

Minutes

Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:05 pm on April 20, 2011 and presided with the following individuals in attendance:

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

Randy Drover, Town Clerk/Manager

Item 2: Opening Prayer in the Form of Silent Reflection

A minute of silence was provided for a private prayer by Councillors.

Item 3: Adoption of the Agenda

Mayor Hobbs presented the agenda and opened the floor for additions. The following items were subsequently added under general business:

1. Snow Clearing – Councillor Mills
2. Sunset Drive Racetrack – Councillor Mills
3. Stadium Rental July 1, 2011 – Councillor Canning
4. Trestle Lights Update – Councillor King

His Worship, having noted the additions, called for a motion.

Motion 73/2011 – Councillor King/Councillor Mills

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: Municipal Awareness Day Proclamation

Mayor Hobbs presented the proclamation declaring May 18, 2011 as Municipal Awareness Day.

Motion 74/2011 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall recognize and declare May 18, 2011 as Municipal Awareness Day in the Town of Bishop's Falls and authorize the Mayor to sign the proclamation 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 5: Adoption of Minutes for Public Council Meeting No. 1285

Motion 75/2011 – Councillor Hynes/Councillor Canning

To adopt the minutes for public meeting 1285 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 No. 1285

No business was arising.

Item 7: Adoption of Minutes for Public Council Meeting No. 1286

Councillor King noted that his name was missing from the vote result listing. The Clerk indicated this was an error and it will be corrected.

Motion 76/2011 – Councillor Canning/Councillor King

To adopt the minutes for public meeting 1286 as amended by replacing the first occurrence of 'Councillor Canning' with 'Councillor King' in the vote listings for motions 66/2011 to 72/2011.

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

Nays: 0

Motion Carried

Item 8: Adoption of Minutes for Public Council Meeting No. 1286

No business was arising.

Item 9: Standing Committee Reports and Recommendations

9.1 COMMUNITY RELATIONS STANDING COMMITTEE MEETING NO. 31 (APR 6, 2011)

9.1.1 Chairperson's Report

Councillor Hynes, Chairperson, presented the following report:

The Fire Chief and his executive were in attendance to discuss matter of concern to the Department. It was reported that the names of deceased firefighters have not been added to the monument since 2001, and it will cost approximately \$2,000 to complete this work. The Department requested the Town's assistance in this regard, and the Committee concluded it will be considered during the mid-year budget review. The Executive advised the members that discussions are underway with the Grand Falls-Windsor and Botwood Fire Departments to formulate the Mutual Aid Agreements. Once the drafts are finalized, they will be presented to Council for review, debate, and approval. Finally, the Committee was reminded that the Department will celebrate 50 years of existence in 2012, and it would appreciate assistance from the administration to secure additional revenue for this event.

During this meeting the Committee continued planning for the annual Civic Awards Ceremony, which is scheduled to take place on May 19, 2011 at 7:00 pm. The deadline for nominations in May 2, 2011 and the Committee encourages all residents and business to participate.

DISCUSSION

The Clerk advised that, in the near future, a meeting may be required to discuss the standard operating procedures and mutual aid agreements for the Fire Department. These service standards must be ratified by Council.

9.2 GOVERNANCE STANDING COMMITTEE MEETING NO. 32 (APR 4, 2011)

9.2.1 Chairperson's Report

Councillor Budgell, Chairperson, presented the following report:

A regular meeting was held on April 4, 2011.

The Committee considered the financial reports for the period. Council will be pleased to know that our budget targets are still holding, although during the mid-year review we will need to realign line items to reflect additional expenditures in some categories. Maintenance expenses and snow clearing wages are higher than expected, although sufficient room may remain for the fiscal year. This area will continue to be monitored in the coming week, and if adjustments are warranted they will be recommended during the mid-year budget review. In terms of cash, the Town is in a healthy position – inflows are greatest in the months of March and April. Our loan payments for March are issued, and the Town absorbed a portion of the Centennial deficit during this period. A more detailed report on the latter will be tabled in the near future. Council will also notice that our payables are lower this period, sitting at approximately \$50,000. Routine payments are considerably higher, but this is the result of the loan payments and Centennial deficit recovery.

A report was received on the status of the Sewage Treatment Project. The Town Clerk/Manager indicated that a draw was recently made against the BMO loan in the amount of \$86,793.54. To date, the project (excluding the study) has cost a total of \$433,969.38 (less GST), and the Town has drawn approximately 50% of the \$313,000 loan.

9.2.2 Recommendations

Motion 77/2011 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall approve the A/P Transaction Journal dated April 4, 2011, totalling \$49,041.86, for disbursement 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 78/2011 – Councillor Budgell/Councillor King

That Council shall ratify the Routine Payments for the month of March 2011 totalling \$301,958.38.

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

Nays: 0

Motion Carried

Motion 79/2011 – Councillor Budgell/Councillor King

That Council shall oppose the payment of the invoice from Exploits Valley Information Centre dated March 11, 2011 totalling \$500 that represents the proposed 2011 contribution from Bishop's Falls.

DISCUSSION

The following points were raised during discussion: (1) The Town must provide some support to this Centre because it serves an important tourism function; (2) Council cannot expect to sit on the Board and play an active role without providing some form of monetary support; (3) in terms of promotion, the Centre is not effective and provides no real value to the municipality's efforts to increase tourism; (4) a new pamphlet must be designed; and (5) the full \$500 contribution is not feasible, or even required, but a lesser amount can be entertained.

His Worship, having allowed time for debate, called for the vote.

Yeas: 0

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

Motion Defeated

Motion 80/2011 – Councillor Budgell/Councillor Canning

That Council shall provide a \$100 grant to the Exploits Valley Information Centre to assist with general operations.

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

Nays: 0

Motion Carried

Resolution 81/2011 – Councillor Budgell/Councillor Canning

Whereas the Town submitted a JCP project in 2011 to acquire a Coordinator for the Fallsview Municipal Park, Summer Recreation Program, and Central Summer Games; and whereas the

Department of Human Resources, Labour and Employment advised that the Coordinator position may be best suited for a Targeted Wage Subsidy; and whereas the Coordinator is necessary to ensure the proper function of the Fallsview Municipal Park, Summer Recreation Program, and Central Summer Games; therefore, be it resolved that Council shall approve an appropriation of \$5,166 (50% of wages plus MERC) for a Targeted Wage Subsidy to hire a Summer Recreation Coordinator.

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

Nays: 0

Resolution Carried

The Clerk indicated that recommendation GOV 32-05 is no longer necessary as Mr. Bragg withdrew his offer to purchase on April 20, 2011.

Motion 82/2011 – Councillor Budgell/Deputy Mayor Tremblett

To strike recommendation GOV 32-05 from the record.

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

Nays: 0

Motion Carried

9.3 RECREATION STANDING COMMITTEE MEETING NO. 238 (APR 5, 2011)

9.3.1 Chairperson's Report

Councillor Canning, Chairperson, presented the following report:

The members received a delegation from the LTBK Committee pertaining to the west end and Helen Tulk playgrounds. The delegates advised the remaining funds will be used to purchase additional equipment, and in the coming weeks this will be looked at in greater detail. Upon completion of the project, which is anticipated to be June 18, 2011, the LTBK Committee would like to arrange a closing event (i.e. Garden Party) similar to last year's build day. Finally, during the delegation the Town was requested to approach Cougar, the contractor engaged to complete the Centre Access Road, to see if the west end playground walking trail could be paved as an in-kind contribution. After further discussion, however, it was agreed that such a request would be better coming from the LTBK Committee. Finally, the delegation indicated that the Town's assistance, by way of municipal equipment, will be needed to install the remaining playground pieces.

As Council is aware, the Town will be hosting the Central Summer Games this year, and a funding proposal was recently submitted to the Government to assist with this undertaking. Recently, several residents inquired about the date of the games, and at this point – until the planning Committee has finalized the details – that information cannot be provided. Conceivably, the games will be held either in the second or third week of August.

9.4 PUBLIC WORKS STANDING COMMITTEE MEETING NO. 291 (APR 7, 2011)

9.4.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

The Committee held a regular meeting on April 7, 2011.

This was very much a routine meeting. The Committee reviewed several pieces of correspondence, most of which can be addressed at an administrative level. Several accident/incident reports were considered, and the members concluded a better system could be developed to ensure the right information is communicated to the office. Subsequently, in the coming weeks the Town Clerk/Manager will develop a better reporting framework for such instances.

As Council is aware, the 2011 Budget contained an allocation for the purchase of a new utility vehicle for the Public Works Department. The tender document was reviewed by the Committee, and it was determined that additional study is required. This matter is still under advisement, and when the specifications are prepared they will be presented to Council before the tender is issued.

9.4.2 Recommendations

Resolution 83/2011 – Deputy Mayor Tremblett/Councillor Budgell

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on February 21, 2011 outlining damages to his/her garbage box totalling \$75 to \$100; and whereas the damage was not the result of negligence on the part of Town employees; therefore, be it resolved that Council shall oppose the resident's claim for damages.

DISCUSSION

The following points were raised during discussion: (1) The Town's snow clearing damages policy needs to be reviewed. There should be cases where damage is covered because the snow is pushed back onto private property; and (2) the case before Council cannot be approved because of the current policy. If there is a willingness to relax the standards among Councillors, the policy will need to be amended in part.

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

Nays: 0

Resolution Carried

Resolution 84/2011 – Deputy Mayor Tremblett/Councillor Budgell

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on March 21, 2011 outlining damages to his/her trailer totalling \$500 - \$600; and whereas the trailer was located on another person's property and was not clearly marked or visible; and whereas the damage was not the result of negligence on the part of Town employees; therefore, be it resolved that Council shall oppose the resident's claim for damages.

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

Nays: 0

Resolution Carried

Item 10: General Business

10.1 SNOW CLEARING DAMAGES CLAIM – APPEAL (ARISING FROM GOV 32)

The Clerk reported on his conversation with the Town's insurance provider as it concerns an appeal of motion 56/2011 (Snow Clearing Damages Claim dated February 21, 2011). It was discovered that the matter is not straight forward, and many factors come into play. Rather than challenge the appeal, the insurance company advised to pay the damages. In accordance with the initial claim, the maximum liability is \$655.40 (including taxes). The Clerk indicated that on appeal, the resident is claiming an additional \$328 for damages to his/her windshield. This was not claimed or disclosed on the initial form. The Councillors were agreeable in terms of approving the initial claim, provided the resident submits three (3) quotes.

Motion 85/2011 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall approve the Snow Clearing Damages Claim dated February 21, 2011 pertaining to damages to a vehicle and shall, upon receiving three (3) quotes from qualified mechanics, award a payment for damages equal to the lesser of the three (3) quotes, but under no circumstances shall the payment exceed \$655.40 inclusive of taxes, to the resident.

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

Nays: 0

Motion Carried

10.2 CENTRAL REGIONAL WASTE MANAGEMENT MATTER (GARBAGE TRUCKS)

Mayor Hobbs tabled three (3) letters, including one (1) from His Worship, regarding a matter involving the Central Regional Waste Management Authority (CRWMA). He reported that with the exception of Grand Falls-Windsor, the vast majority of all other municipalities supported the concept of the CRWMA approaching the government to obtain new garbage trucks for the region. This will most likely result in the CRWMA undertaking curb side collection, potentially resulting in savings for rural municipalities. Councillor Mills was not convinced the approach was feasibility, drawing on points raised by the Mayor of Grand Falls-Windsor in terms of cost and control. His Worship indicated that Council discussed this possibility in the past, and it was supported at the time. Grand Falls-Windsor, being a larger municipality, may find it more feasible to continue their own curb side collection system. For others in the region, however, this is not the case. Mayor Hobbs reminded Council this is only a concept at this stage, and nothing has been committed to. All options are being considered.

10.3 OFFER TO PURCHASE 12 BUTLER STREET – KURT LUFF

Resolution 86/2011 – Councillor Canning/Councillor Mills

Whereas Mr. Kurt Luff requested to purchase 12 Butler Street in a letter dated April 5, 2011 and revised on April 20, 2011; 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 plus HST, deed and survey; therefore, be it resolved that Council shall approve the sale of 12 Butler Street to Mr. Kurt Luff at a price of \$24,850 plus HST, deed and survey; be it further resolved that Mr. Kurt Luff is required to pay a deposit of \$5,000 on or before May 27, 2011 to secure the land in question, which includes a non-refundable fee of \$1,000 in the event of cancellation.

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

Nays: 0

Resolution Carried

10.4 OFFER TO PURCHASE 10 BUTLER STREET – RODNEY BLANCHARD

Resolution 87/2011 – Councillor Canning/Councillor Hynes

Whereas Mr. Rodney Blanchard requested to purchase 10 Butler Street in a fax dated April 19, 2011; 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 plus HST, deed and survey; therefore, be it

resolved that Council shall approve the sale of 10 Butler Street to Mr. Rodney Blanchard at a price of \$24,850 plus HST, deed and survey; be it further resolved that Mr. Rodney Blanchard is required to pay a deposit of \$5,000 on or before May 27, 2011 to secure the land in question, which includes a non-refundable fee of \$1,000 in the event of cancellation.

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

Nays: 0

Resolution Carried

10.6 SNOW CLEARING

Councillor Mills raised his concerns with the Town's snow clearing operations. He believed the employees operating the equipment need additional training, and more stringent practices need to be put in place to negate speeding and damages. The matter will be taken under advisement by the Public Works Standing Committee in the coming months.

10.7 SUNSET DRIVE RACETRACK

Councillor Mills noted the racetrack facilities on Sunset Drive are become dilapidated and something needs to be done. The area is becoming dangerous. In response, the Clerk indicated the land is already being looked at by the administration from a leasing perspective, and the condition of the facilities will be considered during that time as well.

10.8 STADIUM RENTAL JULY 1, 2011

Councillor Canning brought forward an inquiry by the broomball league. The organization is planning an event around July 1, 2011, and it would like to know if the stadium can be rented on that day. After a brief discussion, it was agreed the Town cannot lose money by renting the facilities on that day, and the Clerk was instructed to look at the options for security. If the league is prepared to pay for the additional labour expenses, there is no issue with the rental.

10.9 TRESTLE LIGHTS UPDATE

Councillor King sought an update on the status of the trestle lights. In response, Councillor Canning reported a Committee is being established outside of Council. The members, including prominent community leaders and experts, will be meeting in the coming weeks. It has been difficult to coordinate a meeting over the winter because most members are busy until the stadium closes on April 30, 2011.

10.10 MNL REGIONAL GOVERNANCE WORKBOOK

His Worship advised that, in an effort to facilitate discussion, over the next few days he will answer the questions in the workbook. These answers will be shared with Council via email, and any suggested changes will be incorporated thereafter. Council supported this approach.

Item 11: Adjournment

Motion 88/2011 – Councillor Canning/Councillor Mills

To adjourn public meeting 1287.

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

Nays: 0

Motion Carried

The meeting adjourned at 8:50 pm

Randy Drover, Town Clerk/Manager

Bishop's Falls Town Council
Public Meeting 1287
April 20, 2011

List of Appendices

Appendix	Source
AP Transaction Journal April 4, 2011	GOV 32
Routine Payments March 2011	GOV 32