

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

January 29, 2008

Meeting was called to order at 7:40 pm.

### IN ATTENDANCE:

Deputy Mayor:	Keith Mercer
Councillors:	Jon Seary Steve Andrews Bill Fagan Adrienne King Darrell Butler
Town Manager:	Rodney Cumby
Town Clerk:	Loretta Tucker

### Also in Attendance:

There were 19 persons in the gallery.

### ADOPTION OF AGENDA

Motion: Andrews/Butler  
#08-018 Resolved that the Agenda dated **January 29, 2008** be adopted.  
Carried  
Unanimously

### ADOPTION OF MINUTES

**Minutes of January 15, 2008**  
Motion: Andrews/Seary  
#08-019 Resolved that the Minutes of **January 15, 2008**, be adopted as presented.  
Carried  
Unanimously

Town Manager responded to Councillor Fagan, advising that he would provide him with a copy of the roads listed and identified under the Multi-Yr Capital Works #4 application for funding. (Motion #08-007)

### BUSINESS ARISING

**Town Manager's Report** – dated January 29, 2008  
Town Manager's Report was presented and read by the Town Manager.

#### **Business Arising from the Minutes:**

(a) Town Manager responded to a question from Councillor Fagan regarding Motion #08-008 regarding the new Policy, "*Accounts Payable Legal Invoices*".

(b) Councillor Fagan's question on *Wind Generation* was responded to by Councillor Seary..

(c) Town Manager responded to Councillor Fagan and advised that the referenced letter had been sent out.

## COMMITTEE REPORTS

### Finance & Administration Committee Meeting – January 24, 2008

*Councillor Butler left the meeting due to a possible Conflict of Interest re: Item #1. (Family Member)*

#### 1. Accounts for Payment

Motion: Andrews/King  
#08-020 Resolved that Council pay the accounts (over \$5,000) in the amount of \$21,725.04 [of this amount \$10,148.27 is for Multi-Year invoices and will be refunded to the Town from Loan Proceeds].

Carried For: Mercer, Seary, Andrews, and King  
Against: Fagan.

*Councillor Butler was advised that the Accounts for Payment had been dealt with and he returned to Council Chambers.*

*Councillor Butler left the meeting due to a possible Conflict of Interest re: Item #2. (Family Member)*

#### 2. Legal Matter

Motion: Andrews/King  
#08-021 Resolved, on the advise of our legal advisors, that Council instruct the Law firm of Stewart McKelvey to forward the suggested letter to the referenced members of the Portugal Cove-St. Philips Steering Committee.

Carried For: Mercer, Seary, Andrews, and King  
Against: Fagan.

*Councillor Butler was advised that the Item #2 had been dealt with and he returned to Council Chambers*

#### 3. MNL Letter from President Graham Letto

Request from President Graham Letto, MNL re: Council's Designated Elected Official to act as *Communications Liaison*.

Motion: Andrews/Butler  
#08-022 Resolved that President Letto's letter requesting the name of Council's Designated Elected Official be responded to by advising that Mayor Norm Collins, as spokesperson and Mayor of the Town of Portugal Cove-St. Philips, will be Council's Designated Elected Official to act as the *Communications Liaison for MNL*.

Carried  
Unanimously

#### 4. M. Wilkins

Town Manager will write M. Wilkins acknowledging her letter and will answer her questions regarding daycares.

Councillor Andrews responded to Councillor Fagan's "*Point of Interest that the town should be proactive in this issue*". Councillor Andrews advised that the topic of daycares will be dealt with under the Town Plan, that a copy of Ms. Wilkins letter will be referred to Planning and Development.

Other Information:

Councillor Andrews advised that the following information has been placed on the presentation table and is free for the taking:

**1. Samaritan's Purse**

Soliciting donations for the Ministry of Samaritan's Purse to suffering people around the world. Donations may be made to [www.samaritanspurse.ca](http://www.samaritanspurse.ca) or by phoning 1-800-663-6500.

**2. NLOWE:** Newfoundland and Labrador Organization of Women Entrepreneurs Annual conference upcoming April 2008  
Brochures and Nominations forms for 2008 Women Entrepreneur of the Year Awards are also placed on the presentation table and are free to anyone who wishes the information.

**Planning and Development Committee Meeting**

January 22, 2008.

**1. 15-17 Spurrell's Road**

Application to Construct Fishing Shed. Zoning: HC

Motion  
#08-023

Andrews/King

Resolved that the application to re-construct a fishing shed within the 15-meter buffer from the shoreline of St. Philip's Beach be rejected, as the proposal is contrary to the Municipal Plan and Development Regulations, specifically, Development Regulation 49 Non-Conforming Use. A development that does not comply with the existing Regulations cannot be reconstructed in the same non-conforming manner, where 50% or more of the value of the structure has been destroyed. (In addition: it was noted that the applicant has the right to appeal the decision of Council)

Carried

For: Mercer, Seary, Andrews, and King  
Against: Fagan, and Butler.

**2. Civic 144-154 Tolt Road**

Application to Construct Single Dwelling. Zoning: RI/RR

Motion: Andrews/King  
#08-024 Resolved that the application to subdivide property and construct a single dwelling with frontage on Hogan's Pond at part of Civic # 144-154 Tolt Road be conditionally approved, subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried  
Unanimously

**3. Crown Land Application - Indian Meal Line**  
Application for Agriculture Use – Zoning RI/AG.

Motion: Andrews/King  
#08-025 Resolved that Council approve the municipal recommendation form for Crown land for agricultural purposes at Civic # 747-809 Indian Meal Line, provided the development does not prejudice access to adjoining backlands from Indian Meal Line.

Carried  
Unanimously

**4. Correspondence: Eastern Regional Appeal Board**  
Request for information regarding an appeal made against a decision of Council relating to property at #24-26 King's Hill Road, which is zoned watershed.

**5. Correspondence: Department of Government Services**  
Regarding Development at #424 Old Broad Cove Road.  
Submitted for information.

**6. Agricultural Development Area Boundary Review**  
Meeting with Local Farmers was held on January 17, 2008.

The minutes of that meeting will be circulated to all Councillors for consideration in an effort to develop a position paper from Council on this matter.

**7. Feasibility Study Concerning Dead End Streets**  
While Council has no plans to build new roads within the community at this time, it does wish to exercise greater control over the development of new and/or extensions to existing roads, as well as any proposed extension to the Town's existing services.

In line with the direction set out in Council's Strategic Plan, which indicates that Council wishes to have managed development in the Community and; in accordance with the current policy outlined in the Municipal Plan, which states that Council will endeavor to eliminate dead-end roads wherever possible.

The following is the first of several comprehensive road studies to be undertaken in the coming year:

Motion: Andrews/King  
#08-026 Resolved that Council proceed immediately to investigate the feasibility of connecting West Point Road, Bayview Heights, and Hanlon's Road as part of a comprehensive development scheme for this area. The study will take into consideration existing vehicular and pedestrian routes, traffic volumes, property surveys as well as scenic views in order to determine how, or if, the three roads can be connected to provide for a more efficient road network. Any necessary upgrades to existing roads will also be identified. Where Council does not already have ownership of the lands required within the right-of ways of any proposed new roads, Council will proceed to acquire the necessary land.

Carried For: Mercer, Seary, Andrews, and King  
Against: Fagan, and Butler.

### 8. Commissioner's Report

Municipal Plan Amendment #12, 2006 & Development Regulations Amendment # 26, 2006 (Lot Area & Street Design).

A meeting will be scheduled to further review the Commissioner's report.

**9. Conditional Approvals/Permits** issued between periods dated November 23, 2007 – January 15, 2008.

#	date	Address	Permit Types
1	11/23/07	53-55 Dawn Allen Road	Accessory Bldg.
2	11/27/07	4 Dogberry Hill Road Ext.	Single Dwelling
3	11/27/07	2 Plumtree Place	Single Dwelling
4	11/28/07	8-14 Day's Road	Accessory Building
5	11/29/07	5 Newbury Street	Occupancy
6	11/30/07	882 Indian Meal Line	Occupancy
7	11/30/05	432 Old Broad Cove Road	Special Care Facility
8	12/05/07	10 Honeysuckle Hill	Single Dwelling
9	12/05/07	874 Indian Meal Line	Single Dwelling
10	12/05/07	68 Neary's Pond Road	Single Dwelling
11	12/06/07	24 Ayre's Lane	General Repairs& Maint.
12	12/14/07	6 Hynes Road	Occupancy
13	12/14/07	836 Portugal Cove Road	Occupancy
14	12/14/07	1720 Portugal Cove Road	Occupancy
15	12/14/07	2 Brentwood Avenue.	Occupancy
16	12/14/07	838 Indian Meal Line	Occupancy
17	12/14/07	862 Indian Meal Line	Occupancy
18	12/19/07	1569 Thorburn Road	Accessory Building
19	12/19/07	1569 Thorburn Road	Occupancy
20	12/19/07	1570 Thorburn Road	Accessory Building
21	12/19/07	81 Round Pond Road	Occupancy
22	12/19/07	197 Bennett's Road	Accessory Building
23	12/20/07	16 Dawn Allen Road	Occupancy
24	12/20/07	3 Stockton Place	Occupancy

25	12/21/07	167 Tucker's Hill Road	Occupancy
26	1/07/08	15 White Ash Drive	Single Dwelling
27	1/09/08	9 Stockton Place	Single Dwelling
28	1/09/08	7 Newbury Street	Single Dwelling
29	1/10/08	1402-406 Old Broad Cove Rd	Demolition
30	1/14/08	12 Newbury Street	Single Dwelling
31	1/15/08	217-219 Bennett's Road	Dwelling Extension

### Public Works Committee Report, January 9, 2008

#### 1. Update on Safety Guards on Town Trucks.

Committee reported its findings on its research regarding the installation of safety guards on Town owned trucks.

Motion:  
#08-027

Searry/Andrews

Resolved that the Town lobby MNL to give support to the Canadian Federation of Municipalities to press for manufactures of motor vehicles to develop a national design standard for vehicular approved side guards.

Carried  
Unanimously

It was also noted that the Federal Government (Transport Canada) sets vehicle standards for all new vehicles which are manufactured in or imported into Canada. The responsibility for mandating truck safety and equipment, including retrofitting, falls under the jurisdiction of Transport Canada.

#### 2. Correspondence: Dept. of Environment and Conservation

Re: Permits to Operate: (Waste Water Treatment Facilities, and #2 Waste Water Collection Systems)

##### For Information:

Copy of Permit #'s: *OP-WWT-0010* and *OP-WWC-07-0010* together with their associated procedures have been inserted in the Town of Portugal Cove-St. Philip's Policy and Procedure Manuel.

#### 3. Update on Snowclearing Operations

Committee reports that due to the early start of the Snowclearing season together with the many snow falls has resulted in the Town using more sand and salt than was estimated. Committee will bring forward updates as the winter proceeds.

**4. Update:** On the status of the construction of the **WWTP** located in the Portugal Cove side of the Town.

Committee reports that the start up of the Waste Water Treatment Facility is delayed until possibly May 2008. Committee reports that the delay is as a result of the severe winter, coupled with the shortage of skilled labor. Committee will bring forward further updates.

### **5. Road Signs**

Motion: Seary/King  
#08-028 Resolved that Council order 50 of the newly designed road signs for all Town collector roads.

Carried For: Mercer, Seary, Andrews, and King  
Against: Fagan, and Butler.

Councillor Fagan asked, "How much these signs would cost?" He was advised that this item has been budgeted for, but did not have a separate line in the budget.

### **6. Additional Sand and Salt Requirements (3/1 Ratio)**

Motion: Seary/Butler  
#08-029 Resolved that Council approve and order the following:  
100 tonnes of Salt and 300 tonnes Sand.

Carried  
Unanimously

Town Manager provided clarification on the ordering, purchasing, storing, and receiving the sand, and the salt.

## **Parks, Recreation, and Community Services Committee**

**Report:** January 8, 2008

### **1. Christmas Decorating Competition**

This item is as per the report. The winners were presented with gifts at the public Council meeting of January 15, 2008. For further details you may go to the Town's Website, [www.pcsp.ca](http://www.pcsp.ca), to view the minutes.

### **2. Playground Inspection Report Titled:**

*Town of Portugal Cove-St. Philip's  
Playground Inspection Report  
Town Sites  
Voisey's Brook Playground, Indian Meal Line  
Rainbow Gully Road, off Thorburn Road  
Report Date: November 2007.*

The Playground Audit was performed by Robert Eustace, CCP. Council reports that the Town will take action this Spring on the recommendations in the Report.

### **3. Aerobics Program**

Committee reports that this program is continuing to be a great success.

### **4. Winter Carnival**

The Winter Carnival is scheduled for Saturday, February 23<sup>rd</sup> to Saturday March 1<sup>st</sup>. Committee reports that a schedule of events is presently being compiled. The details of the scheduling will be distributed in early February.

### **5. Letter of Support**

Motion:  
#08-030

King/Fagan

Resolved that Council write a letter of support to the Town of Logy Bay-Middle Cove-Outer Cove, which they will include with their application to host the 2008 Killick Coast Summer Games.

Carried  
Unanimously

### **6. Community Capital Grant Application**

Committee advises that the Dept. of Tourism, Culture and Recreation has approved funding for the Town of Portugal Cove-St. Philips in the amount of \$10,000. This money is to be used to upgrade the dugouts and bleachers in the Voisey's Brook Park.

### **Public Relations, Economic Development and Tourism Report: January 9, 2008.**

#### **1. Update on Ongoing PREDT Initiatives:**

**a) Website:** The Town's new website is very near completion and is expected to be live in the next few weeks.

**b) Newsletter:** The Newsletter will now be done quarterly with the next issue going out in April, followed by July, October, etc. In addition to this, the Committee has contacted Tri-ware to have a public folder created that will allow staff, and Council to email newsletter items directly to a public folder in our exchange server. The email address will be [newsletters@pcsp.ca](mailto:newsletters@pcsp.ca). Committee will update when complete.

#### **c. Farmers Market:**

Ongoing research on the potential of a Farmers/Craft Market during the summer. Committee will bring forward updates.

**d) Heritage Committee:** Committee would like to bring the focus back, and encourage community residents to once again, get involved in such a committee. Committee reports that they have received a good response thus far. Committee will bring forward updates.

**2. Hospitality Newfoundland & Labrador 25<sup>th</sup> Annual Convention & Tradeshow – February 14<sup>th</sup> – 17<sup>th</sup>, 2008:** The Executive Assistant and a Committee or Council member will attend the 25th HNL Convention from February 14<sup>th</sup> – 17<sup>th</sup> 2008, in Gander.

Town Clerk will email a reminder to Councillors.

#### **3. Telegram Horizons Edition:**

Motion: Seary/Andrews  
 #08-031 Resolved that Council place an ad in the Telegram Horizons Edition, as in previous years, at the rate of \$499.

Carried  
 Unanimously

## CORRESPONDENCE

**1. MNL InfoNote – January 18, 2008**  
 Council will check the *GMF online Workshops or Webinars*, from now through to February 29, 2008.

**2. MNL InfoNote – January 18, 2008**  
 See #5 below.

**3. MNL InfoNote – January 11, 2008**  
 2007 Resolutions update and 2008 Calendar.

**4. FCM “New Funding Opportunity for Municipal Solid Waste Project”**  
 February 13, 2008 FCM will issue a Green Municipal Fund (GMF) Request for Proposals for financing to support implementation of sustainable municipal solid waste diversion project.

\* Public Works Department to review.

**5. MNL InfoNote – December 21, 2007- Calendar of Events 2008**  
 Board Meeting and LADR Workshop, Corner Brook on Feb 19-22  
 Board Meeting and LADR Workshop, Port Union on April 3-5  
 Board Meeting and LADR Workshop, (The Wilds) on June 12-14  
 Municipal Symposium Gander on May 2-3  
 Board Meeting and LADR Workshop, St. Anthony on August 21-23  
 MNL Annual Convention, Corner Brook on October 8-11

Town Clerk to send reminder of the LADR Workshop.

## GENERAL BUSINESS (NEW AND UNFINISHED)

1. Councillor Fagan brought forward the following information from the Beachy Cove Elementary School Council:  
*“In light of the situation that exists at Olympic Drive/Princeton Place re: school busing, Beachy Cove Elementary School Council is recommending that the Town Council monitor future housing developments to ensure that there are no obstacles to school bus routes, such as sharp turns, steep grades, etcetera”.*

Town Manager responded to a question from Councillor Fagan regarding flooding at Drover’s Heights and advised that the Superintendent of Works had spoken to one of the property owners about the flooding.

2. Councillor Butler wished to offer an apology to anyone that may have misunderstood a comment the he had made at a previous Council Meeting. He emphatically stated that there was no offense intended, and that he was very sorry if any had been taken.

**ADJOURNMENT**

Motion:            Seary/Mercer  
08-032            Resolved to adjourn this meeting.  
                      Time: approximately 9:20 pm.

Carried  
Unanimously

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Mayor Norm Collins

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Town Clerk, Loretta Tucker

not yet adopted