

Town of Bishop's Falls
Public Council Meeting No. 1289
June 21, 2011 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 June 21, 2011 and presided with the following individuals in attendance:

Councillor Bryan King
Councillor A. Hynes
Councillor P. Budgell
Councillor F. Mills
Councillor R. Canning

Randy Drover, Town Clerk/Manager
Lee Downer, Director of Public Works and Recreation

Deputy Mayor Doreen Tremblett was absent with regrets.

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 called for additions. There being none, his Worship requested a motion at Council's pleasure.

Motion 108/2011 – Councillor Canning/Councillor Hynes

To adopt the agenda as presented.

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

Nays: 0

Motion Carried

Item 4: Delegation

4.1 HOBBS PARK RESIDENTS' PETITION – DIRT BIKES/QUAD NUISANCE

Mayor Hobbs welcomed residents from Hobbs Park who were in Chambers to present a petition, which pertained to problems with dirt bikes, ATVs, and speeding vehicles. His Worship then provided the floor to those residents with speaking privileges.

4.1.1 Ms. Karen Cantwell

Ms. Cantwell explained that at all hours of the day there is a constant noise of dirt bikes, ATVs, and speeding vehicles. It is very disruptive and no person should be expected to live under these conditions. Of particular concern are the abusive actions of dirt bike and ATV users when it comes to the sand hills on Main Street. Dust and noise is generated at all hours of the day. Furthermore, people are using Hobbs Park as a speedway, often racing with others who are driving on Main Street. It is only a matter of time before someone is hurt, and Ms. Cantwell is ready to sell her home to move from the area. As a solution, Ms. Cantwell recommended that speed bumps should be installed on Hobbs Park at three (3) locations.

4.1.2 Mr. Barry Street

Mr. Street reiterated most of Ms. Cantwell's statements. He went on to say this has been an issue for many years, and something must now be done. It is compromising the quality of life for the residents in the area. In terms of the RCMP, Mr. Street felt this was a fruitless path of action. He witnessed, on many occasions, the indifference of the officers patrolling the area. They simply do not acknowledge it as a problem.

4.1.3 Ms. Eileen Clarke

Ms. Clarke expressed concern about the safety of her husband, who will soon return home after a stay in the hospital. He will be confined to a wheelchair, and Ms. Clarke worries his safety will be compromised because of the ATVs and speeding vehicles. Something must be done to rectify this problem. Ms. Clarke also indicated the noise prevents her from sleeping at night, and this is affecting her quality of life. She also agreed it's only a matter of time before someone is hurt if nothing is done.

Mayor Hobbs expressed Council's gratitude for the views expressed by the residents. He advised that after receiving the petition, and a call from Ms. Cantwell, he immediately contacted Staff Sgt. Harold Nippard with the RCMP in Grand Falls-Windsor. He and Mr. Nippard discussed the matter in depth, and a significant undertaking will be coordinated by the RCMP in the very near future to mitigate the problem, which effectively stretches throughout the community. Councillor Budgell also expressed his appreciation for the residents' views, and while the Town cannot compel the owner of the sand hills to erect a fence, other options are available to achieve the same ends. Mayor Hobbs agreed, and indicated a discussion will take place with the owner in the near future. As it concerns the speed bumps, His Worship stated the matter will be taken under advisement, and the affected residents will be consulted to determine if this is a feasible option. Having granted the delegation sufficient time to present its concerns, Mayor Hobbs brought the matter to a close. The residents vacated Chambers.

The Town Clerk/Manager was directed to write the residents of Hobbs Park to request feedback on the installation of speed bumps.

Item 5: Collective Agreement Negotiations Report (Ratification of Agreement)

His Worship presented the report for the collective agreement negotiations that concluded on May 31, 2011. The following amendments were highlighted from the report:

Article	Amendment
5.04	The Committee agreed to include two (2) regular office positions in Administration, an increase of one (1). In return, the union conceded to reduce the number of seasonal positions in the stadium by one (1).
14.04 (6)	In the past the employer had problems when it came to calling in casual employees. With this amendment, if a casual employee is unavailable for three (3) shifts in a six (6) month period, he/she will be removed from the seniority list unless the casual employee is unavailable because of sickness or another reason deemed justifiable by Council.
18.06	The employer will now provide a meal when an employee is required to work during a meal hour; however, the union conceded to remove the statement that "A forty-five minute lunch break is to be [also] allowed at a later period".
20.06	Casual employees will now be paid for a holiday provided he/she works 20 consecutive regular working days before the scheduled holiday. Previously, the language was ambiguous and difficult to administer.
21	A new article will be added that states casual employees shall not receive sick leave; however, they will receive a sick leave benefit (payment) in January of each year based on the following formula: 1 day for each 173 hours of work in each year.
23.06	The employer now has a clear management structure in the public works department when the Director is absent.
27.01	The union agreed to allow the employer to contract regular curb side garbage collection services with the CNWMA or another municipality. This was a significant concession.

28.03	The clothing allowance (for PPE such as boots) was increased to \$450 per year; however, the union conceded to remove the annual coveralls that were also provided. The clothing allowance will only apply to public works and recreation employees.
29.01	A four (4) year agreement was obtained.
30.01 (2)	Casual employees shall no longer receive bonus days.
Schedule A	<p>Wage increases are as follows:</p> <p>Yr. 1 – 4%</p> <p>Yr. 2 – 3%</p> <p>Yr. 3 – 3%</p> <p>Yr. 4 – 3.5%</p>

The Negotiating Committee recommended the agreement's ratification, and indicated the agreed terms were fair and reasonable for both parties.

Motion 109/2011 – Councillor Budgell/Councillor King

That Council shall ratify the collective agreement amendments as presented and shall authorize the agreement's execution.

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

Nays: 0

Motion Carried

Item 6: 2011 Budget Amendments (Mid-year Review)

Councillor Budgell, Chairperson of the Governance Standing Committee, presented the following presentation:

Mr. Mayor, it has become a standard practice of this Council to undertake a mid-year review of the budget estimates to determine if any adjustments are required. As we know, the budget is more or less an ongoing planning process that has a certain level of educated speculation built in; therefore, reviewing the budget mid-year provides Council with an opportunity to realign the estimates to better reflect the municipal government's present circumstances. With this said, Mr. Mayor, and I pleased to now present the revised 2011 Municipal Operating Budget.

As opposed to outlining all the estimates, I will focus instead on the material changes to the budget. Those amendments are as follows:

- In terms of overall growth, the municipal budget has increased by 4.7% since January 2011. Property tax revenue has grown by 1.2% during this period, and our Municipal Operating Grant was increased by 20% (\$29,602) as well. Water taxes, sale of goods and services, and a moderate surplus from 2010 account for the remaining growth. As it concerns the latter, Council will notice that we booked a surplus of \$82,000 in 2010; however, this number still needs to be verified by the Town's auditor, and we anticipate that the financial statements will be prepared in the near future. If there is a variance, a further amendment to the budget may be required at a later date.
- Generally speaking, and this occurs each year, the Town is saving in some areas of the budget while in others we are seeing overages or, which is more common, a spending pattern higher than average. The latter does not necessarily imply we will exceed the estimate because in subsequent months the spending may decrease. Nonetheless, this ebb and flow across all spending was addressed in the budget review, and I refer you to the estimates for these details. Rather than focus on this level of detail, I will highlight the new spending in the revised budget.
- Everyone recognizes in this modern age that efforts must be made to reduce our impact on the environment. Council business, as we all recognize, consumes a significant amount of paper, and the expenses associated with this process (including labour to copy, sort, etc.) is significant; therefore, the revised budget includes an appropriation to acquire iPads for each Councillor, the Town Clerk/Manager, and the Director of Public Works and Recreation. With this acquisition, the business of Council can become paper-less, and in two (2) years we will have generated enough savings to pay for the equipment. This system makes economic and environmental sense.
- As reported earlier, the Town recently retired the Centennial Celebrations debt of approximately \$82,000. This spending has now been incorporated into the budget.
- For many years the Town did not provide adequate resources for a preventative maintenance program when it comes to our infrastructure. Last year, however, Council began the long process of investing in this area by implementing a 2,000 meter ditching program. This year I am pleased to report that we will make the following additional investments: (1) Approximately \$12,000 for a 1,500 meter ditching program; and (2) \$50,000 to replace 986 m² of asphalt.
- The municipality will make further investments in the recreation infrastructure again this year. \$16,800 will be set aside for the following works in the stadium: (1) Overhaul the plant - \$7,000; (2) replace the hanging lights - \$2,200; (3) repair the Zamboni - \$5,600; and (4) install two (2) pressure reducer valves on the water lines - \$2,000.
- At the beginning of the year the Town erred on the side of caution and budgeted principle payments on the three (3) new loans – Arena Boards, Centre Access, and Sewage Treatment – for 2011; however, these payments will not become due until 2012. For the current fiscal year the Town will be paying interest only. As such, the budget was adjusted to this effect.
- The budget has been updated to reflect the salary increase (4% as of April 1, 2011) provided to union employees as per the Collective Agreement.

That concludes my presentation on the revised 2011 Municipal Operating Budget. The estimates are now tabled for Council's consideration

Motion 110/2011 – Councillor Budgell/Councillor King

To adopt the mid-year budget review as presented.

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

Nays: 0

Motion Carried

Motion 111/2011 – Councillor King/Councillor Canning

To adopt the 2011 Municipal Operating Budget as revised and to continue into force without amendment the 2011 Municipal Operating Budget Tax Schedule and Policy.

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

Nays: 0

Motion Carried

Item 7: Adoption of Minutes for Public Council Meeting No. 1288

Motion 112/2011 – Councillor King/Councillor Mills

To adopt the minutes for public meeting 1288 as presented.

DISCUSSION

Councillor Hynes indicated the correct spelling, on page 1 and 13, should be 'Hansen' rather than 'Hanson'. The Clerk was instructed to make the amendment accordingly.

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

Nays: 0

Motion Carried

Item 8: Business Arising from the Minutes of Public Council Meeting No. 1288

Councillor King requested an updated on the trestle lights. Councillor Canning reported it was now a staff issue, and the Clerk advised that a meeting had not been coordinated. That will be addressed in the very near future. Councillor King inquired about the Centennial deficit news release, and he also questioned the status of the assets' transfer. Mayor Hobbs stated the release was issued, but it did not

receive proper coverage. The details will be included in the next community newsletter. In terms of the Centennial assets, the Clerk indicated this has not taken place, but in the near future, if Council is so inclined, the Town's legal counsel will be approached to prepare the formal agreement. The Clerk was instructed to do so accordingly. Councillor Hynes asked for a status report on the KISS Concert RV rental plan. The Clerk advised there was a poor response, but it may pick-up before the concert. Councillor Mills sought clarification on the Butler Street development extension, particularly as it concerns the Department of Environment. It was suggested this still presents a problem, but it's hoped that once the Department is advised of the progress made in relation to the sewage treatment project, the prohibition will be lifted to allow development. That is a matter for Council to address once a plan is prepared.

Item 9: Standing Committee Reports and Recommendations

9.1 COMMUNITY RELATIONS STANDING COMMITTEE MEETING NO. 32 (JUNE 8, 2011)

9.1.1 Chairperson's Report

Councillor Hynes, Chairperson, presented the following report:

A special meeting was held on June 8, 2011 to discuss and plan the upcoming Memorial Day Ceremonies. The event will take place on June 26, 2011 at 2:00 pm. During this meeting the members also discussed and planned the Seniors/War Veterans Dinner, which is scheduled for July 1, 2011 at 6:00 pm. The cost for tickets was set at \$3.00.

Item 10: Public Works Business

10.1 CORRESPONDENCE IN

10.1.1 Letter 01: May 25, 2011

Motion 113/2011 – Councillor Budgell/Councillor Mills

That, regardless of the circumstances, except in cases where a Removal/Clean-up Order is imposed by the Town or a Court, the Town shall not send its equipment onto personal property for the purpose of clean-up.

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

Nays: 0

Motion Carried

10.1.2 Letter 02: May 31, 2011

The Clerk explained the background on the matter. Essentially, the resident is requesting Council's permission to encroach on the five (5) foot development easement by one (1) or two (2) feet for safety reasons. This was recommended by Newfoundland Power.

Motion 114/2011 – Councillor King/Councillor Canning

That Council shall approve the permit application from Mr. Arthur Fancey dated May 26, 2011 to erect an accessory building at 17 Marshall's Drive. Furthermore, approval is hereby given, on the advice and recommendation of Newfoundland Power, to allow the accessory building to encroach on the five (5) foot development easement by a maximum of two (2) feet for safety reasons.

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

Nays: 0

Motion Carried

10.1.3 Letter 03: May 24, 2011

By consensus, Council agreed the request could not be granted because the land is privately owned; however, the Clerk, when responding to the individual, will provide the name of the owner as listed on the assessment roll.

10.1.4 Letter 04: May 30, 2011

Motion 115/2011 – Councillor Canning/Councillor Hynes

That Council shall approve the quarry permit application for Temple's Backhoe Services Ltd. that is located 2.5 km South West of Peter's Pond.

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

Nays: 0

Motion Carried

10.1.5 Letter 05: April 18, 2011

The Director of Public Works and Recreation was instructed to inspect the land to identify drainage issues because there is a ditch in the area. At the same time, Council instructed the Clerk to write the individual to (1) request his/her intentions, (2) indicate the potential drainage issues, and (3) indicate that an easement may be required if the land is sold. The findings will be tabled at the next meeting.

10.2 CROWN LAND APPLICATIONS

10.2.1 Pat Morgan (East End Riverbank behind Brick and Tile)

Mayor Hobbs declared a conflict of interest and vacated Chambers at 8:59 pm. Councillor King, in the absence of the Deputy Mayor, assumed the Chair with Council's consent

Councillor King introduced the application and opened the floor for discussion. The Director advised the location may cause complications from a serving point-of-view as a dwelling may be located on an

incline. In terms of the sewage treatment project, however, which is more pressing, that area may be needed for the associated infrastructure. The matter was discussed at some length, given Council's positive stance on development, but it was generally agreed the application must be rejected. Until the sewage treatment plan is finalized all options must be kept open. Councillor King then sought a motion on the matter.

Motion 116/2011 – Councillor Canning/Councillor Budgell

That Council shall oppose the application from Mr. Pat Morgan to acquire Crown Land on the east end riverbank because the land may be needed for the pending sewage treatment plant infrastructure.

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

Nays: 0

Conflict of Interest: 1 – Mayor Hobbs

Motion Carried

Having addressed the agenda item, Mayor Hobbs was invited back into Chambers at 9:07 pm, at which time he reassumed the Chair

10.2.2 Gordon Snow/Carson and Sharon Sampson (Country Road)

Mayor Hobbs indicated there were two (2) applicants for the same parcel of Crown Land on Country Road. The Director suggested, upon inspecting the area, there may be sufficient room to accommodate both developments. This recommendation was considered, but Council ultimately concluded that its role in the process is to assess the applications on the following grounds: (1) Infrastructure impacts, (2) future development, and (3) the Development Regulations/Municipal Plan. Other grounds may also be considered. Where no issues can be found in these cases, the municipality has no reasonable grounds to deny/reject an application. Subsequently, both applications should be approved in this case. Having allowed ample time for discussion, His Worship closed debate and sought a motion.

Motion 117/2011 – Councillor Canning/Councillor Budgell

That the following Crown Land applications are approved and released from municipal review:

- (1) Mr. Carson and Sharron Sampson – May 20, 2011 Application for 100' x 100' of land on County Road on the right hand side opposite the Bartlett property.
- (2) Mr. Gordon Snow – May 18, 2011 Application for 120' x 100' of land on Country Road on the right hand side opposite the Bartlett property.
- (3) Mr. Carson and Sharron Sampson – May 20, 2011 Application of land on Country Road on the left hand side adjacent to the Bartlett property.

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

Nays: 0

Motion Carried

10.2.3 Gary Guy (Wooddale before Peters River)

Motion 118/2011 – Councillor King/Councillor Hynes

That Council shall approve and release from municipal review the application, dated April 27, 2011, from Mr. Gary Guy to acquire Crown Land situated at Wooddale.

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

Nays: 0

Motion Carried

10.3 GENERAL BUSINESS

10.3.1 Centre Access Road – Prohibition of Transport Trucks

The concept of prohibiting transport trucks from utilizing the reconstructed Centre Access Road was discussed. Council generally supported the concept, although it was recognized that such a measure would result in higher levels of traffic at other locations. From a maintenance perspective, however, the prohibition will be beneficial. The discussion then turned to a possible weight restriction as opposed to a complete prohibition. Subsequently, the Clerk and Director were instructed to contact the engineers to determine an appropriate restriction. This information will be presented to Council at the first opportunity given the matter's urgency.

10.3.2 Peter Noseworthy Crown Land Application/Valley View Road Servicing

The Clerk reported the application, as directed by the Public Works Standing Committee, was forwarded to the engineer's for evaluation, particularly from the perspective of providing services. An estimate was prepared, taking into account other potential developments on Valley View Road, and it will cost approximately \$275,000 to install the infrastructure. Council could still, if it so chooses, approve the application subject to the condition that when/if services are provided, Ms. Noseworthy would need to connect to that infrastructure as opposed to the septic and well systems. The Clerk further noted a potential zoning issue. During discussion the following points were made: (1) The land can be accessed by an old road easement from Valley View Road, although it will need to be reconstructed at the developer's expense and in accordance with regulation; and (2) the Town will not maintain a road that is constructed to access the dwellings. His Worship, having allowed time for debate, called for a motion.

Motion 119/2011 – Councillor Canning/Councillor King

That Council shall approve and release from municipal review the application, dated April 4, 2011, from Mr. Peter Noseworthy (hereinafter referred to as the applicant), to acquire Crown Land situated at Valley View Road subject to the following conditions: (1) A septic and well system, which fits with the present standards of that specific area, is permissible until such time as Council decides otherwise. In the event Council decides to install water and/or sewer services at or around the area in question, the applicant must connect to those water and/or sewer services; (2) the septic and well system must be installed in accordance with federal, provincial and/or municipal law, as the case may be; (3) the applicant must develop the road to the land in accordance with municipal law; (4) the Town shall not be

liable for the maintenance or upkeep of any road developed to access the land; and (5) the approval of the application is subject to all applicable zoning regulations being satisfied, which may involve a rezoning amendment at the applicant's expense.

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

Nays: 0

Motion Carried

10.3.3 Renumbering of Hampton's Hill

The Clerk advised that four (4) newly constructed dwellings at the east end of Hampton's Hill have been all assigned the number one (1) and thereafter various letters from the alphabet. This is causing some confusion, and it was suggested to renumber Hampton's Hill. The problem arises from the past when a large parcel of land was not assigned the appropriate number of lots on the assessment roll. Council instructed the Clerk to consult with the residents on a potential renumbering.

Item 11: Governance Business

11.1 FINANCIAL REPORTS

11.1.1 AP Transaction Journal (June 9, 2011)

Motion 120/2011 – Councillor Hynes/Councillor Canning

That Council shall approve the AP Transaction Journal dated June 9, 2011, totalling \$49,059.99, for disbursement as presented.

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

Nays: 0

Motion Carried

11.1.2 Income/Expense Statement (June 9, 2011)

Motion 121/2011 – Councillor Budgell/Councillor King

That Council shall approve the Income/Expense Statement dated June 9, 2011 as presented.

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

Nays: 0

Motion Carried

11.1.3 Cash Report

The Clerk reported the Town's cash flow remains healthy. Since March 2010 the operating loan with the Bank of Montreal has not been utilized.

11.1.4 Routine Payments

Motion 122/2011 – Councillor Budgell/Councillor Mills

That Council shall ratify the routine payments, totalling \$224,876.79, for the month of May 2011 as presented.

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

Nays: 0

Motion Carried

11.2 CORRESPONDENCE IN

11.2.1 Letter 06: May 17, 2011

Resolution 123/2011 – Councillor King/Councillor Hynes

Whereas a resident, in correspondence dated May 17, 2011, explained that he/she was outside the province and therefore unable to pay his/her taxes before the discount deadline of March 31, 2011; and whereas the resident goes on to explain that his/her taxes are paid each year before the discount deadline; and whereas if the resident was in the province at the time his/her taxes would have been paid before March 31, 2011; and whereas the resident is, subsequently, requesting to avail of the tax discount; and whereas Council concluded these grounds cannot justify the policy/deadline's invalidation; therefore, be it resolved that Council shall oppose the resident's request as presented.

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

Nays: 0

Resolution Carried

11.2.2 Letter 07: May 16, 2011

Resolution 124/2011 – Councillor Budgell/Councillor Hynes

Whereas a resident recently purchased 22 Tuckers Park; and whereas the selling price for lots sold in trailer parks is established at \$175 per foot frontage; and whereas the frontage, when the corner is taking into consideration, resulted in a selling price of \$16,207.59 inclusive of taxes; and whereas this selling price exceeds the average selling price in the area; and whereas in 2005 Council, on two (2) occasions, reduced the selling price for lots sold in Tucker Park because the initial offers represented a significant cost factor; and whereas Council consented, by telephone, to exclude the corner and reduce

the selling price to \$11,787.88 inclusive of taxes; therefore, be it resolved that Council shall ratify its decision reached by telephone and, subsequently, exclude the corner and reduce the selling price of 22 Tucker Park to \$11,787.88 inclusive of taxes.

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

Nays: 0

Resolution Carried

11.3 SNOW CLEARING DAMAGES CLAIMS

11.3.1 CL 01: April 20, 2011

Resolution 125/2011 – Councillor Budgell/Councillor Canning

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on April 20, 2011 outlining damages to his/her fence at an approximate cost of \$1,000; and whereas the damages were caused during snow clearing operations; and whereas the investigation found the operator should not have deposited snow in the area as it goes against the Public Works Department's present snow clearing practices; therefore, be it resolved that Council shall approve the resident's claim and reinstate the fence to its prior condition.

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

Nays: 0

Resolution Carried

11.3.2 CL 02: April 16, 2011

Resolution 126/2011 – Councillor King/Councillor Canning

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on April 16, 2011 outlining damages to his/her fence at an approximate cost of \$350; and whereas the damages were caused during snow clearing operations; and whereas the investigation found the damages were not the result of negligence on the part of the operator; therefore, be it resolved that Council shall oppose the resident's claim.

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

Nays: 0

Resolution Carried

11.3.3 CL 03: April 29, 2011

Resolution 127/2011 – Councillor Canning/Councillor Mills

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on April 29, 2011 outlining damages to his/her grass at an approximate cost of \$300; and whereas the damages were caused during snow clearing operations; and whereas the investigation found the grass was not eroded by more than three (3) meters; therefore, be it resolved that Council shall oppose the resident's claim.

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

Nays: 0

Resolution Carried

11.3.4 CL 04: April 24, 2011

Resolution 128/2011 – Councillor Budgell/Councillor Hynes

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on April 24, 2011 outlining damages to his/her fence at an approximate cost of \$500; and whereas the damages were caused during snow clearing operations; and whereas the investigation found the operator was negligent by entering on the resident's private property to remove snow; and whereas such an action falls outside the standard service; therefore, be it resolved that Council shall approve the resident's claim and reinstate the fence to its prior condition.

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

Nays: 0

Resolution Carried

11.3.5 CL 05: May 29, 2011

Resolution 129/2011 – Councillor King/Councillor Mills

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on May 29, 2011 outlining damages to his/her fence at an approximate cost of \$100; and whereas the damages were caused during snow clearing operations; and whereas the investigation found the damages were not the result of negligence on the part of the operator; therefore, be it resolved that Council shall oppose the resident's claim.

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

Nays: 0

Resolution Carried

11.4 GENERAL BUSINESS

11.4.1 Newfoundland Styro Request to Purchase Land

The Clerk was instructed to advise Newfoundland Styro the Town is interested in selling the land behind 7, 9 and 11 Dominic Street. Furthermore, the Clerk will determine a fair market selling price, along with the dimensions of the land. This information will be tabled at the next public meeting where an offer will be determined.

11.4.2 Municipal Vehicle Usage Policy

Motion 130/2011 – Councillor Budgell/Councillor King

That Council shall adopt the *Municipal Vehicle Usage Policy* as presented.

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

Nays: 0

Motion Carried

11.4.3 Wage Reimbursement for Councillors Attending to Town Business

A discussion occurred surrounding the concept of reimbursing Councillors who have to forgo wages with his/her employer to attend to Council business. Presently, there is a policy covering firefighters in these circumstances, but nothing is in place for Councillors. The Clerk was instructed to take the matter under review, and to prepare a policy for Council's consideration at the next public meeting. The policy must be drafted to include Councillors and firefighters.

11.4.4 2011 Tax Sale Process – Owner Unknown Lands

Mayor Hobbs presented the briefing note as prepared by the Clerk. He indicated the Town is in the process of taxing owner unknown lands, and there is approximately 12 lots identified to date. The Clerk is currently in discussions with legal counsel on the matter, and a further report will be tabled at a later date. In the interim, the Clerk was instructed to issue a public notice of the properties identify as 'owner unknown' to allow people an opportunity to assert a substantiated claim.

Item 12: Recreation Business

12.1 CORRESPONDENCE IN

12.1.1 Letter 08: April 28, 2011

Mayor Hobbs reviewed the suggestions put forth in the correspondence, those being to create a girls/women's dressing space in the stadium and to allow the Figure Skating Club to use the multi-purpose room at the west end. In terms of the first suggestion, this is being addressed under the stadium JCP project. For the second, Council mandated Councillor Canning to discuss the matter with the Figure Skating Club executive.

12.2 GENERAL BUSINESS

12.2.1 Hockeyville Mural

Mayor Hobbs reported he is working with the arts class at Leo Burke Academy to design a mural in honour of Hockeyville. He then proceeded to table a sketch for Council's consideration, resulting in the following suggestions: (1) All nine (9) hall of famers must be included; and (2) the hockey team logos should be replaced with minor hockey and, potentially, figure skating. His Worship indicated the Town will need to absorb the cost of materials, and he is pressing the teacher to gather this information.

Item 13: Adoption of Regulations

13.1 *ECONOMIC DEVELOPMENT TAX INCENTIVE REGULATIONS 2011*

Motion 131/2011 – Councillor Canning/Councillor King

To adopt the *Economic Development Tax Incentive Regulations 2011* as presented.

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

Nays: 0

Motion Carried

13.2 MUNICIPAL DEVELOPMENT STANDARDS REGULATIONS 2011

Motion 132/2011 – Councillor Budgell/Councillor Hynes

To adopt the *Municipal Development Standards Regulations 2011* as presented.

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

Nays: 0

Motion Carried

Item 14: General Business

14.1 SOCCER FIELD RENTAL RATES

Council concluded the present rate of \$150 per team shall remain in effect.

14.2 RENAMING OF COUNTRY ROAD (CITIZEN FEEDBACK)

Mayor Hobbs advised that two (2) of the three (3) residents provided feedback to the potential name change, and both are in agreement.

Motion 133/2011 – Councillor Canning/Councillor Hynes

That the Country Road extension shall be renamed ‘Snow’s Lane’ and shall be renumbered accordingly.

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

Nays: 0

Motion Carried

14.3 CENTENNIAL DRIVE CUL DE SAC NAMING

His Worship tabled a letter from W. Reid Construction outlining two (2) options for the name of the cul de sac on Centennial Drive. Those options are *Trestle View Place* and *Trestle Place*. Some Councillors felt the matter should be given more thought, as there are not many opportunities to name a street. There may be better options than those outlined. Others believed either name was acceptable, and even appropriate for the area. Mayor Hobbs closed debate and called for a motion.

Motion 134/2011 – Councillor Mills/Councillor Hynes

That henceforth the cul de sac off Centennial Drive shall be known and named as *Trestle Place*.

Yeas: 3 – Mayor Hobbs, Councillor Hynes, and Councillor Mills.

Nays: 3 – Councillor King, Councillor Budgell, and Councillor Canning.

Motion Defeated

The matter was taken under advisement by Council.

14.4 OFFER TO PURCHASE 18 MCDONALD CRESCENT

Motion 135/2011 – Councillor Mills/Councillor Hynes

Whereas Mr. Des and Rachel Hynes requested to purchase 18 McDonald Crescent in a letter dated June 13, 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 18 McDonald Crescent to Mr. Des and Rachel Hynes at a price of \$24,850 plus HST, deed and survey; be it further resolved that Mr. Des and Rachel Hynes is required to pay a deposit of \$5,000 on or before July 22, 2011 to secure the land in question, which includes a non-refundable fee of \$1,000 in the event of cancellation.

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

Nays: 0

Motion Carried

Item 15: Adjournment

Motion 136/2011 – Councillor Canning/Councillor Mills

To adjourn public meeting 1289.

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

Nays: 0

Motion Carried

The meeting adjourned at 11:00 pm.

Randy Drover, Town Clerk/Manager

Bishop's Falls Town Council
Public Meeting 1289
June 21, 2011

List of Appendices

Appendix	Source
AP Transaction Journal Jun 9, 2011	Appendix A
Income/Expense Statement Jun 9, 2011	Appendix B
Routine Payments Report May 2011	Appendix C
<i>Municipal Vehicle Usage Policy</i>	Policy – Gen Admin
<i>Economic Development Tax Incentive Regulations 2011</i>	Regulations – Operational
<i>Municipal Development Standards Regulations 2011</i>	Regulations – Operational