

Town of Bishop's Falls
Public Council Meeting No. 1250
September 15, 2009 at 7:00 pm
Council Chambers

Minutes

Mayor J. Fancey called the meeting to order at 7:00 pm on September 15, 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 384/2009 – Deputy Mayor J. Budgell/Councillor B. Saunders

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. 1248

Motion 385/2009 – Councillor N. Stewart/Councillor D. Tremblett

To adopt the minutes for Public Council meeting no. 1248 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 3: Adoption of the Minutes for Public Council Meeting No. 1249

Motion 386/2009 – Councillor H. Sutton/Councillor D. Tremblett

To adopt the minutes for Public Council meeting no. 1249 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: Standing Committee Reports and Recommendations

4.1 COMMUNITY RELATIONS STANDING COMMITTEE MEETING NO. 12 (SEPT 3, 2009)

4.1.1 Chairperson's Report

Councillor A. Hynes, Chairperson, presented the following report:

“Madame Mayor, the Community Relations Standing Committee held a regular meeting on September 3, 2009. Correspondence was reviewed with one recommendation being made. Discussion took place regarding the purchase of the new pumper for the Fire Department. It was determined that the Town Clerk, R. Drover will be provided with a copy of the cost analysis for Unit's 2, 3 & 4 that was previously directed to the former Manager, G. Drover. This document is required to complete the application before it can be submitted to Mr. Fred Hollett, Provincial Fire Commissioner. It was noted that the purchase price of the new pumper will be approximately \$200,000.00 with the town's share being 20%. The Committee was advised that the JEPP Grant for the Fire Department's new Repeater System is ordered. We are waiting to hear from Mr. Fred Hollett, Fire Commissioner's Office in this regard. Finally, Madame Mayor, the Committee reviewed the Fire Department's budget, and we will present a motion later concerning a reallocation. Madame Mayor, I now table this report for Council's consideration.”

Motion 387/2009 – Councillor A. Hynes/Councillor D. Tremblett

To adopt the report for Community Relations Standing Committee meeting 11 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

4.1.2 Recommendations

Motion 388/2009 – Councillor A. Hynes/Councillor D. Tremblett

Whereas it has been determined that the Fire Department requires new equipment to update its fleet; therefore, be it resolved that Council shall submit an application for a New Pumper to the Fire Commissioner's Office at a cost share of 80/20.

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 389/2009 – Councillor A. Hynes/Councillor B. Saunders

Whereas the Fire Department is under budget for supplies for the year 2009; therefore, be it resolved that \$3,000.00 from this budget be used to accommodate future training in the current fiscal year.

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 390/2009 – Councillor A. Hynes/Councillor D. Tremblett

Whereas the Fire Department tendered the sale of Unit #4 at Council's direction; therefore, be it resolved that Council approve the sale of this Unit for the tender received in the amount of \$1,101 to Keith Jenkins.

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 391/2009 – Councillor A. Hynes/Deputy Mayor J. Budgell

Whereas in the past problems were experienced after the Fire Department's exercise to flush fire hydrants; therefore, be it resolved that the Fire Department shall be requested to advise the Public Works Department prior to any Fire Hydrant Exercise.

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

4.2 RECREATION STANDING COMMITTEE MEETING NO. 216 (SEPT 1, 2009)

4.2.1 Chairperson's Report

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

“Madame Mayor, the Recreation Standing Committee held a regular meeting on September 1, 2009. Council will be pleased to know that we recently received a \$1,000 donation from the Leo Brothers Memorial Soft Ball Tournament. The proceeds will be used to purchase equipment for the summer sports program. On behalf of Council I want to thank Mr. Tony Brothers for this donation. Such acts of kindness greatly contribute to the growth of our community. During the meeting the Committee discussed the future of the west end playground. At Council’s direction the equipment was removed for safety reasons, and residents are now wondering what the Town’s plans are. The Committee developed a recommendation that addresses the future of the west end playground, and it will be presented later. Madame Mayor, we spent some time debating the opening date of the Pat O’Reilly Memorial Community Centre. We believe that a date cannot be set at this time because we need to know if the Town’s Gas Tax Capital Investment Plan is approved. If this is the case, several renovations will take place within the coming weeks, and that may delay the opening. We will know in the near future where we stand on the Gas Tax Capital Investment Plan, and will recommend an opening date at that time. Finally, the Committee reviewed a request from the ACE Tenant Association for any excess fencing materials within the Town’s possession. Unfortunately, the Town does not have any excess fencing, but we applaud the Association’s efforts to beautify the neighbourhood. They are setting a standard for others to follow, as are the residents on Riverside Drive. Madame Mayor, I now table this report for Council’s consideration.”

Motion 392/2009 – Councillor N. Stewart/Deputy Mayor J. Budgell

To adopt the report for Recreation Standing Committee meeting 216 as presented.

DISCUSSION

Mayor J. Fancey stated that she viewed the work of the ACE Tenant Association and is very impressed. Not only is the Association improving the neighbourhood, but they are also engaging children in the process. There being no further discussion Her Worship 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

4.2.2 Recommendations

Motion 393/2009 – Councillor N. Stewart/Councillor A. Hynes

Whereas Council is interest in developing the west end recreation complex for residential purposes; and whereas such development shall include the revitalization of the west end playground; therefore, be it resolved that Council shall issue a request for proposals for the development of the west end recreation complex for residential purposes; be it further resolved that proposals will have to demonstrate how the west end playground will be incorporated into the development at the developer’s expense.

DISCUSSION

Councillor B. Saunders indicated that Council always intended for the name of the playground to remain “Lions Memorial Playground”. This is not evident in the motion.

AMENDMENT – Councillor B. Saunders/Councillor H. Sutton

To add the following sentence to the motion: “Be it further resolved that the west end playground shall remain known as the Lions Memorial Playground”.

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

Amendment Carried

The amendment having carried, Mayor J. Fancey called for the question on motion 393/2009 amended as follows:

Whereas Council is interest in developing the west end recreation complex for residential purposes; and whereas such development shall include the revitalization of the west end playground; therefore, be it resolved that Council shall issue a request for proposals for the development of the west end recreation complex for residential purposes; be it further resolved that proposals will have to demonstrate how the west end playground will be incorporated into the development at the developer’s expense; be it further resolved that the west end playground shall remain known as the Lions Memorial Playground.

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

4.3 GOVERNANCE STANDING COMMITTEE MEETING NO. 13 (SEPT 3, 2009)

4.3.1 Chairperson's Report

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

“Madame Mayor, the Governance Standing Committee held a regular meeting on September 3, 2009. The members spent considerable time reviewing the budget, and the Committee will be recommending a Temporary Policy Directive to control and, in some cases, freeze spending to ensure our targets are achieved in this fiscal year. As for tax arrears, water shut-off notices have been issued, and the only payment arrangement that will be accepted is as follows: 50% of balance upfront with remainder amortized over two payments, the last of which is due in early November. This is the only option that will be available to residents with tax arrears. Council will be pleased to know that our budget has been approved by Municipal Affairs. You may recall that there were two calculation errors in the budget that prevented it from balancing. In July 2009 the Town received correspondence from the Municipal Assessment Agency indicating that the average residential property value is increased by 27%, and the average change in commercial value is 5%. These factors, together with the increased debt serving costs for sewage treatment and the centre access road projects, will be taken into account during the 2010 budget process. Finally, Madame Mayor, I am happy to report that the Town Manager Selection Committee, after a three week process, indentified Mr. Wayne Champion as the successful candidate. Mr. Champion brings with him a wealth of knowledge in finance and economic development, and I'm sure he will serve this community well in the coming months. I want to thank Councillor Stewart, Chairperson of the Selection Committee, and Councillor Hynes and Councillor Sutton for the time and energy they afforded to the recruitment process. Mr. Champion is scheduled to begin his employment on September 21, 2009. Madame Mayor, I now table this report for Council's consideration.”

Motion 394/2009 – Councillor D. Tremblett/Councillor B. Saunders

To adopt the report for Governance Standing Committee meeting 13 as presented.

DISCUSSION

Councillor N. Stewart suggested that the Town should put a piece in the paper announcing the hiring of Mr. Champion. Mayor J. Fancey stated a motion would be in order because it involves a financial commitment. Councillor B. Saunders, in response, suggested that the

Advertiser could do a story, and this would be free advertising. The other Councillors agreed. There being no further discussion the question was called.

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

4.3.2 Recommendations

Motion 395/2009 – Councillor D. Tremblett/Councillor B. Saunders

That the *AP Transaction Journal* dated September 2, 2009, totalling \$46,823.80, is approved for payment 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 396/2009 – Councillor D. Tremblett/Councillor N. Stewart

That the *Municipal Budget 2009 Expenditure Report* and the *Income/Expense Statement* as of September 1, 2009 are adopted 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 397/2009 – Councillor D. Tremblett/Councillor B. Saunders

That Council begin discussions with the Crown Land Division to resolve long-standing issues with land grants within the municipality where clear title does not exist.

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 398/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

Whereas a resident requested that Council waive all accumulated interest on account FURE.009; and whereas to waive such interest will adversely affect the taxpayers of Bishop's Falls; and whereas it has been Council's approach to deal with such accounts on a go-forward basis; therefore, be it resolved that Council shall not waive the interest on account FURE.009 as requested; be it further resolved that Council shall freeze the interest on account FURE.009, provided that the resident makes quarterly payments of \$500 effective September 15, 2009.

DISCUSSION

Councillor B. Saunders indicated that he does know the name of the account holder, but he suspects he/she may be a relative. He questioned whether or not a conflict of interest existed. Mayor J. Fancey stated that the names of the account holders are unknown; however, in the interest of resolving a potential conflict of interest, Mayor J. Fancey asked the Councillors if they believed Councillor B. Saunders was in conflict. No one thought this to be the case. There being no further discussion Her Worship 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 399/2009 – Councillor D. Tremblett/Councillor N. Stewart

That Council approves \$75.00 for the placement of an advertisement in the *Advertiser's* Labour Day page.

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 400/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That Council shall not approve a donation to the Newfoundland and Labrador Youth Parliament, as requested in a letter dated August 20, 2009, 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 401/2009 – Councillor D. Tremblett/Councillor B. Saunders

That Council shall not approve a donation to the 56 Engineer Squadron's 60th Anniversary, as requested in a letter dated August 14, 2009, 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 402/2009 – Councillor D. Tremblett/Councillor B. Saunders

That Council approves \$28.25 for the Town Clerk/Interim Manager's attendance at the "Orientating New Councillors" training session with the Professional Municipal Administrators in Appleton on August 20, 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 403/2009 – Councillor D. Tremblett/Councillor N. Stewart

That Council approves a temporary loan to the Bishop's Falls Heritage Society in the amount of \$5,900 for the 2009 Summer Student Program Payroll.

DISCUSSION

Mayor J. Fancey asked the Clerk to explain the temporary loan. The Clerk stated that the loan, which was provided in July 2009, was used to cover the Town's summer student payroll for the remaining few weeks. The final payment claim for Service Canada was completed last week with the assistance of the Heritage Society's Treasurer, and once received the loan will be paid. The final claim is around \$9,000. Mayor J. Fancey thanked the Clerk for the explanation, and 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 404/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That Council approves the Town Clerk/Interim Manager’s Compensatory Time-off hours as of August 29, 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 405/2009 – Councillor D. Tremblett/Councillor N. Stewart

That Council directs the Town Clerk/Interim Manager to issue the third quarter Councillor Remuneration cheques as of August 19, 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 406/2009 – Councillor D. Tremblett/Councillor B. Saunders

That Council approves the *Temporary Policy Directive 2009-09-15* 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 407/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That Council approves the Town Manager Job Description 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 408/2009 – Councillor D. Tremblett/Councillor N. Stewart

That Council approves the Probationary Period Employment Agreement between the Town of Bishop's Falls and Mr. Wayne Champion 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 409/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That Council approves the Town Clerk Job Description 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 410/2009 – Councillor D. Tremblett/Councillor N. Stewart

That Council approves the Non-Bargaining Unit Employment Contract between the Town of Bishop's Falls and Mr. Randy Drover 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 411/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell

That Council approves the Travel Claims for Robert Sheppard, Gary Harnum, and Matthew Reid totalling \$870.00.

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

4.4 PUBLIC WORKS STANDING COMMITTEE MEETING NO. 275 (SEPT 3, 2009)

4.4.1 Chairperson’s Report

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

“Madame Mayor, the Public Works Standing Committee held a regular meeting on September 3, 2009. We received several reports from the Public Works Department on the condition of our fleet, infrastructure and water quality. Right now we are preparing the equipment for the upcoming winter season, and several significant repairs have been completed. Over the past couple of weeks residents may have noticed that their water was slightly discoloured. The Water Treatment Plant has encountered a few problems recently, but we trust they are now resolved. Council will be interested to know that the Water Board received an \$800,000 grant for improvements to the system. Madame Mayor, the Committee also discussed the impending costs associated with the provincial waste management strategy. At this point we are obtaining additional information, and will bring our findings to Council at a later date. Madame Mayor, I now table this report for Council’s consideration.”

Motion 412/2009 – Councillor H. Sutton/Councillor B. Saunders

To adopt the report for Public Works Standing Committee 275 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

4.4.2 Recommendations

Motion 413/2009 – Councillor H. Sutton/Councillor N. Stewart

Whereas the A.C.E Tenant Association requested the installation of a speed bump on Maple Street to mitigate or eliminate a speeding problem; and whereas there is no room in the 2009 Municipal Operating Budget for the installation of speed bumps; therefore, be it resolved that Council shall consider setting aside an allocation in the 2010 Municipal Operating Budget for the installation of speed bumps at certain areas within the Town; be it

further resolved that the Public Works Standing Committee shall prepare a listing of those areas in most need of speed bumps for Council's consideration.

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 414/2009 – Councillor H. Sutton/Councillor B. Saunders

Whereas Helen Tulk Elementary School requested the assistance of the Public Works Department to paint lines on the grounds for recreational activities; and whereas the Central Nova School Board employs individuals whose job is to provide such a service; and whereas to utilize the Town's employees to perform the work of another bargaining unit would be unethical; therefore, be it resolved that Council shall not approve the request.

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 415/2009 – Councillor H. Sutton/Councillor B. Saunders

Whereas the Vee Plow was put to sale by public offering in May/June 2009; and whereas the Town did not receive any bids; and whereas the Vee Plow has been unused by the Town for approximately 10 years; therefore, be it resolved the Council shall approve the disposal of the Vee Plow as scrap.

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 416/2009 – Councillor H. Sutton/Councillor N. Stewart

Whereas a resident requested Council's permission to erect a fence on Town land in a letter dated July 20, 2009; and whereas Council believes the resident's rationale for the fence is reasonable; therefore, be it resolved that Council shall allow the resident to erect a fence on the Town's land near 25 Hobbs Park; be it further resolved that the Town shall not be

responsible for any damage to the fence that may be caused by Town employees or any other individual.

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

4.5 RECREATION STANDING COMMITTEE MEETING NO. 219 (SEPT 14, 2009)

4.5.1 Chairperson's Report

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

“Madame Mayor, the Recreation Standing Committee met in response to a request from the Bishop’s Falls Lions Club to discuss the disposal of playground equipment from the Lion’s Memorial Playground located at the west end of town. Members of the Lions Club reminded the committee that the playground was put in the west end at considerable expense (\$15,000.00) fifteen years ago and that it was passed over to the town with the agreement that the town would maintain the equipment & playground. Lions Club members were upset that they were not contacted prior to the removal of the equipment and felt that they should have been consulted prior to the disposal of the equipment for scrap. The Lions Club members were advised that the playground equipment was removed because of a report/recommendation from the Recreation Attendant advising that the west playground and the equipment were unsafe. They were further advised that it was never the intent of Council to close the playground, but that due to the unsafe nature of the equipment Council felt that removal of the equipment was the best alternative as there were no funds allocated in the present budget to upgrade the facility to acceptable standards as outlined by Recreation Nfld. & Labrador. It was noted that the swings at the playground are still at the site. The Committee also advised the Lions Club that over the last four years discussions have been ongoing regarding the location of the west end facility and how this facility could be re-located and improved to better serve the community, as Council felt the playground in the west end of town was of the utmost importance. The Lions Club requested that the sign and the playground equipment should be put back in a safe condition and that they should be advised of what will be done on Wednesday after the Public Council Meeting.”

Motion 417/2009 – Councillor N. Stewart/Councillor

To adopt the report for Recreation Standing Committee meeting 219 as presented.

DISCUSSION

Councillor N. Stewart indicated that subsequent to the meeting she contacted Recreation Newfoundland and Labrador to speak to a playground safety expert. The organization referred her to an individual by the name of Gerard Philpot who works for the City of Mount Pearl. The Town Clerk was directed to contact Mr. Philpot to obtain information on the slide and metal merry-go-round. Councillor N. Stewart requested the Clerk to report on his conversation with Mr. Philpot. The Clerk indicated that Mr. Philpot is of the opinion that the slide outlived its usefulness, given that it is 15 years old, and should be replaced. There are only so many repairs that can be done. In regards to the metal merry-go-round, the City of Mount Pearl removed them from their facilities because of the high injury risk. Councillor N. Stewart thanked the Clerk for the report. Councillor B. Saunders stated that it was always Council's intentions to replace the equipment in the playground, and it will always be known as the Lions Memorial Playground. Councillor N. Stewart stated that the Lions Club delegation requested Council's decision on the matter on September 16, 2009. It was agreed that the response should be in writing. Once the letter is prepared, the President should be notified. This process was agreed to, and Mayor J. Fancey directed the Clerk to ensure the letter is prepared in the morning. Deputy Mayor J. Budgell stated the equipment had to be removed for safety reasons, and it would be too late if a child was hurt. Also, it was disposed of so quickly for the same reason. The Town received reports that children were climbing on the equipment when it was located in the Faulkner Recreation Complex. It had to be removed on that Friday before the weekend came. The Clerk was requested to read the letter that was written to Mr. Faulkner on September 4, 2009 for the record, and that is as follows: "The Town of Bishop's Falls accepts your offer to purchase the scrapped west end playground equipment for the total sum of \$50.00, which is now located in the Faulkner Recreation Complex. It must be emphasized that this equipment is being disposed of because it is scrap and unfit for public use. By purchasing the equipment you become liable for its disposal, and the Town will assume no responsibility for the equipment once the transaction is finalized. If you are in agreement with the terms outlined in this correspondence, please indicate as such by signing in the space below." The Clerk indicated that Mr. Faulkner's signature was fixed to the document. 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 5: EXTERNAL BOARDS AND COMMITTEE REPORTS

5.1 EXPLOITS VALLEY ECONOMIC DEVELOPMENT CORPORATION

No report was filed.

5.2 CENTRAL NEWFOUNDLAND UNIVERSITY COMMITTEE

No report was filed.

5.3 REGIONAL YOUTH ADVISORY COMMITTEE

Councillor N. Stewart indicated that she was speaking to the Chair and it seems the Committee is disbanded. The Chair did not understand why. Councillor N. Stewart will be contacting the Exploits Valley Economic Development Corporation to determine the status.

5.4 EXPLOITS REGIONAL SERVICE BOARD

Councillor B. Saunders reported that the Board held a meeting on September 14, 2009. The Board received approval for an \$800,000 study that will result in improved operations and infrastructure upgrades at the plant. The Clerk indicated that the cost share of the \$800,000 has not yet been determined, and a preliminary estimate shows that the Town may be responsible for approximately \$20,000. This will need to be clarified in the near future.

5.5 EXPLOITS REGIONAL CHAMBER OF COMMERCE

No report was filed.

5.6 EXPLOITS VALLEY TOURISM ASSOCIATION

No report was filed. Councillor H. Sutton has been unable to determine if the Association is holding meetings. He has attempted to obtain clarification on several occasions.

5.7 CENTRAL REGION CRIME PREVENTION COMMITTEE

No report was filed.

5.8 CENTENNIAL CELEBRATIONS COMMITTEE

Deputy Mayor J. Budgell reported that a special meeting was held with the Committee on September 14, 2009 to discuss the finances. A formal report has been prepared. Mayor J. Fancey stated that, at the request of the Committee, the report will be reviewed by its members before becoming public knowledge. The report will be presented at the next Public Meeting.

5.9 EXPLOITS VALLEY JOINT COUNCIL

Mayor J. Fancey stated that she did not attend the last meeting of the Joint Council with Ministers Shawn Skinner and Susan Sullivan because of an illness. The Deputy Mayor represented the Town in her place. The Mayor indicated that the Joint Council should be preoccupied with the grant-in-lieu from the Government, which was announced many

times over the past few months. Deputy Mayor J. Budgell stated that at the July meeting Minister Skinner informed the Joint Council that Minister Whalen would be making an announcement on the grant-in-lieu very soon. Mayor J. Fancey advised Council that she contacted Minister Whalen late last week to stress the need for the grant-in-lieu. The Town's cash flow is very poor and the cheque is essential. A letter to the same effect was also sent earlier this week. Her Worship concluded by saying the next meeting of the Joint Council will likely be after the election, and this should be called by the Town. A new Chairperson will need to be appointed.

ITEM 6: GENERAL BUSINESS

6.1 SEWAGE TREATMENT PROJECT 26659

Mayor J. Fancey explained that the Town recently received a letter of offer from the Department of Municipal Affairs for the full sewage treatment project. As Council is aware, the Town is prepared to move forward with phase one at a total cost of \$1,300,000; however, financing for the complete project has not been obtained. Furthermore, the Department is aware that the Town's debt service ratio (DSR) will exceed 30% if the full project is taken on. She asked the Clerk to update Council on his conversation with Mr. Hiram Boland, Regional Manager for the Department of Municipal Affairs. The Clerk responded by saying the Department is treating phase one as a separate project, and it is currently working its way through the system. That will cost the Town approximately \$260,000, and the loan has been secured. Our DSR will be roughly 27.5% after phase one, and the arena boards and centre access loans are included in the analysis. However, if Council accepts the letter of offer for the full project, it will have to demonstrate that it is capable of securing the financing and keeping the DSR below 30%. It is the Department's recommendation that Council request a 30 day extension. The centre access road project is proceeding through the system as well as an independent application. Mayor J. Fancey thanked the Clerk for the updated. She went on to say that the Town has no other option that to request an extension because this matter must be discussed and explored in greater detail. She then asked for a motion.

Motion 418/2009 – Councillor B. Saunders/Deputy Mayor J. Budgell

That Council request a thirty (30) day extension to review the details of sewage treatment project 26659.

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

6.2 WEST END PLAYGROUND EQUIPMENT DISPOSAL RATIFICATION MOTION

Motion 419/2009 – Councillor N. Stewart/Deputy Mayor J. Budgell

Whereas Council directed the Town Clerk/Interim Manager to dispose of the west end playground equipment as scrap; and whereas the playground equipment is unsafe for public use and must be disposed of; and whereas Mr. Alex Faulkner was engaged to dispose of the equipment at no cost to the Town; and whereas Mr. Faulkner provided the Town with \$50.00 for the scraped equipment; and whereas Council approved this disposal by telephone on September 4, 2009 because of the significant safety issue; therefore, be it resolved that Council shall ratify its decision on September 4, 2009 to engage Mr. Alex Faulkner to dispose of the west end playground equipment as scrap.

DISCUSSION

Councillor D. Tremblett stated that this has already taken place, and Council is simply ratifying that decision. Mayor J. Fancey responded by saying that was the case. There being no further discussion the question was called.

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: ADJOURNMENT

Mayor J. Fancey informed the public that this is the last regular sitting of Council. She expressed her pleasure to have worked for the community over the past four (4) years, and how she enjoyed working with the Councillors. Her Worship also thanked all Town employees who worked closely with Council over the term and made many things possible. She then called for a motion to adjourn the meeting.

Motion 420/2009 – Deputy Mayor J. Budgell/Councillor N. Stewart

To adjourn Public Meeting 1250.

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 7:55 pm.

Mayor Jody Fancey

Randy Drover, Town Clerk