

## Regular Council Meeting Minutes

**Date of Meeting:** Monday, November 24, 2014  
**Location:** Council Chambers, Town Hall

**Members Present:** Mayor Robert Small  
 Councillor Lisa Emery  
 Deputy Mayor George Baker  
 Councillor Frank Balcom  
 Councillor Robert Bird  
 Councillor David March  
 Councillor Terry Rhindress

**Staff Present:** Greg Herrett, CAO  
 Jason MacDonald, Deputy CAO Operations  
 Roger MacIsaac, Director CED  
 Vince Arbing, Treasurer  
 Bill Schurman, Director Recreation  
 Ian Naylor, Police Chief  
 Rebecca Purdy, Executive Assistant  
 Kim Jones, Policy and HR

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**1. CALL TO ORDER**

Mayor Small called the meeting to order at 7:00

**2. O'CANADA**

**3. HEARINGS/PRESENTATIONS/PETITIONS**

**4. APPROVAL OF AGENDA/MINUTES**

**4.1. Approval of the Agenda**

Moved By: Councillor David March

Seconded By: Councillor Terry Rhindress

To approve the agenda.

**Motion Carried**

**4.2. Approval of Minutes**

**4.2.1. 27 October 2014 Regular Meeting**

Moved By: Councillor Terry Rhindress

Seconded By: Deputy Mayor George Baker

to approve the minutes of the October 27, 2014 regular meeting.

**Motion Carried**

**4.2.2. 30 October 2014 Special Meeting**

Moved By: Councillor Terry Rhindress

Seconded By: Councillor Lisa Emery

To approve the minutes of the October 30, 2014 special meeting.

**Motion Carried**

**5. REQUESTS FOR DECISION**

**5.1. Amend Snow Removal Bylaw - First Reading**

Moved By: Deputy Mayor George Baker

Seconded By: Councillor David March

**That Council approve first reading of a Bylaw to Amend the Snow Removal Bylaw, D-1, requiring the Town to clear a 42” path along the sidewalk with Town equipment, following which the owners will be required to maintain a sidewalk surface that is free of snow and ice.**

**Motion Carried**

**BY-LAW TO AMEND THE SNOW REMOVAL BY-LAW, D-1**

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The Town of Amherst Snow Removal By-Law D-1, approved by Council on February 25, 2002 is hereby amended as follows:

1. Removing paragraph 3

“Every person who occupies, or if there are no occupiers, the persons in charge, and if there are no persons in charge, the owners of houses, stores, lots and pieces of land fronting on a designated street shall, after every fall of snow or freezing rain, clear away the snow, ice or slush, from the sidewalks and gutters adjoining their respective premises.

- a. When the snow ceases falling during the day, within four hours after it has ceased falling; and
- b. When the snow ceases falling during the night, within four hours after daylight on the following day.”

2. Adding new paragraphs 3, 4, 5 and 6:

- 3. For the purposes of this Bylaw, “Owner” shall mean: every person who occupies, or if there are no occupiers, the persons in charge, and if there are no persons in charge, the owners of houses, stores, lots and pieces of land fronting on a designated street.
- 4. When snowfall accumulation exceeds 5 centimetres the Town will clear a 42” path along all designated sidewalks.
- 5. Within four hours of the completion of paragraph 4 above, all owners shall clear away any remaining snow, ice or slush, from the 42” path along the sidewalks adjoining their respective premises.
- 6. In the case of snow and ice buildup less than 5cm in depth all owners shall clear away all snow, ice or slush from a 42” wide path along the sidewalk adjoining their respective premises.

3. Renumbering remaining paragraphs accordingly.

**5.2. Snow and Ice Management Policy**

**Moved By: Councillor Lisa Emery**

**Seconded By: Councillor Frank Balcom**

**That Council approve the new Snow and Ice Management Policy and repeal the Bare Pavement Policy 31600-06, Snow Plowing Policy 31600-03; Salt Management Policy 31400-02, Snow Removal Procedure 31600-05-P, Managing Snow and Ice on Town Property Policy 31600-07, and Major Storms Policy 31600-04.**

**Motion Carried**

**SNOW AND ICE MANAGEMENT POLICY, NUMBER 31600-25**

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**PURPOSE:**

The purpose of this policy is to provide direction to staff involved in snow and ice management operations to ensure streets, sidewalks, fire hydrants and parking lots are cleared in a safe and timely manner.

**POLICY STATEMENT:**

- 1. Snow and ice management operations will commence after 5 – 10 cm of snow has fallen and snowfall is continuing.
- 2. Salting of streets on the ‘salt route’ will commence when conditions warrant and salting of remaining streets not on the salt route will occur as needed.
- 3. Upon completion of the public streets, sidewalk operations will commence.
- 4. Priority will be given to heavily travelled streets and sidewalks, as defined in this policy.
- 5. Safety of the public and our operators is paramount in all aspects of our work.
- 6. Additional street widening and intersection clearing will occur upon the completion of the priority operations and as time and budget allow.

## SERVICE LEVEL EXPECTATIONS

### Level of Service for Roadway Types

**The objective is that all streets will be cleaned of snow within 6 hours from the end of a snow storm of up to 30 centimetres.**

#### Street Priority 1

- Plow continuously during storm, visibility permitting
- Plow to bare pavement, whenever possible
- Normally plow curb to curb within 4 hours after storm ends

#### Street Priority 2

- Plow continuously during storm, visibility permitting
- Salting of hills, intersections, as needed
- Normally plow curb to curb within 6 hours after storm ends

### Level of Service for Sidewalk Types

**The objective is that all sidewalks will be cleaned of snow within 24 hours from the end of snow plowing operations, for snow storms up to 30 centimetres.**

#### Sidewalk Priority 1 (Cleared within 12 hours)

- Sidewalks in school zones
- Sidewalks in the Core Area District (Downtown)
- Arterial streets

#### Sidewalk Priority 2 (Cleared within 24 hours)

- Collector streets
- Local streets

The sidewalks in the Downtown will be maintained with salt. Other sidewalks will receive sand to improve traction, as needed.

### Level of Service for Fire Hydrants

**The objective is that all fire hydrants will be accessible by emergency personnel 96 hours from the end of snow plowing operations, for snow storms up to 30 centimetres.**

The Streets Foreman will decide if the accumulation of snow around the fire hydrants, and/or the snow bank along the street in front of the fire hydrant, warrants the clearing operation to be activated.

Town crews are available to clear hydrants in an emergency, whenever required.

## MAJOR STORMS

**A major storm will be declared by the Transportation Foreman, or on-call supervisor, when snow clearing crews are no longer able to keep all Town streets cleared of snow and the storm continues.**

During a major snowstorm, crews will attempt to keep at least one lane of the following streets open:

- |                                |                                    |
|--------------------------------|------------------------------------|
| - Abbey Road                   | - Lawrence Street                  |
| - Albion & South Albion Street | - McCully Street                   |
| - Anson Avenue                 | - Pleasant (East & West)           |
| - Chamberlain Street           | - Spring Street                    |
| - Chandler Road                | - Robert Angus Drive               |
| - Church Street                | - Rupert Street                    |
| - Havelock Street              | - Townshend Avenue                 |
| - Hickman Street               | - Tupper Blvd                      |
| - Industrial Park Drive        | - Victoria Street                  |
| - LaPlanche Street             | - Willow Street                    |
| - Acadia                       | - Prince Arthur (Church to Rupert) |

During a major snowstorm, the Town Hall Parking Lot, Fire Station and Stadium parking lots will be kept open to allow emergency off-street parking.

To provide quick response in an emergency, a "storm line" will be activated during major storms (664-6000). This line will be monitored 24 hours a day until all of the streets have been opened.

As snowfall intensity decreases, Town equipment will commence snow plowing operations on other streets.

## PRIORITY STREETS – BARE PAVEMENT

**Town snow clearing crews will attempt to create a "bare pavement" condition within 12 hours following a snowfall event of up to 30 cm on the following streets:**

- Victoria Street
- Church Street
- Willow Street
- Albion / West Pleasant intersection

# 00363

- Albion Street
- South Albion Street
- Lawrence Street
- LaPlanche Street
- Robert Angus Drive
- East Pleasant
- West Pleasant
- Hickman Street

## **SNOW HAULING**

**Within 48 hours of the accumulation of 10 or more centimeters of snow, the snow will be hauled away from the boulevards of the Town streets listed below:**

- Victoria Street from Herbert Street to C.N.R. Tracks
- Church Street from Victoria Street to YMCA Driveway
- Havelock Street from Victoria Street to Prince Arthur Street
- Ratchford Street
- King Street
- Princess Street
- Electric Street
- Prince Arthur Street from South Adelaide to Station Street
- Hickman Street from West Pleasant to Cornwall Street
- Acadia Street from Victoria Street to Prince Arthur Street
- Albion Street from Church Street to the Lord Amherst Drive
- LaPlanche Street from Victoria Street to Civic # 12
- Lawrence Street from Victoria Street to Civic # 17
- Academy Street from Spring Street to Queen Street on (West side only)
- Charles Street from Spring to Dunlap (West side only)
- Spring (Albion to Church)

## **TOWN OWNED PROPERTY**

**Town staff will take necessary steps to minimize public hazards due to snow/ice conditions on Town-owned/leased property.**

### Public Parking Lots

Snow will be removed by private contractors before 8:00 a.m. each day. The lots will then be checked for slippery conditions by Town staff and appropriate measures taken, using salt and sand to alleviate any hazard to the public. Further periodic checks are to be made as conditions warrant throughout the day.

- Town Hall
- Library
- Ratchford Street
- George Blanche
- Corner of Maple and Electric
- Corner of Church and Electric
- Bounded by Church, Prince Arthur, Maple and Electric
- Trinity
- Baptist Church and Church of England
- YMCA
- Stadium
- Fire Station

### Public Buildings

The public entrances and adjacent sidewalks to Town operated facilities will be checked by Town staff for hazardous snow and ice conditions each day, before the building is open to the public. Excess snow will be removed and slippery conditions will be addressed using salt, sand and other suitable ice control material. Further periodic checks are to be made as conditions warrant throughout the day.

- Town Hall
- Police Station
- Fire Station
- Library
- Works Garage
- Stadium

## **SALT MANAGEMENT**

**The Town of Amherst is committed to the efficient management of its road salt, while continuing to provide effective winter maintenance for the safety of motorists and winter maintenance workers.**

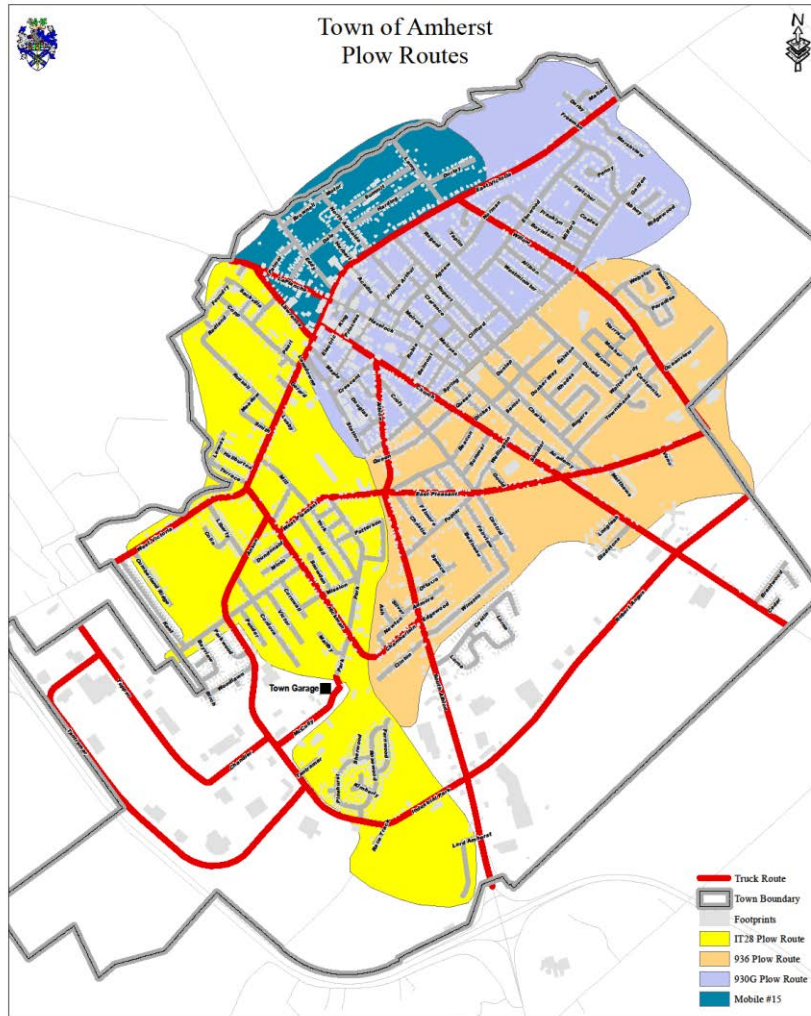
The Town will demonstrate environmental responsibility by implementing and maintaining a Salt Management Plan (SMP) and associated best management practices.

To ensure the Town successfully meets its commitment, it will:

- Conduct operational activities in a manner that protects the environment and prevents or minimizes pollution;
- Continue to provide snow and ice control on Town streets so that service level standards are achieved;
- Address concerns raised by the federal government’s review of road salts and their effect on the environment;
- Comply with environmental legislation, relevant standards, and industry codes of practice that apply to the Town’s facilities and operations;
- Provide all winter maintenance personnel with appropriate training and resources so they are able to complete their assigned tasks in a manner that is consistent with the requirements of this Policy;
- Establish and track objectives and targets to verify effectiveness and identify opportunities for continual improvement of processes and operations;
- Monitor operations and implement appropriate corrective and/or preventive actions to improve performance;
- Communicate the requirement of this Policy and the Salt Management Plan to all employees
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**5.3. Amend Taxi Bylaw - First Reading**

*Deputy Mayor Baker declared a conflict and stepped down from the Council table for the discussion and decision on this issue.*

**Moved By: Councillor Frank Balcom**

**Seconded By: Councillor Lisa Emery**

**That Council approve first reading of the proposed Bylaw to Amend the Regulation of the Transporting of Passengers for Hire Bylaw (Taxi Bylaw), C-9-1.**

**Motion Carried**

**BYLAW TO AMEND THE REGULATION OF THE TRANSPORTING OF PASSENGERS FOR HIRE BYLAW, C-9-1**

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This is a by-law to amend the Regulation of the Transporting of Passengers for Hire By-law.

**AMENDMENTS**

1. In the Regulation of the Transporting of Passengers for Hire By-law the following Sections are amended:

**(1) Section 4 DUTIES OF TAXI AUTHORITY: Subsection (1)(d)**

Replace the word "licenses" with the word "licensed"

**(2) Section 11 ADDITIONAL OWNER'S OBLIGATIONS: Subsection (1)**

Add the words "or equivalent" after the words "minimum Class 4 motor vehicle operator's license"

**(3) Section 14 DRIVER'S LICENSE: Subsection (3)**

"A written consent in form satisfactory for the Taxi Authority to obtain an abstract of the applicant's driving record from the Registrar of Motor vehicles is provided."

Replaced with:

"A driver's abstract from the Registrar of Motor Vehicles completed within the past 30 days for the applicant is provided."

**(4) Section 15 DRIVER'S LICENSE**

Replace "5.00 fee" with "\$10.00 fee"

**(5) Section 18 SUSPENSION AND REVOCATION OF LICENSES**

Replace the section heading "**SUSPENSION AND REVOCATION OF LICENSES**" with "**REFUSE TO GRANT, SUSPENSION AND REVOCATION OF LICENSES**"

**(6) Section 18 REFUSAL TO GRANT, SUSPEND AND REVOCATION OF LICENSES**

**Subsections (1) (b) (c) (d) and (e) are removed and replaced with the following:**

(b) Has been convicted of an offence against vulnerable persons, a sexual offence, illegal sale or possession of drugs, a violent offence or a breach of trust.

(c) Is either charged or convicted pursuant to any municipal bylaw or provincial or federal legislation and in the opinion of the Taxi Authority, because of the charge or conviction it is in the public interest that the person not hold either an owner's license or driver's license.

(d) Has a driving record, criminal or provincial offence record or outstanding criminal charges that in the opinion of the Taxi Authority makes them unfit to possess a license.

(e) Has failed to immediately notify the Licensing Authority that they have become the subject to a court order, undertaking, charge or conviction.

**Subsection (2)**

Replace the words "under subsection 1.f" with "under subsection 1.g"

**Subsection (3)**

Add the words "or equivalent" after the words "Province of Nova Scotia"

**(7) Section 24 OFFENCES AND PENALTIES**

"a fine pursuant to Section 299 of the Motor Vehicle Act but of not more than five hundred dollars (\$500.00) and in default of payment, to imprisonment for a term of not more than 60 days."

Replaced with:

“a minimum fine of one hundred dollars (\$100.00) but of not more than five thousand dollars (\$5,000.00) and in wilful default of payment, shall be liable to imprisonment for a term of not exceeding 6 months.”

**DELETIONS**

- 2. In the Regulation of the Transporting of Passengers for Hire By-law the following Sections are deleted and the sections re-numbered accordingly.

**Section 2 DEFINITIONS: Subsection (3) Definition of Disqualified Conviction**

**Section 9 OWNER’S LICENSE: Subsection (6)**

**Section 14 DRIVER’S LICENSE: Subsection (5)**

**Section 18 REFUSAL TO GRANT, SUSPEND AND REVOCATION OF LICENSES: Subsection (5)**

**5.4. Maccan Water Main Extension Project**

**Moved By: Deputy Mayor George Baker**

**Seconded By: Councillor Terry Rhindress**

**That Council approve the extension of the Maccan Water Main an additional 300 meters along the Mines Road, at a cost of approximately \$50,000, to be paid entirely by the Municipality of the County of Cumberland**

**Motion Carried**

**5.5. Tender - Fuel Oil Products**

**Moved By: Councillor Terry Rhindress**

**Seconded By: Councillor Frank Balcom**

**That Council award the tender for the purchase of fuel oil products, for a two year period (2015-2016) to Irving Energy at their supplier’s margin bid (cents per Litre) of \$0.0872 on gasoline, \$0.0630 on diesel, and \$0.1038 on furnace oil.**

**Motion Carried**

**5.6. Amend Land Use Bylaw re Off-Site Signs - First Reading**

**Moved By: Councillor David March**

**Seconded By: Deputy Mayor George Baker**

**That Council approve First Reading of a Bylaw to Amend the Land Use Bylaw by removing section 6.7(c) that restricts off-site sign content to businesses or uses located within 5 km of Town limits, and schedule a Public Hearing for December 22, 2014, at 6:30 pm.**

**Motion Carried**

**BYLAW TO AMEND THE LAND USE BYLAW, P-2-20**

- 1. This is a By-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of signage.
- 2. In the Land Use By-Law, Section 6.7 Off Site Signage is amended as follows:
  - 6.7 Delete in it’s entirety Section 6.7(c) “The off-site sign shall not display a business or use that is located more than 5km outside the Town boundaries.”

**5.7. Development Agreement - Smith Street - First Reading**

**Moved By: Councillor David March**

**Seconded By: Councillor Terry Rhindress**

**That Council approve First Reading of the proposed development agreement for two 12-unit apartment buildings on the property located at 8-10 Smith Street, and schedule a Public Hearing for December 22, 2014 at 6:30 pm.**

**Motion Carried**

Case No: DA-2014-04

This Agreement made this \_\_\_\_\_ Day of \_\_\_\_\_ 2014.

Between: **Frank Johnson** (owner of property located at 8-10 Smith Street [PID 25031352], hereinafter called the “Owner”), of the one part, and **The Town of Amherst** (a body corporate in the Province of Nova Scotia, hereinafter called the “Town”), of the other part.



WHEREAS the Owner wishes to obtain permission pursuant to Policy RP-9 of the Municipal Planning Strategy of the Town of Amherst, to construct two, 12-unit apartment buildings on the property located at 8 - 10 Mill Street (PID# 25031352).

AND WHEREAS a condition of the granting of approval of Council is that the Owner enter into an Agreement with the Town;

AND WHEREAS the Council of the Town, at its meeting on the \_\_\_\_<sup>th</sup> Day of \_\_\_\_\_ 2014, approved the said development Agreement, subject to the registered Owner of the land described herein entering into this Agreement;

AND WHEREAS the following Schedules shall be attached to and form part of this Agreement:

- (a) Schedule 'A' - Terms and Conditions
- (b) Schedule 'B' - Property Location Map
- (c) Schedule 'C' - Site Plan
- (d) Schedule 'D' - Building Elevation

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Town of the Development Agreement requested by the Owner, the Owner agrees as follows:

- 1) That the Owner is the registered Owner of the aforesaid Lands in the Town of Amherst, hereinafter called the "Lands". The aforesaid Lands are the only Lands in the Town of Amherst to which this Agreement applies, and the Lands are illustrated in the plan shown on Schedule B attached.
- 2) That the Owner may construct a maximum of two (2) detached buildings each containing twelve (12) dwellings units on the said Lands, subject to Schedules A, B, C, and D attached.
- 3) Nothing in this Agreement shall exempt or be taken to exempt the Owner or any other person from complying with the requirements of any Bylaw of the Town applicable to the Property (other than the Land Use Bylaw to the extent varied by this Agreement) or any Provincial or Federal statute, act, or regulation.
- 4) Any failure of the Town to insist upon strict enforcement of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.
- 5) Should the Owner fail to act in accordance with any aspect of this Agreement, the Town shall retain the right to discharge the Agreement upon 30 days notification and / or enter the property and conduct the required work. The cost of the said work will become a lien on the property tax bill.
- 6) The Town shall issue the necessary Development Permit for the development upon expiration of the appeal period specified for Development Agreements under Section 249 of the *Municipal Government Act*, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken.
- 7) The Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Town in accordance with Section 229 of the *Municipal Government Act*.

#### **SIGNED, SEALED AND DELIVERED**

#### **Schedule A                    8 – 10 Smith Street - Development Agreement**

Terms and Conditions:

##### **1.0 USE OF LAND AND BUILDINGS**

1.1 The use of the property shall be limited to residential uses within a maximum of two (2) detached apartment buildings each containing twelve (12) dwelling units in the general location illustrated on Schedule 'C'.

1.2 A minimum of 32 parking spaces shall be provided on the Lands and shall be generally configured as shown on Schedule 'C'.

1.3 All areas not used for buildings, parking, or driveways shall be landscaped with grass or other such vegetation. A minimum of three (3) trees at least 3 metres in height shall be planted or maintained in yard between Smith Street and the nearest apartment building on the property.

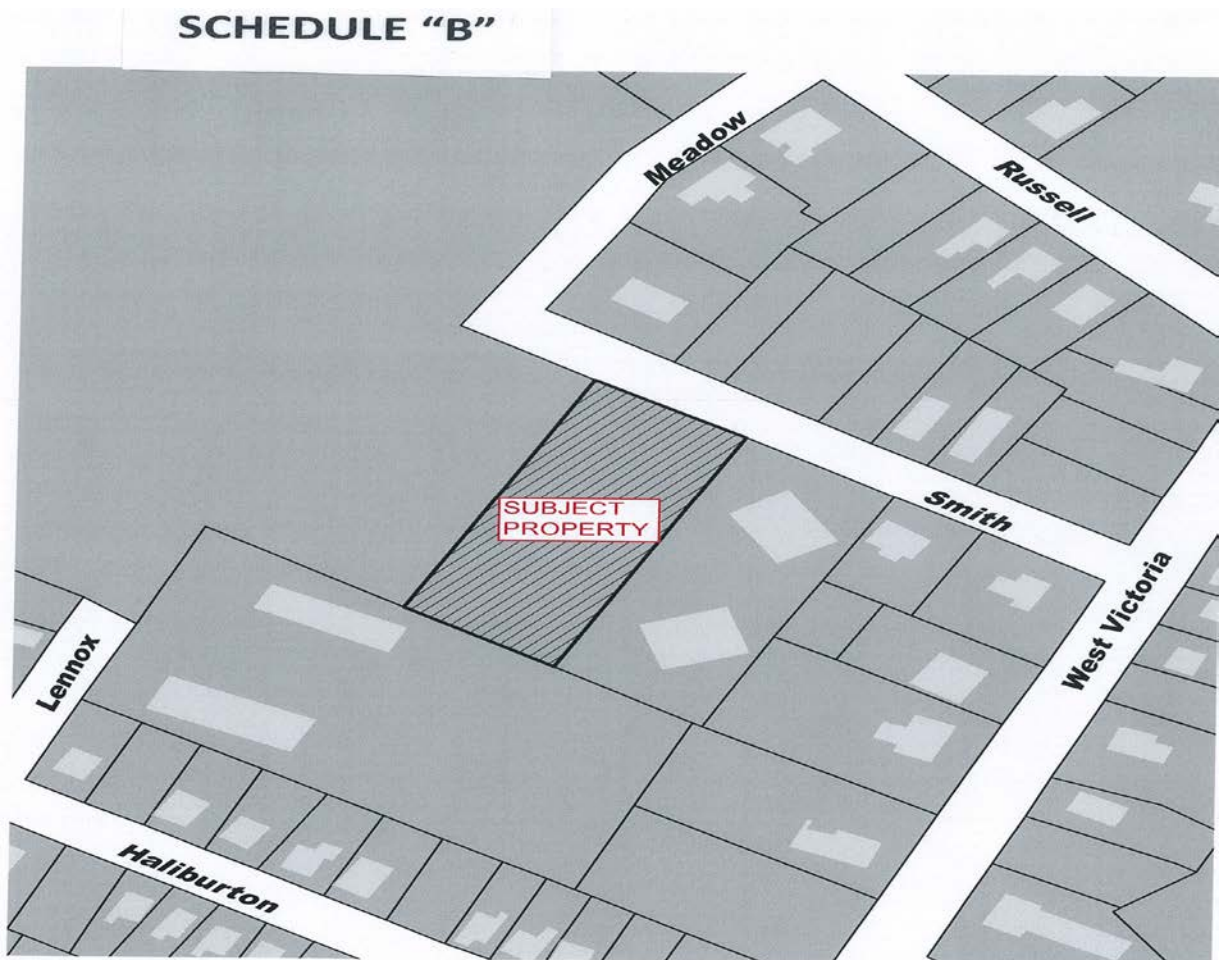
1.4 Accessory buildings may be permitted on the Lands where such buildings do not encroach upon any required parking, and in accordance with the *Town of Amherst Land Use Bylaw*.

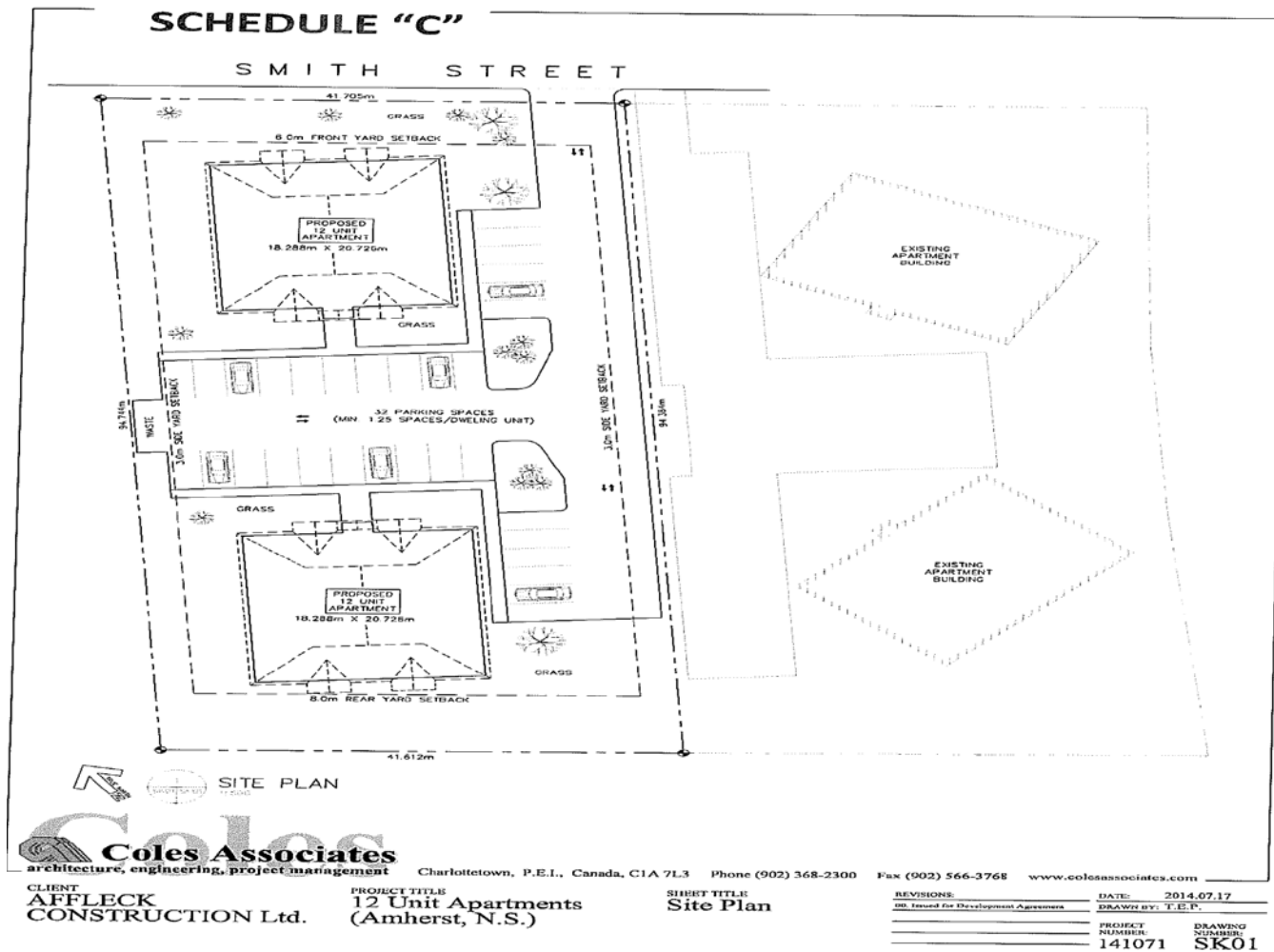
##### **2.0 BUILDING LOCATION AND DESIGN**

2.1 All structures on the Lands are subject to *Nova Scotia Building Code Regulations*, to the satisfaction of the Building Inspector.

- 2.2 The apartment buildings shall generally conform to the designs illustrated on Schedule 'D'. Variations to the architectural details may be permitted, to the satisfaction of the Development Officer. In addition, the Owner shall construct an entrance facing Smith Street with the same or similar architectural design as the entrance located at the opposite side of the building closest to Smith Street.
- 2.3 The location of buildings, parking areas, access, and landscaped areas shall be generally located as shown in Schedule 'C'.
- 3.0 GENERAL REQUIREMENTS
- 3.1 The Owner shall keep the Lands and buildings and any portion thereof clean and in good repair. All elements of the development on the Lands shall be regularly maintained and kept in a tidy state, and free from unkept materials of any kind.
- 3.2 Signage on the property shall conform to the Town of Amherst *Land Use Bylaw*.
- 3.3 The Owner shall ensure that exterior lighting does not shine directly onto adjacent properties.
- 3.4 Solid waste management shall be in conformance with the Town of Amherst *Solid Waste Bylaw*.
- 3.5 The Owner shall be responsible for storm water management during and after construction.

**Schedule B                    8 – 10 Smith Street - Development Agreement**





**5.8. Appointment to Amherst Youth Town Council**

**Moved By: Councillor Frank Balcom**

**Seconded By: Councillor David March**

**That Council re-appoint the following nine members to the Amherst Youth Town Council for the 2014-15 year:**

- **Brandon Sutherland-Metz (Amherst)**
- **Chelsey Borne (Amherst)**
- **Noah Sangster (Amherst)**
- **Connor Scott (Amherst)**
- **Madelynn Carter (Amherst)**
- **Brandon Steele (Amherst)**
- **Ethan McAloney (Amherst)**
- **Alisha Christie (Amherst)**
- **Alexandra Degenstein (Amherst)**

And that Council appoint the following three new members:

- **Olivia Scott (Amherst)**
- **Ben Eaton (Amherst)**
- **Jordan Hunter (County Resident)**

**Motion Carried**

**5.9. Winter Parking Ban**

**Moved By: Councillor Lisa Emery**

**Seconded By: Deputy Mayor George Baker**

**That Council request the Traffic Authority to enact the Winter Parking Ban for the 2014-2015 winter season, between November 25 and April 15, to prohibit the parking of vehicles on the street, between the hours of midnight and 7:00 am, regardless of weather conditions.**

**Recorded**

Robert Small	Yes	
Lisa Emery	Yes	
George Baker	Yes	
Frank Balcom	Yes	
Robert Bird		No
David March	Yes	
Terry Rhindress	Yes	
<b>Results</b>	<b>6</b>	<b>1</b>

**Motion Carried**

Opposed: and Councillor Robert Bird

**PARKING REGULATIONS MADE BY THE TRAFFIC AUTHORITY FOR THE TOWN OF AMHERST**

**WHEREAS** due to the congestion on the streets of the Town of Amherst caused by both vehicular and pedestrian traffic, and the limitation on the free use of the streets liable to be caused by the presence of snow and ice thereon, I am of the opinion that an emergency and a special condition exists, and I so declare.

**THEREFORE** under the authority of Section 202(1), Chapter 293, R.S.N.S. 1989, the Motor Vehicle Act, as Traffic Authority of the Town of Amherst, I make the following temporary regulations:

1. **NOTWITHSTANDING** that certain traffic signs have been erected in the Town of AMHERST prohibiting or permitting the parking or leaving standing of vehicles upon sections of the highways during the hours stated thereon and notwithstanding the provisions of the Regulations made by the Traffic Authority for the Town of Amherst pursuant to Section 152(1) of the Motor Vehicle Act respecting parking meters, being Chapter 293 of the Revised Statutes of Nova Scotia 1990.
  - (a) No owner or driver or person having control or custody of any vehicle, shall between the 15<sup>th</sup> day of November A.D. 2014 and the 15<sup>th</sup> day of April A.D. 2015, park or leave standing the same upon any highway or street in the Town of Amherst between the hours of 12:00 o'clock midnight and the hour of 7:00 o'clock in the morning of the same day.
  - (b) No owner or driver or person having control or custody of any vehicle shall between the 15<sup>th</sup> day of November A.D. 2014 and the 15<sup>th</sup> day of April A.D. 2015, park or leave the same standing and unattended by a person authorized to move or capable of operating the same upon any highway or street in the Town of Amherst in such manner as to hinder, inconvenience or prevent the proper removal of snow or ice from such highway or street.
  - (c) Nothing in the foregoing regulations shall, however, apply to:
    - (1) the motor vehicle of a physician or surgeon parked reasonably near his office or residence and immediately available for professional calls;

- (2) the motor vehicle parked by a physician or surgeon who is actually engaged in his professional occupation and reasonably near where he is so engaged;
  - (3) the motor vehicle parked by an operator who is actually engaged in discharging his duties as a Police Constable or a member of the Provost Police;
  - (4) the motor vehicle parked by an operator who is actually engaged in discharging his duties as a member of the Amherst Fire Department;
  - (5) the motor vehicle parked by an operator who is actually engaged in loading or unloading merchandise.
2. The times above referred to shall be the time from time to time legally in effect in the Town of Amherst.
  3. It shall be an offence for any person to fail to comply with these regulations and any such person shall be liable to a penalty provided by Section 292 of the Motor Vehicle Act.

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K. I. Naylor, Chief of Police  
Traffic Authority for the Town of Amherst

#### 5.10. Flag Raising Policy

**Moved By: Councillor Robert Bird**

**Seconded By: Councillor Terry Rhindress**

**That Council approve an amended Policy 10350-14 Requests for Proclamations and Flag Raising Ceremonies, to indicate that flags will be raised on a Town-owned flag poles in front of the Cumberland YMCA**

**Motion Carried**

#### **REQUESTS FOR PROCLAMATIONS AND FLAG RAISING POLICY, NUMBER 10350-14**

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##### **PURPOSE:**

To set out the Policy of the Town in regard to requests from groups and organizations to have proclamations signed and to have flag raising ceremonies.

##### **POLICY STATEMENT:**

1. Proclamations  
Proclamations will only be made in support of specific community events or activities in or around the Town at the request of the organizing group. Requests are to be made in writing to the CAO at least one week in advance of the date of the proposed proclamation, and must include the proposed proclamation. Proclamations must be approved by the CAO, with the provision that, at his discretion, he may submit the proclamation to Council for approval.
2. Flag Raising Ceremonies  
Flags will only be placed on a Town owned flag pole at the intersection of Church and Albion Streets, in front of the Cumberland YMCA in support of specific community events or activities in or around the Town at the request of the organizing group. The maximum duration of any individual flag display will be five days, and requesting organizations must pick up their flags once that period is over. Requests are to be made in writing to the CAO at least one week in advance of the date of the proposed flag raising. Flag raisings must be approved by the CAO, with the provision that, at his discretion, he may submit the request to Council for approval.

In general, it shall be the policy of Council to only approve requests under the following circumstances:

- a) The message being conveyed must be considered to be for the public good;
- b) No group or individual shall be promoted to the detriment of another group or individual;
- c) The flag must be presentable and should not detract from the appearance of Town property;
- d) All ropes, attachments, etc. must be provided by the applicant

#### **6. INFORMATION / DISCUSSION ITEMS**



## 7. INTERNAL COMMITTEE REPORTS

The following internal committee reports, included in the agenda, were read by the Council committee representatives:

- 7.1. **Planning Advisory Committee**
- 7.2. **Amherst Youth Town Council**
- 7.3. **Downtown Business Advisory Committee**
- 7.4. **Amherst 125 Committee**

## 8. EXTERNAL COMMITTEE REPORTS

The following external committee reports, included in the agenda, were read by the Council committee representatives:

- 8.1. **Cumberland Public Libraries**
- 8.2. **Cumberland YMCA - Verbal report**

Councillor Bird presented a verbal report on behalf of the Cumberland YMCA. Highlights of his report included: The Y has a new staff member, Heather Gallant, who is a part of the Y Reach Program for immigrants and foreign workers outside HRM. Membership is 1,027 with 73 being sponsored memberships. The Y recently completed a strategic planning session and developed four key directions: Strengthen our impact, extend our reach, increase our capacity, and build our brand.

- 8.3. **Cumberland Joint Services Management Authority**
- 8.4. **Northern Region Solid Waste Committee - verbal report**

Deputy Mayor Baker presented a verbal report on behalf of the Northern Region Waste Resource Committee. The Committee met November 21 in Colchester; highlights of that meeting included NR's not being able to have members on RRFB; would like to see provincial standards on clear bags but they are not optimistic; Produced a video of the flow of waste; They would like to do a presentation to each council. Waste Audit training is required - enforcing curbside collection bylaws. They feel they need more people out doing residential and business audits. NS leads the country in waste reduction. Next meeting scheduled for January 16 in East Hants. ACES program - handling is done in municipalities but no revenue comes back to the units.

## 9. ADJOURNMENT

Prior to the adjournment, Mayor Small made the following statement on the issue of discharging treated waste water from AIS.

What I am about to say are my own thoughts on the issue of discharging treated waste water from a water purification plant in Debert and recent activities that have resulted in a decision not to proceed.

I don't normally write my comments, for the purpose of talking to the public, as I am a great believer in having face to face conversations and speaking from the "heart" on any given subject. This being said, I feel it is necessary to present my views in a manner that addresses several issues that have come to pass during these past few weeks.

As you may or may not know, Council was asked if we would be interested in a Revenue opportunity that would see a significant gain in Revenue by entering into a contractual agreement that would permit the discharging of treated water from Debert. At first, the answer was NO, but staff asked to present the details, so that Council could make an informed decision. While some might not believe it, all of our council are concerned about the environment and any impact that putting treated water might have by placing it back in our environment. I can tell you that there were a lot of questions that demanded answers, before we were comfortable that we understood the facts and data and the risks associated with the project. We spent considerable time getting these answers, by assembling a team of staff, waste treatment facility designers/builder and a local consultant to verify everything that we had been presented to ensure we had mitigated any risk. Council then directed staff to develop a draft letter of intent that addressed all the issues. At this point, Council wanted to make



sure the public was presented the information and given an opportunity to provide feedback on concerns associated with the contents of the water before moving any further into the decision making process.

The process we used was holding an information session, where anyone could ask questions directly to the people that were involved in providing Council with the same information. It is fair to say, that those who attended were not happy with this format of the information session. There were two distinct groups of individuals that attended that meeting, there were those that were there to try and gain information and input into the issues and there were those that were there as activists. In fact, one person who does not live in Amherst, ran up to the front stage and Hi-Jacked the information session for a few minutes by soliciting those in attendance to indicate whether they are in favour or against the proposed project. While there were a small group that were not supportive of the idea of discharging treated water back into the environment, there were those that quietly supported it after they had reviewed the information by indicated it through face to face conversation.

Following this event, Council felt it would be prudent to have a face to face conversation with the Minister of Environment to discuss the format and process that the Department of Environment would use, should Council agree to proceed with a letter of intent. The majority of council met with the Minister in Halifax while attending the Union of Nova Scotia Municipalities conference. Following this meeting, Council agreed that it would be good to have the Minister of Environment come to Amherst to address any public concerns associated with the treated water and its contents. A request was sent to the Minister's office and arrangements were in works to come to Amherst and present the information. Since Council has directed staff to discontinue, we will advise the Ministers office to cancel the meeting.

During this period of time, I became aware of a facebook page administered by a local family that had captured a larger group of people and began to discuss this project. Let me say this before I continue, I am not a person that goes on facebook, however plenty of my friends do, so I can refer to what I have heard and not what I have saw.

This being said, this facebook page serve several purposes over the past while, I will list the positive items that resulted from this facebook page:

1) Information Sharing and Discussion on Fracking Gas.

While this topic is very controversial and is associated with where the waste water came from, it was not what the project being considered, was about.

I will now list the negative items that resulted from this facebook page:

- 1) The discontinuation of anyone from the facebook page that provided facts and data to support the project.
- 2) Threats and Personal Attacks on those that discussed the merits of the project
- 3) Posting of Information that was false
- 4) Posting of Information that had no bearing on the project and misleading to those that read it.
- 5) Imposing Fear on those that were connected to the face book page.
- 6) Encouragement of Cyber Bullying and all of the associated activities that comes with Bullying.
- 7) Making references to the use of Guns.

While this facebook page being administered locally, I might add, also had the influence of external input from known lobbyists and those that are paid to instill fear, not only in those that participate in the facebook page, but those that have family and friends.

I had one elderly lady tell me that while she trusted Council to do the right thing, she was very concerned with all the negativity that came with the consideration of this proposal.

Along with this facebook page, there have been two public demonstrations where the focus was Fracking Gas and the groups opposition to the Fracking Industry and anything associated with it.

While I do respect those opposed to Fracking, the project Council has been considering had nothing to do with the approval of Fracking in our town, nor did it have anything to do with the treatment of Fracking Waste in our Town. Council was considering, permitting clean water that has gone through significant treatment processes to ensure that any contaminant has been removed through the treatment process. This being said, those that organized the demonstration did not attend the information session or pursue any information from the town, instead they decided to present the wrong information and mis-lead people into thinking that Council was approving Fracking and the discharge of Fracking Waste Water without any consideration for the environment.

As you know, I made a presentation to the Chamber of Commerce last week and outlined from A to Z all of the details that Council was presented during Council's fact finding assessment. Following that meeting, there was not one person who had a concern about the facts and data associated with the contents of the water, following the treatment process. This being said, there was two questions and comments related to

concerns with respect to the Town's image that had been made following the anti-fracking demonstrations and how this may have a long term impact on our Town and community in terms of reputation. Those concerns were presented by a concerned sincere person in our community and we have certainly taken that into consideration with our decision.

Each Councillor who supported this project from the beginning had their own personal reasons for supporting it. What I think is fair to say, is that we did not expect to face circumstances where the public was being misled and the resulting personal attacks became overwhelming for some. I know a few people tried there absolute best, to provide the correct information, so that people can make an informed decision.

Enough said about how people who can mislead and twist the truth and threaten others to suit their needs.

I will admit that I am disappointed that we could not continue to inform the public of this proposed project, having the Minister of Environment present the facts and data, and missing a great opportunity to gain some revenue to help our community. This being said, I do understand and respect each member of council who had to endure personal attacks, threats and confrontations.

Ultimately for us, in small town Nova Scotia it is the importance of community that matters most, it is not the money. We as a council do not want anyone to live in fear who lives in our community. We have made some amazing improvements in our town in these past 6 years and we have lots of plans for the future for our town that we will continue to work on.

One thing I have learned over the years is not to dwell on the past, but to move to the future.

**Moved By: Councillor Terry Rhindress**  
**Seconded By: Deputy Mayor George Baker**  
**To adjourn at 8:00 PM**

**Motion Carried**

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Gregory D. Herrett, CA  
Town Clerk and CAO

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Robert Small  
Mayor