

Town of Bishop's Falls
Regular Public Council (Special) Meeting No. 1264
March 30, 2010 at 7:00 pm
Council Chambers

Minutes

Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 4:30 pm on March 30, 2010 and presided with the following individuals in attendance:

Councillors

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

Staff

Lesley Smith, Town Manager
Randy Drover, Town Clerk

Item 2: Adoption of the Agenda

Mayor Hobbs, at the request of the Town Manager, added "Severance Bank Account" to the agenda. There being no further amendments, His Worship called for a motion.

Motion 93/2010 – Councillor Mills/Councillor Hynes

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

Abstained: 0

Motion Carried

Item 3: Recreation Standing Committee 226 Deferred Recommendations

Resolution 94/2010 – Councillor King/Councillor Hynes

Whereas the quote for the new arena boards does not include an electronic lift gate for the Zamboni exit; and whereas the electronic lift gate will cost up to \$15,000 plus installation; and

whereas Council desires to relocate the Zamboni room because the existing location causes inefficiencies; and whereas these inefficiencies arise primarily for the excessive use of hot water and electricity; and whereas the clearance in front of the desired Zamboni room will not accommodate swinging gates; therefore, be it resolved that Council shall relocate the Zamboni room in the Pat O'Reilly Memorial Stadium to the west end extension; be it further resolved that Council shall authorize an additional expenditure of \$15,000 plus installation for an electronic lift gate to be installed when the arena boards are replaced.

DISCUSSION

Councillor Budgell wondered if the decision could wait until a later date because there may be other funding opportunities. It was generally agreed that there was no immediate need to make the decision; however, the tendering process is contingent on the location of the Zamboni room - the engineering floor plan will need to change if the room is moved. Councillor Budgell indicated that the west end extension is not insulated and that will create problems. Councillor King informed Council that the Town applied for approximately \$10,000 from the Department of Human Resources, Labour and Employment, under the existing JCP application, for the relocation. This includes insulation, a new door, etc. The Councillors then discussed three (3) possible funding sources – Hockeyville, Provincial/Federal cost share, and a loan. The first two (2) options will be exhausted before borrowing is considered. There being no further discussion, Mayor Hobbs called for the vote.

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

Nays: 0

Abstained: 0

Resolution Carried

Resolution 95/2010 – Councillor King/Councillor Canning

Whereas Council approved \$19,144 for the arena boards replacement project in motion 525/2009; and whereas this represented 20% of the cost to purchase the boards; and whereas dismantling and installation expenses were not included; and whereas installation and dismantling expenses are estimated to be \$13,000; therefore, be it resolved that Council shall approve an additional expenditure of up to \$13,000 for the dismantling and installation of the arena boards.

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

Nays: 0

Abstained: 0

Resolution Carried

Resolution 96/2010 – Councillor King/Councillor Canning

Whereas the arena boards replacement project will cost an additional \$15,000 plus installation for the electronic lift gate and \$13,000 for installation and dismantling; and whereas the Department of Municipal Affairs and ACOA have partnered with the Town on this project; therefore, be it resolved that Council shall approach the Department of Municipal Affairs and ACOA for an 80% contribution towards these additional expenses.

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

Nays: 0

Abstained: 0

Resolution Carried

Resolution 97/2010 – Councillor King/Deputy Mayor Tremblett

Whereas the Town of Bishop's Falls secured a \$33,000 loan for the arena boards replacement project from the Bank of Montreal; and whereas the Department of Municipal Affairs must approve this borrowing; therefore, be it resolved that Council shall request a letter from the Department of Municipal Affairs granting permission to borrow \$33,000 from the Bank of Montreal for the arena boards replacement project.

DISCUSSION

Councillor Budgell questioned the status of the Debt Servicing Ratio (DSR). The Town Manager indicated that this project was included in the analysis that was presented to Council last week; however, each loan is adding to the ratio, and sewage treatment is the project that puts the Town over 30%. There being no further questions or discussion, His Worship called for the question.

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

Nays: 0

Abstained: 0

Resolution Carried

Motion 98/2010 – Councillor King/Deputy Mayor Tremblett

That Council approves a drawdown of up to \$33,000 against the \$33,000 loan from the Bank of Montreal to finance the arena boards' replacement project as needed.

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

Nays: 0

Abstained: 0

Motion Carried

Item 4: Governance Standing Committee Meeting 20 (March 23, 2010)

4.1 Chairperson's Report

Councillor Budgell, Chairperson, presented the following report:

A special meeting was held in Chambers on March 23, 2010. The Committee invited a delegation from a local business to further discuss a proposal that was presented on March 9, 2010. After reviewing all the information surrounding the situation, the Committee is prepared to make a recommendation that will be tabled later on the agenda. A report was filed with the Committee concerning the hiring of the Operations Coordinator under a Job Creation Partnership Project. A total of 26 applications were received, and Ms. Kerry-Lynn Greene was the successful candidate. I'm sure I speak for Council when I welcome Ms. Greene to the Town in this capacity.

4.2 Recommendations

Resolution 99/2010 – Councillor Budgell/Deputy Mayor Tremblett

Whereas a local business presented a proposal to the Governance Standing Committee on March 9, 2010 pertaining to water taxes, discounts, and interest associated with its real properties; and whereas the proposal will cost \$2,015.23 in tax reductions; and whereas in exchange for the tax reductions the business agrees to waive an alleged agreement that dates back to 2000; therefore, be it resolved that Council shall approve the business's proposal dated March 9, 2010 as presented.

DISCUSSION

Councillor Canning asked for a briefing on the background. Councillor Budgell explained that in 2000 the business in question alleges to have made an agreement with the Town concerning water taxes on its properties. The agreement exempted the business from having to pay water taxes on two (2) properties; however, the Town has imposed water taxes since 2008. The proposal before Council will resolve this dispute and, if approved, will create goodwill. Beginning in 2011 the business will be liable for water taxes. There being no further questions or discussion, question was called.

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

Nays: 0

Abstained: 0

Resolution Carried

Motion 100/2010 – Councillor Budgell/Deputy Mayor Tremblett

That any reference to the 'Chief Administrative Officer' in the *Compensatory Time-off and Flexible Hours Policy* is deleted and replaced with 'Town Manager'.

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

Nays: 0

Abstained: 0

Motion Carried

Motion 101/2010 – Councillor Budgell/Deputy Mayor Tremblett

That section 4.1 (a) of the *Compensatory Time-off and Flexible Hours Policy* that states

"The employee is entitled to a minimum of two (2) hours in compensatory time-off when he/she is required to work outside of his/her standard work week for an amount of time less than two (2) hours"

is deleted and replaced with

"The employee is entitled to a minimum of four (4) hours in compensatory time-off when he/she is required to work outside of his/her standard work week for an amount of time less than four (4) hours".

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

Nays: 0

Abstained: 0

Motion Carried

Motion 102/2010 – Councillor Budgell/Councillor Canning

That section 4.1 (b) of the *Compensatory Time-off and Flexible Hours Policy* that states

"The employee is entitled to compensatory time-off at a rate of one (1) hour for every hour when he/she is required to work outside of his/her standard work week for an amount of time greater than two (2) hours. The amount of hours work shall be rounded up to the nearest hour (i.e. if the employee works 4.5 hours, he/she is entitled to 5 hours in compensatory time-off)."

is deleted and replaced with

"The employee is entitled to compensatory time-off at a rate of one (1) hour for every hour when he/she is required to work outside of his/her standard work week for an amount of time greater than four (4) hours. The amount of hours work shall be rounded up to the nearest hour (i.e. if the employee works 4.5 hours, he/she is entitled to 5 hours in compensatory time-off).

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

Nays: 0

Abstained: 0

Motion Carried

Motion 103/2010 – Councillor Budgell/Councillor King

That section 4.6 of the *Compensatory Time-off and Flexible Hours Policy* that states "Notwithstanding subsections 4.3, 4.4 or 4.5, an employee shall not accumulate more than five (5) days in compensatory time-off; however, where the circumstances of the employer or employee do not permit the use of compensatory time-off, the employee shall be permitted to accumulate a maximum of ten (10) days" is deleted.

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

Nays: 0

Abstained: 0

Motion Carried

Motion 104/2010 – Councillor Budgell/Councillor Mills

That section 4.7 of the *Compensatory Time-off and Flexible Hours Policy* that states

"Under no circumstances will employees receive remuneration for unused compensatory time-off."

is deleted and replaced with

"Employees shall be entitled to a payout of unused CTO in December of each year at his/her current rate of pay. Notwithstanding the latter, the payout shall not exceed five (5) days in any given fiscal year."

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

Nays: 0

Abstained: 0

Motion Carried

Motion 105/2010 – Councillor Budgell/Councillor King

That an additional section be inserted under section 4 of the *Compensatory Time-Off and Flexible Hours Policy* to read as follows: "An employee may carry forward a maximum of five (5) days in unused compensatory time-off into the following fiscal year."

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

Nays: 0

Abstained: 0

Motion Carried

Motion 106/2010 – Councillor Budgell/Councillor King

That Council adopts the Town of Bishop's Falls *Gifts and Gratuities Policy* as presented.

DISCUSSION

Councillor Canning sought clarification on the policy. He wondered if the Town's Departments would be able to accept gifts for Christmas parties. Mayor Hobbs explained that the policy will prohibit the acceptance of gifts completely. If an employee or Councillor is offered a gift for any reasons he/she must refuse it. This is a standard practice in the public sector. His Worship, having allowed ample time for debate, called the vote.

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

Nays: 0

Abstained: 0

Motion Carried

Item 5: Community Relations Standing Committee 20 (March 22, 2010)

5.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

The Committee held a special meeting on March 22, 2010. Representatives from the Bishop's Falls Lions Club and Knights of Columbus were in attendance. The members reviewed the nominations for the 2010 civic awards, and only five (5) were received as of that date; therefore, the Committee agreed to extend the deadline until April 5, 2010. User groups will once again be encouraged to submit nominations, and a public service announcement will be issued to advise the public of the change to the deadline. Finally, the Committee decided that the Knights of Columbus, the Bishop's Falls Lions Club, and Ms. Lesley Smith, Town Manager, will be the judges this year. Ms. Donna Peyton will be asked to serve as the alternant. Another special meeting will be held next week to review the nominations received after the new deadline.

DISCUSSION

Mayor Hobbs explained that it's very important for nominators to present a well written biography of the person(s) they are nominating. The judging can only be based on what's submitted, and what is known about the person outside of the application cannot be considered. Deputy Mayor Tremblett added that it is becoming increasingly difficult to get people to participate in the process. Councillor Budgell suggested that it may be time to change our tactics.

Item 6: Severance Bank Account

Motion 107/2010 – Councillor Canning/Councillor Budgell

That Council shall open a separate bank account for severance.

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

Nays: 0

Abstained: 0

Motion Carried

Item 7: Adjournment

Motion 108/2010 – Councillor Canning/Councillor Budgell

To adjourn Public Meeting 1264

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

Nays: 0

Abstained: 0

Motion Carried

The meeting adjourned at 5:35 pm.

Randy Drover, Town Clerk

Bishop's Falls Town Council
Public Meeting 1264
March 30, 2010

List of Appendices

Appendix	Source
<i>Gifts and Gratuities Policy</i>	Policy – General Admin