

TOWN OF PORTUGAL COVE-ST. PHILIP'S

April 22, 2008

Meeting was called to order at 7:40 pm.

IN ATTENDANCE: Mayor: Norm Collins arrived 7:45
Deputy Mayor: Keith Mercer
Councillors: Jon Seary
Steve Andrews
William Fagan
Adrienne King
Darrel Butler
Town Clerk: Loretta Tucker
Supt. of Works: Roy Burry
Town Planner: G. Lynch

Also in Attendance: Gallery of 30 persons.

Acting Mayor Mercer welcomed all members of the Gallery.

ADOPTION OF AGENDA

Motion: Andrews/Seary
08-106 Resolved that the Agenda dated April 8, 2008 be adopted.
Carried
Unanimously

Acting Mayor Mercer turned the chair over to Mayor Collins. Mayor Collins apologized for being late and advised it was due to work commitments.

ADOPTION OF MINUTES

Motion: Andrews/Seary
#08-107 Resolved that the Minutes of **April 8, 2008**, be adopted as presented and reviewed.
Carried
Unanimously

BUSINESS ARISING

Town Manager's Report – Presented and read by the Acting Town Manager L. Tucker, and is as reported.

Business Arising from the Minutes

Councillor Fagan was advised that we had not yet received a response to our letter to the Transportation Minister D. Whalen regarding a meeting to further discuss the condition of roads that are under the jurisdiction of the Province.

COMMITTEE REPORTS

Finance and Administration Committee Report – April 16, 2008

1. Accounts for Payment

Motion: Andrews/King
#08-108 Resolved that Council pay the accounts (over \$5,000) in the amount of \$293,470.55. (\$262,807.86 is a payment for Multi-Year #3)

Carried
Unanimously

2. Bids for Sale of 1997 Ford 150 (4X4) Pickup Truck

	Name of bidder	Amount of Bid
1.	Herb Knight	\$550.00
2.	Tony Codner	529.00
3.	Ross Cook	510.00
4.	Joe Gladney	508.00
5.	Gladney's Bus Ltd.	340.70
6.	Roger Kelly	329.00
7.	Don Squires	300.00

Motion: Mercer/Andrews
#08-109 Resolved that Council accept the bid from Mr. H. Knight to purchase the 1997 Ford 150 (4X4) pickup truck for \$550.00 as is, where is, in its present condition. .

Carried
Unanimously

3. Doubtful Accounts NEWC001

Motion: Mercer/Andrews
#08-110 Resolved that Council remove the old Doubtful Account #NEWC001 from Council records as the account is uncollectible. Noting the business has been closed for many years and the property has reverted back to the Crown. The Crown does not pay taxes to Municipalities, and is exempt from taxes in accordance with section 116 – 118 of the Municipalities Act.

Carried
Unanimously

Councillor Seary and Councillor King left the meeting due to any possibility of a Conflict of Interest (Business relationship)

4. FGA – Progress Billings (Wind Generation Study)

Motion: Mercer/Andrews
#08-111 Resolved that Council pay the Progress Billings dated January 31, 2008, in the amount of \$10,165.91 and hold the 2nd billing dated March 31, 2008, until Council reviews and accepts the draft of the FGA report on wind energy. Further resolved that prior to any further work taking place on this study an estimate of the cost, and a review of the proposed work will have to come back to Council for review and decision.

Carried
For: Collins, Mercer, and Andrews,
Against: Fagan, and Butler.

Councillor Seary and Councillor King were advised that the matter had been dealt with and returned to Council Chambers.

5. MNL: Upcoming Avalon Regional Meetings

Wednesday, April 30th – Whitbourne Fire Hall @ 7:00 pm.
Thursday, May 1st – City of Mount Pearl – City Hall @ 7:00 pm.

Town Clerk will register all members of council to attend the upcoming Avalon Regional Meeting to be held at the City of Mount Pearl @ 7:00 pm. April 30th, 2008. (Registrations sent April 23, 2008)

6. Celtics Fiddlers: Request for Donation

Motion: Andrews/Seary
#08-112 Resolved that Council donate \$50.00 to the Celtic Fiddlers for funding for two members, Maria Peddle and Robyn Peddle, who live in the Town of Portugal Cove- St. Philip's and will be touring in Ireland and the Isle of Man.

Carried
Unanimously

7. Request to Attend Training: Occupational Health and Safety Training

Motion: Andrews/Seary
#08-113 Resolved that Council approve the request form Mr. L. Spurrell, Fire Chief, and Chris Neary, Lead Hand with Public Works and grant them permission to take in the Newfoundland and Labrador Occupational Health and Safety Association Conference to be held in Gander from May 14- May 16, 2008.

Carried
Unanimously

Planning and Development Committee Meeting – April 15, 2008

Councillor Seary advised that the applicant identified under #1 of the Planning and Development Committee Report has conducted business with his Company, and as Councillor King is an employee, would like Council to rule on *Conflict of Interest* for both.

Motion: Mercer/Butler
#08-114 Resolved that a ruling be passed for Councillor Seary, and King regarding the question of *Conflict of Interest* on item 1: Civic #181-205 Oliver's Pond Road.
Ruling: That Councillor Seary, and Councillor King, are not in *Conflict of Interest* on this item.
For: Collins, Mercer, Andrews, and Butler
Against: Fagan.

Carried

1. 181-205 Oliver's Pond Road

Separate Electrical Service To An Accessory Building. Zoning: RR

Motion:
#08-115

Andrews/Mercer

Resolved that the request to install a separate power service to an existing accessory building for the purpose of outdoor lighting at Civic # 181-205 Oliver's Pond Road be conditionally approved, subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government. Furthermore, the resident shall provide the Town with written confirmation from a certified electrician that the electrical services of the main dwelling cannot support the outdoor lighting and also to provide a written letter stating that the accessory building will not used to support business activity.

Carried
Unanimously

2. Home Show 2008 – CHBA- Eastern Newfoundland.

Information from the PREDT Committee regarding exhibitor space (Town booth) at the 'Home Show 2008' to promote the Theme "Innovative Builders to Blend With Our Community"

Committee reviewed the information regarding exhibitor space at the Canadian Home Builders' Association Eastern Newfoundland 'Home Show 2008' and has referred the item back to the PREDT Committee, as they felt that there was insufficient time to prepare for this year's event. The Committee supports the idea and will participate in conjunction with PREDT for 'Home Show 2009'.

3. Newfoundland & Labrador Consulting Engineers Ltd.

Feasibility Report from NLCE on Potential Road Networks for the area of West Point Road, Bayview Height's and Hanlon's Lane.

Following a full review of the NLCE Feasibility Report on potential road network for the area of West Point Road, Bayview Height's, and Hanlon's Lane Council made the following motion.

Motion:
#08-116

Andrews/King

Resolved that Council accept Option "B", as the preferred Option (the connection of West Point Road with Bayview Heights). Furthermore, that the Town proceed with the implementation of Option "B", as outlined in the 'Feasibility Report' from Newfoundland and Labrador Consulting Engineers and contact the affected property owners to negotiate the Town's acquisition of any property that may be affected. It is further resolved that the looping of these two roads will not form a crescent but will intersect with 2 stop signs.

Carried

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

4. Comprehensive Development Scheme Area - Priority List.

Councillor Fagan requested an explanation on what is a Development Scheme.

The Following recommendation (in italics) is held pending a ruling on Conflict of Interest.

“Committee recommends that Council approve and submit the following list of areas to be prepared as a comprehensive development plan. The plans will lay out how the overall site can be developed in an efficient and cost effective manner, considering the principles of environmental preservation, landscape design and compatibility with surrounding uses. The areas submitted as a priority are:

1. *Tucker’s Hill (Scheme Area 14);*
2. *Old Broad Cove Rd. West (Scheme Area 7);*
3. *Anglican Cemetery Road – Churchill’s Road, and;*
4. *Bauline Line Extension – Indian Meal Line”.*

13. Conditional Approvals/Permits:

(March 25 – April 9, 2008)

	Date	Civic Address	Permit
1	March 27, 2008	14 White Ash Drive	Occupancy Permit
2	April 3, 2008	6 Brentwood Avenue	Single Dwelling Permit
3	April 7, 2008	6 Brookside Place	Accessory Building
4	April 7, 2008	1768 Portugal Cove Road	General Repairs and Maintenance
5	April 8, 2008	4 Brentwood Avenue	Occupancy Permit
6.	April 9 2008	25 Country Garden Road	Greenhouse Permit

Public Works Committee Meeting – Verbal

1. Household Hazardous Waste Day

Household Hazardous Waste Day
 May 25, 2008
 Beachy Cove Elementary School
 8 am. - 4 pm.

Motion: Andrews/Mercer
 #08-117 Resolved that Councillor Jon Seary will write a letter to MMSB, under the Mayor’s signature, copy to Municipal Affairs, requesting information regarding the disposal of electronic waste. (Eg. Computers and monitors)

Carried
 Unanimously

2. Meeting with Evergreen Recycling

It was noted that a tentative meeting has been set for April 24, 2008, to meet with Evergreen Recycling, to discuss the disposal of cardboard and paper products.

Parks, Recreation, and Community Services Committee Meeting

1. Volunteer Week

Town of Portugal Cove - St. Philip's will be hosting a Community Contribution Social on Sunday, May 4th, 2:00p.m at the Recreation Centre. Guest speaker will be Ms. Darlene Scott with the Community Service Council and the East Coast Trails. Everyone is welcome to come out for presentation of awards and refreshments.

2. Walking Trails

Phases of development of the different recreation priorities are outlined in the Town's Recreation Master Plan. Waking trails are identified in phase one.

Motion:
#08-118

King/Seary

Resolved that the Town hire Tract Consulting to continue the process of developing the walking trails. This is subject to a meeting being held with Tract Consulting, and the Town, to review the scope of work, and the necessary funding needed to develop the walking trail. Committee will bring forward the information.

Carried
Unanimously

3. Playgrounds

Recreation and the Public Works Departments are working together to make the playgrounds in the community safe, and up to standards. Over the next couple of months, some structures will be removed and new pieces of equipment will be purchased.

4. Bleachers and Netting

The Town is anticipating a grant of \$10,000 from the Department of Tourism, Culture and Recreation. The funding, if received, will be used to upgrade the bleachers in Voisey's Brook Park within the next month. This funding will also be used to purchase protective netting for the softball field and for upgrading the dugouts. An update on this project will be given at a later date.

5. Renovations to the Recreation Centre

The Recreation Director and Public Works Superintendent will prepare a list of items that will need to be repaired or upgraded. Council request to include a review of making the Center accessible for access and washrooms. Report of findings and cost will be brought forward.

6. Summer Student Employment

Advertisements for the Summer Student Employment have been placed in April's edition of the Northeast Avalon Times

7. Aerobics Classes

The Recreation Department reports that were pleased with the attendance of the first session of aerobic classes and are advising that another 8-week session will be commence May 6th. 2008.

8. Retro 80's Nite

The Recreation Department will be hosting a "Retro 80's Nite" in June. Entertainment for this event will be the "Turbot Cheeks". Funds from this event will go towards the upgrading of the Town's playgrounds.

9. Beach Clean-Up

It was noted that the Clean-Up of St. Philip's Beach and Portugal Cove Beach was a huge success. Public Works Committee will be looking at the placement of garbage containers.

Public Relations, Economic Development & Tourism Committee Meeting: Verbal.

1. Wind Power

Councillor Seary gave a report on a meeting that was held with the Engineers who are preparing the Wind Generation Feasibility Study noting that the numbers are very impressive. Further information will be brought forward.

CORRESPONDENCE

1. MNL Info Note dated April 11, 2008
Circulated for information.

2. Baccalieu Trail Association
Circulated for information.

3. FCM Members Advisory – dated April 23, 2008
Largest-Ever Survey on Municipal Issues Shows Canadian Want Federal Support for Cities and Communities. Circulated for information

GENERAL/NEW/UNFINISHED BUSINESS

1. Municipal Awareness Day- Wed. May 14, 2008

- Whereas:** Municipal Government is responsible for the provision of services that enhance the quality of life of its citizens; and
- Whereas:** dedicated mayors, councillors and staff are essential for the effective governance of their municipalities; and
- Whereas:** Citizen Involvement is essential for an active community; and
- Whereas:** it is fitting and proper to recognize and encourage the contribution of all who work diligently for the improvement of our municipalities.

Motion: Mercer/Butler
#08-119 Resolved to proclaim May 14, 2008 as Municipal Awareness Day in municipalities of Newfoundland and Labrador in recognition of the vital role of municipal government and in recognition of all whose efforts support it.

Carried
Unanimously

Brochure referred to The Recreation Director for review and suggestions by the Committee.

2. Dispute Resolution Committee

Deputy Mayor Mercer advised that the Dispute Resolution Committee had met and would be meeting again in the near future.

Chair of the Committee is Tracy Duff.

3. Provincial Sales Tax on Insurance

It was noted that the 15% provincial sales tax, on all insurance, has been removed by the Province. This is a topic that was reviewed and reported on by the Finance & Administration Committee on April 3, 2008.

4. LADR Workshop (Local Action for Developing Regions)

Councillor Butler presented and read a report on the LADR Workshop which he attended with Councillor Fagan in St. John's on April 4th and 5th 2008.

5. NEAJ Councils Meeting

Councillor Andrews reported on the NEAJ Council Meeting relating that a presentation was made regarding reorganization of the tourism group in the Avalon. Councillor Andrews will contact the group and endeavor to arrange a meeting.

6. Notice of Motion presented at meeting of April 8, 2008.

Councillor Fagan advised that he had registered a complaint against the Town's *Handling of Correspondence Policy* with the Privacy Commissioner and was advised to see if Council would be willing to amend its Policy prior to proceeding any further.

Motion: Fagan/Butler
#08-120 Moved that the Town Council of Portugal Cove-St. Philip's amend its Policy on opening Councillors' mail by substituting the following wording up to the last clause indicated and continue from there with the current policy:

Correspondence to the town marked Private and Confidential will not be opened. Neither will any correspondence be opened if a Councillor provides in writing a request that mail not be opened, unless the Councillor is away for an extended period of time, exceeding three weeks, and the town would be notified by the Councillor in that case.

All correspondence not covered by the Private and Confidential, and written request, should then be forward to the Town Manager for review...(continue with current policy).

DEFEATED

For: Fagan, and Butler

Against: Collins, Mercer, Seary, Andrews, and King

ADJOURNMENT

Motion: Butler/Mercer
#08-121 Resolved that the meeting be adjourned 9: 45
Carried
Unanimously

Acting Mayor Keith Mercer

Loretta Tucker, Clerk Treasurer