

Town of Bishop's Falls
Regular Public Council Meeting No. 1269
June 15, 2010 at 7:00 pm
Council Chambers

Minutes

Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:12 pm on June 15, 2010 and presided with the following individuals in attendance:

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

Randy Drover, Town Clerk

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

Mayor Hobbs asked if there were any additions to the agenda. The following items were added under general business: Announcement (Councillor Canning), Centre Access Road Agreement (Town Clerk), and Spring Clean-up (Councillor Hynes). There being no further additions, His Worship called for a motion.

Motion 158/2010 – Councillor King/Councillor Budgell

To adopt the agenda as amended.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Item 4: Proclamation – Recreation Month

Mayor Hobbs read aloud the following proclamation:

"*WHEREAS*, in Bishop's Falls, we are fortunate to have a variety of recreation and parks systems providing countless recreational opportunities for residents and visitors from around the world; and

WHEREAS, recreation enhances quality of life, active living and lifelong learning, helps people live happier and longer, develops skills and positive self image in children and youth, develops creativity, and builds healthy bodies and positive lifestyles; and

WHEREAS, recreation participation builds family unity and social capital, strengthens volunteer and community development, enhances social interaction, creates community pride and vitality, and promotes sensitivity and understanding to cultural diversity; and

WHEREAS, recreation, therapeutic recreation and leisure education are essential to the rehabilitation of individuals who have become ill or disabled, or disadvantaged, or who have demonstrated antisocial behaviour; and

WHEREAS, the benefits provided by recreation and parks programs and services reduce healthcare and social service costs, serve to boost the economy, economic renewal and sustainability, enhance property values, attract new business, increase tourism and curb employee absenteeism; and

WHEREAS, our parks, open space and trails ensure ecological sustainability, provide space to enjoy nature, help maintain clean air and water, and preserve plant and animal wildlife; and

WHEREAS, all levels of government, the voluntary sector and private enterprise throughout the Province participate in the planning, development and operation of recreation and parks programs, services and facilities.

NOW, THEREFORE BE IT RESOLVED, that Bishop's Falls does hereby proclaim that June, which witnesses the greening of Newfoundland and Labrador and serves as a significant gateway to family activities, has been designated as Recreation Month which will recognize and celebrate the benefits derived year round from quality public and private recreation and parks resources at the local, regional and provincial levels.

Therefore, our community, in recognition of the benefits and values that recreation, parks and leisure services provide, do hereby designate the month of June as Recreation Month."

Item 5: Adoption of Minutes for Public Council Meeting 1268

Motion 159/2010 – Councillor Hynes/Councillor Mills

To adopt the minutes for Public Council Meeting 1268 as presented.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Item 6: Business Arising from the Minutes of Public Council Meeting 1268

Councillor Budgell requested an updated on the stadium renovations JCP project. The Town Clerk explained that the Contribution Agreement was signed on June 4, 2010, and the project officially began on June 7, 2010. For the first two (2) weeks the participants will provide assistance to the Fallsview Festival Committee to prepare for the July festivities, and the stadium renovations will begin on June 21, 2010. Right now the Town is trying to recruit the remaining three (3) labourer positions.

Councillor King wondered if any work was completed concerning the regulations for outdoor fire pits. Councillor Budgell advised that nothing is completed to date. The Ad Hoc Regulations Review Committee was preoccupied with other business.

Mayor Hobbs reminded Council of the three (3) questions from MNL, and he wondered if the Councillors had given any thought to the regional governance concept. After a lengthy discussion, Council agreed to the three (3) questions and the idea of discussing various forms of regional governance. The Clerk was directed to advise MNL accordingly.

Mayor Hobbs advised Council that the electrical upgrades in the Fallsview Municipal Park are progressing as planned. As a positive, the contractor was able to increase the 15-amp sites to 20-amp. This may address some of problems experienced by the campers.

Item 7: Standing Committee Reports and Recommendations

7.1 RECREATION STANDING COMMITTEE MEETING 230 (JUN 1, 2010)

7.1.1 Chairperson's Report

Councillor King, Chairperson, presented the following report:

A regular meeting was held on June 1, 2010. The Committee discussed the 2010 Summer Recreation Program in depth. This year we will return to the fundamentals by concentrating on

the quality of sport. Ms. Kerry Lynn Greene, the Program Coordinator, is planning an extensive orientation session for the four (4) Coaches. Through a partnership with the Town of Grand Falls-Windsor and the Town of Botwood, our Coaches will receive the High Five Training from Recreation Newfoundland Labrador. Furthermore, we will also engage local athletes/volunteers in the orientation to ensure the Coaches have a good understanding of the rules. Education and physical activity are key elements of the Summer Recreation Program, and they are receiving extensive attention this year. This year's sports roster includes soccer, softball, volleyball, ball hockey, basketball and, possibly tennis. The Summer Day Camp will be offered again this year, and it will begin on July 5 and end on August 13, 2010. Each week will be based on different themes to ensure the Camp remains interesting and exciting. The Committee is very pleased with the progress made in relation to the Summer Recreation Program, and it is looking forward to a great year.

Council will be pleased to know that the Town endorsed a funding proposal by the Bishop's Falls Playground Committee (Let Them Be Kids Campaign) that was submitted under the Community Recreation Development Grant Program. For the past three (3) years the Town received funding under this Program (\$15,000 in 2009); however, to increase the Playground Committee's chance of success, the Town decided that it was best to withhold its application this year. Instead, Town employees assisted the group by preparing the paperwork on their behalf. If successful, they may receive a grant up to \$15,000. We will continue to assist the Playground Committee in any way possible.

7.1.2 Recommendations

Motion 160/2010 – Councillor King/Councillor Canning

That Council shall approve a request from the Bishop's Falls Youth Co-ed Ball Hockey League to occupy the stadium, free of charge, on June 25-27, 2010 for the purpose of hosting a fundraiser for the west end playground restoration project.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Resolution 161/2010 – Councillor King/Councillor Mills

Whereas a representative of the Bishop's Falls Youth Soccer League requested, in an email dated April 26, 2010, that the Town extend its insurance to cover the League's operations; and whereas the League is best to acquire such insurance through the Newfoundland and Labrador Soccer Association; and whereas Council can support the League in its initial year by providing the soccer field free of charge; therefore, be it resolved that Council shall provide the soccer field to the Bishop's Falls Youth Soccer League, free of charge, for the 2010 season.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Resolution Carried

****COUNCILLOR CANNING DECLARED A CONFLICT OF INTEREST CONCERNING THE NEXT RECOMMENDATION. HE VACATED CHAMBERS AT 7:42 PM****

Motion 162/2010 – Councillor King/Councillor Hynes

That the *Stadium Rental Fees Policy* is amended by adding a subsection under section 4.0 that reads as follows: "During the months of May, June, July, August, and September, the General, Senior, and School renter shall be charged \$50 per hour and the Minor renter shall be charged \$35 per hour".

DISCUSSION

Mayor Hobbs explained the rationale behind the recommendation. Most stadiums charge a lower rate in the summer because there is a decrease in overhead (i.e. heat and light). Furthermore, this motion, if passed, will simply codify a current practice. Councillor Budgell questioned the logics of balancing recreation programs with the stadium renovations. He would not want to see the project delayed because events are scheduled in the facility. Council agreed. The renovations are priority. There being no further discussion, question was called.

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

Nays: 0

Conflict of Interest: 1 - Councillor Canning.

Motion Carried

****HAVING ADDRESSED THE RECOMMENDATION, MAYOR HOBBS INVITED COUNCILLOR CANNING BACK INTO CHAMBERS AT 7:46 PM****

Motion 163/2010 – Councillor King/Councillor Hynes

That the *2010 Tax Schedule, Fees and General Policy* is amended by deleting subsection 11.3 that reads

"The following fees shall apply for the 2010 Summer Recreation Program

Service Type	Fee
Individual Sports	\$15.00 per participant
General Sport Option (5-9 years)	\$15.00 per participant

Day Camp Option (5-9 years)	\$40.00 per participant
Family Maximum for Sports	\$75.00
Family Maximum for Day Camp	\$75.00"

and replacing it with

"The following fees shall apply for the 2010 Summer Recreation Program

Service Type	Fee
Individual Sports (Ages 7-16)	\$15.00 per participant
General Sport Option (All sports - Ages 7-16)	\$40.00 per participant
Day Camp Option (Ages 4- 6)	\$40.00 per participant
Family Maximum for Sports	\$75.00
Family Maximum for Day Camp	\$75.00"

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Resolution 164/2010 – Councillor King/Councillor Budgell

Whereas the west end recreation complex will be remodelled to accommodate the plans of the Bishop's Falls West End Playground Committee (Let Them Be Kids); and whereas the wire fencing in the area is not needed; therefore, be it resolved that Council shall put to tender the sale of 88.4 meters of wire fencing that is currently located in the west end recreation complex; be it further resolved that all proceeds shall be directed to the Bishop's Falls West End Playground Committee (Let Them Be Kids).

DISCUSSION

Deputy Mayor Tremblett, whiling supporting the idea completely, believed the resolution should be deferred until the Heritage Society is consulted. The fencing could be used to encase the boxcar and Heritage Centre, but a full discussion with the Society is needed before this can be known for certain. Mayor Hobbs indicated this is the primary means by which the Town can provide a direct financial contribution to Let Them Be Kids. Furthermore, the boxcar must be moved before the area can be fenced, and right now this is only a plan. Nothing concrete is in place. Councillor Budgell stated that the value of the fence must be determined before its future can be decided. If the bids come in low, then it may be better to retain the asset for Town usage. He went on to say that a serious discussion is needed concerning the boxcar. Councillor Canning believed the boxcar is too dangerous and is beyond repairs. Mayor Hobbs, having allowed the Councillors to speak to the resolution, closed debate and called for the vote.

Yeas: 5 – Mayor Hobbs, Councillor King, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 2 - Deputy Mayor Tremblett and Councillor Hynes.

Resolution Carried

Deputy Mayor Tremblett noted, for the record, that she voted against the motion because she felt the Heritage Society ought to be consulted first. She is in favour of the concept of supporting the Playground Committee (Let Them Be Kids Campaign).

7.2 PUBLIC WORKS STANDING COMMITTEE 284 (JUN 3, 2010)

7.2.1 Chairperson's Report

Councillor Mills, Chairperson, presented the following report:

The Committee held a regular meeting on June 3, 2010. The majority of the Committee's time was spent finalizing the *Water and Sewer Service Connection Regulations* and the *Waste Collection and Disposal Regulations*. In regards to the former regulations, once adopted they will codify current practices pertaining to the installation and maintenance of lateral service water lines and lateral service sewer lines. The Town has not been responsible for such matters in the past, and this will remain the case. As for the *Waste Collection and Disposal Regulations*, this document is the result of a review of the *Garbage/Refuse Regulations*. Only minor changes were made to the system, one of them being the weight of the garbage bag. As opposed to 50lbs, the maximum weight will be 40lbs. Over the coming weeks the public's opinion of the *Waste Collection and Disposal Regulations* will be sought. The feedback will be shared with Council before the vote on July 20, 2010.

7.2.2 Recommendations

Motion 165/2010 – Councillor Mills/Councillor Hynes

To suspend Standing Orders 11.1, 11.2, and 11.3 as it pertains to the *Water and Sewer Service Connection Regulations*.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 166/2010 – Councillor Mills/Councillor Canning

To adopt the *Water and Sewer Service Connection Regulations* as presented.

DISCUSSION

Mayor Hobbs advised that these regulations simply bring together current by-laws and policies into one place. The Clerk went on to explain that there is one (1) important policy shift under these regulations, and that pertains to the Town's responsibility for lateral service water lines. Traditionally, the Town maintained the lateral up to the shut-off value; however, under the *Water and Sewer Service Connection Regulations*, the resident will be responsible for the lateral from the water main. In a case where the main is located on the opposite side of the road, the Town may provide a subsidy up to \$1,000 to assist with repairs and reinstatement. Councillor King strongly believed the public should be educated about these regulations. The other Councillors agreed. There being no further discussion, question was called.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

7.3 GOVERNANCE STANDING COMMITTEE 23 (JUN 8, 2010)

7.3.1 Chairperson's Report

Councillor Budgell, Chairperson, presented the following report:

A regular meeting was held on June 8, 2010 in Chambers. The AP Transaction Journal and Income/Expense Statement were reviewed. Council will be pleased to know that we have collected \$1,852,206 in taxes, of which \$102,380 is from prior years. This is a significant achievement given that taxes are not due until June 30, 2010. The Accounts Receivable Department is to be commended for its diligence. On the expense side, as of June 8, 2010 we consumed 47% of the budget – clearly, our prudence is showing results when you consider this is a mid-year report. We will continue to monitor expenditures to ensure our budget obligations are satisfied and, where possible, come in under targets.

The Committee reviewed an appeal from a resident concerning the caregiver water tax exemption. In the correspondence the resident indicated that he/she had missed the March 1, 2010 deadline and, subsequently, did not submit an application. The Committee weighed the facts and decided that policy must prevail. To allow the resident's appeal would undermine the policy; therefore, the appeal was denied. It is also important to note that this decision was based on precedent. A similar appeal was denied at the last sitting of the Committee.

During the meeting the Committee discussed potential projects for the remaining gas tax funding (approximately \$85,000). Several priorities were identified including sewage system upgrades, energy efficiency upgrades to Town facilities (i.e. stadium, Town Hall, depot, etc), and water tanks maintenance. A comprehensive review and revision of the municipal plan/development regulations was also proposed. The members felt the funding should be allocated towards projects that will improve the Town's efficiency or, in the alternative,

contribute to debt reduction/mitigation. To this end, three (3) projects were selected and they will be presented later on the agenda as a recommendation.

7.3.2 Recommendations

Motion 167/2010 – Councillor Budgell/Deputy Mayor Tremblett

That the updated AP Transaction Journal dated June 8, 2010, totalling \$57,864.74, is approved for payment as presented.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 168/2010 – Councillor Budgell/Deputy Mayor Tremblett

That the Routine Payments Report for March 2010, totalling \$24,737.70, is approved as presented.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Resolution 169/2010 – Councillor Budgell/Deputy Mayor Tremblett

Whereas article 28.03 (a) of the Collective Agreement states, in part, that "A clothing stipend of \$300 will be paid by the employer on June 1 annually to regular employees to enable employees to purchase safety clothing/footwear required for work purposes"; and whereas article 28.03 (b) of the Collective Agreement states, in part, that "...the employer shall provide protective clothing for office staff"; and whereas in 2009 Council provided \$100 to three (3) office employees to satisfy its obligations under article 28.03 (b) of the Collective Agreement; and whereas in correspondence dated June 1, 2010 the office staff, excluding the Town Manager and Town Clerk, requested a \$300 clothing allowance for fiscal years 2008, 2009, and 2010 because to do otherwise would treat them differently than other regular employees; and whereas Council agrees with this rationale; therefore, be it resolved that Council shall provide the office staff, which for the purpose of this resolution includes the Town Manager and Town Clerk in the interest of fairness, a clothing allowance for fiscal years 2008, 2009, and 2010 as per the following schedule:

Employee Name	FY 2008 (Pay Jun 1, 2010)	FY 2009 (Pay Jul 1, 2010)	FY 2010 (Pay Aug 1, 2010)
Linda Snow	\$300	\$200 (balance)	\$300
Pauline Brace	\$300	\$200 (balance)	\$300
Vicki Greene	\$300	\$200 (balance)	\$300
Randy Drover		\$300	\$300
Lesley Smith			\$150
TOTALS	\$900	\$900	\$1,350

DISCUSSION

Councillor Canning questioned if this was a normal practice for municipalities. Councillor King explained that, for the purpose of this resolution, the question of normalcy is irrelevant. The Collective Agreement requires Council to act in this manner. Councillor Budgell stated that since the Committee's meeting additional information was obtained. The payout was devised to have the least impact on cash flow; however, this is no longer an issue. The full payment can be made because there is adequate supply.

Amendment – Councillor Budgell/Deputy Mayor Tremblett

To amend the resolution by deleting "...as per the following schedule:

Employee Name	FY 2008 (Pay Jun 1, 2010)	FY 2009 (Pay Jul 1, 2010)	FY 2010 (Pay Aug 1, 2010)
Linda Snow	\$300	\$200 (balance)	\$300
Pauline Brace	\$300	\$200 (balance)	\$300
Vicki Greene	\$300	\$200 (balance)	\$300
Randy Drover		\$300	\$300
Lesley Smith			\$150
TOTALS	\$900	\$900	\$1,350"

and replacing it with "that shall be paid out in a lump sum as of June 1, 2010 as per the following schedule

Employee Name	Clothing Allowance
Linda Snow	\$800
Pauline Brace	\$800
Vicki Greene	\$800
Randy Drover	\$600
Lesley Smith	\$150
TOTALS	\$3,150"

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Amendment Carried

Mayor Hobbs then called for the vote on the resolution in the following form as amended:

Whereas article 28.03 (a) of the Collective Agreement states, in part, that "A clothing stipend of \$300 will be paid by the employer on June 1 annually to regular employees to enable employees to purchase safety clothing/footwear required for work purposes"; and whereas article 28.03 (b) of the Collective Agreement states, in part, that "...the employer shall provide protective clothing for office staff"; and whereas in 2009 Council provided \$100 to three (3) office employees to satisfy its obligations under article 28.03 (b) of the Collective Agreement; and whereas in correspondence dated June 1, 2010 the office staff, excluding the Town Manager and Town Clerk, requested a \$300 clothing allowance for fiscal years 2008, 2009, and 2010 because to do otherwise would treat them differently than other regular employees; and whereas Council agrees with this rationale; therefore, be it resolved that Council shall provide the office staff, which for the purpose of this resolution includes the Town Manager and Town Clerk in the interest of fairness, a clothing allowance for fiscal years 2008, 2009, and 2010 that shall be paid out in a lump sum as of June 1, 2010 as per the following schedule

Employee Name	Clothing Allowance
Linda Snow	\$800
Pauline Brace	\$800
Vicki Greene	\$800
Randy Drover	\$600
Lesley Smith	\$150
TOTALS	\$3,150

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Resolution Carried as Amended

Resolution 170/2010 – Councillor Budgell/Councillor King

Whereas Owen and Dena Ellis requested to purchase a block of land on McDonald Crescent in a letter dated May 12, 2010; 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 stated the price per lot is \$24,850.00 plus HST, deed and survey; therefore, be it resolved that Council shall approve the sale of 18 McDonald Crescent to Owen and Dena Ellis at a price of \$24,850 plus HST, deed and survey; be it further resolved that Owen and Dena Ellis are required to pay a deposit of \$2,500, which includes a non-refundable fee of \$1,000 in the event of cancellation, on or before July 30, 2010 to secure the offer to sell.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Resolution Carried

Motion 171/2010 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall provide the Fallsview Festival Committee with a \$500 financial contribution to assist with advertising and other costs associated with the 2010 festivities.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 172/2010 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall approve a request from the Fallsview Festival Committee to occupy the stadium, free of charge, on July 10, 2010 for the purpose of hosting the concert in the event of inclement weather in the Fallsview Park.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 173/2010 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall approve the registration fees and hotel expenses for the following firefighters to attend the Newfoundland and Labrador Association of Fire Services' Annual Convention in Corner Brook that is taking place on June 25-28, 2010:

Firefighter Name	Registration Expense	Hotel Expense
Fire Chief Gary Harnum	\$400	\$370
Jeff Rowsell	\$400	\$360
Dan Oldford	\$300	
TOTALS	\$1,100	\$730

DISCUSSION

The Town Clerk advised that the registration expense includes, for the first two (2) individuals, \$100 for their spouses. He sought Council's directive on the matter. There was general agreement among the Councillors that the practice was acceptable; however, meals for spouses are ineligible. Question was called.

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

Nays: 1 – Councillor Hynes

Motion Carried

Motion 174/2010 – Councillor Budgell/Councillor Mills

That Council shall approve a budget of \$1,600 for the seniors/war veterans annual dinner in July.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Resolution 175/2010 – Councillor Budgell/Councillor King

Whereas the Town was advised that certain projects under the Gas Tax Capital Investment Plan were not approved; and whereas this resulted in \$85,000 in slippage under this program; therefore, be it resolved that Council shall amend the Gas Tax Capital Investment Plan by removing the road infrastructure improvement projects and replacing them with the following in order of priority:

1. Sewage system upgrades that aim to mitigate the overall costs of the sewage treatment project. The entire balance shall be used for these initiatives if eligible.
2. Energy efficiency upgrades to the Pat O'Reilly Memorial Community Centre that aim to reduce overall consumption and cost. The entire balance shall be used for these initiatives if deemed eligible and warranted.
3. Municipal Plan comprehensive review and revisions (updating). A maximum budget of \$25,000, where permitted, shall be allocated for this purpose.

DISCUSSION

The Town Clerk advised that additional information emerged since the recommendation was drafted. The previous Town Manager found that priority one (1) is ineligible because it does not fit within the program guidelines. Furthermore, Council now has the option of rolling the \$85,000 into the next agreement. The Councillors believed the latter was the better option because it provides additional time for Council to explore its option. It is also more efficient to prepare one (1) CIP for the new and old funding. Mayor Hobbs suggested it may be best to defeat the motion on these grounds. Question was called.

Yeas: 0

Nays: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Motion Defeated

Motion 176/2010 – Councillor Budgell/Councillor King

That Council shall ratify the *Town of Bishop's Falls Health and Safety Policy* as presented.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 177/2010 – Councillor Budgell/Councillor King

That Council shall ratify the Health and Safety Committee Terms of Reference as presented.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Resolution 178/2010 – Councillor Budgell/Councillor King

Whereas tender BF 01-2010 (General Materials and Products) closed on April 23, 2010; and whereas the tenders were opened in the presence of Lesley Smith, Town Manger, Randy Drover, Town Clerk, and Vicki Greene, Clerk/Receptionist, on April 26, 2010 at 10:00 am; and whereas bids were received from NewLab and F.J Wadden & Sons Ltd; and whereas, on the whole, NewLab's bid was lower than F. J. Wadden & Sons; therefore, be it resolved that Council shall award tender BF 01-2010 (General Materials and Products) to Newlab.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Resolution Carried

Resolution 179/2010 – Councillor Budgell/Councillor Mills

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on April 12, 2010 outlining damages to his/her lawn; and whereas the damage to the lawn exceeded three (3) meters in length; and whereas section 5.1 of the *Snow Clearing Damages and Grass Replacement Policy* states that "Where Town equipment caused damage to an individual's grass during snow clearing operations, the Town shall only be liable to compensate the individual where the grass is eroded by more than 3 meters in length"; therefore, be it resolved

that Council shall approve the residents claim and reinstate his/her lawn to its condition prior to being damaged.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Resolution Carried

7.4 COMMUNITY RELATIONS STANDING COMMITTEE 23 (JUN 3, 2010)

7.4.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

Delegations from the Air Cadet Squadron, Bishop's Falls Fire Department and the Royal Canadian Legion were in attendance to discuss the upcoming Memorial Day Service which will take place on June 27, 2010. A review of the schedule of events for the service as well as the delegation of associated duties was conducted.

The Committee also began preliminary planning for the seniors' banquet to be held on July 1, 2010 at the Lion's Club. The Committee decided that increasing the ticket price to \$3.00 was appropriate at this time. The Committee has provided the administrative staff with direction to carry out logistical planning for the event. The Committee notes that all plans are contingent on Council's final approval of funding for this event.

7.5 AD HOC REGULATIONS REVIEW COMMITTEE

7.5.1 Report and Recommendations

Councillor Budgell presented the following report:

The Committee held a meeting on May 31, 2010 where the *Anti-Litter Regulations*, *Bicycle Helmet Regulations*, and the *Bishop's Falls Fence Regulations* were reviewed.

In regards to the *Anti-Litter Regulations*, for the most part the substance of this municipal by-law has not changed. It will remain unlawful for residents to throw or deposit litter, as defined by the regulations, on private or public property. The Committee has taken the regulations one step further, however, by addressing the manner by which vehicles are demolished, repaired, and/or scraped in the Town. Once the by-law is adopted, residents will be required to obtain a permit to demolish, repair or scrap a vehicle on private or public property. The permit will cost \$20 and will be valid for a period of ten (10) days; however, if the resident complies with the specified timeframe, he/she shall be entitled to refund of \$20. These regulations will be posted for public review prior to the vote on July 20, 2010. As for the *Bicycle Helmet Regulations*, the Committee felt that the Town did not have the resources to effectively

administer this by-law. There is little purpose to have regulations in place that cannot be enforced; therefore, the Committee will recommend that Council repeal this by-law. Finally, the only substantial changes that will be proposed pertaining to the *Bishop's Falls Fence Regulations* involve the height restrictions. As opposed to 1.2 (front) and 2.0 (back) meters, the Committee is recommending 1.0 (front) and 2.5 (back) meters. This seems to be the most logical adaptation of commonly accepted standards/practices in the community.

The Committee will hold its next meeting following the summer session.

Motion 180/2010 – Councillor Budgell/Councillor Mills

That the *Town of Bishop's Falls Bicycle Helmet Regulations* and any amendments thereto are hereby repealed.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 181/2010 – Councillor Budgell/Councillor King

That the *Bishop's Falls Fence Regulations* are amended as follows:

1. "Chief Administrative Officer" in section 3 (c) is deleted and replaced with "Town Manager".
2. "1.2 meters" in section 5 is deleted and replaced with "1.0 meter".
3. "...except where Council determines additional height is necessary for screening or security and in such a case the height of the fence shall not exceed 2.0 meters" in section 5 is deleted.
4. "2.0 meters" in section 6 is deleted and replaced with "2.5 meters".

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Item 8: Notice of Motions

8.1 DEPUTY MAYOR TREMBLETT – *ANTI LITTER REGULATIONS, 2010*

Deputy Mayor Tremblett tabled the following notice of motion: "Mayor, I speak today to advise my fellow Councillors that during a Public Meeting to be held on July 20, 2010 it will be moved and seconded that Council adopt the *Anti Litter Regulations, 2010*. The *Regulations* have been submitted to the Clerk and are available for Council's review."

8.2 COUNCILLOR MILLS – *WASTE COLLECTION AND DISPOSAL REGULATIONS*

Councillor Mills tabled the following notice of motion: "Mayor, I speak today to advise my fellow Councillors that during a Public Meeting to be held on July 20, 2010 it will be moved and seconded that Council adopt the *Waste Collection and Disposal Regulations*. The *Regulations* have been submitted to the Clerk and are available for Council's review."

Item 9: General Business

9.1 EXTERNAL COMMUNICATIONS

The Town Clerk explained that in recent weeks the Town's communication system with residents has been the subject of debate. Some are of the opinion that more can be done, and suggestions were made to issue monthly news releases and, on occasion, newsletters. To make the system more effective, however, the process needs to be driven by Council. To this end, the Town Clerk proposed the following:

1. On a monthly basis each Chairperson will provide a topic they would like covered in a news release. These four (4) topics will be presented to the Mayor and he will decide what is issued.
2. The Town Clerk will open a file to keep track of the various topics.
3. On a periodic basis a newsletter will be released to cover as many topics as possible.

Council supported the communication plan. Councillor King suggested the newsletter should be issued on a quarterly basis and the others agreed.

9.2 TOWN MANAGER SELECTION COMMITTEE REPORT/UPDATE

Mayor Hobbs provided an update on the Town Manager recruitment process. The first round did not result in any suitable candidates. Subsequently, a second advertisement was issued on June 15, 2010, and the deadline for applications is July 2, 2010. Additional forms of advertising will be used this time (i.e. The Telegram, MNL network, PMA network, etc).

9.3 AMENDMENT TO LOCAL GOVERNMENT GAS TAX FUNDING AGREEMENT

Motion 182/2010 – Councillor Canning/Councillor King

That Council approves the First Amending Agreement to the Local Government Gas Tax Funding Agreement dated June 4, 2010 and authorizes the Mayor and Town Clerk to sign the Agreement on its behalf.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

9.4 SNOW CLEARING DAMAGES CLAIM APPEAL

The Town Clerk presented a resident's appeal concerning the decision made on his/her snow clearing damages claim. Councillor Budgell suggested that the Public Works Supervisor, who investigates such claims, ought to be provided an opportunity to review the appeal.

Motion 183/2010 – Councillor Canning/Councillor Budgell

To defer the appeal from a resident dated June 14, 2010 in relation to his/her April 20, 2010 snow clearing damages claim to the Public Works Standing Committee for adjudication.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

9.5 ANNOUNCEMENT

Councillor Canning informed Council and the public that Mr. Ronald Penney was proclaimed Knight of the Year. He went on to say that Bishop's Falls is lucky to have Mr. Penney as a resident and long-term volunteer. Councillor Canning, on behalf of Council, offered congratulations.

9.6 CENTRE ACCESS ROAD CAPITAL WORKS AGREEMENT

Motion 184/2010 – Councillor Budgell/Councillor King

That Council approves the 2010 Municipal Capital Works Agreement dated June 7, 2010 concerning the Centre Access Road Reconstruction Project (no. 10015) and authorizes the Mayor and Town Clerk to sign the Agreement on its behalf.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 185/2010 – Councillor Canning/Councillor Mills

That Council approves the Client-Engineer Agreement between the Town of Bishop's Falls and Design Management Group concerning the Centre Access Road Reconstruction Project.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

9.7 SPRING CLEAN-UP

A discussion ensued on the spring clean-up system. Council agreed that a review is necessary, and the Town Clerk was directed to place the matter on the Public Works Standing Committee's agenda in September.

Item 10: Adjournment

Motion 186/2010 – Councillor Canning/Councillor Budgell

To adjourn Public Meeting 1269.

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

Nays: 0

Motion Carried

The meeting adjourned at 9:35 pm.

Randy Drover, Town Clerk

Bishop's Falls Town Council
Public Meeting 1269
June 15, 2010

List of Appendices

Appendix	Source
AP Transaction Journal Dated June 8, 2010	GOV 23
Routine Payments Report March 2010	GOV 23
<i>Town of Bishop's Falls Health and Safety Policy</i>	GOV 23
Health and Safety Committee Terms of Reference	GOV 23