



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

Public Meeting May 25, 2010 7:30 p.m.

<b>IN ATTENDANCE:</b>	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
	Town Planner	Geralyn Lynch

**Also in Attendance:** Gallery of 23 in attendance.

### ADOPTION OF AGENDA

Motion: Neary/Duggan  
2010-144 Resolved that the May 25, 2010, agenda be adopted.  
Carried  
Unanimously

### ADOPTION OF MINUTES

Motion: Duggan/M.Tucker  
2010-145 Resolved that the Minutes of the **Regular Public Meeting held May 11, 2010**, be adopted as circulated.  
Carried  
Unanimously

**BUSINESS ARISING** Mr. Burry presented the Town Manager's report .

### COMMITTEE REPORTS

#### Planning and Development Committee Report – May 18, 2010

The following applications have been considered in accordance with the Municipal Plan and Development Regulations and shall be subject to all other regulatory government agencies. The following are recommendations from the Planning and Development Committee:

**1. 441-471 Bauline Line Extension Dwelling Application, Zoning: Rural (RUR)**

Motion: Neary/Duggan  
2010-146 Resolved that Council reject the application to construct a single dwelling at Civic # 441-471 Bauline Line Extension, as the application is contrary to the Municipal Plan and Development Regulations, Section 3.4.9 and Schedule C: Rural, which states that residential uses are not permitted except where they are necessary to support a rural land use.

Carried  
Unanimously

Note: The Town Planner advised that the Land Advisory Authority also rejected this application.

**2. 331D Tolt Road Accessory Building , Zoning: Residential Medium Density\Development Scheme (RMD\DS)**

Motion: Neary/Whitten  
201-147 Resolved that Council conditionally approve the application for Civic # 331D Tolt Road, with Schedule C: Residential Medium Density, with specific reference to Amendment 18 (2005). Application is subject to the discretion of Council; therefore a notice shall be given to all area residents regarding the size of the accessory building.

Carried  
Unanimously

**3. Complaint – Quarry Operation – Civic # 546-604 Bauline Line Extension**

Resident expressed concerns regarding the expansion of a Quarry Operation on Bauline Line Extension. Staff will investigate to see if the operator has expanded the business; if so work is to stop immediately. The operator will also be required to provide details on the development plan for the quarry operation at Civic # 546-604 Bauline Line Extension.

**4. 858-860 Indian Meal Line Backfill Property, Zoning: Residential Infill (RI)**

Motion: Neary/Duggan  
2010-148 Resolved that Council rescind Motion No. 2010-132, which rejected the application to backfill a wetland at Civic 858-860 Indian Meal Line for landscape purposes. The committee further recommends that the application be conditionally approved, in accordance with Schedule C: Residential Infill. The application is also subject to consideration by the Public Works Department in terms of flooding and approval from the Department of Environment and Conservation is required.

Carried  
Unanimously

**5. Notice of Appeal - Civic # 866 Indian Meal Line – Automotive Business Submitted for Information (note: this appeal has been withdrawn.)**

**6. Notice of Appeal - Civic # 20 Coadys Road – Church Demolition**

Submitted for Information (note: Appeal hearing is set for June 25, 2010.)

**7. Eastern Regional Appeal Board – Decision of Appeal (537 Old Broad Cove Road)**

The Board ordered that the decision of Council be reversed.

Letter received from Cox & Palmer – Re: 537 Old Broad Cove Road - Staff to arrange a meeting with the law firm to consider the concerns.

**8. Eastern Regional Appeal Board – Decision of Appeal (95 Old Ridge Road)**

The Board ordered that the decision of Council be reversed.

**9. Civic# 160A Bennetts Road**

**Dwelling Application, Zoning: Residential Infill (RI) & Watershed (WAT)**

Motion: Neary/M.Tucker

2010-149 Resolved that Council rescind Motion #2010-075 which previously rejected this application and that the application to construct a single family dwelling at 160A Bennetts Road be conditionally approved in accordance with Regulation 10 – Discretionary Powers of Authority.

Carried

Unanimously

**10. Municipal Recommendation Form for Crown Land off Chesley van Heights**

Committee concluded that this proposal is premature for the area, until the Municipal Plan and recreational plans for Voiseys Brook Park have been completed.

\*A note will be added to the maps that the applicant has requested this crown land.

**11. Resident concern – Country Gardens lots in Paradise**

Staff will review the file and report at the next P&D Committee.

**12. Murrays Pond Development & future water runoff**

Subdivision engineering drawings will be reviewed to assess the issue of water runoff. Matter will be forwarded to the Public Works Department

**13. Crown Land Application – Recreation Department - Voiseys Brook Park – Update**

Updated Planning Committee on status of application to extend Voiseys Brook Park.

**14. Development Scheme Area – Old Broad Cove Road West**

Staff will meet with the Town's Engineers to finalize the concept plans, and bring the revisions to the next Planning Committee meeting.

**15. Meeting with Municipal Affairs**

Mayor will arrange a meeting with Municipal Affairs, Planning and Engineering Division to discuss concerns with development standards.

**16. Crown land – Olivers Pond Road (boathouse & wharf)**

Staff will follow up and contact the property owner.

**17. Naming of road off Anglican Cemetery Road**

Committee member requested a street name be assigned to a private lane for the purpose of ensuring emergency services.

**Permits Issued:**

#	Permit	Issued Date	Civic	Street name	Permit Type
1	10-076	5/4/2010	8-12	Legion Road	General Repairs & Maintenance
2	10-077	5/5/2010	58b	Kings Hill Road	General Repairs & Maintenance
3	10-078	5/6/2010	5	Netherwood Street	Single Family Dwelling
4	10-079	5/6/2010	11	Beachy Cove Road	General Repairs & Maintenance
5	10-080	5/7/2010	9-11	Woodland Drive	Single Family Dwelling
6	10-081	5/7/2010	1-5	Olivers Pond Road	Accessory Building
7	10-082	5/7/2010	278-280	Tolt Road	Occupancy Permit
8	10-083	5/7/2010	1503-1505	Thorburn Road	General Repairs & Maintenance
9	10-084	5/10/2010	4	Woodhaven Road	Single Family Dwelling
10	10-084a	5/10/2010	697-703	Bauline Line Ext	Demolition
11	10-085	5/10/2010	697-703	Bauline Line Ext	Accessory Building
12	10-086	5/10/2010	1	Somertons Lane	Dwelling Extension
13	10-087	5/12/2010	170-174	Old Broad Cove Road	Portable Vendor
14	10-088	5/12/2010	144-150	Bennetts Road	General Repairs & Maintenance
15	10-089	5/12/2010	1314-1316	Portugal Cove Road	Accessory Building
16	10-090	5/13/2010	318-322	Bauline Line Ext	Accessory Building
17	10-091	5/14/2010	41-43	Beachy Cove Road	Demolition
18	10-092	5/14/2010	13	West Point Road	Occupancy Permit
19	10-093	5/14/2010	221-223	Tolt Road	Single Dwelling & Accessory Bldg
20	10-094	5/14/2010	12-16	Conatti Place	Accessory Building
21	10-095	5/17/2010	126-128	Western Gully Road	General Repairs & Maintenance

**Parks and Recreation Committee– May 20, 2010****1. Garbage Guzzlers**

The committee discussed this year's upcoming Town cleanup. The recreation director will be in contact with local groups to participate in this year's event. The committee recommends June 14-19<sup>th</sup> as the dates for this year in order to have sufficient time to coordinate and do proper publicity.

**2. Mayors March**

The committee discussed this year's Mayors March for the Heart and Stroke campaign. The Mayor suggested this year's march be held during lunch hour. The date is set for Tuesday, June 15<sup>th</sup> at noon, meeting at the Town Hall walking to Healeys Pond Crescent and back to Town Hall, lunch will be served for participants.

**3. Playgrounds**

The committee discussed the tender opening, which was held on May 20<sup>th</sup>. The committee reviewed all the tenders and has made recommendations based on each piece separately.

Motion:  
2010-150

Duggan/Whitten  
Resolved that Council approve, subject to availability in the budget, the purchase of playground equipment for the total tendered price of \$19,197.84 which includes tax and installation . Individual pieces of equipment will be purchased from three suppliers: Apex Construction, Murrays Landscaping and Provincial Fence based on price and specifications.

Carried  
Unanimously

**4. Outdoor Facility Maintenance Person**

The recreation director has hired Hayward Mitchell as the new outdoor facility maintenance person. The committee welcomes Mr. Mitchell in his new role.

**5. Cooler for Recreation Center**

Motion:  
2010-151

Duggan/Whitten  
Resolved that the Town approve the purchase of a 41 Cu Ft Cooler with two sliding glass doors from Sani Pro Inc. in the amount of \$2,675.00 plus HST.

Carried  
Unanimously

**6. Tract Recreation Development Plan**

The committee discussed the meeting with Tract Consulting and is in support of moving forward with the Recreation Master Plan.

Motion:  
2010-152

Duggan/Whitten  
Resolved that the Town have Tract Consulting design detailed plans for Rainbow Gulley Park and Voisey's Brook Park. Included in this phase would be detailed drawings for the new canteen at Rainbow Gulley Park.

Carried  
Unanimously

**7. Regatta**

The committee discussed this year's upcoming Regatta and would like to see more emphasis placed on the rowing races. The recreation director will investigate how we can safely offer youth in the community an opportunity to practice rowing prior to the regatta. The committee is also looking for individuals who are interested in volunteering with this year's event committee.

**8. Crown Land**

The committee discussed the application for Crown Land. The application is currently with the planning department for its second draft. The committee hopes to have the application and supporting documents ready by the end of May.

9. **Soccer Field at Voisey's Brook**

The committee discussed the progress of work at Voisey's Brook. The recreation director is working closely with public works to determine the most cost effective way to bring topsoil into the area for this field.

**Public Works Committee – May 20, 2010**

1. **Correspondence from Mayor concerning several items.**

- a. **Flooding at Civic # 2 Healey's Pond Crescent:** Upon inspection of the property it was determined that the ground property is below the pond's high water mark. This has since resolved itself however, to prevent this from future occurrences; it would be required to raise the elevation level of the property (by the owner) who will be informed.
- b. **Remnants of burnt Trailer on St. Thomas Line:** Staff will contact the owner and request that this material be removed.
- c. **Debris at Brookside Place:** Committee was informed that the contractor will be starting work in this area within the next 2 weeks. Clean up will take place at this time.
- d. **Cleanup Ferry Terminal Area:** Committee suggests that the Department of Transportation carry out necessary cleanup on their property. Once this is complete the Town will then have a further look into what remains to be taken care of.
- e. **Ditching of Transportation owned Roads:** Staff will contact the Department of Transportation and Works to remind them.
- f. **Recycling Program in the Town of Pouch Cove:** Staff will contact the Town of Pouch Cove and gather all information relating to their program and report back to council.

- 2. **Bridge condition on St. Thomas Line:** The department of Transportation and Works were contacted and made the following comments, that the Bridge is overall structurally sound and in good condition. The Department will make repairs to the Bridge Rails and Bridge Deck during the summer maintenance schedule

3. **Tender for Class "A" Road Gravel**

Motion: Tucker/Duggan  
2010-153 Resolved that the Town tender for the supply and delivery on Class Road Gravel for a three year term.

Carried  
Unanimously

**4. Flushing of Town Water Mains**

The committee was informed that beginning June 7<sup>th</sup>, 2010 the Public Works Staff (Water and Sewer Department) will begin the annual flushing of the Town's Water System. This should take approximately 2 weeks to complete.

**Economic Development and Tourism – no meeting**

Chair, Councillor Mose Tucker, provided in update noting that there was no meeting for various reasons however task items are still in progress. Staff is still updating tourism map to add hiking trails, B & B's etc, contact info, new pictures, points of interest etc. and it will be completed for 2011. On other issues, relating to business development, Councillor Tucker provided Council with an overview of the Town of Torbay's new Community Profile booklet for local business with plans for present and future business development and suggested we could look at doing similar. Mayor Fagan attended Torbay's event to launch their new logo and business development plans and was very impressed with all the support from Council and Staff with this project.

**Public Relations and Communications – May 19, 2010**

1. **Photos for Press Kit:** Committee selected several photos for inclusion in the press kit cover. Quick Copy will be providing another draft in the next few days.
2. **Magnet**  
Magnet will list community organizations, church's and groups contact numbers etc. and will be included in the Town's press kit for newcomers and tourists etc.

Motion: Whitten/J.Tucker  
2010-154 Resolved that Council accept the lowest quote of .49 cents per unit plus tax for the manufacturing of a magnet from Cabot Business Forms.

Carried  
Unanimously

**3. Town Signage**

Town signs are in and public works staff is currently assessing what is required for the installation.

**4. Website**

Aliant is currently upgrading the Town's hosting software to enable us to host the new site. This will be completed in the next week and the site will go live at that time.

Also, committee would like to remind Councillors that if they have not provided a bio to the Executive Assistant, they should do as ASAP as they will need to be ready when the new site goes live.

**5. Littering signs/ newsletter**

Committee discussed the issue of litter around the town. Staff is investigating the cost of signage that might help deter people from littering, as well; a notice will be going into the newsletter.

**6. Clean & Beautiful / Community Pride Committee**

Committee spoke about the feasibility of a community based committee that may be interested in setting up initiatives and programs with the purpose of keeping the community litter free and clean. This item is referred to the recreation committee.

**Heritage Ad-Hoc Committee – May 18, 2010**

**1. Welcome remarks**

Councillor Whitten opened the meeting by welcoming new committee members and thanking them for taking an interest in the heritage of their town.

**2. Terms of Reference**

Committee members received the tentative Terms of Reference and as these will be the guiding principles for this committee, it was agreed that when more members are present to provide feedback, they will review and recommend changes in more detail.

**3. Committee Chair and Recording Secretary**

The selection of a Chair and Recording Secretary was discussed. Members interested in taking these seats will need to acknowledge their interest for the next meeting and a vote will take place. The seat of Chair will be held for a 1 year term with the option for a 2<sup>nd</sup> year by re-election.

**4. Next meeting**

Scheduled for Wednesday, May 26<sup>th</sup> at 7:30 p.m.

**Edu Rec Ad Hoc Committee – May 10, 2010**

1. Committee reviewed the action items from the meeting April 12<sup>th</sup>.
2. Committee reviewed the terms of reference for council.
3. Committee reviewed the two motions for council in regards to terms of reference and edu rec center.
4. Committee discussed possibility of a daycare to be included in the edu rec center concept.

Action Items:

1. Approval from council to move forward with edu rec concept
2. Letter sent regarding land acquisition
3. Meeting with School Board scheduled
4. Correspondence sent to the Minister after we have received approval from the School Board.

Next Meeting to be scheduled after meeting with Easter School District

**Administration and Finance Committee – May 19, 2010**

**1. Accounts for Payment**

Motion: J.Tucker/M.Tucker  
2010-155 Resolved that Council pay the accounts as follows:  
Regular accounts - \$24,558.06  
Tenders - \$24,467.25  
For a total of - \$49,025.31

Carried  
Unanimously

**2. Meeting with Telegram officials re Go Bag flyers**

Committee met with representatives from the Telegram about our concerns with the Go Bag flyer program. The Telegram offered a solution which was acceptable to the committee in which they will notify residents that special boxes for the flyers would be installed at no cost for residents requesting this service. An alternative would be that residents could have the flyers put in their existing Telegram boxes or in their old rural route mail boxes if they still had them. The Town will also place the Telegram’s notice to residents in the Town’s newsletter and website when it is sent to us.

**3. Update on advertised positions for Development and Finance**

Three interviews for the position of Development Control Officer are scheduled for May 19<sup>th</sup> and the position of Director of Financial Operations closes on Friday, May 21<sup>st</sup>. The Town Manager will make arrangements with the Town’s auditor to review the applications for the Finance position and bring forward to Council a short list of candidates to be interviewed.

**4. Correspondence from coordinator of Youth Ventures**

This program offers support by way of counseling, advertising, financial training and business plan development to students 12 to 29 years old who are interested in starting their own business. The Town has supported this program in the past, therefore;

Motion: J.Tucker/M.Tucker  
2010-156 Resolved that Council support the Youth Ventures program by waiving fees for young entrepreneur business applications and permits.

Carried  
Unanimously

**5. Nape Contract Negotiations**

Motion: J.Tucker/M.Tucker  
2010-157 Resolved that Council acquire the services of Gerry Curnew to assist with the Town’s labor force contract negotiations.

Carried  
Unanimously

**1. Open Sessions**

Committee discussed the format of the open session after the Council meeting. We would like to advise participants that the sessions are meant to address questions of a general nature and not intended to discuss individuals or their issues. The guidelines are distributed and Council would appreciate the gallery’s continued cooperation.

**CORRESPONDENCE**

- (a) Dept. of Environment & Conservation – 2009 Drinking Water Quality Report –**  
for info – detailed report available from the Town Clerk
- (b) MNL Membership Committee Minutes –** for info
- (c) Regional Water Services Committee Minutes –** for info
- (d) Northeast Avalon Joint Councils Meeting Minutes -** info

**NEW BUSINESS**

- 1. Marriage Commissioner Appointment**  
Councillor Moses Tucker notes that he has received his appointment letter from the Minister of Government Services.
- 2. Northeast Avalon Joint Councils**  
Councillor Duggan notes that the minutes are copied and available for Council.
- 3. City of St. John's Tourism Awards**  
Mayor advised of the invitation received for Council for June 10<sup>th</sup>, 3 p.m. at City Hall
- 4. Congratulations to Dr. Anthony Card, resident of our Town**  
Mayor Fagan sent a letter to Dr. Card congratulating him on his appointment as Director of Memorial's School of Human Kinetics and Recreation, effective June 2010
- 5. Update on Ferry Terminal**  
Mayor Fagan provided an update noting he is working closely with the Dept. of WST and the Town of Wabana regarding the Ferry Terminal issues. Tender for realignment of traffic for Ferry Terminal was let last week. Six summer students have been hired to work as ambassadors for the Towns as well. Mayor Fagan notes there is a clean-up of the area being done and felt the town should clean up some of the debris and provide some planters in the area.

**NOTICE OF MOTION**

- 1. For meeting of June 8, 2010 – re Operational Review of the Town**  
Councillor Moses Tucker tabled a Notice of Motion to be presented at the next meeting of Council which will deal with an operational review of the Town.

**ADJOURNMENT:**

Motion: Duggan/Whitten  
2010-158 Resolved that this meeting be adjourned. Time 8:45 p.m.  
Carried  
Unanimously

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Mayor Bill Fagan

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Judy Squires, Town Clerk