Town of Bishop's Falls Public Council Meeting No. 1319 February 26, 2013 @ 7:00 pm Council Chambers

Minutes

Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:00 pm on February 26, 2013 and presided with the following individuals in attendance:

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

Randy Drover, Town Manager
Dan Oldford, Town Clerk/Land Officer

Councillor Budgell 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

Mayor Hobbs opened the floor for additions to the agenda resulting in the following amendments: (1) Standing Order for Public Meetings (2) Jr. Broomball (sponsored by Councillor King).

Motion 28/2013 - Councillor Mills/Councillor King

To adopt the agenda for public meeting 1319 as amended.

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

Nays: 0

Motion Carried

Item 4: Adoption of Minutes for Public Council Meeting No. 1318

Motion 29/2013 - Councillor King/Councillor Canning

To adopt the minutes for public meeting 1318 as presented.

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

Nays: 0

Motion Carried

Item 5: Business Arising from the Minutes of Public Council Meeting No. 1318

Questions and discussions in relation to the minutes for public meeting 1318 were as follows:

- QA1: Mayor Hobbs and Councillor King provided council with an update on the ongoing negotiations between Nalcor, Dept of Nat Resources and Department Municipal Affairs. The next meeting will be held March 6th, 2013. Municipal Affairs are in agreement with the request Bishop's Falls has submitted. The framework for further discussions has been set and a resolution should be forthcoming in the near future.
- QA2: Deputy Mayor Tremblett inquired about the Cenotaph project and information was discussed that the funding would max out at \$15,000. The Town would have to outsource or provide up to an additional \$17,000. A meeting with The Royal Canadian Legion Executive representative and Liaison shall be arranged.
- QA3: Councillor Hynes inquired about the picture for the Chamber of Commerce Office. The picture will be delivered ASAP.

Item 6: Standing Committee Reports and Recommendations

- 6.1 RECREATION STANDING COMMITTEE MEETING NO. 253 (FEB 7, 2013)
- 6.1.1 Chairperson's Report

Councillor King, Chairperson, presented the following report:

- A regular meeting was held on February 7, 2013
- The Committee discussed an Inclusive Recreation Pilot Site Funding Program currently being offered by Recreation NL. The committee concluded this would be a great fit for a new piece of equipment for the Bishop's Falls Memorial Playground to assist those with disabilities in accessing the facility.
- The committee reviewed a report on the finances of the recreation department for the past couple of years. This review was a refresher to make the members aware of how recreation revenue and expenses are utilized in the department.

6.1.2 Recommendations

Resolution 30/2013 - Councillor King/Councillor Mills

Whereas the Town of Bishop's Falls believes in encouraging participation and recreation for all its residents; and whereas the Province of Newfoundland is offering an Inclusive Recreation Pilot Site funding Program; and whereas such funding could assist the Town with its endeavours, be it therefore resolved, that the Town shall apply to the Provincial Government for funding, under the Inclusive Recreation Pilot Site Funding Program, for such assistance.

DISCUSSION/DEBATE

A question was put forth requesting if this was an annual grant. It was clarified that this is a pilot grant program and not an annual process.

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

Nays: 0

Resolution Carried

Motion 31/2013 – Councillor King/Councillor Hynes

That Council shall approve the free use of the Stadium if time is available to the Bishop's Falls Fire Department, in preparation for the winter carnival, a total of two (2) time slots of one (1) hour each.

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

Nays: 0

Motion Carried

Resolution 32/2013 – Councillor King/Deputy Mayor Tremblett

Whereas the Lions Club of Bishop's Falls Facilitates the annual winter carnival; and whereas this year the Bishop's Falls Lions Club has requested the use of the Stadium for; (a) one hour of Family Skating and (b)2 hours to hold a game of Hockey between the Fire Department of Bishop's Falls and The Fire Department of Grand Falls-Windsor; and whereas both these events are being hosted as part of the Winter Carnival in the Town of Bishop's Falls, be it therefore, resolved that The Bishop's Falls Lions Club will be permitted the free use of the Pat O'Reilly Stadium for these two (2) events.

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

Nays: 0

Resolution Carried

6.2 COMMUNITY RELATIONS STANDING COMMITTEE MEETING NO. 55 (FEB 13, 2013)

6.2.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

A re-scheduled meeting was held on February 13, 2013

Delegation – Fire Department

• The Fire Chief and other Fire Dept. executive were in attendance to discuss issues of concern with the committee.

It was noted that the Dept's old Emergency Response vehicle was not accepted by the Town of Pt. Leamington.

The Dept. noted that they had submitted an application for a New Rescue Unit to the Town Manager.

The Dept. requested that they are experiencing problems with the electrical panel at the Fire Hall and it was agreed that KeRu Developments would be called to look at their problems and determine what repairs are required.

Regarding the recent Fire Inspection on a building on Cobbs Lane the dept. advised that Joe O'Reilly was called out on an emergency prior to the meeting and will be forwarded his report by e-mail.

The Dept. was given a copy of correspondence regarding an upcoming Fire School in Grand Falls-Windsor. The Dept. will advise the number of their members that will attend this school.

Delegation – 2012 Civic Awards

- Representatives from the Knights of Columbus and the Bishops Falls Lions Club were invited to attend the meeting to set a date for the annual Civic Awards. It was agreed that this year the event would be held in conjunction with Volunteer Week April 21-27, 2013. A date was set for Thursday, April 25, 2013 at the Bishops Falls Lions Club commencing at 7:00 p.m. It was noted that a Hot Roast Beef (\$11.00 pr. Plate) will be served for the event.
- Regarding an e-mail for former resident Trevor Davis requesting to declare 2014 a Come Home Year to coincide with their planned LBA Reunion, the committee agreed not to recommend this (recommendation below)

 Regarding nominations now open for Seniors of Distinction Awards it was agreed to recommend Mr. Ron Penney for this award. Town Clerk D. Oldford will compile and submit the necessary nomination papers. (Deadline date of March 8, 2013)

• Correspondence was reviewed from The Order of Newfoundland & Labrador regarding a new submission of Nomination: Order of Newfoundland & Labrador for Nominee Mr. Frank Borland. It was agreed that Town Clerk, D. Oldford will investigate this and report back to the committee.

• Correspondence was received from the Nfld. & Labrador Nurses Union requesting a letter of support from the town in connection with proposed RN cuts at the Hugh Twomey Health Care Facility. It was agreed to recommend and Town Clerk, D. Oldford prepare this correspondence.

 Regarding a date for Bishops Falls Day, it was agreed to recommend Monday, July 22nd, 2013 be declared as Bishops Falls Day 2013

• In connection with the supply of a Sound System to be used for Remembrance Day-Memorial Day it was agreed to recommend that the churches and schools be approached to determine if they may be interested in supplying their system to the town to use and that the town make a donation of the churches or schools choice for this usage.

• At the Community Relation Meeting held on January 9, 2013 it was agreed that the committee establish a criteria for the annual Christmas Light-up Contest. The committee agreed that at each monthly meeting a short time be set aside to compile this criteria

6.2.2 Recommendations

Motion 33/2013 – Deputy Mayor Tremblett/Councillor Mills

That Council shall stand in opposition to a request from a former resident to declare 2014 as Come Home Year in Bishops Falls to coincide with a LBA reunion planned for 2014.

DISCUSSION/DEBATE

Council is of the opinion, that the time span is too short to complete the planning in order to properly address the issues, of having a successful year of events.

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

Nays: 0

Motion Carried

Motion 34/2013 - Deputy Mayor Tremblett/Councillor Hynes

That Mr. Ron Penney be nominated for the 2013 Seniors of Distinction Awards.

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

Nays: 0

Motion Carried

Motion 35/2013 - Deputy Mayor Tremblett/Councillor Mills

That a letter of support be drafted to CEO of Central Health and MHA to voice concerns over the recent cut backs in nursing staff at facilities in the Central Area.

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

Nays: 0

Motion Carried

6.3 PUBLIC WORKS STANDING COMMITTEE MEETING NO. 307 (JAN 10, 2013)

6.3.1 Chairperson's Report

Councillor Canning, presented the following report in Councillor Budgell's absence:

- Held a regular meeting on February 14th, 2013 in Council's Chambers.
- The committee reviewed a complaint of water build-up in the Tucker Park area. The Public Works Supervisor has visited with the resident and agreed to do a reassessment in the spring. The committee acknowledges that the continuation of the Councils ditching program in the spring may alleviate some of these concerns.
- An invitation from the Province to the 2013 Clean and Safe Drinking Water Workshop being held in Gander on March 26th and 26th was reviewed. The committee felt this to be a valuable educational workshop and is recommending sending the Public Works Supervisor plus one other staff member.
- Correspondence from the Province on The Burial of Burning of Construction or Demolition Waste anywhere Outside an Approved Landfill was reviewed. After consideration it was decided that a formal advisory would be issued to all heavy, commercial and construction operations in the community advising them of this prohibition.

6.3.2 Recommendations

Resolution 36/2013 – Councillor Canning/Councillor Hynes

Whereas Council believes that educational workshops are a valuable tool in staff development; and whereas the supply of clean and safe drinking water is paramount to all residents of the community; and whereas the Province of Newfoundland and Labrador is offering a workshop of Clean and Safe Drinking Water in Gander in March of 2013, be it resolved, that Council will send the Public Works Supervisor and one other staff member, to the **2013 Clean and Safe Drinking Water Workshop**, being hosted in Gander March 26-27, 2013.

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

Nays: 0

Resolution Carried

Motion 37/2013 - Councillor Canning/Deputy Mayor Tremblett

That Council shall approve a letter of referral for Quarry Permit No. 126293 to be located South of Peter's River.

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

Nays: 0

Motion Carried

6.4 GOVERNANCE STANDING COMMITTEE MEETING NO. 48 (FEBRUARY 19, 2013)

6.4.1 Chairperson's Report

Councillor Canning, Chairperson, presented the following report:

- A regular meeting was held on February 19, 2013 with Councillor Budgell (member), Councillor King (member), and Mayor Hobbs in attendance.
- The Committee considered the Income/Expense Statement (Budget), AP Transaction Journal, Capital Works/Grants Income Statement, Cash Report, Routine/Miscellaneous Payments, and Labour Report for the period. No material concerns were raised.

In terms of where we are presently, the table below provides that information.

Category	% of Budget TD
Revenue (all sources)	87.19
Council (remuneration, travel, supplies, etc.)	5.43
Administration (wages, insurances, supplies, etc.)	8.13
Municipal Elections	0

Property Assessment	24.14	
Professional Development & Training	0	
Public Relations	6.11	
Protective Services (Fire Dept. and animal control)	9.33	
Public Works Administration	7.16	
Public Works Compensation	10.07	
Vehicle & Fleet Operations and Maintenance	9.26	
Roads (wages, supplies, equipment rental, etc.)	6.80	
Snow Removal	0	
Street Lights	8.48	
Water Supply	11.82	
Sewer Collection and Disposal	0	
Garbage & Waste Collection and Disposal	4.09	
Recreation Administration (wages)	7.84	
Parks/Playgrounds/Fields	1.79	
Stadium (wages, supplies, maintenance, etc.)	20.39	

Council will be pleased to know that cash remains in a healthy position.

The Town's severance liability was considered, in detail, by the Committee. As Council is aware, for the last couple of years we transferred the annual liability from the general account to our severance fund (currently at \$37,944.63), but we have not addressed the deficit. We recently transferred \$11,550.25 for fiscal 2013; however, the deficit is \$109,431.24. Our projected liability for the end of this fiscal year is \$147,375.87, of which we have \$37,944.63 funded. In light of the fact that severance was paid to two (2) long-term employees in 2010-2011, the Committee feels the increased severance fund is a positive step. In July the Committee will evaluate the Town's cash position and determine if further funds can be transferred this year to reduce the severance deficit.

6.4.2 Recommendations

Resolution 38/2013 – Councillor Canning/Councillor King

Be it resolved that Council shall approve the A/P Transaction Journal dated February 15, 2013, totalling \$46,090.89, for disbursement as presented.

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

Nays: 0

Resolution Carried

Resolution 39/2013 - Councillor Canning/Councillor Mills

Be it resolved that Council shall ratify the Routine Payments for January 2013, totalling \$73,516.75, as presented.

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

Nays: 0

Resolution Carried

Resolution 40/2013 - Councillor Canning/Deputy Mayor Tremblett

Whereas the Town of Bishop's Falls is in the process of implementing a sewage treatment system; and whereas expenses are being incurred; and whereas a loan has been secured from the Bank of Montreal for this project; and whereas the Town Manager must access the loan on an as needed basis to ensure the timely payment of invoices; therefore, be it resolved that Council shall authorize the Town Manager to drawdown up to \$700,000 against the \$2,348,428.79 loan from the Bank of Montreal for the sewage treatment project.

DISCUSSSION/DEBATE

It was clarified for all of council that this would allow a more timely payment of bills and cause no delays in the project. All payments would still be ratified by Council and upon the expenditure of the first allotment a resolution would be tabled for the next.

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

Nays: 0

Resolution Carried

Resolution 41/2013 – Councillor Canning/Councillor King

Whereas the Bishop's Falls Fire Department is requesting that Council submit an application to the Government of Newfoundland and Labrador to acquire a new rescue vehicle; and whereas Council recognizes the current rescue vehicle must be replaced; and whereas under present funding arrangements the municipality's share, if provincial funding is secured, will likely be 20% of the purchase less GST; therefore, be it resolved that Council shall submit a funding application to the Department of Municipal Affairs to acquire a new rescue vehicle for the Fire Department subject to the following: (1) The total purchase price for the vehicle is confirmed to be less than \$180,000; and (2) the Bishop's Falls Fire Department agrees to provide 50% of the Town's 20% contribution.

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

Nays: 0

Resolution Carried

Resolution 42/2013 - Councillor Canning/Councillor Hynes

Be it resolved that Council shall submit an application to the Department of Municipal Affairs for \$4,122.50 in additional funding for project 08042.

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

Nays: 0

Resolution Carried

Resolution 43/2013 - Councillor Canning/Deputy Mayor Tremblett

Whereas the municipal general election will take place on September 24, 2013; and whereas Council must make certain decisions, as per legislation, to provide an administrative framework for the Returning Officer; therefore, be it resolved that;

- (1) in accordance with section 13 (1) of the *Municipal Elections Act,* Council shall designate Randy Drover, Town Manager, as the Deputy Returning Officer. Vicki Greene, A/R Clerk, shall serve as Deputy Returning Officer in Mr. Drover's absence.
- (2) one (1) day shall be set aside for nominations and that shall be August 27, 2013.
- (3) the fees for obtaining a copy of the list of voters shall be \$5.00 for a CD and \$0.15 per page.
- (4) an advance poll shall be held on September 14, 2013.
- (5) section 67 (3) of the Municipal Elections Act regarding campaign contributions shall apply.

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

Nays: 0

Resolution Carried

Resolution 44/2013 - Councillor Canning/Councillor King

Be it resolved that Council shall approve the following loan through the Bank of Montreal for the infiltration detection and sewer repairs project (08042):

Final balance: \$274,653.54

Interest rate: 3.5%
Amortization period: 10 years
Term: 10 years

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

Nays: 0

Resolution Carried

Item 7: Privileged Session

Motion 45/2013 - Councillor Canning/Councillor Mills

To dissolve into a privileged session

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

Nays: 0

Motion Carried

THE PRIVILEGED SESSION COMMENCCED AT 7:46PM

Motion 46/2013 - Councillor Canning/Councillor King

To cease the privileged session and resume the public meeting.

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

Nays: 0

Motion Carried

THE PRIVILEGED SESSION CONCLUDED AT 8:54PM

Councillor Hynes departed the meeting at 8:55pm

Item 8: General Business

8.1 CHAMBER OF COMMERCE – 14TH ANNUAL BUSINESS EXCELLENCE AWARDS

At the suggestion of Mayor Hobbs the Town issued letters to all winners, as well as nominees of these awards, congratulating them on their achievement.

8.2 QUARRY PERMIT

Motion 47/2013 - Councillor Canning/Councillor Mills

That Council shall approve a letter of referral for the Department of Natural Resources for permit # 126496 as presented.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

8.3 TOURISM RFP

Resolution 48/2013 – Councillor King/Councillor Canning

Whereas the Town is aware of the tourism potential as well as the heritage of the community; and whereas a number of different assets involving the tourism and heritage sectors, in the Town, are not being utilized to their potential; and whereas Council recognizes the value of a Tourism-Heritage Development Strategy, be it therefore, resolved, that Council shall issue an RFP(Request for Proposals) for such a strategy, and be it further resolved that the Town Manager shall submit a funding proposal to ACOA for the completion of a Tourism-Heritage Development Strategy.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Resolution Carried

8.4 1997 VOLVO

Motion 49/2013 – Councillor Canning/Councillor King

That council shall agree to the sale of the 1997 Volvo for the sum of \$1,500.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

8.5 SKATE PARK

Resolution 50/2013 - Deputy Mayor Tremblett/Councillor Canning

Whereas Council strongly supports groups that endeavour to provide activities for the youth of the community; and whereas Youth/Children's Ministries of the Calvary Pentecostal Tabernacle are interested in pursuing the development of a skate park in the town; and whereas there has been a visible interest in such a park in the past; and whereas the Youth/Children's Ministries has identified the old tennis court as a possible site for such a skate park; and whereas Council recognizes this project as an excellent opportunity for the site, be it therefore resolved that Council shall permit the development of this site for a skate park.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Resolution Carried

8.6 GENERAL ELECTIONS – SEPARATE MAYOR RACE

Motion 51/2013 – Councillor Canning/Deputy Mayor Tremblett

That the 2013 Municipal Election for the Town of Bishop's Falls shall have a separate election for the position of Mayor.

DISCUSSION/DEBATE

Council recognizes that there are arguments for both sides of the issue. Council however, has been served well with the current practice and therefore wishes to continue with this method for the election.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

8.7 DATE OF PUBLIC MEETING IN MARCH 2013

Motion 52/2013 - Councillor Mills/Councillor King

That Council shall suspend Standing Order 1.1 for the month of March 2013 and that the regular Public meeting for the month of March 2013 shall be held on Monday March 18th, 2013.

Mayor Hobbs advised Council that the scheduled Public Meeting for March is in conflict with the Lions Regional Speak off. In light of the fact that each of the Councillors, and the Mayor are invited to the speak off it may be advisable to reschedule the Public Meeting for this month.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

8.8 SUSPENSIONS

Resolution 53/2013 – Councillor King/Councillor Canning

Whereas four (4) grievances were received by Council on February 11, 2013 concerning the suspension of two (2) employees in the Public Works Department; and whereas during a privileged meeting on February 14, 2013 Council decided to reject the grievances because the respective employees did not provide written reason(s) supporting the grievances; and whereas Council felt the grievances did not

comply with article 11.06 or 11.10 of the Collective Agreement or section 3.4 of the Anti-Harassment Policy; and whereas Mayor Hobbs was authorized to respond to the grievances accordingly on February 15, 2013; therefore, be it resolved that Council shall ratify its decision(s) reached during the privileged meeting on February 14, 2013 regarding the four (4) grievances herein described.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Resolution Carried

8.9 FEBRUARY PUBLIC MEETING

Motion 54/2013 - Councillor Canning/Councillor King

That Council shall suspend Standing Order 1.1 for the month of February 2013 and that the regular Public meeting for the month of February was held on February 26th, 2013

Council was advised that the scheduled Public Meeting for February was unable to be held on the third Tuesday due to training schedules and unavailability of staff to conduct the meeting on the 19th of February.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

8.10 JUNIOR BROOMBALL

Councillor King wished to congratulate both the Junior and Senior Bishop's Falls Broomball Teams on their respective wins in Provincial Broomball Championships this past two weeks.

Item 9: Adjournment

Motion 55/2013 - Councillor Canning/Councillor King

To adjourn regular public meeting 1319.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

The meeting adjourned at 9:32 pm.

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Dan Oldtord	, Town Clerk/Land Officer	
Dan Oldiold,	, TOWIT CIETRY Land Officer	