

Town of Bishop's Falls  
Regular Public Council Meeting No. 1281  
December 14, 2010 at 7:00 pm  
Council Chambers

## Minutes

### Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:00 pm on December 14, 2010 and presided with the following individuals in attendance:

Deputy Mayor D. Tremblett  
Councillor B. King  
Councillor A. Hynes  
Councillor P. Budgell  
Councillor R. Canning

Randy Drover, Town Clerk/Manager

Councillor Mills was absent with Council's consent.

### Item 2: Opening Prayer in the Form of Silent Reflection

A minute of silence was provided for an opening prayer by individual Councillors.

### Item 3: Adoption of the Agenda

#### Motion 332/2010 – Councillor Hynes/Councillor Canning

To adopt the agenda as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

## **Item 4: 2011 Municipal Operating Budget**

### **4.1 TAX SCHEDULE AND POLICY**

Councillor Budgell presented the 2011 Municipal Operating Budget Tax Schedule and Policy. He noted that there were no increases in taxes this year, and the only substantive change to budget policy pertains to discounts. This year, the Town will provide a 4% discount on poll taxes provided all taxes are paid in full on or before March 31.

### **4.2 BUDGET (ESTIMATES)**

Mayor Hobbs, before providing Councillor Budgell with the floor, congratulated the Governance Standing Committee for its efforts to prepare the 2011 budget. A great amount of work went into the estimates, and Council is appreciative. Councillor Budgell then rose to present the 2011 Municipal Operating Budget:

Mr. Mayor: I am pleased to rise tonight to present the 2011 Budget for the Town of Bishop's Falls. However, before presenting the actual budget, I think it is necessary to recap some of the 2010 issues and occurrences, to fully appreciate where the 2011 budget will take us.

Early in the tenure of the current Council we were tasked with developing a budget for the upcoming year, 2010. In order to do this we had to complete a review of budgets for the previous few years, to determine benchmarks and trends for the individual budget areas and categories. We soon learned that the town was in a very much, less than favourable, fiscal position. This coupled with senior management acquisition issues and a general lack of confidence from the town's citizens, forced us to make some hard decisions and set realistic targets.

Mr. Mayor: I am pleased to report that the employment issues have been addressed and resolved, targets have been met and in some cases exceeded, and the general feeling of well-being of the townspeople seems to have greatly improved.

Mr. Mayor: During the past year the Town has had to overcome some significant hurdles (i.e. a reduction of the Grant in Lieu from Nalcor and the paying out of significant employee retirement funds, all of which reduced our operational funding), while at the same time continuing to provide necessary services to the Town. This was done without having to further borrow and I am pleased to report that the Town has been in a positive cash flow state since March of 2010 and also that the Town anticipates a "moderate" surplus for the 2010 year. Further, I am pleased to report that the much aggrieved town debt has been reduced from \$5 million to approximately \$4 million. Also on the positive side, building starts in 2010 were up 85% over 2009, four general business licences were issued, collections on current and past due accounts are up considerably and new equipment was purchased for the town. We are also pleased to report that significant investments were made in recreation through contributions from Federal, Provincial Municipal governments as well as from the private sector, the bulk of

this was for a \$350,000 improvement and renovation program at the Pat O'Reilly Memorial Stadium, much of which has been completed, with the remainder ongoing.

Mr. Mayor: That is not to say that the Town is out of the woods, so to speak, rather it simply states that we are headed in the right direction and will continue to put forth our best effort to ensure that we remain on the right track to fiscal sustainability. All of this will be further reported on in the near future, hopefully through a town newsletter or a public forum.

Now for the 2011 budget.

Mr. Mayor: I am very pleased to report, and I'm sure that Council will be very pleased to hear that there will not be any increase in the town tax rates for 2011. We would have liked to see a reduction; however, it would not be prudent at this time, as we are continuing on our road to fiscal sustainability. It is our goal to set and achieve realistic targets to ensure the future well-being of the town for the generations yet to come.

Mr. Mayor: The detail of the 2011 Budget will be available on the Town's website in the next few days; however, I would like to mention a few of the highlights:

- Revenue: The projected revenue for 2011 stands at \$2,993,100, down \$31,370 from last year. This revenue is realized from Taxes, Sales of Goods and Services, Federal and Provincial Grants and Subsidies, and Other revenues from own services.
- Expenses: General Government \$523,009 (a reduction of \$72,699 from previous year), Protective Services \$91,720 (an increase of \$7,900), Transportation Services \$714,233 (decrease of \$14,884), Environmental Health \$258,395 (increase of \$8,945), Culture and Recreation \$215,615 (decrease of \$3,998), and Fiscal Services \$1,190,129 (increase of \$40,047).

Mr. Mayor: This presents a balanced budget for 2011.

#### **Motion 333/2010 – Councillor Budgell/Councillor King**

That Council adopts the 2011 Municipal Operating Budget and the *2011 Municipal Operating Budget Tax Schedule and Policy* as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

## **Item 5: Adoption of Minutes for Public Council Meeting No. 1280**

### **Motion 334/2010 – Deputy Mayor Tremblett/Councillor Hynes**

To adopt the minutes for public meeting 1280 as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

## **Item 6: Business Arising from the Minutes of Public Council Meeting No. 1280**

Councillor King wondered if correspondence was sent to the minor hockey moms and volunteers for their work to paint the stadium. Mayor Hobbs responded in the affirmative. The Councillor went on to question the status of the Centennial Committee file. The Clerk stated that the Committee is addressing the directives of Council.

## **Item 7: Standing Committee Reports and Recommendations**

### **7.1 RECREATION STANDING COMMITTEE MEETING NO. 235 (NOV 30, 2010)**

#### **7.1.1 Chairperson's Report**

Councillor Canning, Chairperson, presented the following report:

A regular meeting was held on November 30, 2010.

The Committee received a status report on the following stadium renovations projects:

**Arena Boards Replacement Project:** This project was completed on November 30, 2010. The boards are now installed. There are a few minor jobs that must be completed (i.e. reconnect the score clock), and these issues will be resolved before the opening on December 13, 2010.

**Stadium JCP Project:** For the most part, the core objectives of this project have been completed (i.e. plywood replacement). The substantial job remaining is the installation of the rubber flooring, and this will commence on December 13, 2010 when the product arrives onsite. A four (4) week extension has been sought for this project. If approved, and there is no reason to think otherwise, the end date will be January 14, 2010. Other jobs remaining include assisting with the installation of fixtures in the lower level dressing rooms; constructing access doors on each side of the new Zamboni room; assisting with the installation of a new door for the Zamboni room; erecting banners (installing wire); constructing shelving in the

maintenance room; painting the lower level dressing rooms; and installing a sink and toilet in the referee room.

**Zamboni Room Project:** This project is near completion. The contractor is currently installing the hot and cold water lines, and the electrician will be called in soon thereafter to finish the wiring (heaters, lights, etc.). The new door (inside – ice access) will not be ready before the opening date; nonetheless, operations are not compromised by this delay. The outside access road was paved several weeks ago.

**Lower Level Dressing Rooms Project:** Work commenced on this project on November 30, 2010. The contractor is removing concrete from the floor to allow the plumber to access the lines. Once this is completed, the bathroom fixtures can be installed. Finishing work will be done thereafter. Of all the projects remaining, it is likely that the dressing rooms will not be finished before December 13, 2010 (estimated two (2) week delay); however, contingency plans have been set in place to address this service gap. Until such time as the rooms are ready, users will be directed to the upper level dressing rooms. Temporary rubber flooring will be placed in those areas during that time.

In terms of finances, the projects are all on target. As it stands now, the Town will utilize grants and donations to complete these renovations. There will be no impact on the budget, and with nearly \$350,000 in renovations, the municipal debt will only be increased by \$33,000. To commemorate the renovations at the stadium, the Committee decided to plan and host a 'grand opening' in January 2011. The details for this event will be finalized in the coming weeks.

A report was received on the stadium opening logistics. Council will be pleased to know that the Attendants have been recruited and the regular shift will begin on December 2, 2010. The plant will be started that morning. The operational schedule for the stadium will look a little different this year – the Recreation Attendant will begin his shift at 12:00 pm, in most cases, as opposed to 8:00 am. This will mean that throughout the week the stadium will have two (2) employees on during peak periods. In terms of starting the plant, the Town secured the services of a certified person for this purpose. This person is used by neighbouring municipalities (i.e. Lewisporte), and the arrangement will result in cost-savings for the Town. Finally, during the week of November 22-26, 2010 the Town prepared the regular schedule for the stadium. This was distributed to all relevant user groups on November 26, 2010.

## 7.2 PUBLIC WORKS STANDING COMMITTEE MEETING 288 (DEC 2, 2010)

### 7.2.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

The Committee held a regular meeting on December 2, 2010.

In general terms, the Committee's business at this meeting can be regarded as routine. Several quarry permit applications were reviewed, all of which pose no concern to the Town, and updates were received on active issues (i.e. T'Railway, property clean-up Orders, etc.). Additionally, the Committee reviewed Crown Land and permit applications.

Council will be pleased to know that an engineering assessment of the flood complications caused during Hurricane Igor is completed. The Town's engineers prepared a proposal, which is now submitted to the Department of Municipal Affairs, and it will cost approximately \$178,000 to rectify the two (2) issues – Dominic Street and Sunset Drive. The Town is attempting to source 100% of this funding from Municipal Affairs. A motion to this effect will be tabled later.

A report was received on the last Exploits Regional Services Board meeting (attended by Councillor Mills and the Public Works Supervisor). The Committee was advised of several ongoing projects at the water treatment facility. Currently, the facility is encountering problems with the computer system, but the water is still being treated (manually). If all goes well, this situation will be rectified by January 2011. Residents may notice that water, in some areas, has a chlorine odour, but this does not compromise the quality.

#### 7.2.2 Recommendations

##### **Motion 335/2010 – Deputy Mayor Tremblett/Councillor Budgell**

That Council shall approve a Crown Land application from Mr. Kevin Ellis, dated November 30, 2010, to acquire 15 m (frontage) of land immediately adjacent to 41 Thirteen Mile Crossing on the north side.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

##### **Resolution 336/2010 – Deputy Mayor Tremblett/Councillor Budgell**

Whereas a resident requested permission to acquire Crown Land near 87 Main Street for the purpose of constructing an accessory building; and whereas this area is located within the Town's flood zone; and whereas the Department of Municipal Affairs advises that such an application will most likely be decline because of the potential risks and liabilities; and whereas to approve the application in this context will cause undue expenses for the resident; therefore, be it resolved that Council shall oppose the resident's application to acquire Crown Land near 87 Main Street for the purpose of constructing an accessory building.

## DISCUSSION

A friendly amendment was proposed by Councillor King to remove “and whereas to approve the application in this context will cause undue expenses for the resident”. He believed Council this was not a justification to oppose the application – the resident may be prepared to assume the expenses and associated risks. After debate, the mover and seconder agreed to the friendly amendment. Question was then call on the resolution amended as follows:

### Resolution 336/2010 (as amended)

Whereas a resident requested permission to acquire Crown Land near 87 Main Street for the purpose of constructing an accessory building; and whereas this area is located within the Town’s flood zone; and whereas the Department of Municipal Affairs advises that such an application will most likely be decline because of the potential risks and liabilities; therefore, be it resolved that Council shall oppose the resident’s application to acquire Crown Land near 87 Main Street for the purpose of constructing an accessory building.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

### **Resolution Carried**

### Resolution 337/2010 – Deputy Mayor Tremblett/Councillor Budgell

Whereas during Hurricane Igor in September 2010 the Town witnessed severe flooding in the Dominic Street and Sunset Drive areas; and whereas in November 2010 the Town’s engineers, Design Management Group, inspected these areas and found that the current infrastructure is inadequate to manage high water flow during such storms; and whereas it will cost \$178,131.83 to rectify these deficiencies; therefore, be it resolved that Council shall submit an application to the Department of Municipal Affairs, under the Disaster Assistance Program, for funding totalling \$178,131.83 (100%) to remedy the infrastructure deficiencies in the Dominic Street and Sunset Drive areas.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

### **Resolution Carried**

## 7.3 GOVERNANCE STANDING COMMITTEE MEETING 28 (DEC 1, 2010)

### 7.3.1 Chairperson’s Report

Councillor Budgell, Chairperson, presented the following report:

Public Council Meeting No. 1281

A regular meeting was held on December 6, 2010.

The Committee reviewed the following reports: Income/Expense (Budget), Accounts Receivable, Cash, Routine Payments, and Accounts Payable. Council will be pleased to know that our budget targets are being achieved, and we are still in a positive cash position. Accounts payable are substantially less this period as well. By all measures, 2010 will most likely be a good year from a financial standpoint.

At this meeting the Committee finalized the 2011 Budget. This was reported on earlier.

#### 7.3.2 Recommendations

##### **Motion 338/2010 – Councillor Budgell/Councillor King**

That Council shall approve the A/P Transaction Journal dated December 6, 2010, totalling \$31,694.47, for disbursement as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

##### **Motion 339/2010 – Councillor Budgell/Deputy Mayor Tremblett**

Whereas the tender for the 1998 Ford 350 closed on November 19, 2010; and whereas two (2) bids were received; and whereas the highest bidder was Dorman Roberts Ltd in the amount for \$800; therefore, be it resolved that Council shall accept the bid and dispose of the asset.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

##### **Motion 340/2010 – Councillor Budgell/Councillor Hynes**

Whereas the tender for the 2004 Ford F350 closed on November 12, 2010; and whereas one (1) bid was received from Cooke's Metals and Demolition in the amount for \$435; therefore, be it resolved that Council shall accept the bid and dispose of the asset.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0



## **Motion Carried**

### **7.4 COMMUNITY RELATIONS STANDING COMMITTEE MEETING 28 (DEC 1, 2010)**

#### **7.4.1 Chairperson's Report**

Councillor Hynes, Chairperson, presented the following report:

The Committee held a regular meeting on December 1, 2010.

Fire Department officials were in attendance and raised a concern with vehicles/residents using the area behind the Town Hall and Fire Hall as a public road. To compound matters, some vehicles, including off-road, are speeding in this area and the Department's propane tank is in close proximity. Subsequently, the officials requested that a guard rail or fence be placed from the back left hand corner of the property boundary. It was also suggested that the area should be closed to public access. Markers could be installed for this purpose. In regards to the Fire Fighters' Monument, the Department requested to move the fence back approximately ten (10) feet so the general public could view the names on the rear. Furthermore, a patio stone path should be made, and two (2) lights should be placed in the area. With the Town's approval, the Department is prepared to undertake this work. Finally, the officials advised that the information sign that is presented located adjacent to the Department parking lot should be moved. In its present position, the sign is hindering visibility when departing the Fire Hall.

## **Item 8: General Business**

### **8.1 ARENA EDGER (ICE)**

The Clerk advised that the Recreation Attendant sourced a gas edger from the Town of Gander that will cost, if approved by that Council, \$150. If this equipment can be procured, the Department will not require a new edger at a cost of \$5,000.

### **8.2 ANTI-HARASSMENT POLICY**

The Clerk presented the Town of Bishop's Falls *Anti-Harassment Policy*. Mayor Hobbs suggested an amendment to the policy under *Corrective action for the harassers*. He believed corrective action should also be based on the number of occurrences (i.e. repetitious behaviour). The other Councillors agreed with the amendment.

### **Motion 341/2010 – Councillor Canning/Councillor Hynes**

That Council shall adopt the Town of Bishop's *Anti-Harassment Policy* as amended.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

## **Motion Carried**

### **8.3 EMPLOYEE CHRISTMAS VOUCHER**

**\*\*Councillor King declared a conflict of interest and vacated Chambers at 8:43 pm\*\***

Mayor Hobbs opened the debate by suggesting that the Town follow the same practice as in previous years – that being Bishop’s Falls retailer vouchers. The Clerk recommended that, for simplicity purposes, Council could provide a cheque for the same amount. Under this scenario the total allocation (approximately \$2,000) does not increase; however, the employee is given flexibility when in terms of where the money can be spent. This may be more favourable. Mayor Hobbs indicated, and the Deputy Mayor agreed, that many businesses in Bishop’s Falls appreciate the voucher system. The two (2) options were debated.

#### **Motion 342/2010 – Councillor Budgell/Councillor Canning**

That Council shall issue a cheque to each employee based on the same amount as in previous years (\$50 for full-time employees, \$25 for casuals/part-time, and \$25 for firefighters) for the 2010 Christmas bonus/voucher.

Yeas: 3 – Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 2 – Mayor Hobbs and Deputy Mayor Tremblett

Conflict of Interest: 1 – Councillor King

**\*\*Councillor King returned to Chambers at 9:00 pm\*\***

## **Motion Carried**

### **8.4 RECREATION RENOVATIONS PROJECTS – APPROPRIATION REQUEST**

Mayor Hobbs presented a proposal requesting a \$6,800 appropriation request, from budget, to complete renovations at the Pat O’Reilly Memorial Stadium. His Worship advised the Councillors that the Town has, up until this point, covered all the expenditures under grant revenue – including a portion of the arena boards’ replacement project (i.e. general installation above loan, glass, stainless steel hardware). The \$6,800 represents a high water mark for the remaining expenditures. Some Councillors felt strongly that investments in the stadium have reached their maximum. A counter point was made that the \$6,800 appropriation request is not in addition to what has already been approved; rather, this is the net result of a realignment of the budget items. There is a lesser impact on the operating budget.

#### **Motion 343/2010 – Councillor Budgell/Councillor Canning**

That Council shall approve a \$6,800 appropriation for the renovations currently ongoing at the Pat O’Reilly Memorial Stadium.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

### **Motion Carried**

Councillor Canning brought forward an issue with the heaters in the upper and lower dressing rooms. Given the renovations that have been completed, it would be a mistake not to replace the heaters, especially since they are increasing energy costs at the stadium. The estimated cost to replace the four (4) heaters, if necessary, will be approximately \$4,000. Councillor King wondered if all the heaters needed to be replaced. The Town will determine if this is the case beforehand. If the temperature can be regulated the heater will not be changed out.

### **Motion 344/2010 – Councillor Canning/Councillor Hynes**

That Council shall approve a \$4,000 appropriation to replace the four (4) heaters in the upper and lower dressing rooms at the Pat O'Reilly Memorial Stadium.

### **DISCUSSION**

Councillor King recommended a friendly amendment. He suggested adding "provided the heaters need to be replaced for energy efficient reasons". The mover and seconder agreed. Mayor Hobbs, having allowed time for debate, called for the question.

### **Motion 344/2010 (as amended)**

That Council shall approve a \$4,000 appropriation to replace the four (4) heaters in the upper and lower dressing rooms at the Pat O'Reilly Memorial Stadium provided the heaters need to be replaced for energy efficient reasons.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

### **Motion Carried**

## **8.5 CELEBRATE CANADA APPLICATION 2011**

### **Motion 345/2010 – Councillor Hynes/Deputy Mayor Tremblett**

That Council shall authorize the Town Clerk/Manager to submit the 2011 Celebrate Canada Application on the same premise as in 2010.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

**8.6 TAX SALE REPORT/NEXT STEPS**

The Clerk reported that four (4) properties – 22 Thirteen Mile Crossing, 3 McMahon's Lane, 5 Faulkner's Lane, and 138 Main Street - were sold during the auction, resulting in approximately \$35,000. The remaining two (2) properties – 376 Main Street and 308 Main Street – were acquired by the Town. The latter will be available for sale to the general public. Before that can happen, however, Council will need to determine the selling price.

**Item 9: Adjournment**

**Motion 346/2010 – Councillor Canning/Councillor Hynes**

To adjourn public meeting 1281.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

The meeting adjourned at 9:30 pm.

---

Randy Drover, Town Clerk/Manager

Bishop's Falls Town Council  
Public Meeting 1281  
December 14, 2010

## List of Appendices

Appendix	Source
2011 Municipal Operating Budget	Gen Files
<i>2011 Municipal Operating Budget Tax Schedule and Policy</i>	Gen Files
AP Transaction Journal December 6, 2010	GOV 28
<i>Anti-Harassment Policy</i>	Policy – Gen Admin