

Town of Bishop's Falls
Public Council Meeting No. 1249
August 25, 2009 at 8:30 pm
Council Chambers

Minutes

Mayor J. Fancey called the meeting to order at 8:28 pm on August 25, 2009 and presided with the following individuals in attendance:

Deputy Mayor J. Budgell
Councillor D. Tremblett
Councillor B. Saunders
Councillor H. Sutton
Councillor A. Hynes
Councillor N. Stewart

Randy Drover, Town Clerk/Interim Manager

Item 1: Adoption of the Agenda

Motion 359/2009 – Councillor N. Stewart/Councillor D. Tremblett

To adopt the agenda as presented.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Item 2: Adoption of the Minutes for Public Council Meeting No. 1245

Motion 360/2009 – Councillor D. Tremblett/Councillor B. Saunders

To adopt the minutes for Public Council meeting no. 1245 as presented.

DISCUSSION

Councillor N. Stewart stated that the Town should place a sign on the west end playground indicating that the equipment was removed for safety reasons. The other Councillors agreed. Councillor N. Stewart also suggested that the Town Clerk/Interim Manager should obtain quotes from scrap metal companies for the disposal of the equipment. Right now they are located in the Faulkner Recreation Complex and this is causing another safety

issue. The Town may be able to obtain a nominal sum of money from a company for the scrap metal. Councillor N. Stewart directed the Town Clerk/Interim Manager to see that the future of the west end playground is placed on the next agenda of the Recreation Standing Committee. There being no further discussion on the minutes, Mayor J. Fancey called for the question.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Item 3: Adoption of the Minutes for Public Council Meeting No. 1246

Motion 361/2009 – Councillor H. Sutton/Councillor D. Tremblett

To adopt the minutes for Public Council meeting no. 1246 as presented.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Item 4: Adoption of the Minutes for Public Council Meeting No. 1247

Motion 362/2009 – Councillor D. Tremblett/Councillor H. Sutton

To adopt the minutes for Public Council meeting no. 1247 as presented.

DISCUSSION

Councillor N. Stewart stated that the Town requires a financial update from the Centennial Committee as per the Terms of Reference. Council must know where the Committee stands after the major events. Deputy Mayor J. Budgell responded by saying she will contact the Treasurer on August 26, 2009, and the report will be submitted to the Governance Standing Committee on September 3, 2009. There being no further discussion, the Mayor called for the question.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Item 5: Standing Committee Reports and Recommendations

5.1 RECREATION STANDING COMMITTEE MEETING NO. 216 (AUG 25, 2009)

5.1.1 Chairperson's Report

Councillor N. Stewart, Chairperson of the Committee, presented the following report:

"Madame Mayor, in accordance with motion 241/2009, the Recreation Standing Committee sat in the Committee of the Whole on August 25, 2009 to conduct its regular business. As such, there is no formal report to be made. The business of the Committee will be brought forward in the form of recommendations later on the agenda."

5.1.2 Recommendations

COUNCILLOR D. TREMBLETT DECLARED A CONFLICT OF INTEREST CONCERNING THE NEXT AGENDA ITEM AND VACATED CHAMBERS AT 8:31 PM

Motion 363/2009 – Councillor N. Stewart/Councillor B. Saunders

Whereas the Bishop's Falls Recreation Hockey League requested, in a letter dated June 17, 2009, to avail of the annual recreation discount; and whereas the League's account was not paid in full before the required deadline; therefore, be it resolved that Council shall not approved the League's request as per policy.

Yeas: 4 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor B. Saunders, and Councillor H. Sutton

Nays: 2 – Councillor A. Hynes and Councillor N. Stewart

Abstained: 1 - Councillor D. Tremblett (conflict of interest)

Motion Carried

COUNCILLOR D. TREMBLETT RETURNED TO CHAMBERS AT 8:32 PM

Motion 364/2009 – Councillor N. Stewart/Deputy Mayor J. Budgell

Whereas on August 10, 2009 the Town received a request to book the softball field for July 23, 24, and 25, 2010 for the purpose of hosting the Leo Brother's Softball Tournament; and whereas Council recognizes the significance of this valuable fundraiser to the community; therefore, be it resolved that Council approve the request and also waive the rental fees associated with the booking.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0
Abstained: 0

Motion Carried

5.2 GOVERNANCE STANDING COMMITTEE MEETING NO. 12 (AUG 25, 2009)

5.2.1 Chairperson's Report

Councillor D. Tremblett, Chairperson of the Committee, presented the following report:

“Madame Mayor, in accordance with motion 241/2009, the Governance Standing Committee sat in the Committee of the Whole on August 25, 2009 to conduct its regular business. As such, there is no formal report to be made. The business of the Committee will be brought forward in the form of recommendations later on the agenda.”

5.2.2 Recommendations

Motion 365/2009 – Councillor D. Tremblett/Councillor A. Hynes

That Council approves the August 17, 2009 *Municipal Budget 2009 Expenditure Report* and the *Income/Expense Statement as of August 17, 2009* as presented.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0
Abstained: 0

Motion Carried

Motion 366/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That the AP Transaction Journal dated August 17, 2009, totalling \$82,276.97, is approved for payment as funds permit.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0
Abstained: 0

Motion Carried

Motion 367/2009 – Councillor D. Tremblett/Councillor B. Saunders

That the Cheque Register dated August 17, 2009 is approved as presented.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.
Nays: 0
Abstained: 0

Motion Carried

Motion 368/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That Council approves the Routine Payments Reports for the months of March, April, May, June and July 2009 as presented.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.
Nays: 0
Abstained: 0

Motion Carried

Motion 369/2009 – Councillor D. Tremblett/Councillor N. Stewart

That the Advanced Pole for the upcoming Municipal Election is changed from September 12, 2009 to September 19, 2009 to allow sufficient time to order and receive the ballots.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.
Nays: 0
Abstained: 0

Motion Carried

Motion 370/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

To release KeRu Development from the purchase of 22 McDonald Crescent.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.
Nays: 0
Abstained: 0

Motion Carried

Motion 371/2009 – Councillor D. Tremblett/Councillor B. Saunders

Whereas in a letter dated July 24, 2009 Mr. Shawn Hancock stated that he was no longer interested in purchasing 18 McDonald Crescent; and whereas Mr. Hancock indicated in the

same correspondence that he was seeking a parcel of land with 80 foot frontage; and whereas 22 McDonald Crescent meets this requirement; therefore, be it resolved that Council shall release Mr. Hancock from the purchase of 18 McDonald Crescent; be it further resolved that Council shall sell Mr. Hancock 22 McDonald Crescent subject to same terms and conditions outlined in the Town's correspondence dated November 20, 2008.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Motion 372/2009 – Councillor D. Tremblett/Councillor B. Saunders

That Council shall not purchase advertising in the Museum Association of Newfoundland and Labrador's Annual General Meeting program as requested on August 4, 2009.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Motion 373/2009 – Councillor D. Tremblett/Councillor N. Stewart

That Council approves \$2,100 for the provision of Hepatitis A, Hepatitis B, and Tetanus vaccinations for the Public Works Department employees.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Motion 374/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That Council not renew its membership with Canadian Manufacturers and Exporters for the current fiscal year because of budget limitations.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Motion 375/2009 – Councillor D. Tremblett/Councillor H. Sutton

Whereas KeRu Development Inc. requested to purchase two additional blocks of land on Butler Street (numbers 10, and 12) in a letter dated August 12, 2009; and whereas this purchase is facilitated by the Town of Bishop's Falls on behalf of Adams Construction; and whereas in a letter from Adams Construction dated August 4, 2008 the developer states the price per lot is \$24,850.00 plus HST, deed and survey; therefore, be it resolved that Council shall approve the sale of 10 Butler Street and 12 Butler Street to KeRu Developments Inc. at a price of \$24,850 plus HST, deed and survey per block; be it further resolved that KeRu Developments Inc. is required to pay a deposit of \$1,000 per block on or before May 31, 2010, which includes a non-refundable fee of \$1,000 per block in the event of cancellation.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Motion 376/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

Whereas Mr. Rodney Blanchard requested to purchase a block of land on Butler Street in a letter dated August 21, 2009; and whereas this purchase is facilitated by the Town of Bishop's Falls on behalf of Adams Construction; and whereas in a letter from Adams Construction dated August 4, 2008 the developer states the price per lot is \$24,850.00 plus HST, deed and survey; therefore, be it resolved that Council shall approve the sale of 8 Butler Street to Mr. Rodney Blanchard at a price of \$24,850 plus HST, deed and survey; be it further resolved that Mr. Rodney Blanchard is required to pay a deposit of \$5,000 on or before September 30, 2009, which includes a non-refundable fee of \$1,000 in the event of cancellation.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

5.3 PUBLIC WORKS STANDING COMMITTEE MEETING NO. 274 (AUG 25, 2009)

5.3.1 Chairperson's Report

Councillor H. Sutton, Chairperson of the Committee, presented the following report:

“Madame Mayor, in accordance with motion 241/2009, the Public Works Standing Committee sat in the Committee of the Whole on August 25, 2009 to conduct its regular business. As such, there is no formal report to be made. The business of the Committee will be brought forward in the form of recommendations later on the agenda.”

5.3.2 Recommendations

Motion 377/2009 – Councillor H. Sutton/Councillor N. Stewart

That Council accepts Mr. Michael Hurley and Ms. Denise Davis’ proposal dated August 3, 2009 concerning a culvert in front of their property on Beaumont Heights.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Motion 378/2009 – Councillor H. Sutton/Councillor A. Hynes

That Council directs the Town Clerk to begin the process of rezoning the land on and around Country Road to allow residential development. The cost of the rezoning shall be shared by the Town of Bishop’s Falls and the resident on a 70/30 basis, respectively.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

Motion 379/2009 – Councillor H. Sutton/Deputy Mayor J. Budgell

That Council directs the Town Clerk to begin the process of rezoning the land on the north side of Hampton’s Hill (east end) to allow residential development. The proponent shall be responsible for 50% of the rezoning costs.

DISCUSSION

Mayor J. Fancey explained that the rezoning for Hampton’s Hill and Country Road will be included in the same amendment; therefore, the costs can be shared by the three parties involved, with the Town assuming 30%. Council’s portion is associated with Country Road, where the rezoning will include more than the resident’s property. There being no further discussion, Mayor J. Fancey called for the question.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.
Nays: 0
Abstained: 0

Motion Carried

Motion 380/2009 – Councillor H. Sutton/Councillor D. Tremblett

Whereas under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Bishop’s Falls;

- a. adopted the Bishop’s Falls Municipal Plan Amendment No. 15, 2009 and the Development Regulations Amendment No. 17, 2009 on June 16, 2009.
- b. gave notice of the adoption of the Bishop’s Falls Municipal Plan Amendment No. 15, 2009 and the Development Regulations Amendment No. 17, 2009 by advertisement inserted on the 18th day of June and the 2nd day of July, 2009 in the Grand Falls-Windsor Advertiser newspaper.
- c. set the 15th day of July, 2009 at 7:00 pm at the Town Hall, Bishop’s Falls for the holding of a public hearing to consider objections and submissions.

Now, therefore, be it resolved that under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Bishop’s Falls approves the Bishop’s Falls Municipal Plan Amendment No. 15, 2009 and the Development Regulations Amendment No. 17, 2009.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.
Nays: 0
Abstained: 0

Motion Carried

ITEM 6: EXTERNAL BOARDS AND COMMITTEE REPORTS

6.1 EXPLOITS VALLEY ECONOMIC DEVELOPMENT CORPORATION

No report was filed.

6.2 CENTRAL NEWFOUNDLAND UNIVERSITY COMMITTEE

No report was filed.

6.3 REGIONAL YOUTH ADVISORY COMMITTEE

No report was filed.

6.4 EXPLOITS REGIONAL SERVICE BOARD

No report was filed.

6.5 EXPLOITS REGIONAL CHAMBER OF COMMERCE

No report was filed.

6.6 EXPLOITS VALLEY TOURISM ASSOCIATION

No report was filed.

6.7 CENTRAL REGION CRIME PREVENTION COMMITTEE

No report was filed.

6.8 CENTENNIAL CELEBRATIONS COMMITTEE

Deputy Mayor J. Budgell indicated that a gospel concert will take place on September 13, 2009 at the Fallsview Municipal Park. A financial report will be requested for the Governance Standing Committee meeting on September 3, 2009. Deputy Mayor J. Budgell also stated that a meeting was suppose to take place on August 24, 2009 to review and discuss the Committee's financial position; however, this was postponed because the Co-Chairs were unavailable.

ITEM 7: GENERAL BUSINESS

7.1 GAS TAX CAPITAL INVESTMENT PLAN

Motion 381/2009 – Councillor H. Sutton/Councillor N. Stewart

Whereas the Town of Bishop's Falls will receive approximately \$462,000 under the Local Government Gas Tax Funding Agreement for projects of an environmental nature; and whereas Council developed several Capital Investment Plans to utilize these funds within the parameters of the Agreement; and whereas Council must once again amend its Local Government Gas Tax Capital Investment Plan to incorporate new priorities; therefore, be it resolved that Council shall adopt the revised Local Government Gas Tax Capital Investment Plan as follows:

Priority	Description	2007	2008	2009	Total	Outcome
1	Installation of onsite sewage treatment (Blivet) for the King's Road Subdivision.	\$140,000			\$140,000	Reduction of raw sewage being discharged into the Exploits River.

2	Sewage treatment pre-planning	55,000			55,000	Required to prepare final plans for full sewage treatment for the community; elimination of Town's discharge of sewage into the Exploits River.
3	Dehumidifiers (two) for the Pat O'Reilly Memorial Community Centre. Stadium beams scrapped and painted.		\$50,000		50,000	Reduction of energy use.
4	Installation of Manhole inflow protectors.		15,000		15,000	Protection of sewer/storm drainage system infrastructure.
5	Fallsview Municipal Park Renovations.			12,000	12,000	Installation of energy efficient street lights and the reconstruction of a road near the Exploits River.
6	Electrical upgrades at the Pat O'Reilly Memorial Community Centre.			13,000	13,000	Electrical capacity of Pat O'Reilly Memorial Community Centre is improved for life and safety reasons.
5	Removal of underground fuel storage tanks and installation of above ground diesel tank at Public Works Depot.			33,000	33,000	Environmental contamination prevention. Underground fuel storage containers have reached life expectancy.
6	Installation of automatic chlorine tester/analyzer.			37,500	37,500	Installation of an accurate chlorine testing computerized system. Improved water sampling program.

7	Roads infrastructure improvements (McMahon's Lane, Country Rd, Dominic St, Forest Rd, and 408 Main St).			89,500	89,500	Prevention of erosion, improved storm drainage system(s), and partial road reconstruction.
8	Relocate Zamboni room at the Pat O'Reilly Memorial Community Centre.			\$17,000	\$17,000	Reduction of energy use. Zamboni will have access to outside for the dumping of ice/snow. Hot water currently used to melt ice in the stadium on a consistent basis.
TOTALS		\$195,000	\$65,000	\$202,000	\$462,000	

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

7.2 FALLSVIEW PARK JCP EXTENSION

Motion 382/2009 – Deputy Mayor J. Budgell/Councillor D. Tremblett

That Council approves a two (2) week extension to the Fallsview Park JCP Project Supervisor's wages at a total cost of \$950.

DISCUSSION

The Town Clerk/Interim Manager explained that the extension was necessary because of a delay in the project about midway through. The Town applied for an additional \$20,000 to re-shingle the gazebos, overhaul the interior of the washroom, and to complete other renovations to the park. This process took about two (2) weeks to complete, and during this time the employees were assisting the Centennial Committee. Councillor N. Stewart requested a progress report to date, and the Town Clerk/Interim Manager outlined the following accomplishments:

1. All sites on the upper level were trimmed with pressure treated lumber. Class A stone was placed on each site.
2. The fire pits received a fresh coat of paint.
3. An underground water supply was installed and connected to each site.

4. The site posts were replaced, including the numbering.
5. The upper level gazebo, washroom, and kiosk station have been re-shingled.
6. The ceiling in the washroom was replaced.
7. Pine siding was placed on the building next to the washroom on the lower field.

There being no further discussion, Mayor J. Fancey called for the question.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

ITEM 7: ADJOURNMENT

Motion 383/2009 – Deputy Mayor J. Budgell/Councillor D. Tremblett

To adjourn Public Meeting 1249.

Yeas: 7 – Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor A. Hynes, Councillor B. Saunders, Councillor N. Stewart and Councillor H. Sutton.

Nays: 0

Abstained: 0

Motion Carried

The meeting adjourned at 8:51 pm.

Mayor Jody Fancey

Randy Drover, Town Clerk