

Minutes

Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:00 pm on May 16, 2012 and presided with the following individuals in attendance:

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

Angela Crant, Town Clerk

Deputy Mayor 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.

Item 3: Adoption of the Agenda

Motion 78/2012 – Councillor Budgell/Councillor Hynes

To adopt the agenda for public meeting 1306 as presented.

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

Nays: 0

Motion Carried

Item 4: Adoption of Minutes for Public Council Meeting No. 1305.

Motion 79/2012 – Councillor Mills/Councillor Canning

To adopt the minutes for Public Meeting No. 1305 as presented.

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

Nays: 0

Motion Carried

Item 5: Business Arising from the Minutes of Public Council Meeting No. 1305.

None.

Item 6: Standing Committee Reports and Recommendations

6.1 RECREATION STANDING COMMITTEE NO. 245 (May 1, 2012)

6.1.2 Chairperson's Report

Councillor Hynes, Chairperson, presented the following report:

A regular meeting was held on May 1, 2012.

6.1.2 Recommendations Arising

None

DISCUSSION/DEBATE

Councillor Mills stated that the information that was previously reported to the Committee was incorrect. The intent was to slope not to pave a parking lot. Public Works Supervisor will be requested to do a site visit and determine that the sloping conforms.

6.2 COMMUNITY RELATIONS STANDING COMMITTEE NO. 49 (May 2, 2012)

6.2.1 Chairperson's Report

Councillor Mills, Stand-in Chairperson, presented the following report:

A regular meeting was held on May 2, 2012.

6.2.2 Recommendations Arising

None

DISCUSSION/DEBATE

Councillor Canning questioned if the Fire Dept. would be compensated for man hours worked for fire services to the Waste Management Site in Norris Arm, and how it would hinder the town. Could this be

a lost opportunity of revenue for the Town? Mayor Hobbs stated that the cost would be charged to Waste Management. Councillor King stated also that during the summer there is difficulty in fulfilling the number of Fire Fighters and it could therefore the request may not be accommodated. Manpower is questionable at that time of year.

6.3 PUBLIC WORKS STANDING COMMITTEE NO. 301 (May 3, 2012)

6.3.1 Chairperson's Report

Councillor King presented the following report:

A regular meeting was held on May 3, 2012.

Motion 80/2012 – Councillor King/Councillor Budgell

That Council approve the Crown Land Application by Newfoundland Power, dated April 11, 2012, for the acquisition of land measuring 123.5m x 5.4m, for the construction of a distribution line-easement.

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

Nays: 0

DISCUSSION/DEBATE

None

Motion 81/2012 – Councillor King/Councillor Hynes

That Council approve an application for a home based business, Pest Control Services, office use only, for #2 Exploits Avenue.

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

Nays: 0

DISCUSSION/DEBATE

Motion 81/2012 was rescinded. Application to be advertised in the local paper for public scrutiny, then proceed to Council for approval.

Motion 82/2012 – Councillor King/Councillor Hynes

That Council rescind Motion 81/2012 to approve an application for a home based business, Pest Control Services, office use only, for #2 Exploits Avenue, pending advertisement in the local paper.

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

Nays: 0

Motion 83/2012 – Councillor King/Councillor Mills

That Council approve the permit application for the development for a duplex located at 26 Beaumont Heights.

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

Nays: 0

DISCUSSION/DEBATE

8.6 GOVERNANCE STANDING COMMITTEE NO. 42 (May 9, 2012)

8.6.1 Chairperson's Report

Councillor Canning, Chairperson, presented the following report:

A regular meeting was held on May 9, 2012.

8.6.2 Recommendation Arising

Motion 84/2012 – Councillor Canning/Councillor Budgell

Be it resolved that Council shall approve the A/P Transaction Journal dated May 4, 2012, totalling \$68,095.11 for disbursement as presented.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

None

Motion 85/2012 – Councillor Canning/Councillor Mills

Be it resolved that Council shall ratify the Routine Payments for April 2012, totalling \$29,936.18, as presented.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

None

Motion 86/2012 – Councillor Canning/Councillor Hynes

Be it resolved that Council shall amend s. 6.2 of the *Accounts Payable Policy* by adding Bishop's Falls Tim-Br Mart to the routine expenditure listing.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

Councillor Canning noted that this would be an opportunity for the Town to collect air miles for various uses.

Motion 87/2012 – Councillor Canning/Councillor Mills

Be it resolved that Council shall amend s. 6.2 of the *Accounts Payable Policy* by adding Superior Propane to the routine expenditure listing.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

Mayor Hobbs clarified that due to the fifteen (15) day payment due date, interest charges are applied for payments received after that timeline.

Motion 88/2012 – Councillor Canning/Councillor Budgell

Whereas the Town acquired 376 Main Street in the 2010 tax sale; and whereas there is an unreleased mortgage from Karrum Amusements Limited associated with the land; and whereas a search of the Registries of Companies reveals no record of Karrum Amusements Limited; and whereas the Town has three (3) options, as recommended by legal counsel, to resolve this issue; and whereas the first option is Court action; and whereas the second option is to purchase title insurance; and whereas the third option is to leave the matter as is; and whereas this unreleased mortgage must be resolved to ensure a clean sale between the Town and a potential buyer; therefore, be it resolved that Council shall advise its legal counsel to proceed with Court action to resolve the unreleased mortgage associated with 376 Main Street.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

None

Motion 89/2012 – Councillor Canning/Councillor Budgell

Whereas the Town was leasing its land on Sunset Drive to an individual; and whereas the individual has defaulted the payment terms under the lease; and whereas the outstanding balance is \$17,093.04; and whereas management has commenced the process to terminate the lease; and whereas on June 2, 2012, if the individual remains in default, the lease is terminated; and whereas the Town must take action to collect the outstanding balance; therefore, be it resolved that Council shall authorize its legal counsel to issue a statement of claim in the Supreme Court to collect the outstanding balance and to resolve other matters attached to the file that may require legal attention.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

None

Motion 90/2012 – Councillor Canning/Councillor Budgell

Be it resolved that Council shall authorize the Town Clerk, in accordance with section 139 of the *Municipalities Act, 1999*, to proceed with a tax sale under the *Municipalities Act, 1999* for the following properties where taxes remain in arrears upon the expire of the notice provided as per section 137 of the *Municipalities Act, 1999*:

Property	Arrears as of May 4, 2012
3 Station Road	\$1,186.30
7 Kinsmen Drive	\$2,942.97

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

None

Motion 91/2012 – Councillor Canning/Councillor Budgell

Whereas on October 14, 2012 an individual applied for a water tax exemption for a property located on Hampton's Hill; and whereas the individual indicated the land cannot be developed "...because of the very steep grade"; and whereas the individual further indicated the nature of the land renders it unsuitable for construction; and whereas upon inspecting the property, Council finds the individual's claims reasonable; therefore, be it resolved that, in accordance with s. 111 of the *Municipalities Act, 1999*, which provides Council with the authority to "...grant an exemption, remission or deferment of taxes and interest on the taxes, either in whole or in part, for those periods of time that the council decides...", Council shall grant a water tax exemption for the property located at 1 I Hampton's Hill for the fiscal years 2011 and 2012.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

Councillor Canning enquired if this process would be done again for 2013/2014? Town Treasurer to review at Governance.

Item 7. Notice of Motion

7.1 AMENDMENT TO SECTION 14 OF THE *ECONOMIC DEVELOPMENT TAX INCENTIVE REGULATIONS 2011*

A motion to accept the amendment will be brought forward at the June 19, 2012, Council meeting.

Item 8. General Business

8.1 2012 MAYOR'S MARCH FOR HEART DISEASE AND STROKE, JUNE 11-17, 2012

DISCUSSION/DEBATE

Councillors agreed that the Town will not participate in this event.

Councillor Budgell requested that the Town put together a list of all the charities that requests funds from the Town so that each year a number of charities can be chosen so that the majority of charities are financially endorsed.

8.2 DMG, EXECUTION OF ENGINEER/CLIENT AGREEMENT, CONTRACT TERM MARCH 2012-NOV 2014

Motion 92/2012 – Councillor /Councillor

Be it resolved that Council shall enter into a Contract with Design Management Group for engineering consulting services for the WWTP 2012, from March 14, 2012 to November 14, 2014.

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

Nays: 1 – Councillor King

Motion Carried

DISCUSSION/DEBATE

Councillor King expressed concern that the Town should be able to tender engineering firms for proposals for a competitive price. Councillor Budgell expressed concern that the work to date would be stagnate due to hiring of a new firm that might take up to a year to get on track with the project. The work to date has been done by DMG, and is ongoing.

Mayor Hobbs stated that the Government of NL will be accepting proposals for a abadoyz system as outlined as being the preferred for Bishop's Falls, due to life cycle costs and ongoing maintenance.

The Town will work on financing in order to proceed with the Abadoyz system.

8.3 PETITION

Councillors agreed that the Petition for Burton Winters be allowed to be placed for the public to sign.

8.4 RESIGNATION OF TOWN CLERK

Motion 93/2012 – Councillor Canning/Councillor Budgell

Be it resolved that Council shall accept the resignation of the Town Clerk.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

None

Motion 94/2012 – Councillor Canning/Councillor Canning

Be it resolved that Council shall accept offer by Town Treasurer, Randy Drover, to return to full time hours as Town Manager/Clerk.

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

Nays: 0

Motion Carried

DISCUSSION/DEBATE

None

8.5 HERITAGE CENTRE

Councillor Budgell stated that he has been approached by residents due to the poor condition of the Heritage Centre due to vandalism. The tone of residents is that there is a lack of concern by Council to renovate. The Centre is due to open soon, and residents would like to see some renovations done prior to the tourist season.

It was discussed that at in the last few years that idea of closing the current site to develop a new Heritage Centre by Fallsview Park but this needs to be dealt with for the present until the Town knows

where the site will be. The Town will look into tendering work or getting the Public Works Dept. to do the work. Proceeds from the current site could finance a site development.

Motion 95/2012 – Councillor Budgell/Councillor Hynes

Be it resolved that Council shall seek tender bids for medial work on the Heritage Centre prior to the 2012 tourist season.

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

Nays: 0

Motion Carried

8.6 COMMUNITY CLEAN UP

Councillor King enquired if Council would be in favour of the promotion of individual Streets around town is asked to take the initiative to get together for a friendly competition to clean up/beautify as a self pride project. Mayor Hobbs suggested that a weekend be designated for the event. Councillors agreed on “Green Street Award” as a logo. Emphasis to be placed on beautification of the Streets, and the best way to get everyone together.

Councillor King, Councillor Canning and Councillor Hynes will form an ad-hoc Committee and will bring forward the outline at the next Committee meeting.

8.7 TRESTLE LIGHTS

Councillor Canning stated that the type of lights for the trestle has been identified, and the approximate cost for the project is \$35,000.00, based on engineering and electrical estimates. Councillor Canning noted that the Committee will be meeting soon to finalize the price quotes and will be presenting those figures to the Town Treasurer.

The Trestle is considered to be a big tourist attraction, and lighting would enhance the appeal for tourists and locals alike.

Councillor Budgell advised that the Heritage Committee is GST registered and this project could very well be done through this process.

Item 9: Adjournment

Motion 96/2012 – Councillor Canning/Councillor Budgell

To adjourn regular public meeting 1306.

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

Nays: 0

Motion Carried

The meeting adjourned at 9 p.m.

Angela Crant, Town Clerk