

Town of Bishop's Falls  
Public Council Meeting No. 1312  
August 21, 2012 @ 7:00 pm  
Council Chambers

## Minutes

### Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:00 pm on August 21, 2012 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/Manager

### Item 2: Adoption of the Agenda

Mayor Hobbs opened the floor for additions to the agenda resulting in the following amendments: (1) Trestle Lights was added before adjournment (sponsored by Councillor King).

#### Motion 151/2012 – Councillor Mills/Councillor King

To adopt the agenda for public meeting 1312 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 3: Opening Prayer in the Form of Silent Reflection

A minute of silence was provided for a private prayer.

## **Item 4: Adoption of Minutes for Public Council Meeting No. 1309**

The following error was noted:

1. Mayor Hobbs indicated he voted against motion 137/2012.

### **Motion 152/2012 – Councillor Budgell/Councillor King**

To adopt the minutes for public meeting 1309 as presented save the following amendment: Mayor R. Hobbs shall be recorded as voting against motion 137/2012.

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

Nays: 0

**Motion Carried**

## **Item 5: Business Arising from the Minutes of Public Council Meeting No. 1309**

Questions and discussions in relation to the minutes for public meeting 1309 were as follows:

- D1: Councillor King expressed his satisfaction with the Pentecostal Church's efforts to control traffic during open air services. He felt there has been improvement.
- QA1: Councillor King wondered if the flags purchased for the park had arrived and, if so, when they will be raised. The Clerk advised the flags were received, and the Recreation Attendant attempted to raise them in the park; however, the toggle does not fit. Furthermore, the flags are easily damaged, and it looks as though the Town will need to return them.
- QA2: Councillor King asked if anything further developed with the issue at 50 and 52 Main Street. In response, the Clerk indicated another appeal was received, and it was placed with Committee for the meeting in September 2012.
- QA3: Councillor King sought an update concerning the Town of Norris Arm's request for mutual aid. Councillor Mills indicated nothing has developed since the last public meeting.
- QA4: Councillor King questioned the status of the RFP for the tourism/park feasibility study. The Clerk stated a preliminary discussion was held with ACOA, and it looks as though funding may be available for the study. The RFP will be prepared in the very near future, and it will be referred to ACOA to review. From there, if eligible, funding will be pursued.
- QA5: Councillor King requested an update in terms of the Hobbs Park reconstruction project. The Clerk informed Council the tender documents are prepared. The Town and its engineers are waiting for the Department of Municipal Affairs to issue approval to tender.

## **Item 6: Adoption of Minutes for Public Council Meeting No. 1310**

### **Motion 153/2012 – Councillor Canning/Deputy Mayor Tremblett**

To adopt the minutes for public meeting 1310 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 7: Business Arising from the Minutes of Public Council Meeting No. 1310**

Questions and discussions in relation to the minutes for public meeting 1310 were as follows:

QA1: Councillor Canning requested an update regarding the Town's discussions with Minister O'Brien. Mayor Hobbs stated he has since spoken to the MHA, and the Town has been instructed to arrange a meeting with a Vice President of Nalcor. On August 22, 2012 the Clerk will begin the process of arranging a meeting as instructed.

## **Item 8: Adoption of Minutes for Public Council Meeting No. 1311**

### **Motion 154/2012 – Deputy Mayor Tremblett/Councillor Mills**

To adopt the minutes for public meeting 1311 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 9: Business Arising from the Minutes of Public Council Meeting No. 1311**

There was no business arising.

## **Item 10: Standing Committee Reports and Recommendations**

10.1 RECREATION STANDING COMMITTEE MEETING NO. 247 (JULY 16, 2012)

10.1.1 Chairperson's Report

Councillor Hynes, Chairperson, presented the following report:

As reported during the public meeting on July 17, 2012, the Committee called a second special sitting on July 16, 2012 to address the statement submitted by an employee in the Recreation Department (the

first sitting was held on July 10, 2012). The intent of this meeting was to interview three (3) employees in the stadium in order to gain a better understanding of the issues presented in the statement.

In summary, the Committee found the following themes throughout the interviews:

- (1) The problems in the stadium are not far stretching. In essence, one (1) employee is encountering issues with certain user groups.
- (2) For the most part, the concern is that certain user groups are not leaving the stadium in time for the attendant to clean the facility. The rental period ends at 10:30 pm, but the groups sometimes stay close to 12:00 am (the end of shift).
- (3) Certain groups are not respecting the employee or facility; they leave unnecessary garbage and waste (mess) around the rooms. That said, cleaning is a stadium attendant responsibility, and he/she must expect to encounter unpleasant sanitary conditions when caring for a public facility. There is a line, however, and at times the groups may have crossed it.

The Committee resolved, as an initial approach, to provide direction to the attendants when it comes to the loitering issue. For example, at 11:00 pm (or thereabouts) the attendant will remind the group they must be out of the stadium by 11:30 pm. Often a simple measure of this nature is sufficient to deal with the problem. If the group remains in the room at 11:30 pm, a second reminder will be given (i.e. flashing the lights). The Committee hopes this will remedy the issue; however, in the event the behaviour continues, alternant approaches will be taken. When it comes to the mess, the Recreation Attendant-Lead Hand already discussed this with the group officials.

## **Item 11: Public Works Business**

### **11.1 CORRESPONDENCE IN**

#### **PW 01: July 30, 2012 inquiry to develop on Station Road**

The inquiry was deemed information until such time as a permit application is file.

#### **PW 02: August 9, 2012 letter concerning an open ditch @ 165 Main Street**

By consensus, the correspondence was deferred to the Public Works Department for study. The Department will file a report (findings and recommendations) with the Public Works Standing Committee at its September sitting.

### **11.2 CROWN LAND APPLICATIONS**

#### **PW 03: Grenfell Heights Extension (Rural Residential Zone)**

#### **Resolution 155/2012 – Councillor King/Councillor Canning**

Be it resolved that Council shall support an application dated August 13, 2012 for a parcel of land on Grenfell Heights Extension, measured 35 m x 70 m, for residential purposes.

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

Nays: 0

### **Resolution Carried**

#### **11.3 OTHER MATTERS**

##### PW 04: CNWM revised curbside MOU

The Clerk was instructed to arrange a meeting with the CNWM to discuss the MOU in the near future.

##### PW 05: Beaumont Heights petition (road condition and speeding)

#### **Motion 156/2012 – Councillor King/Deputy Mayor Tremblett**

That Council shall approve the installation of a “Drive Slow” sign on Beaumont Heights on or near the 40 km/per hour speed sign.

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

Nays: 0

### **Motion Carried**

## **Item 12: Governance Business**

#### **12.1 FINANCIAL REPORTS**

Councillor Canning, Chairperson of the Governance Standing Committee, presented the AP Transaction Journal, Income/Expense Statement (Budget), Labour Report, Cash Report, Routine/Miscellaneous Payments, and Capital Works Income Statement for the period. The following points/discussions/concerns were raised:

- The cost of advertising land sales is at the Town’s expense. It is included in the selling price.
- An invoice from Griffin and Baker (2012-233) involves the preparation of a lease agreement and quite claim for a property in Hobbs Park.
- Invoices for lumber relate to repairs in the Helen Tulk Elementary School Playground.
- Effective immediately, casual labour in the Public Works Department is highly restricted. The budget is near exhaustion. In the coming weeks casuals will be called upon to finish asphalt works. The remaining budget will be needed for snow clearing.
- Concern was raised over the number of delegated the Fire Department sends to its association’s convention. Most times, Council restricts its delegated to two (2).
- The garbage truck is temporarily decommissioned. It will cost an estimated \$5,000 - \$8,000 to make it road worthy, and given curbside collection will soon be managed by the CNWM, the truck was removed from the road. The Town is borrowing a garbage truck from the CNWM in the interim.

### **Motion 157/2012 – Councillor Canning/Councillor Budgell**

That Council shall approve the AP Transaction Journal dated August 17, 2012, totalling \$86,788.16, for disbursement as presented and the routine payments for July 2012 totalling \$6,955.84.

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

Nays: 0

### **Motion Carried**

#### 12.2 CORRESPONDENCE IN

##### GOV 07: August 13, 2012 (promotion opportunity)

The opportunity was declined by consensus. Council reasoned that \$24,800 USD was too costly for a five (5) minute segment highlighting “Best Places for Live, Work, Visit and Play”.

##### GOV 08: August 16, 2012 (letter requesting to purchase land on Kings Road)

Council, while supporting the request in principle, deferred the matter to management. The Town Manager will study the market price of land selling in Bishop’s Falls, and shall present a selling formula to the Governance Standing Committee in September for consideration.

##### GOV 09: August 17, 2012 (letter requesting to purchase land on McDonald Crescent)

Concerns were raised around the ditch that is adjacent to the property. The land in question encroaches on the ditch; therefore, a plan will need to be devised to address that problem before a sale can be entertained. Furthermore, the question of selling price must also be resolved, and the Town Manager will prepared a formula for the Governance Standing Committee’s consideration in September.

#### 12.3 OTHER MATTERS

##### GOV 10: Land Sale Tender Results (24 McDonald Crescent)

### **Resolution 158/2012 – Councillor Canning/Councillor Hynes**

Be it resolved that Council shall sell the land fixed at 24 McDonald Crescent, as tendered, to W. Reid Construction at a price of \$21,000 plus HST, deed (\$450) and survey (\$800).

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

Nays: 0

### **Resolution Carried**

GOV 11: Land Sale Tender Results (behind 4B Kings Road)

**Resolution 159/2012 – Councillor Canning/Deputy Mayor Tremblett**

Be it resolved that Council shall sell the land fixed behind 4B Kings Road, as tendered, to Mr. John Coffin at a price of \$3,000 plus HST, deed (\$450) and survey (\$800).

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

Nays: 0

**Resolution Carried**

GOV 12: Default Order regarding Sunset Drive Land Lease

**Resolution 160/2012 – Councillor Canning/Councillor Budgell**

Whereas the Town commenced legal action against Mr. Augustus Brown in relation to defaulted lease payments for land on Sunset Drive; and whereas the Town was successful with its action; and whereas a Default Order was filed against Mr. Augustus Brown in the amount of \$17,505.88; therefore, be it resolved that Council shall engage its legal counsel to commence the process of collecting the \$17,505.88 from Mr. Augustus Brown.

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

Nays: 0

**Resolution Carried**

GOV 13: Land Sale Tender Results (adjacent to 5 Kings Road)

**Resolution 161/2012 – Councillor Budgell/Deputy Mayor Tremblett**

Whereas the Town issued a tender to sell a parcel of land adjacent to 5 Kings Road in June 2012; and whereas the closing dated was July 6, 2012; and whereas three (3) bids were received from two (2) parties; and whereas the highest bid was received from Ms. Ruby Luff in the amount of \$5,750 including HST, deed, and survey; therefore, be it resolved that Council shall sell the land adjacent to 5 Kings Road, as tendered, to Ms. Ruby Luff at a price of \$5,750 inclusive of HST, deed, and survey.

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

Nays: 1 – Councillor Canning.

**Resolution Carried**

## Item 13: Community Relations Business

### 13.1 PROCLAMATION

#### CR 01: Sexual Violence Awareness Week Proclamation

Mayor Hobbs read aloud and signed the following proclamation in the presence of Council:



pm 1312

CR01

Information. Support. Prevention.

#### **Proclamation**

*Sexual Violence Awareness Week*  
September 17<sup>th</sup> – 21<sup>st</sup> 2012

- WHEREAS: The Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre (NLSACPC) works to provide response, information, and education to the province of Newfoundland and Labrador, in the area of sexual violence, and
- WHEREAS: The NLSACPC is now commemorating the 13<sup>th</sup> anniversary of Sexual Violence Awareness Week as well as the 28<sup>th</sup> anniversary of the Take Back the Night march to further the common goal of eliminating sexual violence, and
- WHEREAS: The theme for Sexual Violence Awareness Week 2012 is "Breaking Free," which recognizes the urgent need to end sexual violence and the process of moving away from its contributing factors so that we may have safe, healthy communities, and
- WHEREAS: Sexual assault is a crime that can affect anyone regardless of factors like age, gender, ability, socio-economic status, cultural background or other variables; and
- WHEREAS: The rate of sexual assault in Newfoundland and Labrador continues to be higher than the national average, and
- WHEREAS: This Municipal Government recognizes the need for people of our province to live in safe and caring communities where violence is unacceptable, and supports efforts that raise awareness and educate the public, and
- THEREFORE: Be it resolved that I, Robert Hobbs, Mayor of the town of Bishop's Falls, do hereby proclaim September 17<sup>th</sup> – 21<sup>st</sup>, 2012 as Sexual Violence Awareness Week and encourage all citizens to become involved in activities organized throughout this week.

**Robert Hobbs**  
Mayor of the Town of Bishop's Falls



### **Motion 162/2012 – Councillor Mills/Councillor Canning**

That Council shall support the proclamation signed by Mayor Hobbs declaring September 17-21, 2012 as Sexual Violence Awareness Week.

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

Nays: 0

### **Motion Carried**

## **Item 14: General Business**

### **14.1 STP STEERING COMMITTEE MEETING JULY 31, 2012**

Mayor Hobbs tabled the following report concerning a meeting of the Sewage Treatment Project Steering Committee on July 31, 2012:

- Mayor Hobbs advised the Committee that Council recently approved the project and will enter into an agreement with the province to construct the sewage treatment plant.
- The sewage treatment plant will be constructed on Sunset Drive (tentatively), but the exact location is yet to be determined. Several options are being considered (i.e. east of Danny Cooper, current location of racetrack, etc.), but they will be narrowed down once the engineers know the reach of the buried garbage.
- In the near future the engineers will conduct further studies around the type and reach of the buried garbage on Sunset Drive. This will eliminate some options.
- Other construction sites (i.e. across the river) were considered in the past, but were ruled out for various reasons (i.e. costs, benefits, etc.).
- Land ownership questions on Sunset Drive will need to be resolved. It has been determined the land belongs to the Town, but some areas are being leased (i.e. Danny Cooper) with other sections were sold (i.e. Cooke's Metals). The Town may have to open leases for discussion to accommodate the plant.
- The collector sewer line will likely be located under the old track bed (not part of the Newfoundland T'Railway system). It will run under the east end overpass and down across the Botwood Highway behind the Nalcor property. Land ownership issues must be resolved here as well, and the Town will need permission from the Province when it comes to crossing the Botwood Highway. Council will need to decide what function the track bed will serve (i.e. walking trail) post project completion.
- The system design is underway. Consideration must be given to the anticipated future growth of the community. The system will be designed to accommodate some growth without a need to construct additional beds; however, land will be set aside for this purpose when needed.

- 13 Mile Crossing or Botwood Highway will not be serviced under this project.
- For the next meeting, the engineers will prepare a project timeline for Council and public consumption. The timeline will detail critical points in the project (i.e. design, tender, construction, etc.). An updated budget will be provided as well.
- Construction will likely commence in 2013.
- Council must consider if it wishes to engage the engineers (Abydoz) to apply for green funding. Abydoz will provide a cost estimate for this work at the next meeting.

#### 14.2 MUNICIPAL PLAN/DEVELOPMENT REGULATIONS UPDATE REPORT

Mayor Hobbs and Councillor King updated Council on a recent meeting with TRACT Consulting concerning the municipal plan and development regulations. In essence, the meeting was held to discuss the background report that was tabled with Council several meetings ago. The Steering Committee reviewed TRACT's findings, and the consultant will now proceed to prepare a more detailed report by the end of September. Following that, public consultations will take place. The Town will also forward the background report to local developers for feedback.

### Item 15: Privileged Session

#### 15.1 TOWN CLERK/LAND OFFICER SELECTION COMMITTEE REPORT

##### **Motion 163/2012 – Councillor Canning/Councillor Hynes**

To dissolved into a privileged session.

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

Nays: 0

##### **Motion Carried**

**\*\*THE PRIVILEGED SESSION COMMENCED AT 8:51 PM\*\***

##### **Motion 164/2012 – Councillor Budgell/Councillor Mills**

To cease the privileged session and resume the public meeting.

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

Nays: 0

##### **Motion Carried**

**\*\*THE PRIVILEGED SESSION CONCLUDED AND THE PUBLIC MEETING RESUMED AT 9:18 PM\*\***

**Motion 165/2012 – Deputy Mayor Tremblett/Councillor Hynes**

That Council shall rescind and expunge motion 148/2012 that was presented and voted on during public meeting 1311 on August 3, 2012.

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

Nays: 0

**Motion Carried**

**Motion 166/2012 – Councillor Mills/Councillor Hynes**

That Council shall adopt the recommendation of the Town Clerk/Land Officer Selection Committee and appoint Mr. Dan Oldford to the position of Town Clerk/Land Officer.

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

Nays: 0

**Motion Carried**

**Item 16: Trestle Lights**

At the request of Councillor King, Councillor Canning reported the Committee is presently waiting for a certificate from the Department of Transportation and Works concerning the carrying capacity of the Trestle. Assurance is needed that the structure can accommodate Newfoundland Power's vehicles. A similar process was followed during the Centennial Celebrations. All the appropriate documentation has been submitted to the Department. It is now a waiting game. The Clerk will follow-up with the Department to determine its progress to date.

**Item 17: Adjournment**

**Motion 167/2012 – Councillor Canning/Councillor Hynes**

To adjourn regular public meeting 1312.

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 9:23 pm.

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Randy Drover, Town Clerk/Manager