



TOWN OF PORTUGAL COVE-ST. PHILIP'S

Public Meeting December 15, 2009

IN ATTENDANCE:	Mayor	Bill Fagan
	Deputy Mayor	Jane Tucker
	Councillors:	Joe Duggan
		Doug Neary
		Gordon Tucker
		Moses Tucker
		Patsy Whitten
	Acting Town Manager	Roy Burry
	Town Clerk	Judy Squires
	Director Admin/Finance	Terrilynn Smith
	Town Planner	Geralyn Lynch

Also in Attendance: Gallery of 37 in attendance.

Mayor Fagan called Meeting to order at 7:30 p.m. and welcomed all in attendance.

PRESENTATION Councillor Whitten and the Town Manager thanked former councilors Stephen Andrews and Keith Mercer for their service on the former council and presented them with plaques noting that plaques will also be distributed to those who could not make the presentation tonight.

ADOPTION OF AGENDA

Motion: Duggan/J. Tucker
09-351 Resolved that the December 15, 2009, agenda be adopted.
Carried
Unanimously

ADOPTION OF MINUTES

Motion: Duggan/Neary
09-352 Resolved that the Minutes of the Public Meeting held December 1, 2009, be adopted.
Carried
Unanimously

BUSINESS ARISING Town Manager's Report presented by Roy Burry.

COMMITTEE REPORTS

Planning and Development Committee Report of December 9, 2009

- 1. Civic# 265-267 Bennetts Road - Construct single dwelling**
Zoning: Residential Infill (RI) & Residential Rural (RR)
Application held pending information on adjacent right-of-way.

- 2. Civic# 288-298 Beachy Cove Road - Construct single dwelling**
Zoning: Development Scheme (DS) Area # 14 Tucker's Hill

Motion: Neary/M. Tucker

09-353 Resolved that the application for Civic# 288-298 Beachy Cove Road be conditionally approved permitting the construction of a single dwelling in a Development Scheme Area. Conditional approval shall be in accordance with Regulation 10, Discretionary Powers of Authority.

Carried
Unanimously

- 3. Civic # 99A Tuckers Hill Road -**
Zoning: Heritage Community (HC)

Motion: Neary/Whitten

09-354 Resolved that the existing building permit be transferred to the proposed new owner of property at Civic# 99A Tuckers Hill Road.

Carried
Unanimously

- 4. Civic# 17-23 Knights Rest – Construct dwelling extension**
Zoning: Residential Infill (RI)

Motion: Neary/Duggan

09-355 Resolved that the application for Civic# 17-23 Knights Rest be conditionally approved permitting the construction of a dwelling extension. Conditional approval shall be in accordance with Regulation 49, Non-Conforming Uses Section 3(e).

Carried
Unanimously

- 5. Civic# 39 Joyce Crescent - Separate electrical service**
Zoning: Residential Infill (RI)

Motion: Neary/M. Tucker

09-356 Resolved that the application for Civic# 39 Joyce Crescent be conditionally approved permitting the addition of a separate electrical service. Conditional approval shall be in accordance with Amendment 18 (2005).

Carried
Unanimously

**6. Civic# 842-844 Indian Meal Line - Separate electrical service
Zoning: Residential Infill (RI)**

Motion:
09-357

Neary/M. Tucker
Resolved that the application for Civic# 842-844 Indian Meal Line be conditionally approved permitting the addition of a separate electrical service. Conditional approval shall be in accordance with Amendment 18 (2005).

Carried
Unanimously

7. Civic# 361 Bauline Line Extension – Request to reconsider Crown land recommendation

Decision deferred pending clarification of property location and ownership.

8. Civic# 520-540 Bauline Line Extension - Department of Environment and Conservation request for Council to reconsider Crown land recommendation

Decision deferred pending submission of a business plan.

9. Civic# 662-664 Indian Meal Line – Correspondence from resident regarding variance notice

Staff will correspond in writing to resident.

PERMITS ISSUED:

Permit #	Date Issued	Civic #	Street Name	Permit Type
09-368	11/23/2009	33	School Road	Single Dwelling
09-369	11/24/2009	42-44	Ursula Crescent	Accessory Building
09-369a	11/24/2009	30-32	Woodland Drive	Single Dwelling
09-370	11/26/2009	854-856	Indian Meal Line	Accessory Building
09-371	11/27/2009	428	Dogberry Hill Road	Accessory Building
09-372	11/27/2009	134	Western Gully Road	Dwelling Extension
09-373	11/27/2009	583-587	Old Broad Cove Road	Accessory Building
09-374	11/27/2009	194-200	Dogberry Hill road	Second Driveway
09-375	11/30/2009	64	Skinnners Road	Dwelling Extension
09-376	12/1/2009	1604-1610	Portugal Cove Road	Gen. Repairs/Mt.
09-377	12/1/2009	54	Dans Road	Single Dwelling
09-378	12/3/2009	16	Netherwood Street	Occupancy Permit
09-379	12/4/2009	846-848	Indian Meal Line	Occupancy Permit

Parks, Recreation & Community Services Committee Report Dec. 9, 2009

1. Santa Clause Parade

The committee discussed the final details of this year Santa Clause Parade.

2. Report from Breakfast with Santa

The committee discussed the details of the Breakfast with Santa event. The event was well received and had lots of positive feedback from the community.

3. Christmas House Decorating Contest

The committee is looking for councilors who would like to assist with the judging of the House Decorating Contest this event is on Wednesday Dec. 17th.

4. Seniors Community Dinner

The committee discussed the town's role in the Senior's Dinner and is looking for additional information from the Legion.

The Mayor noted that he will be meeting Monday with representatives from the Legion; and requested that the Town Manager arrange transportation for the seniors.

5. Fencing of Voisey's Brook Playground

Motion:
09-358

Duggan/Neary
Resolved that the Town purchase the fencing from Chester Dawe at the cost of 9,208.31+ GST.

Carried
Unanimously

6. RNL Provincial Awards Program

The committee discussed the upcoming RNL awards and was given copies of the criteria for the awards. The committee will be looking for individuals to nominate. The deadline for submission is Jan 31st. If council has any recommendations for these awards please forward them to the committee.

7. Bi-Athalon

The Bi- Athalon Association who is looking for space to train for this upcoming year has approached the committee. The committee will be looking into this with greater detail.

Public Relations & Communications Committee Report December 9, 2009

1) Newsletter

The December newsletter is out and we are making plans for January's edition. The next edition will promote our new and improved website as well as telling our community members that we will be doing a survey in the coming months. This survey will ask the community to phone in their responses or to go to our new website to answer the survey questions. The purpose of the survey is to assist Councillors in decision making in the coming year. If any committee of Council has some questions they would like the public to answer please forward them to the Public Relations & Communications Committee to be included in our survey.

2) **Website Update**

Triware has been contacted and they have started their work on our website. We hope to have it up and running in 6 – 8 weeks. We will also ask them to create a section in which we can post survey questions that people can respond to by clicking on their answer. We felt this would be a great way to ensure we receive responses to our survey.

3) **Media Training:**

Deputy Mayor – Jane Tucker left the chambers for the following item. It was also noted that she left the committee meeting while this item was discussed.

Motion: Whitten/Duggan

09-359 Resolved that council approves hiring Geoff Meeker, Meeker Media Training for Councillors for late January or early February at a cost of \$1560 plus HST.

Carried
Unanimously.

Deputy Mayor Tucker returned to the chambers for the remainder of the meeting.

- 4) **Welcome Packages:** Committee discussed the development and content of welcome packages that we could distribute to new members of our community. A new map of our Town is currently being created and would be a great addition to our package. We are looking at having a new Town brochure developed as well as including items such as contact numbers for the town, a list of businesses and service organizations in our community.

Additional item:

NEAJC meeting – scheduled for Dec. 16 at Worsley Park, CBS

Administration & Finance Committee Report December 9, 2009

1. Accounts for Payment

MOTION: J. Tucker/Duggan

09-360 Resolved that Council pay the accounts over \$5,000 in the amount of \$19,013.94

Carried
Unanimously

2. Staff Christmas Bonuses

(Staff members left the committee meeting for this item and returned when requested after the item was dealt with.)

MOTION: J. Tucker/Whitten

09-361 Resolved that Council issue Christmas Bonuses to all staff as per past practice.

Carried
Unanimously

3. Purchasing Policy

MOTION: J. Tucker/Whitten
09-362 Resolved that Council adopt the amended Purchasing Policy attached to and forming part of these minutes.

Carried
Unanimously

4. Expressions of Interest – Legal consultants

Only two have been received to date and the item will be further reviewed once it has been advertised by the law society to their membership.

5. Multi-Year Capital Works

A copy of the application package is provided to all Councillors for their information.

6. Correspondence from the Anglican Church of St. Philip regarding permission to remove the old Church

As the Committee of the Whole already met on December 8th with members from the Heritage Committee along with members of the committee opposing the removal of the church, they decided to hold this item pending a meeting with Rev. Keeping and representatives of the Church Vestry which is scheduled for January 12th at 7 p.m. This will give the Church the same opportunity to speak to this issue.

7. Reclassification of position for Lead Hand

MOTION: J. Tucker/Neary
09-363 Resolved that Council reclassify employee Chris Neary from Lead Hand to Town Foreman effective January 1, 2010, and that he will be placed on Step 1 on the salary scale for this new position on that date.

Carried
Unanimously

8. Reclassification of salary scale for Town Clerk

(The Town Clerk left the committee meeting for this item and returned when requested after the item was dealt with.)

MOTION: J. Tucker/M. Tucker
09-364 Resolved that Council place the Town Clerk Judy Squires at Step 8 of the salary scale effective January 1, 2010.

Carried
Unanimously

9. Budget for 2010

MOTION:
09-365

J. Tucker/M. Tucker

Resolved that Council adopt the Budget for tax year 2010 with a reduction in the mil rate for residential and commercial property tax from 8.5 mils to 8.0 mils with no increase in fees or other tax rates and is as follows:

- (a) The amount of the 2010 Budget for the Town of Portugal Cove-St. Philip's is \$7,172,780
- (b) Early Payment Discount:
Council will grant a 5% discount on the property tax portion only of the tax invoice if payment of all debts, current and prior, including water and/or sewer/storm sewer fees (any and all charges or otherwise) is received and paid in full by the discount date of March 31, 2010. Exception as follows:
In the case of payments from mortgage companies and other financial institutions (electronic or otherwise) the payment must be received by the discount date of March 15, 2010, to allow for processing.
- (c) Payment options:
 - 1. Payment in full by discount date of March 31, 2010 (with above noted provisions)
 - 2. Interest free (NO early payment discount for this option) – with six post dated cheques or six post dated credit card payments of equal amounts for January to June inclusive for the full balance. Returned cheques will cancel this interest free option and interest will be reinstated retroactively.
 - 3. Debit, Visa and Mastercard accepted. Online, telephone and ATM banking options are also available.
- (d) Interest:
Interest will be charged on all outstanding accounts at the rate of 1 % per month on the unpaid balance at the end of each month commencing January 2010.
- (e) Seniors Discount:
Seniors in receipt of the GIS (Guaranteed Income Supplement) will be required to complete a mandatory application to the Town of Portugal Cove-St. Philip's in order to receive a 20% discount on the Property Tax portion of the invoice for their principal place of residence only, in the Town of Portugal Cove-St. Philip's. This does not apply to any vacant lands or summer residences. The calculation for the 20% reduction will be applied prior to the 5% early payment discount (if applicable) or when calculating payment plans.
- (f) Tax Structure:
The 2010 Tax Structure as circulated be accepted, adopted and advertised.

Carried
Unanimously.

Additional items for the Admin and Finance

1. Tender award for Tailgate Salt & Sand Spreader

MOTION: J. Tucker/M. Tucker
09-366 Resolved that the tender for the Tailgate Salt & Sand Spreader be awarded to Western Hydraulic in the amount of \$8500.00 tax included.

Carried
Unanimously

**2. Settlement of Small Claims Dispute File # 0109C00247
(William Fagan & Town of Portugal Cove-St. Philip's)**

Mayor Fagan left the chambers for this item and it was also noted that the Committee of the Whole discussed this item at the meeting held on December 8th and that Mayor Fagan also left the committee meeting prior to discussion of this item.

MOTION: J. Tucker/M. Tucker
09-367 Resolved that upon receipt of the required documentation from former councilor William Fagan, that the Town reimburse Mr. Fagan the sum of \$1019 in settlement of the Small Claims Court File # 0109C00247. Furthermore, that the reimbursement be made by either a cheque or a credit note.

Carried
Unanimously

Mayor Fagan returned to the Council chambers for the remainder of the meeting.

CORRESPONDENCE

- (a)** City of St. John's – monthly metering report - for info only
- (b)** Regional Water Supply – monthly water levels report - for info only

GENERAL/NEW/UNFINISHED BUSINESS

1. Petition from Save the Church by the Sea Committee

Motion: J. Tucker/Whitten
09-368 Resolved that Council table the petition 'Save the 1894 St. Philip's old Church' received from the Save the Church by the Sea Committee and containing over 600 signatures.

Carried
Unanimously

2. No Child Without Program

Mayor Fagan spoke about the Canadian Medic Alert Foundation program which is partnered with the Lions Club to provide **Medic Alert** memberships to students (from age 4 to their 14th birthday) through the **No Child Without**® program.

3. Committee of the Whole – December 8th, 2009

Mayor Fagan reported that the Committee met with members of the Heritage Committee and Save the Church by the Sea Committee and spent the remainder of the meeting dealing with the budget.

4. Hiring Committee for Town Manager position

Mayor Fagan reported that the Committee received 14 applications and selected 3 persons to interview on Saturday, December 19th.

5. Next Council meeting

Schedule for January 19th, 2010. The Committee of the Whole will meeting Jan. 12th.

6. Closing Remarks for 2009

Mayor Fagan took this opportunity to recognize Council, Staff, and the Volunteer Fire Department for their support and work for 2009 and wished all, including the gallery and general public, best wishes in the new year.

ADJOURNMENT

Motion: Duggan/Neary
09-369 Resolved that this meeting be adjourned. Time 8:10 p.m.
Carried
Unanimously

Mayor Bill Fagan

Judy Squires, Town Clerk