

**TOWN OF AMHERST
Regular Council Meeting
Minutes**

Date: October 27, 2025
Time: 6:00 pm
Location: Council Chambers, Town Hall

Members Present Mayor Robert Small
 Deputy Mayor Hal Davidson
 Councillor Charlie Chambers
 Councillor Nic Furlong
 Councillor Terry McManaman
 Councillor Dwayne Ripley (via Zoom)
 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
 Sean Payne, Marketing & Communications Officer
 Cindy Brown, Administrative Assistant

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.

Councillor Ripley arrived at 6:02 PM via Zoom.

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

3.1 **Approval of the Agenda**
 Moved By Councillor Furlong
 Seconded By Councillor Wells
 That the agenda be approved as circulated.

Motion Carried

3.2 **Acceptance of Minutes**

3.2.1 **September 22, 2025 Regular Council**
 Mayor Small called for any errors or omissions in the minutes. There being none, the minutes of the September 22, 2025 regular meeting were accepted as included in the agenda package.

3.2.2 **October 6, 2025 Special Council**
 Mayor Small called for any errors or omissions in the minutes. There being none, the minutes of the October 6, 2025 regular meeting were accepted as included in the agenda package.

4. **REQUESTS FOR DECISION**

4.1 **Election of Deputy Mayor**
 Deputy Mayor Davidson nominated Councillor Chambers for the position of Deputy Mayor. Mayor Small called for any other nominations, there were none.
 Moved By Deputy Mayor Davidson
 Seconded By Councillor Wells
 That Councillor Chambers be elected Deputy Mayor for a term beginning November 1, 2025, and expiring October 31, 2026.

Motion Carried

- 4.2 Council Committee Appointments**
Moved By Deputy Mayor Davidson
Seconded By Councillor McManaman
That Council approve the following committee appointments effective November 1, 2025 to October 31, 2026, with the exception of the terms for the Amherst Board of Police Commissioners appointments as noted below:

Mayor Small

- Regional Emergency Management
- North Tyndal Wellfield Advisory Committee

Councillor Chambers

- Amherst Board of Police Commissioners (expiring October 31/27)
- Planning Advisory Committee

Councillor Davidson

- Amherst Board of Police Commissioners (expiring October 31/26)
- Accessibility, Inclusion, Diversity and Equity Committee
- L.A. Animal Shelter Board of Directors

Councillor Furlong

- Amherst Board of Police Commissioners (expiring October 31/27)
- Northern Region Solid Waste Committee
- Regional Emergency Management

Councillor McManaman

- Planning Advisory Committee
- North Tyndal Wellfield Advisory Committee
- Cumberland Public Libraries Board

Councillor Ripley

- Planning Advisory Committee
- Intermunicipal Tourism Committee
- GFL Community Liaison Committee

Councillor Wells

- Accessibility, Inclusion, Diversity and Equity Committee
- YMCA Board of Directors

AND FURTHER, that all members of Council are also appointed to the Committee of the Whole of Amherst Town Council and the Town of Amherst Audit Committee.

Motion Carried

- 4.3 Audit Committee Citizen Appointments**
Moved By Councillor Furlong
Seconded By Councillor Chambers
That Council re-appoint Rae Burke to the Town of Amherst Audit Committee for a two-year term expiring October 31, 2027, and appoint Jim Prince for a one-year term expiring October 31, 2026.

Motion Carried

- 4.4 Amherst Youth Town Council Appointment to the Accessibility, Inclusion, Diversity and Equity Committee**
Moved By Councillor Wells
Seconded By Deputy Mayor Davidson
That Council appoint Amherst Youth Town Councillor Ava Tooley to the Town of Amherst Accessibility, Inclusion, Diversity and Equity Committee.

Motion Carried

- 4.5 Municipal Planning Strategy / Land Use By-law First Reading**
Moved By Councillor Chambers
Seconded By Councillor McManaman
That Council give First Reading of the new Municipal Planning Strategy and Land Use By-law, and schedule a Public Hearing to be held on Thursday, November 13, 2025, at 5:00 p.m. in Council Chambers.

Motion Carried

**4.6 Council Conference Attendance and Professional Development Policy
Moved By Deputy Mayor Davidson
Seconded By Councillor Chambers
That Council approve the amendments to the Council Conference Attendance
and Professional Development Policy #10350-26.**

Motion Carried

TITLE: Council Conference Attendance and Professional Development
SECTION: Executive Office
POLICY NO: 10350-26

APPROVAL DATE: May 23, 2023 **CAO Signature: _____**

PURPOSE:

To set out policy and guidelines for effective professional development for the Mayor and members of Council to ensure proper representation at national and provincial conferences and to allow a fair and equitable schedule for participation at these conferences by the members of Council, including the Mayor. In addition, the policy will also provide for appropriate professional development for the Mayor and members of Council.

POLICY STATEMENT:

1. Staff will prepare a list of known conferences and professional development opportunities for Council, including locations, as information becomes available. Typically, this would include Federation of Canadian Municipalities (FCM) annual conference, Nova Scotia Federation of Municipalities (NSFM) spring conference, NSFM fall conference, the Atlantic Mayors' Congress, the Canadian Association of Police Governance (CAPG) conference, and the joint conference of the Nova Scotia Chiefs of Police Association (NSCPA) and Nova Scotia Association of Police Governance (NSAPG).
2. Members of Council will submit conference attendance requests to the Clerk. Staff will compare these requests to the approved attendance in Section 3 of this policy and advise Council accordingly.
3. To ensure adequate representation and appropriate opportunities for Mayor and members of Council to attend, the following maximum numbers will apply and will be included in the annual operating budget:
 - a. NSFM spring conference –three members of Council;
 - b. NSFM fall conference – all members of Council;
 - c. FCM annual conference – three members of Council
 - d. Atlantic Mayors' Congress – Mayor or Deputy Mayor
 - e. CAPG national conference – one member of the Amherst Board of Police Commissioners, not necessarily a Council member
 - f. NSCPA/NSAPG fall conference – all three members of Council on the Amherst Board of Police Commissioners
4. In cases where more members of Council wish to attend an event than is permitted as per paragraph 3 above, Council shall determine which members will be authorized to attend.
5. All members of Council will be permitted to attend the NSFM spring conference when it is in the Cumberland Region.
6. All members of Council will be permitted to attend the FCM Annual Conference when it is held in the Maritime Provinces.
7. Each member of Council will be provided the opportunity to attend at least one FCM conference or conference other than those listed in paragraph 3 during their four-year term as long as the content of the conference supports the strategic direction of Council, and attendance has been approved by Council.
8. The Mayor may attend one conference other than those listed in paragraph 3 per year.
9. Members of Council wishing to attend other conferences, or workshops, **educational courses or other learning opportunities**, not included in paragraph 3 **of this policy**, will submit the request to Council for approval, ~~Members of Council wishing to take educational courses or other learning opportunities not listed in this policy will submit the request to Council for approval,~~ **provided there are budgeted monies for same, and the content is considered relevant to municipal government.**
10. **Members of Council wishing to attend functions or meetings may request to do so to the Mayor, who may approve the request provided reimbursable expenses are less than \$500 and the function or meeting is relevant to the municipality. Council pre-approval is required for amounts over \$500.**
11. Where budget allows, the Town will support members of Council interested in participating in the NSFM / AMA Leadership Education Modules. Information on these modules will be provided to Council by the Clerk as it becomes available.
12. For all members of Council attending a conference or workshop on behalf of the Town of Amherst, a brief written report describing the purpose and results achieved must be submitted to Council for information within 60 days of the date of the conference or workshop.

ROLES AND RESPONSIBILITIES

Title/Role

Responsibilities

	0334
Clerk	Ensure Mayor and Council are adhering Adhere to the requirements of the policy.
Mayor / Council	Approve requests for additional learning opportunities as per Section 9 and 10 of the policy.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
1. Housekeeping amendments to reflect current names of current Boards. 2. Add Section 11 to include additional learning opportunities.	Clerk, LeBlanc	Council	May 23, 2023
Add language to sections 9 and 10 to clarify other educational / learning opportunities, and the requirement for Mayor/Council to approve attendance when costs are above \$500.	Clerk, LeBlanc	Council	

Minutes reference date: 24 April 2017 23 May 2023

**4.7 Corrective Action Policy
 Moved By Councillor Chambers
 Seconded By Councillor Wells
 That Council approve the new Corrective Action Policy #04000-16.**

Motion Carried

**TITLE: CORRECTIVE ACTION POLICY
 SECTION: HUMAN RESOURCE MANAGEMENT
 POLICY NO.: 04000-16**

APPROVAL DATE: _____ CAO Signature: _____

PURPOSE

The Town of Amherst is committed to fostering a high-performing, respectful, and accountable workplace. This policy establishes the mandate for a clear, fair, and progressive system of performance and conduct management designed to clarify expectations, support employee development, and ensure compliance with our organizational standards.

SCOPE

This policy applies to all employees of the Town of Amherst. For unionized employees, the terms of the applicable collective agreement shall take precedence in the event of any conflict.

GUIDING PRINCIPLES

All corrective actions and performance management activities undertaken by the Town shall adhere to the following core principles:

Fairness and Due Process: Actions must be proportional, applied consistently, and respect the employee’s right to respond and provide context.

Progressive Approach: The process will emphasize early intervention, coaching, and development to support improvement before formal disciplinary action is taken.

Clarity and Accountability: Expectations, concerns and potential consequences must be communicated clearly and respectfully.

DELEGATION AND RESPONSIBILITY

The Chief Administrative Officer (CAO) is authorized to develop, implement, and maintain a detailed Corrective Action Procedure. This procedure shall outline the specific step-by-step framework necessary to operationalize the principles set forth in this policy.

The procedure will be managed by the Human Resources department.

CONFIDENTIALITY

All matters related to performance management and corrective action will be managed with discretion and confidentiality. Information will be shared only with individuals who require it to perform their role.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Chief Administrative Officer	The CAO will: <ol style="list-style-type: none"> a. Authorize and delegate maintenance of a Corrective Action Procedure b. Serve as the final approval authority for all formal disciplinary actions and for all formal appeals

Directors/Managers	Directors/managers will: <ol style="list-style-type: none"> Uphold the guiding principles of this policy by promptly addressing performance and conduct concerns Ensure the fair, consistent application of the Corrective Action Procedure
Human Resources	Human resources staff will: <ol style="list-style-type: none"> Support management by providing guidance, ensuring policy compliance, and developing necessary training and support resources.
Employees	Employees will: <ol style="list-style-type: none"> Meet established standards for performance and conduct in the workplace Engage constructively in all feedback and improvement efforts required by the Correct Action Procedure

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Director, Human Resources	Council	

Minutes Reference Date:

4.8 Arts and Culture Policy Moved By Councillor Wells Seconded By Councillor Furlong That Council approve the amendments to the Arts and Culture Policy #72000-04.

Motion Carried

TITLE: Arts and Culture Policy
SECTION: Recreation and Cultural Services - General
POLICY NO: 72000-04

APPROVAL DATE: _____ **CAO Signature:** _____

PURPOSE:

The Town of Amherst recognizes that arts and culture contribute to the quality of life of its citizens. The Town also recognizes that a strong and active cultural environment promotes a sense of identity and belonging and serves as an opportunity for tourism and the generation of economic impacts both directly and indirectly.

The Town is committed to ensuring that our citizens have an awareness of arts and culture, artistic achievement, cultural diversity and our unique heritage, and that it is reflected to our citizens and to the world, through our businesses, buildings, facilities ~~and programs~~, ~~programs~~ and ~~initiatives~~.

POLICY STATEMENT:

The Town of Amherst will support the development of arts and culture in the areas of community development, visual and performing arts and cultural activities, as appropriate, and as resources allow.

OBJECTIVES

- Increase public awareness and appreciation of arts and culture through utilizing the promotional tools currently available.
- Encourage access to arts and cultural activities through the development of new tools for promotion and marketing
- Support and encourage the development of partnerships with the business community to help promote visual arts in their workplace, buildings and other work environments. Partnerships between government, business, associations, individuals and the arts community will enhance the development and provision of arts activities, and access to the arts.
- Recognize achievement in arts and culture. Creativity, innovation, and excellence should be valued, supported and celebrated as essential elements of arts community development.
- Encourage, properly maintain and promote art in the public domain. ~~such as the Amherst Mural Project.~~
- Provide encouragement, information and opportunities for artists and cultural groups to strengthen their administrative, marketing, technology, and management skills. (See ~~Policy 72000-03 Grants to Organizations 72000-08 Community Support Grants Policy~~).
- Preserve, use and promote Amherst's unique history and heritage, both built and cultural.
- Work cooperatively with other levels of government, educational bodies, and associations, to further develop arts and culture in Amherst.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Director, Community Living	Ensure policy is adhered to and make recommendations for change as needed
CAO	Ensure any amendments suggested are reviewed by Council on a timely basis

For Administrative Use Only:

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Amendment Description	Policy Owner	Approved By	Approval Date
Remove the reference to the Amhest Mural Project, as well as the reference to the Grants to Organizations Policy and replacing it with the Community Support Grants Policy	Director, Community Living	Council	

Minutes reference date: January 22, 2007

**4.9 Land Sales and Development Policy
 Moved By Councillor McManaman
 Seconded By Councillor Chambers
 That Council approve the new Land Sales and Development Policy, and further
 that Council repeal the Current Sale of Usable Land Policy and Industrial Park
 Land Sales Policy.**

Motion Carried

TITLE: Land Sales & Development Policy
SECTION: Land and Structures Acquisition and Disposal
POLICY NO: 02300-04

APPROVAL DATE: _____ **CAO Signature:** _____

PURPOSE:

1. To provide guidance and authority to the Chief Administrative Officer (CAO) for the sale of developable lots owned by the Town of Amherst;
2. Provide flexibility to the CAO to sell or retain industrial / commercial land based on market conditions and future development needs, with all land sold at no less than its appraised value;
3. To ensure that the sale of lots can occur in a timely manner needed to ensure sales are not impeded by undue process; and
4. To provide guidance to Council on the use of the proceeds of land sales.

POLICY STATEMENT:

Amherst Industrial Park and Ancestral Drive

5. All lots will be appraised by a qualified appraiser to determine market value at least every 36 months from the anniversary date of this policy.
6. The CAO has the authority to sell lots in the Amherst Industrial Park and on Ancestral Drive:
 - a. To facilitate business that meets the criteria of the Amherst Land Use Bylaw and Municipal Planning Strategy.
 - b. At a minimum price equal to at least the appraised value of the property in question, on a cost per square foot basis.
 - c. With an executed agreement that reserves unto the Town an option to purchase the lands conveyed herein at a price equal to 80% of the original selling price if construction of a building or addition thereto has not commenced within 18 months of the purchase completion date.
 - d. The CAO will exercise sole discretion over the timing and conditions of the sale of industrial lots, and may require a site development plan to help facilitate a decision on the sale of the land.

Marshview Drive

7. The CAO has the authority to sell lots on Marshview Drive:
 - a. At the price of \$50,000 per lot.
 - b. With an executed agreement that reserves unto the Town an option to purchase the lands conveyed herein at a price equal to the original selling price if construction of a dwelling has not commenced within 36 months of the purchase completion date.
 - c. With an executed agreement that reserves unto the Town an option to add a uniform charge intended to recover the costs of land development which are not being recovered in the selling price. Such a charge will be in the amount of \$3,000 per year until such a time as a completed back fill inspection is completed on the property, or for a duration of five years, whichever is less. Such a charge would be annual and not prorated and calculated by April first each year based on the condition of the land during the prior fiscal year and initially commencing April 1 the year after the sale of the property.
 - d. With a covenant that states, "No Building other than a single-family dwelling shall be constructed on the lands having a minimum, above grade, square footage of 1300 square feet of total living space (exclusive of an attached or detached garage); and in the case of a dwelling with multiple storeys the ground floor shall be permitted to have a minimum of 750 square feet of living space where the balance of the 1300 square feet is located on the upper floors; and any single-family dwelling may include an accessory suite not exceeding 35% of the living space of the main dwelling, or 1000 square feet, whichever is less. Garden Suites will be regulated as per the land use by-law."

Other Usable Town Land

8. Other usable Town land includes all land other than the above lands that meets the requirements of the Subdivision Bylaw, Municipal Planning Strategy and Land Use Bylaw, and is not required for Town use.

9. The Town of Amherst may make available for sale usable property which Council deems, from time to time, to be surplus to its needs.
10. The sale of property will be undertaken by either public tender, public auction, commission arrangement with local real estate firms, and/or by the Town posting the property for sale. The minimum asking price to be stipulated will be based on the appraised value for the property, prepared by an appraiser licensed and certified to practice in Nova Scotia, or a comparison to other property recently sold by the Town and will be approved by Council before the land is listed for sale.
11. Council may consider any offer presented after public tender.
12. For sale by public auction, Council will set a minimum price
13. Final decision to sell the property rests with Council, unless specific direction is provided by Council to the CAO.

General

14. The CAO may refer a sale to Council at their discretion.
15. All sales will be reported to Council at the next scheduled Committee of the Whole meeting.
16. All sales will be processed on a first come / first served basis.
17. When the CAO and purchaser cannot agree on a sale the proposed sale will be referred to Council for a decision.

Proceeds from the Sale of Land

Proceeds from all land sales will be placed in the Capital Reserve in a separate G/L named Reserve Land Sales. Any expenses incurred relating to land sales will be paid for from the proceeds of sale in the Capital Reserve – Reserve Land Sales.

The Capital Reserve – Reserve Land Sales funds are only to be used for future capital land development costs or land purchases.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
CAO	Negotiate terms of sales in the industrial park; execute purchase and sales agreements that meet policy
Director of Planning	Market land for sale; coordinate real estate transactions; ensure efficient planning and development approval processes are in place.
Director of Finance	Ensure that land sale proceeds are placed in the Land Sales G/L in the Capital Reserve fund.

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Chief Administrative Officer	Council	

Minutes reference date:

TITLE: Sale of Usable Town Owned Lands
SECTION: Facilities Management
POLICY NO: 2300-01

APPROVAL DATE: March 24, 2025 **CAO Signature:** _____

PURPOSE

To establish a policy on the sale of surplus usable Town owned land. For the purposes of this policy, Usable shall mean:

All Town owned property that meets the requirements of the Subdivision Bylaw, Municipal Planning Strategy and Land Use Bylaw, and is not required for Town use.

POLICY

The Town of Amherst shall make available for sale usable property which Council deems, from time to time, to be surplus to its needs.

Except in the case of properties located in the Industrial Zone, the sale of property will be undertaken by either public tender, public auction, commission arrangement with local real estate firms, and/or by the Town posting the property for sale. The minimum asking price to be stipulated will be based on the appraised value for the property, prepared by an appraiser licensed and certified to practice in Nova Scotia and will be approved by Council before the land is listed for sale.

Any sale at a price less than the asking price must receive prior Council approval and Council may consider any offer presented after public tender.

For sale by public auction, Council will set a minimum price.

Property sold on Town owned lands located in the Industrial Zone shall conform to the **Industrial Park Land Sales Policy**.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Director, Planning & Economic Development	Property sale facilitation

For Administrative Use Only:

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Amendment Description	Policy Owner	Approved By	Approval Date
To add the stipulations that property sold on Town owned lands located in the Industrial Zone shall conform to the Industrial Park Land Sales Policy.	Fisher, Director of Planning and Economic Development	Council	March 24, 2025

Minutes reference date: August 17, 1992 January 20, 1997 December 13, 1999 October 24, 2005 September 25, 2006 March 24, 2025

TITLE: Industrial Park Land Sales Policy
SECTION: Facilities Management
POLICY NO: 2300-04

APPROVAL DATE: March 24, 2025 **CAO Signature:** _____

PURPOSE

1. To provide guidance and authority to the Chief Administrative Officer (CAO) for the sale of industrial-use land within the Town of Amherst, specifically in the Industrial Zone, in alignment with broader economic development goals.
2. Provide flexibility to the CAO to sell or retain industrial land based on market conditions and future development needs, with all land sold at its appraised value, or at a price established by Council.
3. To ensure that the sale of lots in the Amherst Industrial Park can occur in a timely manner needed to ensure sales are not impeded by undue process.

POLICY

The Town of Amherst is committed to fostering economic growth and development by ensuring timely sale of industrial land to attract new businesses. The CAO will be authorized to sell Town owned industrial lots at their appraised value, or at a price established by Council.

APPLICATION

The CAO will have authority to sell industrial lands in the Industrial Zone under the following conditions:

1. The proposed development meets the criteria of the Amherst Land Use Bylaw and Municipal Planning Strategy.
2. The sale is valued at the appraised value of the subject property, on a cost per square foot basis. The sale price shall be based on market value established by a third-party appraisal completed no more than 36 months prior to the sale, or a price established by Council.
3. The Purchase and Sale Agreement shall include a Site Development Proposal and a Buy-Back Agreement.
4. The Buy Back Agreement shall stipulate that the Town may repurchase the property if construction is not commenced within twenty-four months from the closing date.
5. On a first come / first served basis, except where multiple offers exist on the same property, the CAO, at their sole discretion, may evaluate the Site Development Proposal.
6. The CAO will exercise sole discretion over the timing and conditions of the sale of industrial lots, and may refer a sale to Council at their discretion.
7. All sales will be reported to Council at the next scheduled Committee of the Whole meeting.
8. All revenue will be deposited in a Capital Reserve account as per the Municipal Government Act.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Economic Development Officer	Promote the sale of lots in the Industrial Park and any expansion thereof.
CAO	Negotiate and execute necessary agreements related to the sale of lots

For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
New Policy	Fisher, Director of Planning & Economic Development	Council	March 24, 2025

Minutes reference date: March 24, 2025

- 4.10 By-law to Amend the Fires and Burning of Materials By-law Second Reading
Moved By Councillor Furlong
Seconded By Deputy Mayor Davidson
That Council give Second Reading of the By-law to Amend the Fires and Burning of Materials By-law C-7.**

Motion Carried

BY-LAW TO AMEND THE FIRES AND BURNING OF MATERIALS BY-LAW, C-07

The Town of Amherst Fires and Burning of Materials By-law is hereby amended as follows:

- Clauses 4(g), 4(h), and 4(i) have been relocated under Clause 4(e) as #s 4, 5 and 6 as they pertain specifically to recreational outdoor burning appliances that utilize wood or other combustible materials. This reorganization excludes appliances fueled by propane or natural gas, which are governed under Clause 4(j).
- Clause 4(j) has been renumbered to Clause 4(g) to reflect the structural changes above. Additionally, the reference to the "Nova Scotia Department of Natural Resources and Renewables" has been updated for accuracy. An exception statement has also been added to clarify the applicability of Clause 4(f) in relation to propane and natural gas appliances.

- 4.11 YMCA Funding Request
Moved By Councillor Ripley
Seconded By Councillor Wells
That Council approve a contribution in the amount of \$30,000 to the YMCA of Cumberland for development of Class B drawings of an affordable housing project at 1 Albion Street, to be funded from the Operating Reserve – Social Equity.**

Motion Carried

- 4.12 Industrial Park Lands Purchase and Sale Agreements
Moved By Councillor Wells
Seconded By Councillor McManaman**

That Council approve the purchase of lands for Industrial Park expansion including a 20-acre parcel on Race Track Road from Charlie McInnis for \$150,000 (plus applicable HST), and three parcels on Industrial Park Drive and Ancestral Drive totalling approximately 46 acres from Roger McInnis for \$900,000 (plus applicable HST) with all funds to be paid from the Operating Reserve over a three year period, and further to add this project to the current capital budget and that that CAO and Mayor be authorized to execute the necessary agreements.

Motion Carried

AGREEMENT OF PURCHASE AND SALE (VACANT LAND) BETWEEN: CHARLES MCINNIS, of Amherst, in the County of Cumberland and Province of Nova Scotia (the "Vendor") - and - THE TOWN OF AMHERST, a municipal corporation incorporated under the Municipal Government Act, S.N.S. 1998, c. 18, (the "Purchaser") WHEREAS the Purchaser is authorized under the Municipal Government Act to acquire real property for municipal purposes, subject to approval of Council and any applicable statutory requirements;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. PROPERTY The Vendor agrees to sell and the Purchaser agrees to purchase all and singular those lands and premises situate at or near Amherst, Nova Scotia, and being more particularly known and described as: • 70 RACE TRACK ROAD, Amherst, NS – PID 25037185 (the "Property").

2. PURCHASE PRICE The purchase price shall be ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), subject to adjustment for property taxes only, payable on Closing Date.

3. CLOSING DATE AND POSSESSION This Agreement shall be completed on or before the ___ day of _____, 2025 (the "Closing Date"). Upon completion, vacant possession of the Property shall be given to the Purchaser unless otherwise agreed in writing.

4. FORM OF CONVEYANCE The conveyance shall be by Warranty Deed, prepared at the Vendor's expense, and shall convey good and marketable title in fee simple to the Purchaser, free and clear of all liens, charges, mortgages, and encumbrances except for registered easements, covenants, or restrictions that do not materially affect the use and enjoyment of the Property for municipal purposes.

5. HARMONIZED SALES TAX (HST) All conveyances of real property in Canada are subject to the Harmonized Sales Tax ("HST") unless the conveyance is specifically exempt pursuant to the Excise Tax Act (Canada). The facts required to determine exemption from HST are entirely dependent upon the use of the property by the Vendor or the intention of the Vendor when the property was purchased and are therefore within the knowledge of the Vendor only. The Purchaser shall remit to the Vendor any HST payable on closing, or, if applicable, provide to the Vendor a certificate establishing that the Purchaser is registered for HST pursuant to the Harmonized Sales Tax Act and will self-assess and remit any applicable HST directly to the Receiver General for Canada.

6. CONDITIONS PRECEDENT This Agreement is conditional upon the following, each of which is for the sole benefit of the Purchaser and may be waived by the Purchaser in writing:

(a) Municipal Council Approval

That the execution and completion of this Agreement, including all financial obligations of the Town, shall have received the formal approval of the Council of the Town of Amherst by resolution in accordance with the Municipal Government Act, S.N.S. 1998, c. 18.

(b) Environmental Review and Approval

That the Purchaser shall have received, to its satisfaction, the results of an environmental site assessment (Phase I and, if recommended, Phase II), confirming that the Property is free from contamination or other environmental conditions requiring remediation under applicable provincial or federal legislation. If such approval is not obtained on or before the Closing Date, the Purchaser may, at its option, terminate this Agreement and all deposits (if any) shall be returned without deduction or interest.

(c) Title and Due Diligence

The Vendor acknowledges that the properties are not yet registered pursuant to the Nova Scotia Land Registration Act ("LRA"). It shall be the sole responsibility of the Vendor, at the Vendor's cost and expense, to have the properties migrated and registered under the LRA no later than seven (7) days prior to the Closing Date. The Vendor shall forthwith provide written notice to the Purchaser's solicitor upon completion of the migration and registration. The Purchaser's solicitor shall have five (5) business days from receipt of such notice to review the registration and to raise any title objections in accordance with the terms of this Agreement.

If any of the above conditions are not satisfied or waived by the Purchaser on or before the Closing Date, this Agreement shall be null and void and neither party shall have any further rights or obligations hereunder.

7. TENDER Any tender of documents or money may be made upon the solicitor for either party, and money may be tendered by bank draft, certified cheque, or solicitor's trust cheque.

8. TIME OF THE ESSENCE Time shall in all respects be of the essence of this Agreement. In the event of a written agreement of extension, time shall continue to be of the essence.

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

10. ENTIRE AGREEMENT This Agreement constitutes the entire understanding between the parties and supersedes all prior negotiations and representations, whether oral or written, relating to the subject matter hereof. Any amendment must be in writing and executed by both parties.

11. GOVERNING LAW This Agreement shall be governed by and construed in accordance with the laws of the Province of Nova Scotia.

DATED this _____ day of _____, 2025

TOWN OF AMHERST
PER:

Witness _____

ROBERT SMALL, Mayor

Witness _____

JASON MACDONALD, CAO

The Vendor accepts the above offer at on this ___ day of _____, 2025.

Witness

CHARLIES MCINNIS

AGREEMENT OF PURCHASE AND SALE (VACANT LAND) BETWEEN: ROGER MCINNIS, of Amherst, in the County of Cumberland and Province of Nova Scotia (the "Vendor") - and - THE TOWN OF AMHERST, a municipal corporation incorporated under the Municipal Government Act, S.N.S. 1998, c. 18, (the "Purchaser") WHEREAS the Purchaser is authorized under the Municipal Government Act to acquire real property for municipal purposes, subject to approval of Council and any applicable statutory requirements;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. PROPERTY The Vendor agrees to sell and the Purchaser agrees to purchase all and singular those lands and premises situate at or near Amherst, Nova Scotia, and being more particularly known and described as: • RACE TRACK ROAD, Amherst, NS – PID 25070608 • 22 INDUSTRIAL PARK DRIVE, Amherst, NS – PID 25037169 • LOT 2001-4 LORD AMHERST DRIVE, Amherst, NS – PID 25395435 (collectively, the "Property").

2. PURCHASE PRICE The purchase price shall be NINE HUNDRED THOUSAND DOLLARS (\$900,000.00), subject to adjustment for property taxes only, payable as follows: a. \$300,000.00 plus adjustments, due and payable on the Closing Date; b. \$300,000.00 due and payable twelve (12) months after the Closing Date; and c. \$300,000.00 due and payable twenty-four (24) months after the Closing Date. Interest shall not accrue on the deferred payments provided that each payment is made on or before the due date.

3. CLOSING DATE AND POSSESSION This Agreement shall be completed on or before the ___ day of _____, 2025 (the "Closing Date"). Upon completion, vacant possession of the Property shall be given to the Purchaser unless otherwise agreed in writing

4. FORM OF CONVEYANCE The conveyance shall be by Warranty Deed, prepared at the Vendor's expense, and shall convey good and marketable title in fee simple to the Purchaser, free and clear of all liens, charges, mortgages, and encumbrances except for registered easements, covenants, or restrictions that do not materially affect the use and enjoyment of the Property for municipal purposes.

5. HARMONIZED SALES TAX (HST) All conveyances of real property in Canada are subject to the Harmonized Sales Tax ("HST") unless the conveyance is specifically exempt pursuant to the Excise Tax Act (Canada). The facts required to determine exemption from HST are entirely dependent upon the use of the property by the Vendor or the intention of the Vendor when the property was purchased and are therefore within the knowledge of the Vendor only. The Purchaser shall remit to the Vendor any HST payable on closing, or, if applicable, provide to the Vendor a certificate establishing that the Purchaser is registered for HST pursuant to the Harmonized Sales Tax Act and will self-assess and remit any applicable HST directly to the Receiver General for Canada.

6. CONDITIONS PRECEDENT This Agreement is conditional upon the following, each of which is for the sole benefit of the Purchaser and may be waived by the Purchaser in writing:

(a) Municipal Council Approval

That the execution and completion of this Agreement, including all financial obligations of the Town, shall have received the formal approval of the Council of the Town of Amherst by resolution in accordance with the Municipal Government Act, S.N.S. 1998, c. 18.

(b) Environmental Review and Approval

That the Purchaser shall have received, to its satisfaction, the results of an environmental site assessment (Phase I and, if recommended, Phase II), confirming that the Property is free from contamination or other environmental conditions requiring remediation under applicable provincial or federal legislation. If such approval is not obtained on or before the Closing Date, the Purchaser may, at its option, terminate this Agreement and all deposits (if any) shall be returned without deduction or interest.

(c) Title and Due Diligence

The Vendor acknowledges that the properties are not yet registered pursuant to the Nova Scotia Land Registration Act ("LRA"). It shall be the sole responsibility of the Vendor, at the Vendor's cost and expense, to have the properties migrated and registered under the LRA no later than seven (7) days prior to the Closing Date. The Vendor shall forthwith provide written notice to the Purchaser's solicitor upon completion of the migration and registration. The Purchaser's solicitor shall have five (5) business days from receipt of such notice to review the registration and to raise any title objections in accordance with the terms of this Agreement. If any of the above conditions are not satisfied or waived by the Purchaser on or before the Closing Date, this Agreement shall be null and void and neither party shall have any further rights or obligations hereunder.

7. TENDER Any tender of documents or money may be made upon the solicitor for either party, and money may be tendered by bank draft, certified cheque, or solicitor's trust cheque.

8. TIME OF THE ESSENCE Time shall in all respects be of the essence of this Agreement. In the event of a written agreement of extension, time shall continue to be of the essence.

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

10. ENTIRE AGREEMENT This Agreement constitutes the entire understanding between the parties and supersedes all prior negotiations and representations, whether oral or written, relating to the subject matter hereof. Any amendment must be in writing and executed by both parties.

11. GOVERNING LAW This Agreement shall be governed by and construed in accordance with the laws of the Province of Nova Scotia.

DATED this _____ day of _____, 2025

TOWN OF AMHERST
PER:

Witness _____

ROBERT SMALL, Mayor

Witness _____

JASON MACDONALD, CAO

The Vendor accepts the above offer at on this ___ day of _____, 2025.

Witness _____

ROGER MCINNIS

**4.13 JD Irving Land Trade
Moved By Councillor McManaman
Seconded By Councillor Chambers**

That Council approve the trade of approximately 945 acres of town-owned lands in the Beecham Road Area for an approximately 910-acre portion of JD Irving land located within zones 1 and 2 of the North Tyndal Wellfield Protection Zone and further authorize the CAO and Mayor to execute the necessary agreements.

Motion Carried

4.14 Community Support Grants**Moved By Councillor Chambers****Seconded By Councillor Wells**

That Council approve funding in the amount of \$1,500 to the Amherst Indian Association for the Diwali Festival, that Council deny the request from the Amherst Cricket Club and request staff work with the club to come up with a solution to offer support through the equipment loan program, and further that Council deny the request from the Dollywood Foundation of Canada.

Motion Carried**4.15 Live Fire Training Facility****Moved By Deputy Mayor Davidson****Seconded By Councillor Chambers**

That Council approve an amendment to the 2025/26 capital budget for the Live Fire Training Facility and increase the budget from \$2,000,000 to \$3,425,000 with funding of \$3,250,000 from the Amherst Fire Fighters Association and \$175,000 from the Town of Amherst Capital Reserve.

Motion Carried**Moved By Deputy Mayor Davidson****Seconded By Councillor Chambers**

That Council award "RFP-25-15 – Supply of a Class B Fire Training Facility" to Greendale Resources Inc. in the amount of \$2,712,800 CAD, plus applicable taxes.

Motion Carried**5. INTERNAL COMMITTEE REPORTS****5.1 Planning Advisory Committee - Chambers**

Information item only.

5.2 Amherst Board of Police Commissioners - Davidson

Information item only.

5.3 Amherst Youth Town Council

Information item only.

5.4 North Tyndal Wellfield Advisory Committee - McManaman

Information item only.

6. EXTERNAL COMMITTEE REPORTS**6.1 Cumberland Public Libraries - McManaman**

Information item only.

6.2 Northern Region Solid Waste Management - Furlong

Information item only.

6.3 L. A. Animal Shelter - Davidson

Information item only.

7. ADJOURNMENT

Before adjourning the meeting, Mayor Small sent condolences on behalf of Mayor, Council and staff to Jean Jacklin, Executive Assistant/Dispatch Coordinator at the Amherst Police Department on the recent passing of her husband, David Jacklin.

He also recognized the Cumberland County Minor Hockey Association Bluenose Tournament volunteers and the wonderful job they did organizing this event, indicating he has heard nothing but positive comments.

Mayor Small also congratulated the Amherst Indian Association on the success of their first Diwali Celebration held Saturday evening at the Travel Lodge, who he recognized for the great job they did accommodating the event.

Also recognized was local resident Bill Riley on his induction into the Moncton Sports Wall of Fame, and recent recognition by the Washington Capitals.

At this time, the Mayor, Council and staff all showed their support for the Amherst Police Department during the Provincial Policing Review and recognized them for the great job they do.

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



Kimberlee Jones
Deputy Chief Administrative Officer



Robert Small
Mayor