

Town of Bishop's Falls
Public Council Meeting No. 1239
April 14, 2009 at 7:00 pm
Council Chambers

Minutes

Mayor J. Fancey called the meeting to order at 7:00 pm on April 14, 2009 and presided with the following individuals in attendance:

Deputy Mayor J. Budgell
Councillor D. Tremblett
Councillor B. Saunders
Councillor N. Stewart

Mr. Gary Drover, Chief Administrative Officer
Mr. Randy Drover, Town Clerk

Councillor H. Sutton and Councillor A. Hynes were absent with regrets.

Mayor J. Fancey informed Council that the Recreation Infrastructure Investment Plan and Fallsview Municipal Park Investment Plan were prepared and ready for Council's review. However, when the agenda was prepared the Plans were not ready, and to add them now would require a suspension of Standing Order 8.2. She also noted that a rule suspension motion requires unanimous support.

Motion 168/2009 – Deputy Mayor J. Budgell/Councillor B. Saunders

To suspend Standing Order 8.2 that interferes with additions to the agenda for the purpose of this Public Meeting.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried Unanimously

Item 1: Adoption of the Agenda

Mayor J. Fancey asked if there were any additions to the agenda. Councillor N. Stewart added "ACOA Proposals" under general business.

Motion 169/2009 – Councillor N. Stewart/Councillor D. Tremblett

To adopt the agenda as revised.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Item 2: Adoption of Minutes for Public Council Meeting No. 1238

Motion 170/2009 – Councillor B. Saunders/Deputy Mayor J. Budgell

To adopt the minutes for Public Meeting no. 1238 as presented.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Item 3: Motion to Rescind (Motion 118/2009)

Motion 171/2009 – Councillor B. Saunders/Councillor N. Stewart

To rescind motion 118/2009 that was adopted during Public Meeting 1237.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 172/2009 – Councillor N. Stewart/Councillor B. Saunders

Whereas the residents of Kinsman Drive have, over a period of many years, expressed interest to purchase the land immediately behind their dwellings; and whereas Council does not have any current or future plans for this land; and whereas the area is currently zoned as Recreation Open Space; therefore, be it resolved that;

1. The area of land immediately behind Kinsman Drive and boarding the stadium road shall be rezoned from Recreation Open Space to Residential Medium Density.
2. Prior to the commencement of the rezoning process, all residents from 8 Kinsmen Drive to 24 Kinsmen Drive will be provided an opportunity to submit a letter of interest to purchase the section of land located behind their properties up to a line to the west of the brook (see attached map) at a cost of \$1,000 plus HST, deed, survey, and an equal share of the rezoning fees.
3. This motion shall be null and void if all residents from 8 Kinsmen Drive to 24 Kinsmen Drive do not submit a letter of interest to purchase that section of land behind their properties as per stipulation two (2) and a deposit of \$1,000 + HST by May 31, 2009.
4. Notwithstanding stipulation three (3), where it is evident that a resident is not interested in purchasing that section of land behind his/her dwelling as per stipulation two (2), that land shall be available for purchase by another resident on Kinsmen Drive.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Item 4: Standing Committee Reports and Recommendations

4.1 COMMUNITY RELATIONS STANDING COMMITTEE MEETING NO. 4 (APR 1, 2009)

4.1.1 Chairperson's Report

Councillor B. Saunders, Member of the Community Relations Standing Committee, tabled the following report:

“Madame Mayor, the Community Relations Standing Committee held a meeting on April 1, 2009, and during this time we discussed several items with the Bishop’s Falls Fire Department. The Fire Department is in the process of identifying specifications for a new multi-purpose unit to replace exiting equipment. Once this work is completed, a proposal will be presented to Council for approval. The Committee continues to try to arrange a meeting with the provincial Fire Commissioner, Mr. Fred Hollett, but to date has been unsuccessful. We hope to discuss our fire equipment needs as it concerns the Central Air Strip with Fire Commissioner Hollett in the near future. Finally, Madame Mayor, I am pleased to state that our work for the 2009 Civic Awards is near completion, and by all accounts it’s shaping up to be another successful event. Madame Mayor, I now submit this report for Council’s consideration.”

Motion 173/2009 – Councillor B. Saunders/Councillor N. Stewart

To adopt the report for Community Relations Standing Committee meeting no. 4 as presented.

DISCUSSION

Mayor J. Fancey asked if there was a reason why Fire Commissioner Hollett was not responding to the Department's request for a meeting. Councillor N. Stewart stated this has been an ongoing activity since she was Chairperson. Councillor D. Tremblett informed Council that the Executive Assistant made several attempts to schedule the meeting, but does not seem to be getting anywhere. With no further discussion, the Mayor called for the question.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

4.2 RECREATION STANDING COMMITTEE MEETING NO. 211 (MAR 31, 2009)

4.2.1 Chairperson's Report

Councillor N. Stewart, Chairperson of the Recreation Standing Committee, tabled the following report:

“Madame Mayor, the Recreation Standing Committee held a meeting on March 31, 2009. The Committee took this opportunity to tour the Pat O'Reilly Memorial Community Centre to identify potential problems and projects. Council must be aware that within the very near future the arena boards will need to be replaced. The maintenance staff has done all that's possible to preserve the structural integrity of the boards, but with a life span of approximately 30 years there is little more than can be done. Our only option at this stage is replacement, and the Town Clerk is in the process of obtaining a quote for the Committee's consideration. During our walk through the Committee identified other jobs as well, and we hope to implement some of them through a Job Creation Partnership Project. Madame Mayor, I now submit this report for Council's consideration.”

Motion 174/2009 – Councillor N. Stewart/Deputy Mayor J. Budgell

To adopt the report for Recreation Standing Committee meeting no. 211 as presented.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

4.2.2 Business Arising

Motion 175/2009 – Councillor N. Stewart/Councillor B. Saunders

Whereas the *Stadium Rental Booking and Cancellation Policy* was adopted by Council during Public Meeting 1236; and whereas since that time the Town received constructive criticism from residents concerning the policy; and whereas a resident believes the cancellation fee should be waived when, in the case of rescheduling, another time is not available; therefore, be it resolved that Council shall amend the *Stadium Rental Booking and Cancellation Policy* by inserting the following subsection: “Notwithstanding subsections 6.1, 6.2 and 6.4, where the Renter makes a concerted effort to reschedule the Periodic Rental or Extended Rental and, to no fault of the Renter, a reasonable time and date is not available, the Renter shall not be liable for the \$50.00 cancellation fee”.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

4.3 GOVERNANCE STANDING COMMITTEE MEETING NO. 5 (APR 1, 2009)

Councillor D. Tremblett, Chairperson of the Governance Standing Committee, tabled the following report:

“Madame Mayor, the Governance Standing Committee held a meeting on April 1, 2009. This was, for the most part, a routine meeting and there is little to report to at this time. Council will be interested to know, however, that the Accounts Receivable Department collected nearly \$1,000,000 during the month of March. We are now able to pay some outstanding invoices in relation to the sewage treatment project and, of course, our loan payments. Madame Mayor, I now submit this report for Council’s consideration.”

Motion 176/2009 – Councillor D. Tremblett/Councillor B. Saunders

To adopt the report for Governance Standing Committee meeting no. 5 as presented.

DISCUSSION

Councillor N. Stewart asked for a status report on the sewage treatment loans. The CAO explained that the audit will be completed in the next week or so, and that is one of the last documents that the bank is expecting before it makes a decision. It is also asking for a Government guarantee, and that may not be possible. Mayor J. Fancey believed it was extremely important to obtain the financing for stage one, given Council has covered the 20% out of general revenue. If necessary, financing for stages two and three can wait. The CAO also advised that the 10 year analysis under MCW has been completed. With no further discussion, Mayor J. Fancey called for the question.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

4.3.1 Business Arising

Motion 177/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

To adopt the Cheque Register as of March 31, 2009 as presented.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 178/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That the AP Transaction Journal as of March 31, 2009, totalling \$252,873.65, is approved for payment as presented.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 179/2009 – Councillor D. Tremblett/Councillor B. Saunders

Whereas the Calypso Foundation requested a donation to its 24th Annual Calypso Fantasy Auction that is taking place on May 22, 2009; and whereas Council did not budget for such a donation; therefore, be it resolved that Council shall not provide a donation to the 24th Annual Calypso Fantasy Auction as requested.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 180/2009 – Councillor D. Tremblett/Councillor N. Stewart

That Council not send a participant to the Town of Lewisporte's Conference and Boat Show on June 18-21, 2009 because of budget limitations.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 181/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

Whereas Leo Burke Academy, in a letter dated March 23, 2009, requested the Town's sponsorship by way of purchasing advertising in the Musical "Annie" Program; and whereas the Town provides a \$250 grant to the school each year to cover various causes and events; and whereas Council provided other donations to the Leo Burke Academy safe grad and other events outside of the \$250 grant; and whereas Council's donation budget is near exhaustion; therefore, be it resolved that Council shall not purchase an advertisement in the Program as requested.

Yeas: 3 - Deputy Mayor J. Budgell, Councillor D. Tremblett, and Councillor B. Saunders.

Nays: 2 – Mayor J. Fancey and Councillor N. Stewart.

Abstained: 0

Motion Carried

Motion 182/2009 – Councillor D. Tremblett/Councillor B. Saunders

Whereas the Newfoundland Multicultural Society requested, in a letter received March 30, 2009, that Council underwrite 30 tickets to a Solidarity Banquet on May 8, 2009 at a cost of \$300; and whereas Council did not budget for such an expense; therefore, be it resolved that Council shall not underwrite 30 tickets to the Newfoundland Multicultural Society's Solidarity Banquet on May 8, 2009 at a cost of \$300 as requested.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 183/2009 – Councillor D. Tremblett/Councillor B. Saunders

That Council approves a poll tax refund of \$166.64 in relation to account number LINGJ004.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 184/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That Council approves an unpaid leave of absence for Mr. Phonse Collins from May 1, 2009 to May 31, 2009.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

4.4 PUBLIC WORKS STANDING COMMITTEE MEETING NO. 269 (APR 2, 2009)

4.4.1 Chairperson's Report

Councillor N. Stewart, Member of the Public Works Standing Committee, tabled the following report:

“Madame Mayor, the Public Works Standing Committee held a meeting on April 2, 2009. During this meeting the Committee began working on the *Town of Bishop’s Falls Fence Regulations*. There was a good debate around the direction of the regulations, and we will present a recommendation once our work is completed. Madame Mayor, I now submit this report for Council’s consideration.”

Motion 185/2009 – Councillor N. Stewart/Councillor B. Saunders

To adopt the report for Public Works Standing Committee meeting no. 269 as presented.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

4.4.2 Business Arising

Motion 186/2009 – Councillor N. Stewart/Councillor B. Saunders

That the following development applications are approved for permit:

Applicant	Construction Type	Conditions
Glenda Hong/Jerry Sutton 9 Centennial Drove	Dwelling (48’ x 56’) at Centennial Drive	
Mr. Leo Pritchett Turner’s Road	Dwelling (28’ by 61.5’) at Turner’s Road	Subject to Public Works Department’s approval of cement pillars.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 187/2009 – Councillor N. Stewart/Deputy Mayor J. Budgell

That Council approves Crown Land application no. 133549 that was received on March 25, 2009.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 188/2009 – Councillor N. Stewart/Councillor D. Tremblett

Whereas the Bishop’s Falls Fire Department purchased a 6” water hose for fire fighting purposes; and whereas the 6” caps on the fire hydrants have not been maintained for nearly 30 years; and whereas these caps must now be cleaned and readied for use; and whereas it is anticipated that some of these caps will break during this process; and whereas the cost to replace a cap is approximately \$130; therefore, be it resolved that Council authorizes the Public Works Department to spend up to \$5,000 to replace those 6” caps that brake during maintenance procedures.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Item 5: External Boards and Committee Reports

5.1 EXPLOITS VALLEY ECONOMIC DEVELOPMENT CORPORATION

Councillor B. Saunders indicated there was nothing to report at this time.

5.2 CENTRAL NEWFOUNDLAND UNIVERSITY COMMITTEE

Deputy Mayor J. Budgell advised the Councillors that the Committee continues to advance its mandate. Work is still in progress.

5.3 BISHOP’S FALLS YOUTH ADVISORY COMMITTEE

Councillor N. Stewart stated that the Committee is still inactive. It will be rekindled once the recreation renovation projects begin to roll out.

5.4 REGIONAL YOUTH ADVISORY COMMITTEE

Councillor N. Stewart informed the Councillors that the Committee raised approximately \$100 during its fundraiser at Murph's Café in Grand Falls-Windsor. The money was used to paint the Y2C, and the youth were very excited about their achievement.

5.5 EXPLOITS REGION SERVICE BOARD

Councillor B. Saunders indicated there was nothing to report at this time; however, there was a discussion surrounding the Central Regional Waste Management Board, and the potential increase in garbage collection fees. The CAO advised Council that the fees may double once the waste management strategy is implemented, costing roughly \$150 per household. Mayor J. Fancey was concerned after hearing this information because it was not the intention of Council to increase the cost of these services. Regionalization typically correlates to cost efficiencies. Councillor B. Saunders indicated that the Central Regional Waste Management Board is meeting May 4, 2009, and Council is invited to attend.

5.6 EXPLOITS REGION CHAMBER OF COMMERCE

Deputy Mayor J. Budgell advised Council that the Chamber will be meeting with the Community Development Committee on April 15, 2009. The primary issue right now is the closure of AbitibiBowater.

5.7 EXPLOITS VALLEY TOURISM ASSOCIATION

Councillor N. Stewart stated that Councillor H. Sutton contacted the Town of Grand Falls-Windsor to determine if the Association is still active. To date he has not received a response; therefore, there is nothing to report at this time.

5.8 CENTRAL REGION CRIME PREVENTION COMMITTEE

Councillor D. Tremblett indicated there was nothing to report at this time. The last meeting was cancelled because they didn't have quorum.

5.9 CENTENNIAL CELEBRATIONS COMMITTEE

Deputy Mayor J. Budgell informed the members of the next three events (hockey week, Annie, and Gordy Howe); however, she was absent from the last meeting because of personal reasons. The Committee successfully acquired its funding from ACOA.

5.10 EXPLOITS VALLEY JOINT COUNCIL

Mayor J. Fancey reported that the Joint Council held a meeting on April 1, 2009 and April 9, 2009. Right now the members are pursuing the forestry and hydro issues, and will be meeting with the Community Development Committee on April 21, 2009. There have been extensive discussions with the three major contractors, and the Joint Council is now forming its position on some of the issues surrounding the closure of AbitibiBowater. She is concerned that some of the members are reluctant to bring the issue to the public domain, but this will likely change after the meeting with the MHAs and Ministers. Mayor J. Fancey also explained some of the details around the hydro generation, noting that the Government is saving anywhere from \$40,000,000 to \$80,000,000 now that the power from the mill is placed in the grid.

Item 6: Regulations

6.1 PUBLIC WORKS: TOWN OF BISHOP'S FALLS SNOW REMOVAL REGULATIONS

Motion 189/2009 – Councillor B. Saunders/Deputy Mayor J. Budgell

To adopt the *Town of Bishop's Falls Snow Removal Regulations* as presented.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Item 7: General Business

7.1 PROPOSAL FROM TEMPLE'S BACKHOE SERVICES

Motion 190/2009 – Councillor B. Saunders/Councillor N. Stewart

Whereas Council offered to sell a parcel of land, as illustrated in a survey dated December 18, 2008 (job number 08-678), to Temple's Backhoe Service at a cost of \$6,000 + HST, deed, survey and \$2,051.38 for rezoning fees on February 13, 2009; and whereas, in a letter dated April 13, 2009, Temple's Backhoe Services accepted the offer and proposed to pay Council in two instalments (50% on May 1, 2009 and 50% on August 1, 2009); and whereas Council finds the proposal to be reasonable under the circumstances; therefore, be it resolved that Council shall allow Temple's Backhoe Services to pay for the land in two instalments as per the following schedule: 50% on May 1, 2009 and 50% (or the balance) on August 1, 2009. Be it further resolved that Council shall permit Temple's Backhoe Services to develop the land

as of April 14, 2009, provided Temple's Backhoe Services acknowledges that title to the land shall not be obtained until the sale has been finalized and the deed duly executed.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

7.2 ACOA PROPOSALS

Motion 191/2009 – Councillor N. Stewart/Deputy Mayor J. Budgell

To approve the Recreation Infrastructure Investment Plan for submission to the Atlantic Canada Opportunities Agency under the CAF program as presented.

DISCUSSION

The Town Clerk provided an overview of the Plan. The total project will cost \$345,000, with Council contributing \$69,040 (20%). The CAF program is a Federal initiative under the economic stimulus funding. With no further discussion the Mayor called for the question.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 192/2009 – Councillor N. Stewart/Councillor B. Saunders

To approve the Fallsview Municipal Park Investment Plan for submission to the Atlantic Canada Opportunities Agency under the CAF program as presented.

DISCUSSION

The Town Clerk provided an overview of the Plan. The total project will cost \$62,233.21, with Council contributing \$12,446.64 (20%). The CAF program is a Federal initiative under the economic stimulus funding. With no further discussion the Mayor called for the question.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 193/2009 – Councillor N. Stewart/Deputy Mayor J. Budgell

Whereas the arena boards at the Pat O'Reilly Memorial Community must be replaced; and whereas it will cost \$100,151.90 to replace the arena boards; therefore, be it resolved that Council shall apply for funding from the Provincial and Federal Government to acquire 2/3 of the costs to replace the arena boards at the Pat O'Reilly Memorial Community Centre.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Motion 194/2009 – Councillor N. Stewart/Deputy Mayor J. Budgell

Whereas the Town of Bishop's Falls will be applying for funding to complete necessary renovations to the Pat O'Reilly Memorial Community Centre and the Fallsview Municipal Park; and whereas the total costs of these renovations is estimated to be \$508,000; and whereas Council will need to contribute approximately \$85,000; therefore, be it resolved that Council authorizes the Town Treasure to borrow \$85,000 from an acceptable financial institution for renovations to the Pat O'Reilly Memorial Community Centre and the Fallsview Municipal Park.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

Item 8: Adjournment

Motion 195/2009 – Deputy Mayor J. Budgell/Councillor B. Saunders

To adjourn Public Meeting 1239.

Yeas: 5 - Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor N. Stewart.

Nays: 0

Abstained: 0

Motion Carried

The meeting adjourned at 7:50 pm.

Jody Fancey, Mayor

Randy Drover, Town Clerk