organizations	Waived	N/A
Serial # Verification (homemade trailers)	\$25.00	Plus HST
Fingerprints (for non-criminal reasons)	\$50.00	Plus HST
Accident Reports	\$25.00	Plus HST
Community Room Rental	\$125.00/day \$75.00/half day	Plus HST
<b>C-9 Taxi By-Law, Schedule E</b>		
Taxi Cab License	\$25/yr	HST Exempt
Taxi License Transfer	\$10	HST Exempt
Taxi Driver License	\$20/yr	HST Exempt
Taxi Driver License Replacement	\$10	HST Exempt
Taxi License Photo	\$10.00	Plus HST

<b>Fire Department</b>		
Firefighter	\$20.00/hour	HST Exempt
Apparatus	\$200.00/in use; \$100.00/standby	HST Exempt
Standby Jaws of Life Alarm	\$350.00	HST Exempt
Meters	\$50.00/hr	HST Exempt
Saws	\$50.00/hr	HST Exempt
Lighting System	\$25.00/hr	HST Exempt
Generator	\$25.00/hr	HST Exempt

Foam – All Types	\$185.00/jug	HST Exempt
Specialized Suits – Hazmat	Replacement cost	HST Exempt
PPE (bunker gear)	Replacement cost	HST Exempt
Fire Extinguisher Training	\$300.00 up to 15 people	Plus HST
Fire Inspections	\$75.00/hr	Plus HST
Inspection Confirmation Letter	\$50.00	HST Exempt

### Recreation

#### Ice Time/Stadium

The rates below are per hour plus HST.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Holidays
<b>Early Time</b> 6:30-8:30am	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$128.00
<b>Fair Time</b> 8:30-5:00pm	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	-	-	\$128.00
<b>Prime Time</b> 5:00-12:00am	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00	\$128.00
<b>Youth Time</b> Monday-Sunday	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00

#### Youth Time Rates Include:

- Groups affiliated with Amherst Skating Club; or
- Groups affiliated with another skating club; or
- Groups affiliated with Skate Nova Scotia and/or Skate Canada who are **18 years old and younger.**
- Groups affiliated with Cumberland County Minor Hockey; or
- Groups affiliated with another minor hockey association; or
- Groups affiliated with Hockey Nova Scotia or Hockey Canada who are **18 years old and younger.**
- Groups affiliated with Ringette Nova Scotia; or
- Groups affiliated with Ringette Canada who are **18 years old and younger.**
- Community groups who don't reside in the Town of Amherst and are **18 years old and younger.**

#### Photocopies/Stadium (Policy 72000-06)

8 ½ X 11 (Town Paper)	\$0.10/copy	Plus HST
8 ½ X 14 (Town Paper)	\$0.15/copy	Plus HST
11 X 17 (Town Paper)	\$0.25/copy	Plus HST
8 ½ X 11 (own paper)	\$0.05/copy	Plus HST
8 ½ X 14 (own paper)	\$0.05/copy	Plus HST
11 X 17 (own paper)	\$0.10/copy	Plus HST

#### Ballfield User Policy (Policy 72300-01)

Lights	\$18/diamond/game	Plus HST
Tournament Fee	\$100/day	Plus HST
Tournament Lights	\$30/day	Plus HST

#### Stadium Advertising Rates plus artwork, design and production\*

Ice logos	\$400.00	Plus HST
Dasherboard	\$400.00	Plus HST
Wall Signage (4X6)	\$400.00	Plus HST
Ice Making Machine	\$2,500.00	Plus HST
Red and Blue Line – per line (not per side)	\$100.00	Plus HST
Stairs Kick Plates	3 for \$150.00	Plus HST
Score clock Small	\$600.00	Plus HST
Score clock Large	\$850.00	Plus HST

\*In addition to the advertising rate, the customer will be responsible and invoiced for all cost(s) associated with the creation of artwork, design, production & installation if applicable. Actual quote will be provided at the time the service is requested.

#### Off Season Stadium Rentals

Rink Floor Only	\$50.00 per hr or \$630.00 per day (8:00a.m. to 12:00a.m. midnight)*	Plus HST
Entire Facility including meeting rooms, team rooms	\$70.00per hr or \$790.00 per day (8:00a.m. to 12:00a.m. midnight)*	Plus HST
Extra Employees	\$25.00 per person per hour	Plus HST
2 <sup>nd</sup> Floor meeting room and lounge	\$50.00 per hour or \$150.00 per day	Plus HST

\*Includes one employee during that time

<b>Community Credit Union Business Innovation Centre</b>			
<b>Rental Fee</b>	<b>Daily</b>	<b>1/2 Day</b>	<b>Hourly</b>
Conference Room	\$400.00	\$250.00	\$80.00
Conference Room – Community	\$240.00	\$150.00	\$48.00
Boardroom	\$125.00	\$80.00	\$25.00
Boardroom – Community	\$75.00	\$48.00	\$15.00
Hub	\$75	\$50	
Hub – Community	\$45	\$30	
Evening & Weekend Surcharge			\$20.00
Evening & Weekend Surcharge – Community			\$12.00
Sound & Lighting Technician			\$30.00
Sound & Lighting Technician – Community			\$18.00

\*HST shall be applied and be in addition to all rates noted for the Community Credit Union Business Innovation Centre

<b>Municipal Government Act Fees – FOI-POP Section 466, MGA</b>
The fees charged for access to information under Part XX of the MGA (Freedom of Information and Protection of Privacy) shall be in accordance with the Freedom of Information and Protection of Privacy Regulations of Nova Scotia, as amended from time to time.

Note: "All rates and charges with respect to the Amherst Water Utility will be in accordance with the schedule of rates for water and water services as approved by the Utility and Review Board of Nova Scotia from time to time and as reflected in the Order of the Board."

#### ROLES AND RESPONSIBILITIES

<b>Title/Role</b>	<b>Responsibilities</b>
<b>Director of Finance</b>	User Fee Policy is reviewed with departments annually as part of the operating budget process to determine if any updates / changes are required.

For Administrative Use Only:

#### VERSION LOG

<b>Amendment Description</b>	<b>Policy Owner</b>	<b>Approved By</b>	<b>Approval Date</b>
<b>Add Fee for Electric Vehicle Charging Station \$1.50/hr HST included.</b>	Director of Finance - Wilson	Council	January 23, 2023
<b>Increase Solid Waste Collection Uniform Charge from \$185 to \$268 per year.</b>	Director of Finance - Wilson	Council	April 24, 2023
<b>Increase the fees for Dog impoundments to reflect amendments made to the Companion Animal Bylaw</b>	Director of Finance - Wilson	Council	January 22, 2024
<b>Increase the Solid Waste Collection Uniform Charge from \$268/yr to \$278/yr, and remove the section for Beer/Liquor Concession Robb Centennial Park (Policy 72300-05)</b>	Director of Finance - Wilson	Council	April 22, 2024
<b>Increase Sewer Base Charges, Sewer Flat Charge and Wastewater Treatment Facility Uniform Charge.</b>	Director of Finance - Wilson	Council	April 28, 2025
<b>Change Policy to reflect changes to Wastewater Discharge By-Law</b>	Director of Finance - Wilson	Council	

Minutes Reference Dates:

30 April 2007	29 October 2007	18 April 2008
28 May 2009	26 April 2010	24 May 2011
23 May 2012	01 May 2013	30 April 2014
12 June 2015	25 May 2016	03 October 2016
23 January 2017	23 May 2018	15 May 2019
25 May 2020	22 June 2020	27 September 2021
08 June 2022	22 April 2024	28 April 2025

**TITLE: BUILDING SERVICE CONNECTIONS POLICY**  
**SECTION: ENGINEERING & PUBLIC WORKS**  
**POLICY NO: 31600-16**

APPROVAL DATE: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**Definition**

“Building Service Connection” means a piping system that conveys sewage, liquid waste, and or/storm water from a property to a municipal sewer.

**POLICY**

1. Property owners are responsible for the construction and maintenance of the sewer service connection between the property line and their buildings.
2. Property owners are responsible for removal of blockages from the service connection between their building and the sewer main.
3. The Town is responsible for installation and structural repairs to that portion of the service connection on public property.
4. Town crews will not work on the installation or replacement of service connections on private property.

**This policy applies to:**

- a) All building service connections for residential, commercial, institutional, and industrial sites, and;
- b) Any building service connections provided to properties within the Municipality of the County of Cumberland (MCC) subject to the Intermunicipal Services Agreement between the Town of Amherst and MCC dated October 4, 2024.

**If a service connection is obstructed, the following procedure shall be followed in removing the obstruction:**

- a) ~~The Town will acknowledge all sewer calls by an on-site investigation at which time the sewer main at the street will be checked for blockage. If the sewer main is clear of obstruction then the blockage must be in the building service.~~
- b) ~~The owner of the building will call a private plumber to clear the obstruction in the service connection.~~
- c) ~~If the obstruction is located in the portion of the service connection on private property, the owner of the building is responsible for all costs of removal of the obstruction, including the expenses of any contractor to excavate and replace the pipe if necessary.~~
- d) ~~If the obstruction is located in the portion of the service connection on municipal property and if it is determined by the Municipality that the cause of the obstruction was
 
  - i. ~~non-structural, the Municipality shall advise the owner of its determination and the owner shall be responsible for the cost of clearing the obstruction.~~
  - ii. ~~if the obstruction is caused by a broken, sheared, sagged or collapsed pipe or some other structural problem, the Municipality will rectify the deficiency at its expense and reimburse the owner for up to three hours of plumbers time from (b) above, upon proof of expenditure.~~~~

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Director of Operations	Responsible for ensuring that the policy is reviewed regularly for relevancy.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
Add a section to describe who the policy applies to; remove section of if a service connection is obstructed.	Director of Operations, Bourgeois		

Minutes Reference Date: January 24, 2005

**TITLE: SANITARY SEWER SERVICE CONNECTION TO COUNTY RESIDENTS**  
**SECTION: ENGINEERING & PUBLIC WORKS**  
**POLICY NO: 31600-15**

APPROVAL DATE: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**PURPOSE**

To determine when the extension of the Town's Sanitary Sewer System to properties outside our boundaries is appropriate.

**POLICY STATEMENT**

The extension of sanitary sewer services to properties located outside the boundaries of the Town of Amherst will be reviewed on an individual basis. Any decision to extend the sanitary sewer service to a property outside of the Town of Amherst will require a motion of Council to amend this policy.

**APPROVED PROPERTIES TO RECEIVE SANITARY SEWER SERVICES**

Sanitary sewer services will be provided to the Cumberland Regional Health Care Center (PID#25384009, PID#25047044, PID#25376930 and PID#25337478) at Exit 4.

Sanitary Sewer Services will be provided to PID#25044009, PID#25043951 and PID#25098021 at Exit 3 currently operated as the Wandlyn Inn, subject to an agreement between the Town of Amherst and the Municipality of the County of Cumberland for the provision of such services.

Sanitary Sewer Services will be provided to PID#25043928, PID#25043878, PID#25043860, PID#25076191, PID#25043183, PID#25340597, PID#25043399, PID#25369331, PID#25043886, PID#25044298, PID#25247560 and PID#25043944, subject to an agreement between the Town of Amherst and the Municipality of the County of Cumberland for the provision of such services.

Sanitary Sewer Services will be provided to properties within the Municipality of the County of Cumberland (MCC) subject to the conditions of an Intermunicipal Services Agreement between the Town of Amherst and MCC dated October 4, 2024.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Director of Operations	Responsible for ensuring that the policy is reviewed regularly for relevancy.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
Amended policy to include a reference to the Intermunicipal Services Agreement between the TOA and MCC	Director of Operations, Bourgeois	Council	

Minutes Reference Date: November 26, 2001    June 23, 2014    November 29, 2021

**TITLE:** STANDARD SPECIFICATIONS FOR MUNICIPAL SERVICES  
**SECTION:** ENGINEERING & PUBLIC WORKS  
**POLICY NO:** 31000-01

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**PURPOSE**

To ensure that standard specifications for water, sewer and streets are used in the effective and efficient construction and maintenance of municipal services infrastructure.

**POLICY**

The joint committee of the Nova Scotia Roadbuilders Association and the Nova Scotia Consulting Engineers Association has designed "Standard Specifications for Municipal Services" to be used for the construction of water systems, sanitary and storm sewers, and streets. These specifications meet the requirements of construction of such infrastructure for the Town of Amherst.

The Town of Amherst shall use the "Standard Specifications for Municipal Services" as amended from time to time, as its specifications for municipal services infrastructure.

This policy also applies to any infrastructure constructed for service connections provided to properties within the Municipality of the County of Cumberland (MCC) subject to the Intermunicipal Services Agreement between the Town of Amherst and MCC dated October 4, 2024.



**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Director of Operations	Responsible for ensuring that the policy is reviewed regularly for relevancy.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
Amended policy to include a reference to the Intermunicipal Services Agreement between the TOA and MCC	Director of Operations, Bourgeois	Council	

Minutes Reference Date: January 24, 2005

**TITLE: SEWER CONNECTION POLICY**  
**SECTION: ENGINEERING & PUBLIC WORKS**  
**POLICY NO: 31600-27**

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**POLICY STATEMENT**

The following shall be the policy of Council for all service connections to the Town's sanitary sewer and storm sewer system;

- a) When a sewer service connection is requested, a cost estimate will be prepared by the Town Engineer and forwarded to the client.
- b) When the client places the order for the service, they must complete a service connection request form and make payment to the Town in the amount of the estimated cost of the work.
- c) Should the actual cost of the work exceed the estimated cost, the client must pay the Town the additional monies. If the actual cost is less than the amount of the deposit, the Town will refund the amount owing to the client.

This policy applies to;

- c) All sanitary and storm sewer connections for residential, commercial, institutional, and industrial sites, and;
- d) Any sanitary sewer service connections provided to properties within the Municipality of the County of Cumberland (MCC) subject to the Intermunicipal Services Agreement between the Town of Amherst and MCC dated October 4, 2024.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Director of Operations	Responsible for ensuring that the policy is reviewed regularly for relevancy.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Director of Operations, Bourgeois		

Minutes Reference Date:

Eileen Davage and Glen Boone left the meeting at this time.

- 5.2 **By-law to Amend the Building By-law Second Reading**  
**Moved By Councillor Chambers**  
**Seconded By Deputy Mayor Davidson**  
**That Council give second reading of the By-law to Amend the Building By-law.**

**Motion Carried**

## BY-LAW TO AMEND

## THE TOWN OF AMHERST BUILDING BY-LAW D-6

The Town of Amherst Building By-law, D-6, approved by Council on May 24, 2011 is hereby amended as follows:

1. Part 1 – Definitions under section c) replace NSBCR with National Building Code of Canada
2. Part 1 – Definitions under section d) add the words “to do anything in the”
3. Part 1 – Definitions under section g) update the entire definition of “owner” to read “means any person, firm or corporation controlling the property under consideration.”
4. Add section 1.2 to Definitions to read “The definitions in Section 1.4.1.2(1) of Division A of the Nation Building Code and the Nova Scotia Building Code Regulation apply to this bylaw, unless otherwise defined.”
5. Part 2 – Permits add a new section 2.1 Application to read:
  - a) This by-law applies to the administration and enforcement of the Building Code Act in the design, construction, erection, placement and occupancy of new buildings, and the alteration, reconstruction, demolition, removal relocation, occupancy and change of occupancy classification of existing buildings and to the work necessary to correct unsafe conditions in existing buildings reported to the authority having jurisdiction of observed during an inspection.
  - b) Any construction or condition that lawfully existed prior to the effective date of this bylaw need not conform to this by-law provided that such construction or condition does not constitute an unsafe condition in the opinion of the authority having jurisdiction.
  - c) Where a building or any part thereof is altered, this by-law applies to the parts of the building that are altered.
6. Part 4 – Inspections replace section a) with
  1. Footings in place;
  2. ICF foundations to be inspected prior to placing any concrete in the forms;
  3. Foundation insulation is placed on exterior of foundation;
  4. Water/sewer/storm line connections between footing and property line prior to covering;
  5. Foundation before backfilling;
  6. All under slab water/sewer connections;
  7. Basement floor slab insulation (if required);
  8. Prior to placing concrete over a hydronic heating system;
  9. Framing inspection once all rough in work is complete including plumbing, electrical, ventilation and heating;
  10. Insulation/vapor barrier inspection prior to covering
  11. Final inspection prior to allowing occupancy.

**5.3 By-law to Repeal the Vacant Building By-law Second Reading**  
**Moved By Councillor Ripley**

**Seconded By Councillor McManaman**

**That Council give second reading of the By-law to Repeal the Town of Amherst Vacant Building By-law.**

**Motion Carried**

**TOWN OF AMHERST**  
**BY-LAW TO REPEAL THE VACANT BUILDING BY-LAW, P-5**

1. This is a by-law to repeal the Vacant Building By-law, P-6.
2. The Vacant Building By-law approved by Council on the May 24, 2011 is hereby repealed.

**5.4 Christie Foundation Donation**

**Moved By Councillor McManaman**

**Seconded By Councillor Wells**

**That Council approve the request to receive a donation of \$26,500 from the Dr. & Mrs. H.E. Christie Community Foundation to fund the grants listed below:**

- \$15,000 to the Amherst 50+ Seniors Club;
- \$10,000 to the Amherst Pre-School Association; and
- \$1,500 to the Fibre Arts Festival Society of NS.

**Motion Carried**

**5.5 Capital Paving**

**Moved By Councillor Furlong**

**Seconded By Councillor Chambers**

**That Council award the Capital Paving Tender (RFT-25-02) to the lowest compliant bidder, Dexter Construction, at their unit prices based on our estimated quantities in the total amount of \$884,800 plus HST.**

**Motion Carried**

**5.6 Summer Camp Students**  
**Moved By Councillor Wells**  
**Seconded By Councillor Chambers**  
**That Council approve the transfer of \$18,000 from the Social Equity Reserve to cover the wages for three additional summer students for 8 weeks to help meet the increase in demand for this program.**

**Motion Carried**

**5.7 Transit Feasibility Study Authorization**  
**Moved By Deputy Mayor Davidson**  
**Seconded By Councillor McManaman**  
**That the Town of Amherst confirms that it can meet all the requirements of Canada - Rural Transit Solution Fund Agreement to carry out a transit feasibility study, and that Jason MacDonald, Chief Administrative Officer is authorized to execute the agreement on behalf of the Town of Amherst.**

**Motion Carried**

**5.8 Multicultural Association of Cumberland Community Support Grant**  
**Moved By Councillor Chambers**  
**Seconded By Councillor Furlong**  
**That Council approve funding in the amount of \$2,500 to the Multicultural Association of Cumberland under the Community Support Grants Policy.**

**Motion Carried**

**5.9 Ice Allocation Policy**  
**Moved By Councillor Ripley**  
**Seconded By Councillor Wells**  
**That Council approve the amendments to the Ice Allocation Policy #72300-09, attached.**

**Motion Carried**

**5.10 Sign Rental Policy**  
**Moved By Councillor Furlong**  
**Seconded By Deputy Mayor Davidson**  
**That Council approve the amendments to the Sign Rental Policy #72300-08.**

**Motion Carried**

<b>TITLE:</b>	<b>SIGN RENTAL POLICY</b>
<b>SECTION:</b>	<b>RECREATION</b>
<b>POLICY NO:</b>	<b>72300-08</b>

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**PURPOSE:**

To provide an opportunity for the Stadium, non-profit groups and organizations to raise monies by selling advertising in the Amherst Stadium.

**POLICY STATEMENT:**

Cumberland County Minor Hockey Association, Amherst Skating Club, Amherst Jr. "A" Ramblers Hockey Team, **the Amherst Senior Team**, and any other using organizations will be allowed to sell advertising in the Amherst Stadium.

- **Dasher Boards (3 x 8 foot sign)**  
 50% of the yearly rental shall be paid to the selling organization. The selling organization or advertiser must purchase sign kit material, **at cost, from the Stadium from an approved supplier** to ensure that materials meet standards and safety requirements. Artwork will be the responsibility of the advertiser.

**The Town reserves the right to determine an acceptable condition of dasher board signs and when in need of replacement the advertiser will be contacted and given the opportunity to replace the sign at their cost or have the sign removed.**

- **Ice Surface Advertising**  
 50% of the yearly rental shall be paid to the selling organization. The selling organization or advertiser must have signage prepared prior to **September 4<sup>th</sup> July 15<sup>th</sup>**. This will allow for planning and installation of said advertising while the ice is placed in the Stadium. Signage to be made from either onion paper or stencils, to allow for proper paint and design. Signs will be placed by Stadium staff **or an approved contractor**.

- Zamboni**  
 50% of the yearly rental shall be paid to the selling organization. Only decals or magnetic signs are to be used. Cost of signage will be the responsibility of the advertiser and should be capable of withstanding 200° F water and cold rain, as the machine may be exposed to varying weather conditions when going outside the building or when being washed off with very hot water. Drilling of holes in the Zamboni to attach signage will not be permitted.
- Other signs**  
 50% of the yearly rental shall be paid to the selling organizations for all other signs. The selling organization or advertiser must purchase the sign from an approved supplier to ensure that materials meet standards and safety requirements. Artwork will be the responsibility of the advertiser.
- Exclusions**  
 Scoreboard signage and all backlit signage will be excluded from this policy and these signs will be marketed directly by the Town of Amherst.

**TERMS AND CONDITIONS:**

- Any authorized agent who engages in the selling of advertising space within the Amherst Stadium must contact the Department of Recreation Facility Manager to ensure space availability prior to confirmation of the rental agreement with the client.
- Once availability is confirmed with staff, the authorized agent will advise the Department Facility Manager, in writing, of the sales commitment and confirm installation dates and billing contact information.
- Department of Recreation Town staff will arrange issuance of an invoice directly to the customer and collect payments.
- At the conclusion of each season, accounts will be reconciled, and commissions will be credited to each organization for new sales and renewals of existing commissioned accounts.
- All artwork will be the responsibility of the advertiser.
- All signs will be installed by Town of Amherst staff, or an approved contractor.
- The Town of Amherst staff reserves the right to refuse or remove any advertising that it deems unfit and portrays a negative image of the Town of Amherst, residents or business. Removal will be at the cost of the advertiser or selling organization.
- Rates for signage will be set annually under User Fee Policy #03470-03.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Director of Operations	Responsible for ensuring that the policy is reviewed regularly for relevancy.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
<ul style="list-style-type: none"> <li>Moving the policy over to the new template and adding the roles and responsibilities section.</li> <li>Reference to Department of Recreation changed to Facility Manager.</li> <li>Sign kits are no longer sold by the Town, therefore changed language to, from an approved supplier.</li> <li>Changed date for ice surface advertising from September 1<sup>st</sup> to July 15<sup>th</sup> as the ice is now installed in August.</li> <li>Added language that gives staff the ability to have dasher board signs that are in poor condition removed or replaced with new at the cost of the advertiser.</li> <li>Under other signs added similar language to dasher board signs in reference to sign materials and artwork.</li> </ul>	Director, Bourgeois	Council	

**5.11 Territorial Acknowledgement Policy**  
**Moved By Councillor Wells**  
**Seconded By Councillor McManaman**  
**That Council approve the amendments to the Territorial Acknowledgement Policy**  
**#10350-33.**

**Motion Carried**

**TITLE:** Territorial Land Acknowledgement  
**SECTION:** Executive Office  
**POLICY NO.:** 10530-33

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**PURPOSE**

This policy will provide a corporate Territorial Acknowledgement and an overview of when it should be used relative to Town of Amherst committee meetings and events.

**POLICY**

The Territorial Acknowledgement will be placed on the agenda following the Call to Order of all Town of Amherst Council and Committee meetings agendas.

The Territorial Acknowledgement will also be read at Town of Amherst events where the public is being formally addressed.

The Town of Amherst Territorial Acknowledgement will read as follows:

*"I would like to acknowledge that our gathering today is taking place in **Mi'kma'ki** (MEEG-MA-GEE), the traditional, unceded and ancestral territory of the Mi'kmaw people. I would also like to acknowledge that Nova Scotia has another unique people, **the people of African descent** ~~These are the Indigenous Blacks of Nova Scotia~~ whose legacy and contributions date back over 400 years predating confederation of this land. We are all treaty people."*

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Clerk	Ensure policy is kept up to date and added to all Committee meeting agenda templates.
All Staff	Ensure the Territorial Acknowledgement is made at any events where the public is formally addressed.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Clerk, LeBlanc	Council	May 23, 2023
Remove Indigenous Blacks of Nova Scotia and replace with the people of African descent	Clerk, LeBlanc	Council	

Minutes Reference Date: May 23, 2023

**5.12 Smokefree Workplace Policy**  
**Moved By Councillor McManaman**  
**Seconded By Councillor Ripley**  
**That Council approve the amendments to the Smoke-Free Workplace Policy**  
**#04500-04.**

**Motion Carried**

**TITLE:** SMOKE-FREE WORKPLACE POLICY  
**SECTION:** HUMAN RESOURCE MANAGEMENT  
**POLICY NO.:** 04500-04

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**DEFINITIONS**

**Smoking:** The act of lighting, inhaling or carrying of a lighted or smouldering cigar, cigarette or pipe of any kind. The act of inhaling, exhaling, burning, or carrying any lighted or heated product, including cigarettes, cigars, pipe tobacco, cannabis, or any similar device, whether or not it contains tobacco.

**Mainstream Smoke:** Smoke directly inhaled by the smoker. Smoking has been shown to be the largest preventable cause of premature death. Smoke directly inhaled and exhaled by a person smoking.

**Second Hand Smoke:** Smoke that is exhaled by the smoker. Even indirect smoke such as this has been proven to create a health risk to anyone exposed to it. Smoke exhaled by a smoker.

**Side Stream Smoke:** Smoke that is emitted from the burning tip of a cigarette, pipe or cigar. This type of smoke has been proven to be the most harmful, as it contains higher levels of carcinogenic chemicals. Smoke released from the burning end of a tobacco or cannabis product, which contains higher levels of harmful chemicals than mainstream smoke.

**Vaping:** The act of inhaling or exhaling vapour or aerosol from an electronic device, such as e-cigarettes, vape pens, or similar products, whether or not the substance contains nicotine, cannabis, or any other substance.

**PURPOSE**

The Town of Amherst maintains a commitment to the health and safety of all its employees. Smoking has been scientifically proven to be harmful to the health of both smokers and non-smokers that come into contact with second-hand smoke, mainstream smoke or side stream smoke. In the interest of promoting a safe and healthy work environment, the Town of Amherst has adopted a smoke-free workplace policy. The Town of Amherst is committed to protecting the health, safety, and well-being of its employees, contractors, and visitors. Smoking and vaping of tobacco, cannabis, or any other substance contributes to poor indoor and outdoor air quality, poses fire and health hazards, and may create an uncomfortable or unsafe working environment.

In alignment with current health research and public legislation, the Town maintains a smoke-free and vapour-free workplace to promote a healthy and productive environment for all.

**POLICY STATEMENT**

Smoking shall be prohibited in all Town buildings, and is applicable to all employees and contractors. This policy also extends to include all Town vehicles and equipment, and any rental vehicles booked for Town business purposes.

Smoking, vaping, or the use of any tobacco or cannabis products is strictly prohibited:

- Inside all Town-owned or leased buildings;
- Within 4 metres of entrances, windows, or air intakes of Town buildings (or as required by Nova Scotia's Smoke-Free Places Act);
- Inside or within Town-owned vehicles and equipment, including rentals used for Town business;
- In any shared or enclosed workplace areas, including lunchrooms, restrooms, and break areas.

Provisions governing smoking and/or vaping in outdoor public spaces are outlined and enforced in the Town's Smoke-Free Recreational Places Bylaw C-12.

**VIOLATIONS**

In the event of a violation of this policy, the Town of Amherst may pursue progressive disciplinary action. Employees that witness violations are encouraged to report the infraction them to their Supervisor or Human Resources.

**SUPPORT FOR CESSATION**

The Town encourages employees who wish to stop smoking or vaping to seek support via:

- The Employee and Family Assistance Program (EFAP).
- The employee's medical benefit plan which may include coverage for smoking cessation programs and/or products.
- Provincial smoking cessation resources, such as Nova Scotia's "Tobacco Free Nova Scotia" program.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
<b>Employees &amp; Contractors</b>	Employees & contractors will: <ul style="list-style-type: none"> <li>a. Adhere to the policy and refrain from smoking or vaping in prohibited areas.</li> </ul>
<b>Supervisors/Managers</b>	Supervisors/managers will: <ul style="list-style-type: none"> <li>a. Support compliance and address violations appropriately.</li> </ul>
<b>Human Resources</b>	Human resources staff will: <ul style="list-style-type: none"> <li>a. Provide clarification on the policy and support accommodation requests related to substance use if appropriate.</li> </ul>

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
Expanded scope: now includes vaping/e-cigarettes and cannabis use. Updated definitions: clear language added for vaping, other electronic smoking devices and cannabis.	Director, Human Resources	Council	

**Modernized policy statement:** smoking and vaping are prohibited in all Town buildings, vehicles, and within 4 metres of entrances, aligned with current legislation.

**Addition of responsibilities section:** clarifies the responsibilities of employees, supervisors and HR in supporting compliance with the policy.

**Cessation support:** encourages employees to access help via various available resources.

**Legislative references:** links to key legislation have been added to support compliance and transparency.

**Clarification:** a statement has been added to the policy to clarify that the provisions governing smoking and/or vaping in outdoor public spaces are referenced in our Smoke-Free Recreational Places Bylaw C-12.

0306

Minutes Reference Date: May 26, 2014

**RESOURCES**

- Smoke-Free Places Act (SNS 2002, c.12): <https://nslegislature.ca/sites/default/files/legc/statutes/smoke-free%20places.pdf>
- Smoke-Free Places Act – Official Overview (Government of Nova Scotia): <https://novascotia.ca/smoke-free-places/>
- Ban on Flavored E-Cigarettes (Effective April 1, 2020, Government of Nova Scotia): <https://news.novascotia.ca/en/2019/12/05/province-bans-sales-flavoured-e-cigarettes-commits-legislation>
- Occupational Health and Safety Act (Nova Scotia): <https://nslegislature.ca/sites/default/files/legc/statutes/occupational%20health%20and%20safety.pdf>
- Smoke Free Nova Scotia (provincial organization): <https://smokefreens.ca/about-us/>
- Tobacco Free Nova Scotia: <https://tobaccofree.novascotia.ca/>

**5.13 Procurement Policy  
 Moved By Councillor Furlong  
 Seconded By Deputy Mayor Davidson  
 That Council approve the amendments to the Procurement Policy #3700-01.**

**Motion Carried**

**TITLE: Procurement Policy**  
**SECTION: Financial Management**  
**POLICY NO: 3700-01**

**APPROVAL DATE: March 27, 2023**

**CAO Signature: \_\_\_\_\_**

**1) Policy Statement**

The purpose of this policy is to establish transparent procurement guidelines to ensure the most effective and efficient methods are used to provide best value for the procurement of goods, services and construction for the Town of Amherst (hereinafter referred to as the "Town").

The Town will conduct procurement practices in compliance with all Provincial legislation, International, National and Regional Trade Agreements, including the Nova Scotia Public Procurement Act and any amendments thereto.

**2) Definitions**

- a) **Alternative Procurement (ALTP)** - the procurement of goods, services and construction without a competitive process due to certain conditions/situations.
- b) **Best Value** - the bid that is determined by the Town to be in its best interests, not necessarily the lowest price bid, which is determined by evaluation of bids based on criteria or factors that may include purchase price, life cycle cost considerations, environmental and social considerations, delivery, servicing, past experience and performance, and any other criteria or factors stated in the requesting documents.
- c) **Bid** - a supplier's response to a Request for Quotation (RFQ), Request for Construction (RFC), Tender, Request for Proposal (RFP), Request for Expression of Interest (REI) or a Two Phase Bid to provide goods, services or construction.

- d) Invitational Competition – is a competitive process in which an invitation to submit bids is issued to three suppliers, provided three suppliers can be identified.
- e) Local Preference Area – all suppliers located within the County of Cumberland and the Town of Tantramar, New Brunswick.
- f) Procurement Web Portal – means the public website owned by the Province of Nova Scotia where all public tender notices are posted.
- g) Public Request for Submission - refers to inviting responses to tenders, request for proposals, two phase bids, request for construction, request for expression of interest and request for standing orders.
- h) Purchase Card - a corporate credit card for the Town with various restrictions and limits based on the cardholder.
- i) Purchaser – a Town employee with the authority to purchase goods.
- j) Request for Construction (RFC) - used to publicly tender for a construction, reconstruction, demolition, remediation, repair or renovation of a building, structure, road, bridge or other engineering or architectural work.
- k) Request for Expression of Interest (REI) - process in which suppliers are invited to propose a solution to a problem and then those chosen are asked to respond to a subsequent Request for Proposal.
- l) Request for Quotations (RFQ) - informally obtaining price quotations from a number of different suppliers.
- m) Request for Proposal (RFP) - a formal invitation to suppliers to describe how their services, methods, equipment or products can address and/or meet the needs of the Town.
- n) Purchase Requisition/Purchase Order-an electronically generated document for the supply of goods or services from an approved vendor.
- o) Single Source – A single source procurement is an alternative procurement practice in which two or more suppliers can supply the goods and/or perform the services required by the Town of Amherst, but where the Town of Amherst selects one supplier over the others for reasons such as expertise, previous municipal or their related experience and not through a competitive process.
- p) Sole Source Procurement – is an alternative procurement practice in which it is evident that only one supplier can supply the goods and/or perform the services required and an award is made to that supplier.
- q) Standing Offer- a contractual arrangement with a supplier to provide certain goods or services on an “as required” basis, during a particular period of time, at a predetermined price or discount, generally within a predefined dollar limit.
- r) Sustainable Procurement- involves taking a holistic approach to obtain best value by integrating the following considerations in the procurement process:
- Environmental considerations: e.g. Green House Gas Reduction, Waste Reduction, Toxic Use Reduction;
  - Economic considerations: e.g. Life Cycle Cost, Fiscal Responsibility, Support for the Local Economy;
  - Social considerations: e.g. Employee Health and Safety, Inclusiveness and Fair Wage, Health Promotion.
- o) Tender- a formal request to solicit for goods, services or construction obtained through posting on the Town and the Provincial websites.
- p) Two Phase Bid- a two stage process in which suppliers submit proposals for evaluation, and separately submit prices.

### 3) Guiding Principles

The following principles will guide the procurement practices of the Town:

- a) Procurement policy and procedures should provide the most efficient and effective methods resulting in best value for the Town.
- b) The procurement process is to ensure a fair, open, consistent and transparent process in the acquisition of goods, services and construction.
- c) Procurement methods are to encourage competition, innovative ideas and solutions, wherever possible, while respecting all legislative and trade agreement obligations for the supply of goods services and construction.
- d) Procurement policy provides for the use of suppliers, who can be expected to provide satisfactory performance, based on, but not limited to:
- (i) past performance and/or previous contacts
  - (ii) financial and other resources to complete the contract bid;
  - (iii) references



- e) Promoting the use of Sustainable Procurement when evaluating bids by striving to obtain best value, taking into consideration environmental, economic and social considerations.
- f) This policy does not apply to payments for reoccurring items such as utilities, leases, rentals and similar reoccurring operating charges, while recognizing that in some circumstances, the initial commitment that leads to these ongoing payments is subject to the provisions of this policy.

**4) General**

- a) This policy applies to all departments, agencies, boards and commissions of the Town over which the Town has jurisdiction.
- b) The procuring of goods, services and construction will be facilitated by the Director of the requesting department ~~in conjunction with the Procurement Coordinator~~ according to this policy. **The Director shall approve all purchases in excess of \$5,000 prior to any employee acting within this policy.**
- c) The Town will be under no obligation to accept any bid received which is considered to be not in its best interest, in response to a verbal or written request.
- d) The Town may work with other levels of government, other municipal units, other agencies, boards and commissions, and associations such as the FCM (Federation of Canadian Municipalities) and NSFM (Nova Scotia Federation of Municipalities) to encourage standardization of items and/or reduce overall costs to the Town for joint purchasing.
- e) The dollar values indicated within this policy are exclusive of the Town's non-recoverable HST and are in Canadian Dollars.

**5) Purchasing Guidelines**

The following guidelines will be followed for the procurement of goods services and construction for the Town:

Spending Category	Low Value	Low Value	High Value
	Quotations	Invitational Competition	Open Competition
Goods	Less than \$15,000	\$15,000 - \$2449,999	\$2550,000 and above
Services	Less than \$15,000	\$15,000 - \$4974,999	\$5075,000 and above
Construction	Less than \$15,000	\$15,000 - \$4974,999	\$5075,000 and above

Dividing procurement activity to reduce or keep the procurement value below certain thresholds is not permitted.

**a) Low Value Procurement**

If the value of the Goods, Services or Construction are less than \$5,000:

For procurement under \$5,000, the minimum of three quotations is not mandatory, however staff are expected to perform due diligence in selecting such suppliers, including obtaining quotations in cases where there are sufficient suppliers to do so, where there is sufficient time to do so, and when the value of the goods, services or construction makes it practical to do so.

**If the value of the Goods, Services or Construction is \$5,000 and over but less than the Open Competition thresholds:**

The acceptable process is to use an Invitational Competition. All Invitational Competitions must be conducted in accordance with the Procurement ~~Guidelines~~ **Guidelines** and are subject to review by the ~~Procurement Coordinator~~ **Director of the Department** prior to issue.

**b) High Value Procurement**

If the value of the Goods, Services or Construction is above Open Competition thresholds, staff must work with the ~~Procurement Coordinator~~ **Director and Deputy Chief Administrative Officer** to conduct a public competitive process. Open competitions are posted on the Town of Amherst website and the Nova Scotia Procurement Web Portal.

If an Invitational Competition is issued and the results demonstrate that the cost from the supplier determined to be providing best value is above the High Value Procurement threshold, the CAO may, at their discretion:

- Cancel the competition and not award
- Accept the result and award. The resulting award is an Alternative Procurement Practice; or
- Reject the result and require that the Competition be re-issued as an Open Competition.

**6) Methods of Procurement**

All procurement activity must be obtained through one of the following methods:

- a) **Tender** - A formal invitation to solicit competitive bids. It is used when detailed specifications are available that permit the evaluation of tenders against clearly stated criteria and specifications. A Request for Tenders (RFT) is a formal, competitive, sealed bidding process. Bid deposits and performance security may be required. The award is normally to the lowest bid received from a qualified bidder meeting the requirements of the tender and providing best value. Tender purchases shall be made by purchase order. Tenders must be opened in the presence of at least one elected official and the CAO or his/her designate at a time and location that is open to the public.

- b) Request for Proposal - A Request for Proposal (RFP) is a formal invitation to suppliers to describe how their services, methods, equipment or products can address and/or meet specific needs of the Town. It is used when a supplier is invited to propose a solution to a problem, requirement, or objective. Request for Proposals are evaluated against stated criteria to the terms of the RFP to determine if any should be accepted.

Negotiations with suppliers may be required to finalize any aspect of the proposal provided such discussion and negotiations are conducted to:

- (1) Award equitable treatment to each qualified bidder with respect to an opportunity for discussion and the revision of the proposal.
- (2) Prevent the disclosure of the proposal content of one proponent to another.

Proposals submitted in response to a request for proposal need not be opened in public. A list of the proponents may be made available upon request. An award of a contract based upon a request for proposals will be made to the supplier whose proposal has the highest score based upon the criteria for evaluation set out in the request for proposals and equitably applied to all proposals. RFP purchases shall be made by purchase order.

- c) Request for Quotation - A request for quotation is an informal request for prices for goods and services that the purchaser will attempt to solicit from at least three (3) different suppliers. This process is normally used where bid deposit and performance bonds are not required and where the cost of the work does not warrant the time and level of effort and expense required for a normal tender process. Quotations should be in written form and attached to the Request for Quotation form which must be completed and given to the ~~Procurement Coordinator~~ Deputy CAO for filing once it has been awarded.

If a quote is obtained verbally, the person obtaining it must document the quotation, including time, date, supplier, price and description of the goods and services, the person from whom the quotation was obtained and the name of the municipal staff obtaining the quotation. The RFQ form should be used for documentation purposes. RFQ purchases shall be made by purchase order, or purchase card if in US Dollars

- d) Standing Offer - A tender process to guarantee a continuous supply of various goods, services or construction at a specific price for a specific period of time. The term of the standing offer can vary in duration but will be clearly defined in the tender documents. Standing Offers of the Government of the Province of Nova Scotia or other public sector entities may be used under the constraints within this policy where it is in the best interest of the Town.
- e) Two Phase Bids- Where detailed specifications are not available or it is impractical to prepare a specification based on price, a two phase bid may be issued, inviting for the submission of bids as follows:

Phase One- Pre-qualification step in which bidders submit proposals/expressions of interest in response to basic terms of reference for evaluation; need not be opened in public

Phase Two- Only those bidders whose submissions were determined to be acceptable in Phase One will be invited to submit priced bids for further consideration. Phase Two bids must be opened in public.

This type of purchasing has the advantage of a request for proposal in Phase One and the advantages of a tender in Phase Two. Two phase bid purchases shall be made by purchase order.

- f) Request for Expression of Interest - This process is similar to the Request for Proposal and is sometimes referred to as a Pre-Qualification, where suppliers are invited to propose a solution to a problem. The REI, however, is only the first stage in the procurement process. Bidders responding to the REI will be short listed according to their scoring in the evaluation process. The short listed firms will then be invited to respond to a subsequent Request for Proposal. A REI does not normally include pricing as price is a key evaluation criteria used in the second stage RFP process.
- g) Request for Construction - Used to publicly tender for a construction, reconstruction, demolition, remediation, repair, or renovation of a building, structure, road, bridge, or other engineering or architectural work. When a supplier is invited to bid on a construction project the tender documents usually contain a set of terms and conditions and separate bid form that apply to that specific project. Suppliers are requested to submit a response (bid) in accordance with predefined criteria. The selection of the successful proposal is based on a number of factors as described in the tender documents. A request for construction usually does not include professional consulting services related to the construction contract, unless they are included in the specifications.
- h) Negotiations - Negotiations with suppliers for the supply of goods and/or services would take place when any of the following conditions exist:
- (a) Due to market conditions, goods and/or services are in short supply;
  - (b) There is only one source of the goods or services;
  - (c) All bids received are non-compliant or exceed the amount budgeted for the purchase;
  - (d) The extension or reinstatement of existing contract would be more cost effective or beneficial to the Town. ~~providing the extension has been outlined in original documents.~~ The extension or reinstatement of existing contract is subject to the approvals listed in section 9 – Award of Contracts.
- i) Alternative Procurement - In certain circumstances, described in this section, the Town may purchase goods, services and construction without using one of the options set out above. An alternative procurement purchase may occur.

- (a) Where an unforeseeable situation of urgency exists and the goods, services or construction cannot be obtained in time by means of open procurement procedures. An emergency purchase occurs when a situation creates immediate and serious need which may not be reasonably met by any other procedure and includes without limitation:

A condition where lack of supplies or services may adversely affect the functioning of civic government, threaten public or private property or the environment, or jeopardize the health or safety of the public;

Emergency purchases are completed using the most expedient method, but will take economy into consideration.

Emergency purchases must be pre-approved by the CAO (or designate) where such approval may be reasonably sought.

- (b) Where goods or consulting services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise government confidentiality, cause economic disruption or otherwise be contrary to the public interest;
- (c) Where compliance with the open tendering provisions set out in this policy would interfere with the Town's ability to maintain security or order or to protect human, animal or plant life or health;
- (d) In the absence of tenders in response to an open or selective tender, or when the tenders submitted have been collusive, or not in conformity with the essential requirements in the tender;
- (e) To ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative;
- (f) Where there is an absence of competition for technical reasons and the goods or services can only be supplied by a particular supplier and no alternative or substitute exists;
- (g) For the purchase of goods on a commodity market;
- (h) For the procurement of goods or services the supply of which is controlled by a supplier that is a statutory monopoly;
- (i) For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor;
- (j) For work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work;
- (k) For the procurement of a prototype or a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development, but not for routine purchases;
- (l) For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy or receivership, but not for routine purchases;
- (m) For the procurement of original works of art;
- (n) For the procurement of subscriptions to newspapers, magazines or other periodicals;
- (o) For the procurement of real property;
- (p) For the procurement of goods intended for resale to the public;
- (q) For the procurement from charitable institutions, prison labour, persons with disabilities, sheltered workshop programs or through employment equity programs;
- (r) For procurement from a public body or non-profit organization; or
- (s) For the procurement of services of expert witnesses, specifically in anticipation of litigation or for the purpose of conducting litigation.

**\*\*When an alternative procurement purchase occurs, the reason for doing so must be documented. ~~using the Alternative Procurement (ALTP) form.~~**

## 7) Local Preference

If the goods, services or construction available from a local business are equal in providing best value to those available from a non-local business, the goods, services or construction from the local business shall be purchased.

In evaluating which goods, services or construction offer best value to the Town of Amherst, the Town shall apply a preference of 5% to the price offered by a local business as compared with non-local businesses, such that the price offered by the local business is adjusted lower by 5% for the purposes of evaluating which goods, services or construction offer best value.

In accordance with the Atlantic ~~Procurement Agreement~~ **Trade and Procurement Partnership (ATPP) and the CFTA**, the local preference described above does not apply to the following procurements:

- a) goods that have a value of \$~~25~~**100,000** or greater;

- b) services that have a value of \$50100,000 or greater;
- c) construction that has a value of \$100250,000 or greater.

All requests for quotations and public requests for submissions must state that local preference applies to the procurement.

#### 8) Award of Contracts

a) The Chief Administrative Officer (CAO) may authorize the procurement of goods, services and construction:

- i) that are \$250,000 or less and are included within the approved operating and capital budgets; Awards over the value of \$250,000 will be submitted to Council for approval.
  - ii) that exceed the approved budget by 25% or \$5075,000, whichever is less. This will be done when it is reasonable to do so and when options to achieve project completion or item procurement are limited.
  - iii) that is an emergency situation. In these cases, the CAO is authorized to make reasonable and informed procurement decisions (operating and capital) which are determined by him/her to be necessary. Among other things such decisions may be deemed by the CAO to be necessary to protect the legal interests or satisfy legal obligations of the Town, or involve a situation where failure to act could reasonably be expected to compromise Town confidentiality, cause economic disruption, or would otherwise be contrary to the public interest. Authorizations for such expenditures are considered to be over and above the other authorities given under this policy to exceed approved budget amounts.
  - iv) where the purchase was made in accordance with this policy and falls within the thresholds established within the Atlantic Procurement Agreement Trade and Procurement Partnership and all subsequent amendments thereto.
  - v) Where the purchase was the result of a public purchasing process conforming to the Town's procurement policy and The Atlantic Trade and Procurement Partnership, and all appropriate Trade Agreements and their subsequent amendments.
  - vi) Where the purchase is awarded to the supplier providing best value and meeting specifications.
  - vii) Where the award of a Request for Proposal is made to the highest scoring qualified proponent based upon evaluation criteria within the Request for Proposal.
  - viii) Where there is no legislative requirement to obtain Council approval.
- b) All bids are subject to evaluation after opening and before award of contract. The bid request documents must clearly identify the requirements of the procurement, the evaluation method, evaluation criteria based on the purpose and objectives of this policy, and the weights assigned to each criterion.
- c) Where award is over the limits established in the Atlantic Trade Procurement Partnership for the purchase of goods, services and construction, award amount and company name is to be posted on the Provincial Procurement Web Portal.
- d) A quarterly report to Council of awards of contracts under the value of \$250,000 approved by the CAO or designate shall be made available to Council and shall show the name of the contract, the name of the successful bidder, the amount of the award, any person or company to whom a single or sole source has awarded, and the budgetary provision.
- e) At the discretion of the CAO, any award of goods, services or construction may be referred to Council for approval.

#### 10) Documentation Requirements

The following documents are required in order to work for the Town:

Workers Compensation Board (WCB) - WCB certificates are required any time a service and/or construction project is being completed on Town of Amherst property. The proponent MUST provide a valid WCB certificate prior to the commencement of any work. This certificate will state when the coverage expires. If the WCB certificate expires before the project is finished, then the replacement certificate MUST be received in order for the work to continue. Town employees have the right to stop any work in progress if an up-to-date WCB certificate is not provided. If the approved vendor is exempt from WCB, proof of the exemption will be supplied before work can commence.

Liability Insurance - Proponents must provide a valid certificate from their insurance company with the Town named and added under Additional Insured for liability purposes with at least \$2,000,000 liability coverage. This certificate must be provided before the commencement of any work.

Construction Safety- A Certificate of Good Standing is required from a registered safety certified company such as the Nova Scotia Construction Safety Association whenever any type of construction, reconstruction, demolition, remediation, repair or renovation is being completed on Town property for any projects that are over \$10,000. This documentation must be provided before the commencement of any work.

#### 11) Code of Ethics

All procurement carried out by the Town must be conducted according to policies, provincial and federal legislation, trade agreements and ethical business practices. All employees must in good faith, conduct business with current and prospective suppliers and be fair in all business dealings. We shall encourage the negotiation of an equitable and mutually acceptable settlement when a dispute arises and request removal from a procurement process when a personal conflict of interest is perceived. We shall require suppliers to provide accurate representations of goods, services and construction and encourage them to consider sustainability in their products. We shall strive to obtain best value for each expenditure.

**12) Supplier Performance**

- a) Suppliers may be subject to disqualifications if there is sufficient evidence of failure to meet the standards specified by the Town. Suppliers may be evaluated based on competitive price, quality of a product, contract adherence and performance and after sales service. Upon reasonable notice in writing to the supplier involved, and after a reasonable opportunity for response, a supplier can be disqualified for a period not exceeding three years from participation in solicitation for goods, services and construction when:
  - i. Serious breach of contract indicating unwillingness to perform a contract in accordance with the terms and conditions or specifications or a record of unsatisfactory performance of one or more contracts in accordance with its specifications or both.
  - ii. The offer of any gratuity to an official or employee of the Town by a supplier or contractor for consideration.
- b) A written decision shall be issued to the person disqualified or suspended setting out its reasons for disqualification or suspension, to the usual business address of that person as shown in the records of the purchasing section.
- c) Disqualification will be approved by the CAO.

**13) Supplier Debriefing**

Upon request of a supplier who is an unsuccessful bidder, the Town must conduct a debriefing with that supplier to provide feedback on the evaluation of the bid. The debriefing must be conducted as follows:

- a) the CAO or designate and/or ~~Procurement Coordinator~~ **Director**, along with the person named in the documents, will attend the meeting;
- b) the debriefing must provide reasons for the disqualification of the supplier, or in the case where evaluation scoring was used, provide an overview of the supplier's score in each category and reasons for that score;
- c) the debriefing must also provide information to the supplier on how to improve future submissions;
- d) the debriefing must not disclose any information regarding other bidders or their submissions.

**14) Contract Documents, Bid and Performance Securities and Specifications**

- a) The CAO may, from time to time, approve such standard forms including bid and performance securities if any, for purchase by Invitation to Tender, Request for Proposals, Request for Quotations, sole source, or emergency purchases as well as forms of contract for types of purchase including but not limited to construction, supplies and installation or service as they may deem advisable.
- b) Bid bonds, performance bonds, irrevocable letters of credit and other securities including labour and material bonds may be required for such purposes in such form and in such amounts as the CAO deems advisable.

**15) Special Services**

- a) Legal Services - Legal services will be acquired by staff based upon qualifications, experience, services offered, past performance, proposed fees and other relevant considerations. The acquisition of legal services must be approved by the CAO in consultation with the Director(s) of the user department(s). (These services include expert witnesses, and subject experts required for legal proceeding, hearing or similar matter.) Legal services having a value of \$450,000 or more shall be approved by Council. The term for legal services will be at the discretion of the Town.
- b) Financial Auditing Services - These services may be contracted on a one year term to be renewed on an annual basis on terms satisfactory to the Town. Selection of an auditor shall be completed by the Audit Committee of Council who will recommend the selection of an auditor to Council. Annual selection and/or renewal of the contract for audit services will be made by the Audit Committee.

**16) Tie Bids**

After the assessment process is complete and it cannot be reasonably determined who has submitted the lowest compliant bid and a tie exists, the ~~Procurement Coordinator~~ **CAO or Deputy CAO** may flip a coin to determine the award.

**17) Suppliers indebted to the Town of Amherst**

Any supplier/contractor having a customer account with the Town, which is in arrears, will have such arrears deducted from any payments due to the supplier/contractor. Such deduction may be waived by the CAO, where the supplier/contractor has entered into a payment arrangement deemed to be suitable by the Treasurer.

**18) Purchases by Town of Amherst Employees**

Employees or immediate family members (husband, wife, son, or daughter) of employees of the Town are not permitted to purchase personal use items through the purchasing system except where employee purchase plans are being offered.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
<b>Policy Owner</b>	The policy owner is responsible for ensuring that the policy is implemented and being followed. In addition, they are responsible for reviewing the policy regularly for relevancy and compliance with provincial guidelines.
<b>Staff</b>	All personnel that fall within the scope of this policy must follow the policy
<b>Procurement Coordinator</b>	Facilitate the implementation of the policy, including the Open and Invitational procurement processes. Support procurement at all threshold levels. Develop and provide procurement templates and tools. Periodically review procurement practices within the province.

For Administrative Use Only:

**VERSION LOG**

Amendment Description	Policy Owner	Approved By	Approval Date
	Title/Last Name	Council	
Creation of the policy	CAO, MacDonald	Council	April 30, 2007
Amendment to bring the policy into compliance with Atlantic Procurement Agreement	CAO, MacDonald	Council	Sept 28, 2009
Amendment to bring the policy into compliance with Atlantic Procurement Agreement	CAO, MacDonald	Council	Nov 26, 2012
CAO may authorize the procurement of goods, services and construction that are \$250,000 or less and are included within the approved operating and capital budgets.	CAO, MacDonald	Council	Nov 27, 2017
Increased purchasing limits and minor housekeeping amendments	CAO, MacDonald	Council	March 27, 2023
Increased purchasing limits and minor housekeeping amendments	CAO, MacDonald	Council	

**5.14 Affordable Housing Fee Forgiveness Policy**  
**Moved By Deputy Mayor Davidson**  
**Seconded By Councillor Furlong**  
**That Council approve the new Affordable Housing Fee Forgiveness Policy.**

**Motion Carried**

**TITLE: Affordable Housing Fee Forgiveness Policy**  
**SECTION: Planning & Development**  
**POLICY NO: 66000-06**

**APPROVAL DATE:** \_\_\_\_\_ **CAO Signature:** \_\_\_\_\_

**PURPOSE:**

To establish a policy in support of the construction of affordable housing by waiving municipal fees and charges related to the development.

**DEFINITION:**

**Affordable Housing** means a residential development that is awarded funding by a provincial and/or federal government capital funding program for affordable housing.

**POLICY STATEMENT:**

In support of the construction of affordable housing in Amherst, municipal fees and charges related to the construction of said housing may be waived in whole or in part, subject to the following terms and conditions:

1. At minimum, 25% of the dwelling units within the residential building shall be Affordable Housing.
2. In the case of a mixed-use development containing residential and non-residential uses, only those fees attributable to the residential uses may be waived. Water, sanitary sewer and storm sewer connections shall be calculated based on the percentage of the building used for residential purposes.
3. This policy applies only to those developments approved after the date this policy is approved.
4. Where other financial supports from the Town have been negotiated, the Chief Administrative Officer, at their sole discretion, may determine that this policy does not apply to an Affordable Housing development.
5. The development shall be in compliance with all Town of Amherst Bylaws.
6. The following fees and charges defined under the User Fee Policy (Policy 0470-03) may be waived:
  - a. Development and Building Permits for residential buildings.
  - b. One Sanitary Sewer Connection and One Storm Sewer Connection fee under the D-3 Wastewater Discharge Bylaw.
  - c. New water and sanitary sewer connections from existing street mains to the property line up to a maximum of \$5,000.

**ROLES AND RESPONSIBILITIES**

Title/Role	Responsibilities
Direction, Planning & Economic Development	Administers the Policy

For Administrative Use Only:

## VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Fisher, Director of Planning & Economic Development	Council	

Minutes reference date:

- 5.15 Museum Request for Operational Funding  
Moved By Deputy Mayor Davidson  
Seconded By Councillor Ripley  
That Council decline the request for a four-year commitment of \$15,000/year to cover operational expenses at the Museum.**

**Motion Carried**

**6. INFORMATION ITEM**

- 6.1 Federation of Canadian Municipalities Conference - Small  
Information item only, included in the agenda package.**

**7. INTERNAL COMMITTEE REPORTS**

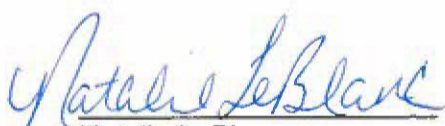
- 7.1 Accessibility, Inclusion, Diversity and Equity Committee - Wells  
Information item only, included in the agenda package.**
- 7.2 Amherst Board of Police Commissioners - Davidson  
Information item only, included in the agenda package.**
- 7.3 Audit Committee - Furlong  
Information item only, included in the agenda package.**
- 7.4 Planning Advisory Committee - Ripley  
Information item only, included in the agenda package.**

**8. EXTERNAL COMMITTEE REPORTS**

- 8.1 L. A. Animal Shelter - Davidson  
Information item only, included in the agenda package.**
- 8.2 YMCA of Cumberland - Chambers  
Information item only, included in the agenda package.**

**9. ADJOURNMENT**

There being no further business, Mayor Small adjourned the meeting.



Natalie LeBlanc  
Municipal Clerk



Rob Small  
Mayor