

Minutes

Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:00 pm on May 21, 2013 and presided with the following individuals in attendance:

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

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

Item 2: Opening Prayer in Form of Silent Reflection

A minute of silence was provided for a private prayer

Item 3: Adoption of the Agenda

Motion 104/2013 – Councillor Mills/Councillor King

To adopt the agenda for public meeting 1324 as amended.

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

Nays: 0

Motion Carried

Item 4: Adoption of Minutes for Public Council Meeting No. 1321

Motion 105/2013 – Councillor Budgell/Councillor Hynes

To adopt the minutes for public meeting 1321 as presented.

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

Nays: 0

Motion Carried

Item 5: Business Arising from the Minutes of Public Council Meeting No. 1320

QA1: Councillor King inquired as to the status of the trestle Lighting. Newfoundland Power have committed to the installation of the lights pending weather and the completion of their Hard Hat Campaign this coming weekend.

Item 6: Adoption of Minutes for Public Council Meeting No. 1322

Motion 106/2013 – Councillor King/Councillor Canning

To adopt the minutes for public meeting 1322 as presented.

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

Nays: 0

Motion Carried

Item 7: Business Arising from the Minutes of Public Council Meeting No. 1322

QA1: Councillor King inquired as to the status reservations at the Fallsview Park this year over last year. Council was advised that reservations for the first couple of days were down this year over last. Our peak times though are still showing a positive booking.

Item 8: Adoption of Minutes for Public Council Meeting No. 1323

Motion 107/2013 – Councillor Canning/Councillor Hynes

To adopt the minutes for public meeting 1323 as presented.

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

Nays: 0

Motion Carried

Item 9: Business Arising from the Minutes of Public Council Meeting No. 1323

QA1: Council was advised that the Carbon Tax Agreement had been signed and that the letter of agreement for the Green Fund Proposal had been sent to Sharp Management.

Item 10: Standing Committee Reports and Recommendations

10.1 COMMUNITY RELATIONS STANDING COMMITTEE MEETING NO. 59 (May 1, 2013)

10.1.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

- A regular meeting was held on May 1, 2013.
- The Fire Chief and other members of the executive were in attendance to discuss issues relating to the Bishop's Falls Fire Department. Matters discussed included the Firefighter's Monument, Application for New Rescue Truck, 1962 Dodge Pumper and Memorial Day Parade.
- The 1962 Dodge that Bishop's Falls is currently still in Norris Arm North. The Fire Department is planning to bring it back to Bishop's Falls and clean it up for display.
- The Committee was requested the co-operation of the Fire Department in the Memorial Day Parade and supply of refreshments afterwards at the Fire Hall.

10.1.2 Recommendations

Resolution 108/2013 – Deputy Mayor Tremblett/Councillor Hynes

Be it resolved that Council shall adopt the Terms of Reference as presented by the Fallsview Festival Committee dated January 15, 2013.

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

Nays: 0

Resolution Carried

Resolution 109/2013 – Deputy Mayor Tremblett/Councillor Mills

Whereas a fire severely damaged the Stage at the Fallsview Park on April 28th, 2013; and whereas the damage has shown to be irreparable; and whereas the remaining structure is a hazard, be it resolved

that the remnants of the stage shall be removed; and be it further resolved that the Town Manager shall be authorized to have the remaining structure removed, by a contractor.

DISCUSSION/DEBATE

The following points were raised during debate: (1) A major consideration of safety involving the removal of the burnt structure. (2) Use of the Town's own staff should be given consideration. (3) The cost effectiveness and change of liability by using a Town Contractor

Friendly Amendment – Deputy Mayor Tremblett/Councillor Mills

Delete "by a contractor" at the end of resolution 109/2013.

DISCUSSION DEBATE/CONTINUED

(4) The electrical equipment shall be removed and stored for future use by the Town (this will cost close to \$1,000.00)

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

Nays: 0

Resolution Carried

10.2 GOVERNANCE STANDING COMMITTEE MEETING NO. 51 (May 14, 2013)

10.2.1 Chairperson's Report

Councillor Canning, Chairperson, presented the following report:

- A regular meeting was held on May 14, 2013.
- The Income/Expense Statement (Budget), AP Transaction Journal, Capital Works/Grants Income Statement, Cash Report, and Routine/Miscellaneous Payments for the period were reviewed. 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)	99.75
Council (remuneration, travel, supplies, etc.)	26.80
Administration (wages, insurances, supplies, etc.)	34.88
Municipal Elections	0
Property Assessment	48.28
Professional Development & Training	18.67
Public Relations	33.98
Protective Services (Fire Dept. and animal control)	31.64

Public Works Administration	32.94
Public Works Compensation	40.53
Vehicle & Fleet Operations and Maintenance	32.73
Roads (wages, supplies, equipment rental, etc.)	23.67
Snow Removal	107.35
Street Lights	37.24
Water Supply	33.63
Sewer Collection and Disposal	0
Garbage & Waste Collection and Disposal	25.53
Recreation Administration (wages)	37.32
Parks/Playgrounds/Fields	22.81
Stadium (wages, supplies, maintenance, etc.)	41.19

- Council will be pleased to know that cash flows remains healthy.
- There were a couple of items discussed, more specifically (1) Increase in revenue due to Land Sales, Poll Tax and the sale of the Volvo. (2) increase in expenses caused by Land Sales, vehicle accident repair as well as the change of invoicing procedures from Province for this past winter's Ice Control materials.
- An invoice received from a supplier for reported repairs to equipment is being rejected on the understanding that this was under warranty.

10.2.2 Recommendations

Resolution 110/2013 – Councillor Canning/Councillor Hynes

Be it resolved that Council shall approve the A/P Transaction Journal dated May 10, 2013, totalling \$69,357.14, for disbursement as presented.

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

Nays: 0

Resolution Carried

Resolution 111/2013 – Councillor Canning/Councillor King

Be it resolved that Council shall ratify the Routine Payments for April 2013, totalling \$53,080.76, as presented.

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

Nays: 0

Resolution Carried

Resolution 112/2013 – Councillor Canning/Deputy Mayor Tremblett

That Council shall refuse payment of an Invoice to a repair company based on the report that the equipment was not tested after repair work was completed.

DISCUSSION/DEBATE

The following points were raised during debate: (1) the piece of equipment involved was the Ice Plant. (2) the supplier had not started the plant upon completion of the initial repair, yet once plant was started, the identical repairs had to be carried out

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

Nays: 0

Resolution Carried

Resolution 113/2013 – Councillor Canning/Deputy Mayor Tremblett

Whereas Council has received a request from the Skateboard Park Committee for a monetary donation; and whereas Council understands the value that such a Skateboard Park, which will be passed over to the Town after completion; and whereas such valuable infrastructure will be of benefit to the whole community, be it therefore resolved, that Council shall donate \$1,000.00 to the Skateboard Park committee; and be it further resolved, that such funds shall be passed over, upon receipt by Council of satisfactory confirmation, of the development of the Skateboard Park.

DISCUSSION/DEBATE

The following points were raised during debate: (1) A letter advising of Town's Commitment of the funds would be issued now however the cheque would not be issued until as such time the funds were actually needed. (2) Council does need to keep spending under control.

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

Nays: 0

Resolution Carried

Resolution 114/2013 – Councillor Canning/Councillor King

Whereas a developer has requested a credit of property taxes, water/sewer taxes, as well as interest for the period of development of the their property; and whereas such credit has been determined to be justified, be it therefore resolved that Council shall issue a credit for the Property Taxes, Water/Sewer Taxes and interest rates to the respective account in the amount of \$4,349.26.

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

Nays: 0

Resolution Carried

Resolution 115/2013 – Councillor Canning/Councillor Budgell

Whereas Council has received a appeal request from a resident concerning the caregiver water tax exemption deadline; and whereas the deadline for such application submission had passed; and whereas to allow such an appeal would undermine the policy of Council; therefore be it resolved that the appeal of the caregiver water tax shall be denied.

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

Nays: 0

Resolution Carried

Item 11: Privileged Session

Motion 116/2013 – Councillor Mills/Councillor Budgell

To dissolve into a privileged session

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

Nays: 0

Motion Carried

****THE PRIVILEGED SESSION COMMENCED AT 7:25PM****

Motion 117/2013 – Councillor Mills/Councillor King

To cease the privileged session and resume the public meeting.

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

Nays: 0

Motion Carried

****THE PRIVILEGED SESSION CONCLUDED AT 7:37PM****

Motion 118/2013 – Councillor Canning/Councillor Budgell

That Council shall deny the grievance filed by two of its Public Works Employees received April 23, 2013.

DISCUSSION/DEBATE

The following point was raised during debate: (1) there was ample notice given regarding the schedule work times during the training program.

Yeas: 6 - Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes and Councillor Canning, Councillor Budgell.

Nays: 1 - Councillor Mills

Motion Carried

Item 12: General Business

12.1 Contract Agreement for Main St. & McMahon's Lane

Resolution 119/2013 – Councillor Canning/Deputy Mayor Tremblett

Be it resolved that Council shall enter into a agreement with 68925 Newfoundland & Labrador Corp. O/A DMG for engineering consulting services for the Main St. West and McMahon's Lane Project # 167-13.

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

Nays: 0

Resolution Carried

12.2 Agreement for use of Stadium by Skateboard Park Committee

Motion 120/2013 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall ratify an agreement to supply the Skateboard Park Committee free use of the stadium, including a stadium attendant for 6 hours, for the purposes of holding a Yard Sale.

DISCUSSION/DEBATE

Some concern was raised about the amount of time and cost being used from the recreation budget. Council must show restraint in offering use of facilities and manpower as well as being cognizant of the implications on the budget of these decisions.

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

Nays: 0

Motion Carried

12.3 Crown Land Recommendation – 13 Mile Crossing

Motion 121/2013 – Councillor Budgell/Councillor Canning

That Council shall recommend the approval of the application for Crown Land for resident on 13 Mile Crossing.

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

Nays: 0

Motion Carried

12.4 Materials & Equipment Annual Tender

The Town Manager tabled a report outlining the results of the 2013 Materials and Equipment Tender. The following is a summary of the bids from the two (2) contractors:

	Temple's Backhoe Service				W. Reid Construction			
	% Chg	2013	2012	2011	% Chg	2013	2012	2011
<i>Class A</i>	- 0.18	23.00	28.00	25.00	0.15	30.00	26.00	32.00
<i>Screened Pit Run (general purpose)</i>	- 0.03	8.00	8.25	8.00	-	8.00	8.00	8.40
<i>Topsoil</i>	- 0.06	15.00	16.00	14.00	0.07	16.00	15.00	16.00
<i>Sods</i>	- 0.10	7.00	7.80	7.80	-	7.50	7.50	8.00
<i>Winter Sand</i>	-	44.00	44.00	33.00	- 0.02	23.00	23.50	23.40

	Temple's Backhoe Service				W. Reid Construction			
	% Chg	2013	2012	2011	% Chg	2013	2012	2011
<i>Grader Hire (without operator)</i>	-	-	-	-	-	-	80.00	85.00
<i>Grader Hire (with operator)</i>	-	-	-	-	- 0.05	90.00	95.00	
<i>Backhoe</i>	- 0.02	57.00	58.00	57.00	- 0.07	70.00	75.00	80.00
<i>Excavator</i>	- 0.02	80.00	82.00	80.00	-	80.00	80.00	100.00
<i>Float</i>	- 0.01	74.00	75.00	75.00	- 0.03	72.00	74.00	100.00
<i>Ditching</i>	- 0.05	7.10	7.45	7.25	-	7.20	7.20	8.00
<i>Shoulder Repair (per km)</i>		5,000.00	-	-		2,800.00		
<i>Asphalt Roller (day)</i>	- 0.10	90.00	100.00	80.00	-	100.00	100.00	120.00
<i>Asphalt Roller (week)</i>	- 0.00	399.00	400.00	400.00	-	440.00	440.00	500.00

Motion 122/2013 – Councillor King/Deputy Mayor Tremblett

That Council award the contracts for the provision of materials and equipment for 2013-2014 as follows:

- 1. Temple's Backhoe Services:** Class A, screened pit run, topsoil, sods, backhoe, and ditching. It is important to note that while this company was also the lowest bidder for the asphalt roller, the

equipment used in 2011 was not suitable for the Town's needs and represented a significant safety concern.

2. **W. Reid Construction:** Winter sand, grader hire (with operator), excavator, float, and asphalt roller (day and week).
3. Shoulder repair ought to be excluded from the tender. The Town is better to seek a quotation once it has identified a specific area.

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

Nays: 0

Motion Carried

12.5 TIDY TOWNS

It was agreed by consensus that Council is not prepared this year to submit a proposal to the Municipalities Newfoundland Tidy Towns Program.

12.6 Fallsview Stage Demolition

Item dealt with earlier in Meeting.

12.7 Tender for Flyer

Resolution 123/2013 – Councillor King/Councillor Budgell

Whereas the Public Works has shown a need for a replacement flyer for its Snow Clearing Operations; and whereas Council in its Budget 2013 agreed to the purchase of a new Flyer for the Vehicle Fleet; and whereas the Public Works Supervisor has prepared a Tender Request for a new flyer, be it therefore resolved, that the Town Manager shall issue a public notice soliciting tenders for the supply of "One (1) New Tandem Axle Dump Truck with Front End Plow, Wing, and Sand/Salt Spreader".

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

Nays: 0

Resolution Carried

12.8 Development Restriction Request

Council is please to submit a letter requesting the lifting on the development restrictions to the Minister of Environment & Conservation.

12.9 Library Board Request

Through Consensus, Council having considered the Library board's correspondence, regarding the funding reductions for Libraries in the last provincial budget agrees that: (1) Council should write the

Provincial Government requesting the proposed funding cuts be reversed. (2) Copies of letter shall be issued to our MHA as well as the Library Board. (3) Such correspondence should highlight the value to our community as well as the Town's contribution to the operation of our Library.

12.10 Fax Services offered by Town Office

Motion 124/2013 – Councillor Canning/Councillor King

That council shall discontinue offering fax services to the public as this competes with similar services offered through business in town.

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

Nays: 0

Motion Carried

12.11 Land Sale (3)

a. Hobbs Park

Council decided through consensus that: (1) A request to sell a parcel of land in Hobbs Park to the owner of the building situated on the land shall be agreed to. (2) The price shall be decided on considering previous prices for Hobbs Park lots plus increases in property assessment values from 2010 and 2013.

b. Newtown Road

Motion 125/2013 – Councillor King/Councillor Budgell

That council shall tender for sale a parcel of land located on Newtown Road as requested by a resident.

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

Nays: 0

Motion Carried

c. Sunset Drive

Resolution 126/2013 – Councillor Canning/Councillor King

Whereas Council has received a request for the Lease/Purchase of a parcel of land on Sunset Dr.; and whereas the area though outside the Sewage Treatment Project may be required in the future; and whereas Council feels the area may have future potential, be it therefore resolved that Council agree to a Lease arrangement for the property on Sunset Dr., and be it further resolved that the Town Manager and Town Clerk/Land Officer shall negotiate with the proponent a tentative Lease agreement for the property, and be it further resolved that council shall consider such Lease agreement prior to signing with the proponent.

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

Nays: 0

Motion Carried

12.12 Fallsview Festival (including update by council liaison)

Councillor Mills, as Liaison with the Fallsview Festival committee, advised council of the progress and dates for the Fallsview Festival 2013. The planning of the weekend of activities is well underway, and 2013 should be a great celebration. The weekend is scheduled to include Seniors event, teen event, adult dance, ecumenical breakfast, ecumenical service, bike parade, boat parade, booths and games at the stadium and finishing off with Fireworks.

Motion 127/2013 – Councillor Canning/Councillor Hynes

That council shall contribute to the Fallsview Festival booklet to the sum of \$75.00 for a one half page ad.

DISCUSSION/DEBATE

During Debate the following points were raised: (1) Council acknowledges the work the Fallsview Festival is doing in planning a great civic celebration. (2) Council supports these efforts with an annual budget allotment of \$500.00. (3) Council annually covers the cost of the loonies for the bicycle parade. (4) Council supplies in kind contribution through its Public Works department, summer recreation program, as well as Recreation department for these events each year and looks forward to a great celebration.

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

Nays: 0

Motion Carried

Item 13: Adjournment

Motion 128/2013 – Councillor Canning/Councillor Hynes

To adjourn regular public meeting 1324.

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

Nays: 0

Motion Carried

The meeting adjourned at 9:10 pm.

Dan Oldford, Town Clerk/Land Officer