



## TOWN OF PORTUGAL COVE-ST. PHILIP'S

April 21 2009

Public Council Meeting called to order at 7:30 pm.

**IN ATTENDANCE:** Mayor: Norm Collins  
Deputy Mayor: Keith Mercer  
Councillors: Steve Andrews  
Darrell Butler  
Bill Fagan  
Town Manager: Rodney Cumby  
Acting Town Clerk: Judy Squires  
Director of External Operations: Roy Burry  
Town Planner: Geralyn Lynch

**Also in Attendance:** Mayor welcomed gallery of 20 persons in attendance.

### ADOPTION OF AGENDA

Motion: Andrews/Butler  
09-89 Resolved that the Agenda dated **April 21, 2009**, be adopted.  
Carried  
Unanimously

### ADOPTION OF MINUTES

Motion: Andrews/Mercer  
09-90 Resolved that the Minutes of the **Public Meeting of April 7, 2009**, be adopted with the following corrections/changes: Motion 09-076 should read Andrews/Mercer; Motion 09-084 should read Mercer/Andrews; page 4 of 9 – item 7 should read cold 'patch'; page 2 of 9 should read right of way off Bridgets Lane; item 2 top of page 8 of 9 should read Councillor Fagan gave a verbal report on Policy Development Committee meetings of March 18<sup>th</sup> and 21<sup>st</sup>; and top of page 9 of 9 should read that Councillor Fagan wished to 'read and table a letter from a resident into the minutes and was denied'.  
Carried  
Unanimously

**BUSINESS ARISING** Town Manager's Report – was presented and read by the Town Manager who responded to questions arising from Councillors Butler and Fagan regarding the new staff positions. Councillor Fagan requested and will be provided with cv's for new staff positions. In reference to the item on page 9 of 9 regarding the two legal opinions, the Mayor responded to Councillor Fagan advising that an email was sent to all Councillors offering to meet on this issue, and that these legal opinions will not be released. Councillor Fagan also requested a copy of a letter sent to the Minister and responses to questions sent to Planning & Development on April 8<sup>th</sup>.

## COMMITTEE REPORTS

### Planning and Development Committee – April 13, 2009

1. **283 Tolt Road**

**Application to construct a single dwelling with an accessory building (back-lot development).**

Motion: Andrews/Mercer

09-91

Resolved that the application to construct a single dwelling and an accessory building (87 sq. m) at Civic #283 Tolt Road be conditionally approved, in accordance with the Municipal Plan and Development Regulations, specifically, Regulation 47, Lot Area and Size Exception and Regulation 38, Accessory Buildings. Also subject to all other regulatory bodies of government.

Carried  
Unanimously.

2. **Civic 850-852 & 846-848 (Lot # 9 & 10) Indian Meal Line**

**Application to Construct Single Dwelling - Zoning: RI**

Motion: Andrews/Butler

09-92

Resolved that in order to preserve the wetland in front of the building lots that Council conditionally approve the application to construct two single dwellings at Civic # 850-852 & 846-848 Indian Meal Line (each with a building line setback of approximately 40 metres) and to conditionally approve the frontage for Civic # 846-848, in accordance with Development Regulation 10, Discretionary Powers of Authority. Also subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried  
Unanimously

3. **13-15 Beaver Creek Road**

**Application to construct a single dwelling on property with water frontage - Zoning: RI**

Motion: Andrews/Mercer

09-93

Resolved that the application to construct a single dwelling fronting on Millers Pond at Civic # 13-15 Beaver Creek Road with a building line setback of approximately 135 meters be conditionally approved, subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government. Specifically, Municipal Plan Section 3.3 xi) (Aircraft Noise), Regulation 11 (Variances) and Schedule C: Residential Infill, Condition 8 (iv) (Building Line Setback). Also, subject to consideration of a variance notice to area residents, for the pond frontage.

Carried  
Unanimously

4. **108 Bauline Line Extension - Variance Notice**

Resident wrote regarding a 6% variance notice on lot frontage at Civic # 112-114 Bauline Line Extension. Staff will correspond with the resident and provide information regarding the proposed development.

**5. New Street Names**

The following is list of new street names for Gail’s Subdivision at Civic # 600A Indian Meal Line:

Motion:  
09-94

Andrews/Mercer  
Resolved that as the Subdivision has been actively ongoing since 2006, that the street names for Gail’s Subdivision – Gails View Drive and Rustys Loop, be conditionally approved in accordance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried  
Unanimously

**6. Public Consultation  
Development Regulations Amendment No. 36, 2008, and  
St. John’s Urban Regional Plan Amendment No. 2, 2009**

Motion:  
09-95

Andrews/Mercer  
Resolved that Council forward development Regulations Amendment No. 36, 2008, and St. John’s Urban Regional Plan Amendment No. 2, 2009 to the Department of Municipal Affairs for the statutory Provincial review, as required by Section 15 of the Urban and Rural Planning Act.

Carried  
Unanimously

**PERMITS ISSUED:**

#	Issued Date	Civic	Street name	
1	3/26/2009		2 Little Powers Pond Road	General Repairs & Maintenance
2	3/27/2009		45-47 Marion Place	Occupancy Permit
3	3/30/2009		451 Dogberry Hill Road	Single Family Dwelling
4	3/31/2009		7-11 Olivers Pond Road	Occupancy Permit
5	3/31/2009		241 Olivers Pond Road	Dwelling Extension
6	3/31/2009		7 Brentwood Avenue	Occupancy Permit
7	3/31/2009		599-601 Indian Meal Line	Single Family Dwelling
8	4/3/2009		620-622 Indian Meal Line	Accessory Building
9	4/3/2009		6 Brookside Place	General Repairs & Maintenance
10	4/6/2009		145 Beachy Cove Road	General Repairs & Maintenance
11	4/6/2009		547 Old Broad Cove Road	General Repairs & Maintenance
12	4/6/2009		547 Old Broad Cove Road	Dwelling Extension
13	4/6/2009		4 Rosemary Rise	Single Family Dwelling
14	4/7/2009		453-455 Dogberry Hill Road	Single Family Dwelling
15	4/7/2009		58b Kings Hill Road	General Repairs & Maintenance
16	4/8/2009		468 Dogberry Hill Road	Single Family Dwelling

**Parks, Recreation, & Community Services - April 15, 2009**

**1. Volunteer Week Social – April 20<sup>th</sup>**

The committee reviewed the program for the Volunteer Appreciation Social and encourage all councilors to attend.

**2. Summer Grants (SWASP)**

The committee advises that a SWASP application for 2 summer placements has been received and that these opportunities be given to past employees who have showed good work ethic.

**3. Killick Coast Games – August 10-14 Flatrock/Pouch Cove**

The committee has recognized a variety of ways to promote participation in these games and is also encouraging anyone who wishes to volunteer or coach to come forward.

**4. Other:**

The Acting Recreation Director will be meeting with the Recreation Director in Torbay on Friday April 17 to view the specifications of their new playgrounds.

**Public Works Committee – no meeting held**

**Public Relations, Economic Development & Tourism Committee – meeting held April 16, 2009**

Mayor Collins notes that there is only one item and that item is being deferred to the next Finance/Administration meeting.

**Finance & Administration Committee – April 16, 2009**

**1. Accounts for payment**

Motion: Mercer/Andrews  
09-96 Resolved that Council approve the accounts for payment in the amount of \$54,994.41.

Carried  
Unanimously.

**2. Pension Information**

Motion: Mercer/Andrews  
09-97 Resolved that Council set the Pension Plan Contributions at 6% for Employees and 7.5% for the Employer. This is a reduction in the Employer amount from 7.74% to 7.5%. The Employee amount remains unchanged.

Carried  
Unanimously.

**3. Acting Recreation Director**

Motion: Mercer/Andrews  
09-98 Resolved that Council extend Acting Director, Stephanie Bourne's employment for three weeks to allow time for interviews to be held and for an individual to be appointed to the position.

Carried  
Unanimously.

- 4. Additional item – Town Clerk position:**
- Motion: Mercer/Andrews  
09-99 Resolved that Council hire Ms. Judy Squires for the position of Town Clerk, as Ms. Squires finished first in the recent competition for that position. Ms. Squires has almost 20 years experience with the Town of Portugal Cove - St. Philip's, as Assistant Clerk. Ms. Squires has also completed the Certified Municipal Clerk Designation (CMC) from the International Institute of Municipal Clerks.
- Carried  
Unanimously

## CORRESPONDENCE

- 1. Mayor Don Drew, Mayor of Bay Bulls –requesting a letter of support sent to the Dept. of National Defence for three items in reference to Search and Rescue Operations in Newfoundland.**  
Letter will be sent in support of this issue.
- 2. Daffodil Place – letter of Thanks received for Town's financial contribution along with a Certificate of Appreciation.**

## GENERAL/NEW/UNFINISHED BUSINESS

- 1. Proclamation – Municipal Clerks Week – May 3 to 9, 2009**  
Motion: Andrews/Mercer  
09-100 Resolved that the Town proclaim the week of May 3 to May 9<sup>th</sup> Municipal Clerks Week.  
  
Carried  
Unanimously
- 2. Telegram article regarding a resident's development issues**  
Councillor Fagan requested a meeting be held with the resident, Planning and Development staff and himself to discuss the resident's issues. Mayor and other councilors also expressed an interest in attending this meeting when scheduled.
- 3. 119-123 Nearys Pond Road – permit expired after 2 years.**  
Councillor Fagan requested that the Planning and Development staff look at this issue again.
- 4. Stop Work Order – procedure**  
Councillor Fagan requested that the Policy Review Committee look at the issue of establishing procedures for issuing Stop Work Orders.
- 5. Volunteer Award**  
Councillor Fagan recognized the Portugal Cove-St. Philip's Steering Committee for an award they received for public awareness at the recent Volunteer Awards ceremony held at the Sheraton Hotel.

**ADJOURNMENT**

Motion: Andrews/Mercer  
09-101 Resolved that this meeting be adjourned. Time 8:40 pm.  
Carried  
Unanimously.

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Mayor Norm Collins

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Judy Squires, Town Clerk