

Mayor - Paul Brazil
Deputy Mayor - Darlene Stamp
Councillors - Eric Jewer
 Sherry Lundrigan
 Paul Ryan
 David Smith
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Town Manager - Tony Ryan

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The Municipality of Spaniard's Bay

June 25, 2019

A regular meeting of Council took place on the above date with the following members in attendance: Mayor Brazil, Deputy Mayor Stamp, Councillors Jewer, Ryan, T Smith, D Smith, Lundrigan and Town Manager Tony Ryan. Visitors included Howard Smith, Jackie Coombs, Sheldon Coombs, Theresa Greeley, Colin Sheppard, Marie Sheppard, and Brenda Coombs. Mayor Brazil called the meeting to order at 7:05 pm and welcomed everyone to the meeting.

Motion to Adopt Agenda

The agenda for the June 25, 2019 meeting was tabled.

It was moved by Councillor Ryan, seconded by Councillor David Smith, to adopt the Agenda of June 25, 2019 as presented.

Carried

Petitions and/or Visiting Groups

Mr. Colin Sheppard

Mr. Colin Sheppard of Sandford's Excavating and Dump Truck Services questioned Council as to why he did not get a chance to bid on a job that was being completed in town. He questioned why it was given to a company without the normal call for bids. He stated that he was capable of completing the job and would have liked to have the chance to bid on the job. Mayor Brazil stated that there are many times that Council will give jobs without bids, the town always alternates these jobs between 3 companies and never calls for bids. He stated that he cannot comment on this specific job as he was in conflict on that matter. Councillor Ryan stated that when the Committee of 5 met with the property owner having the work completed they recommended a certain company so Council just went with their recommendation. They asked for a quote and it was a fair price so they gave them the go ahead to do so. Mrs. Coombs asked to speak on the topic, Council agreed. She stated that when she met with Council she did recommend a certain company as they were a well know landscaping company within the town and she wanted to make sure she was getting the work needed completed to her satisfaction. She stated she would have had no problem with any other company completing the work, but at the time did not think of any other companies that completed such work. There was a general discussion regarding the topic and Council agreed that from now on Council will call for bids for all jobs.

Councillor Jewer arrived at 7:26 pm.

Adoption of the Minutes

The minutes of the meeting of May 27, 2019 was tabled.

It was moved by Councillor Jewer, seconded by Deputy Mayor Stamp, that the minutes of the meeting of May 27, 2019 be adopted as presented.

Carried

The minutes of the meeting of June 5, 2019 was tabled.

It was moved by Councillor Jewer, seconded by Councillor Ryan, that the minutes of the meeting of June 5, 2019 be adopted as presented.

Carried

Business arising from the Minutes

May 27, 2019

Deputy Mayor Stamp questioned if we have heard anything back about the quotes for the front of the building. Councillor David Smith stated that there were pictures sent out and Council needs to decide on which design they like best so she can move forward on the pricing.

Town Managers Report

- a. To the best of our knowledge there are 4 leaks outstanding. One at the Shore Road, one at the Fire Hall, one at Back Cove Road and one at Annie's Lane.
- b. Complaints are coming in again regarding the ongoing continuous flea market at 279 Conception Bay Highway. I would like to have a motion to refer this matter to the Town's lawyer to address the matter.
- c. Attached to my report is a request from a property owner to purchase a parcel of land that was previously put on auction for tax arrears and did not sell. I would like for the Finance Committee to review this matter.
- d. Attached to my report is a request from a resident to purchase a parcel of land owned by the Town. I would like to have a committee of Council review this matter.
- e. I need approval from Council to purchase a new desktop computer for the office. I expect the price to be in the range of \$800.00 to \$900.00 plus HST.
- f. I am working on the Tender Specifications for our upcoming Gas Tax Project. I expect we will be ready to go to tender in about 2 to 3 weeks.
- g. The new Dump Truck with Plow and Sander has arrived. This is a full three months earlier that were initially advised.
- h. I need a motion of Council to seek bids to have the roof and the Municipal Depot re-shingled. At the same time, I would like to include the replacement of the 2 side doors.
- i. I need a motion of Council to approve paying the janitor an additional \$25.00 per month for the added weekly duty of cleaning the hallway on the western side of the building as well as 1 additional washroom.

Motions arising from the Town Managers Report
Flea Market at 279 Conception Bay Highway

It was moved by Deputy Mayor Stamp, seconded by Councillor Ryan, to seek legal advice regarding the continuous Flea Market at 279 Conception Bay Highway.
Carried

Parcel of Land previously put on Auction for Tax Arrears

A letter was tabled from a resident to purchase a piece of property previously put up for auction for tax arrears.
It was moved by Councillor Jewer, seconded by Deputy Mayor Stamp, to send this request to the Finance Committee for review and recommendation back to Council.
Carried

Request to Purchase Piece of Land owned by Council

A letter was tabled from a resident to purchase a piece of land owned by Council.
It was moved by Councillor Jewer, seconded by Councillor Ryan, to send this request to the Finance Committee for review and recommendation back to Council.
Carried

New Computer for Office

It was moved by Deputy Mayor Stamp, seconded by Councillor Jewer, for the Town Manager to purchase a new desktop computer for the office.
Carried

Repairs to Municipal Depot

It was moved by Deputy Mayor Stamp, seconded by Councillor Jewer, to seek quotes to re-shingle roof and replace 2 side doors at the Municipal Depot.
Carried

Pay Raise for Janitor

It was moved by Councillor D Smith, seconded by Councillor Jewer, to give our Janitor a \$25.00 pay raise monthly for added duties.
Carried

Committee Reports

Accounts Payable

Accounts Payable list was tabled.
It was moved by Councillor Ryan, seconded by Deputy Mayor Stamp, that Accounts Payables in the amount of \$ 309,850.48 be paid.
Carried

Finance Meeting, June 10, 2019

Deputy Mayor Stamp stated that the Finance Committee held a meeting on Monday, June 10, 2019 at 7:00 PM. In attendance were Deputy Mayor Stamp, Councillor Eric Jewer and Councillor Sherry Lundrigan.

Request for Tax Adjustment on Land that is Inaccessible

The Committee reviewed a request on behalf of a property owner at 129a New Harbour Road seeking an exemption on property tax until such time as they are able to

obtain a right of way that is suitable to access the back lot property.

The Town Manager has discussed this matter with the Town's lawyer. The Committee recommends that Council accept the recommendation of the Finance Committee that it not grant any exemption from taxation on the basis that the lot is inaccessible as the Town did not create or cause a situation to be created that would hinder anyone from accessing their respective property.

It was moved by Deputy Mayor Stamp, seconded by Councillor Jewer, that it not grant any exemption from taxation on the basis that the lot is inaccessible as the Town did not create or cause a situation to be created that would hinder anyone from accessing their respective property.

Carried

Tax Recovery Plan

The Committee reviewed outstanding accounts as of the year ended December 31, 2018 and discussed the manner in how the Town shall go about its efforts to collect outstanding accounts on a go forward basis.

The Committee recommends that Council accept the Tax Recovery Plan as presented and summarized.

It was moved by Deputy Mayor Stamp, seconded by Councillor Jewer, that Council accept the Tax Recovery Plan as presented and summarized.

Carried

Joint Committee - Canada Day Celebration

Deputy Mayor Stamp stated that we need to make a motion to pay for the supplies for the Canada Day celebration.

It was moved by Deputy Mayor Stamp, seconded by Councillor Jewer, for Council to pay up to \$800.00 for supplies for the Canada Day celebration.

Carried

A general discussion occurred regarding who was picking up supplies and what type of things are needed for the celebration.

Recreation Committee

Basketball Court Re-finishing Quote

Concord Paving gave the town a quote of \$8000.00 HST included for refinishing the Basketball Court. The Recreation Committee received a grant for \$4000.00 and completed fundraising for the rest of the amount.

It was moved by Councillor Jewer, seconded by Councillor Lundrigan, to accept the quote from Concord Paving for \$8000.00 HST included to re-finish the basketball courts.

Carried

Heritage Committee

Lassy Wall

The Heritage Committee wrote a letter concerning the Lassy Wall. Deputy Mayor Stamp stated that it is in need of repair. She stated that we need to keep our eye out for some government funding for this project. It is also something that we may need provincial approval for as it runs along a provincial owned roadway.

It was moved by Deputy Mayor Stamp, seconded by Councillor Ryan, to defer this matter to the fall for review and recommendation back to Council.

Carried

Heritage Projects

The Heritage Committee submitted a letter detailing their events and projects they have for the summer. They questioned Council if they required extra funding to complete the projects, would Council be able to help cover the costs.

It was moved by Deputy Mayor Stamp, seconded by Councillor Ryan, to defer this request to the fall, once they have their fundraising complete and can give Council an idea as to how much extra they will need.

Carried

Hiring Committee - Clerk 1 Position

Deputy Mayor Stamp stated that a committee was formed consisting of herself and Councillor Lundrigan to review resumes submitted for the Administrative Clerk position. A total of 91 resumes were received for this position.

The committee held an initial meeting on June 06, 2019 and reduced the number of resumes for consideration down to 21.

The Committee met a second time on Monday, June 10 and reviewed the resumes using a point system and ultimately ended up with a list of 6 candidates to conduct interviews.

Interviews were conducted on Friday, June 14, 2019 and in addition to question and answer interviews, candidates were asked to complete a math skills assessment consisting of 2 questions.

Upon completions of the interviews the committee discussed the interviews and unanimously recommend that Andrea Sheppard be offered the position of Administrative Clerk subject to providing the required documentation from the request for Certificate of Conduct from the RCMP and a favourable reference check.

It was moved by Deputy Mayor Stamp, seconded by Councillor David Smith, that Andrea Sheppard be offered the position of Administrative Clerk subject to providing the required documentation from the request for Certificate of Conduct from the RCMP and a favourable reference check.

Carried

Planning Committee Meeting June 13, 2019

Councillor Tracy Smith stated that the Planning Committee held a meeting on Thursday, June 13, 2019 at 7:00 PM. In attendance were Councillors Tracy Smith and Paul Ryan. Also in attendance for the beginning of the meeting were Robin and Mark Gosse of Atlantic Enterprises.

Atlantic Enterprises Application for Storage Locker Building at 415 Conception Bay Highway

The Committee discussed the application submitted to rebuild the former post office building as a storage facility with access to each locker from the exterior of the building. Items discussed included that the proposal would be for metal roof and metal siding but the applicant could be flexible and consider the use of vinyl for siding. The building will not have electrical service and the colour is an item that can be determined at a later point.

Councillor Tracy Smith asked if the applicant could consider reducing the number of garage door access on the front of the building to 2. The Gosses agreed. They advised that aesthetically the building would resemble the storage facility currently at 100 Conception Bay Highway and at 7-13 and 10-16 New Harbour Road.

It was moved by Councillor Tracy Smith, seconded by Councillor Ryan, to approve the application for new storage units at 415 Conception Bay Highway with the new specifications in accordance to the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable provincial and federal regulations.

Carried

Discretionary Business Application - Back Cove Road North

The Committee reviewed a request from a resident to operate a woodworking business from their property at Back Cove Road North. The applied for use (workshop) is being considered as light industry which is a discretionary use in a residential zone. This application is currently being advertised in accordance with the provisions of the Town Plan seeking input from the community either in favour of or contrary to the proposed application. The Committee will meet again after the advertising period is complete and will make its recommendation back to Council once all information has been reviewed.

Request to Purchase Town Property at Seymour's Road

The Committee reviewed a request from a resident to purchase a piece of Town owned land behind their property at Seymour's Road. The Committee is recommending that Council accept the request to sell the parcel of property in question subject to the applicable provisions outlined in Section 201 of the Municipalities Act including the cost of advertising notice and that Council ask the Finance Committee to determine the price of the parcel of property in question.

It was moved by Councillor Tracy Smith, seconded by Councillor Ryan, to turn this over to the Finance Committee to determine the price of the parcel of property in question.

Carried

Right of Way at Roberts Road

The Committee reviewed a request from a resident asking that Council address the matter of a right of way along the top of Roberts Road at Tilton.

The Committee observed from reviewing area survey information that there is an apparent right of way present. There is no information available to determine the ownership of the right of way and no evidence to confirm that the land was at any time conveyed to the Town. The Committee recommends that the individual asking the question regarding the right of way be advised that Council can only confirm the portion of Roberts Road that has the actual driving surface to a point that is approximately 25 feet past the boundary of 8 Roberts Road. Anything beyond that point should be addressed between the buyer and seller prior to any impending sale if that be the case.

It was moved by Councillor Tracy Smith, seconded by Councillor Ryan, to notify the resident that Council can only confirm the portion of Roberts Road that has the actual driving surface to a point that is approximately 25 feet past the boundary of 8 Roberts Road. Anything beyond that point should be addressed between the buyer and seller prior to any impending sale if that be the case.

Carried

Re-Design of Ryan's Brook

Councillor Ryan asked to be excused for a minute. He left the meeting at 8:33 pm.

Deputy Mayor Stamp stated that the design that O'Neils Gardenland designed for us is attached to the agenda. She stated that this design will have to be completed in phases, as it is a large project. She stated that she is proposing that Council use the \$25,000.00 that is in a GIC to start the project, then strike up a committee to start raising funds to complete the project.

Councillor Ryan returned to the meeting at 8:37 pm.

Councillor David Smith stated that there is a section that has a tubing area, he stated that this could be a very expensive venture and the parking area at the top does not seem to fit many cars, and this could be an issue.

Councillor Ryan stated that this is a prime area for this, but it is a very expensive project and \$25,000.00 will not go far.

Councillor Lundrigan questioned about the \$25,000.00 GIC, she stated that Council had previously discussed making a splash pad for the kids out of this money. She questioned is this idea now gone.

Councillor Lundrigan asked to be excused, she left the meeting at 8:44 pm.

Deputy Mayor Stamp stated that she thinks that if we use this money we could get a start on this project this year.

Councillor Lundrigan returned at 8:46 pm

It was generally agreed that this topic needs to be discussed further within Council, so it will be deferred until the next Council Meeting.

Crown Land Application

Town Manager Tony Ryan stated that in the Fall of 2015, the town applied for a parcel of land that has a section of land that is in the Upper Island Cove Boundary. He stated that he needs approval to write the Minister of Service NL and the Minister of Municipal Affairs to expedite the process of the Crown Land application.

It was moved by Councillor Jewer, seconded by Councillor Ryan to, write the Minister of Service NL and the Minister of Municipal Affairs to expedite the process of the Crown Land application.

Carried

Economic Development Committee

Deputy Mayor Stamp questioned if Council thinks that it is a good idea to form a new Economic Development Committee, she stated that she thinks it would be a good idea to get some business owners involved to help attract tourism and bring business to our town.

Mayor Brazil stated that he thinks that himself and the Deputy Mayor should set up a meeting with Mr. Ron Delaney from the town of Bay Roberts to get some more information on how they went about this sort of thing. He stated that he thinks its something that we should further discuss when we meet regarding Ryan's Brook.

Quote for Lift Station

A Quote was tabled from Chris Barrett to supply and install all necessary control equipment to refurbish the lift station control panel located near Tilton Lodge in Tilton in the amount of \$6,987.00 HST included.

It was moved by Councillor Jewer, seconded by Deputy Mayor Stamp, to accept the quote of \$6,987.00 HST included to refurbish the lift station control panel located in Tilton.

Carried

Amended Gas Tax Amounts

It was moved by Councillor Jewer, seconded by Councillor Ryan, that Council accept the amended Funding Allotment funding under the Federal Gas Tax Fund through the years 2019-2024 in the amount of \$750,626.00 with annual amounts as follows: \$251,908.00 for 2019/20, \$119,258.00 for 2020/21, \$124,680.00 for 2021/22, \$124,680 for 2022/23 and \$130,100.00 for 2023/24.

Carried

Letters

Resident of Tilton - Road Signage

A letter was tabled from a resident of Tilton requesting new road signage on certain roads, to help keep traffic flowing safer. Councillor Jewer stated that he was speaking with the resident, and she has some good ideas.

It was moved by Councillor Jewer, seconded by Councillor D Smith, to turn this

request over to the Public Works Committee for review and recommendation back to Council.

Carried

BioMaxx - Flow Monitoring/WW Reporting

Town Manager Tony Ryan stated that this is a request from BioMaxx offering a 3% reduction in price for services if the town signs a 3 year contract. He stated that this is a service that we will continue to need and he recommends that Council sign the contract.

It was moved by Councillor Jewer, seconded by Deputy Mayor Stamp, to sign a 3 year contract with BioMaxx for Flow Monitoring/WW Reporting services.

Carried

MP Ken McDonald - Community Events

A letter was tabled from MP Ken McDonald requesting dates of upcoming events happening throughout the town, so he could attend. Mayor Brazil stated that he is coming to the Community in July to spend the day throughout town with the Mayor, Deputy Mayor, Recreation and other Committees.

Municipalities NL - Change to Bill C-69

A letter was tabled from Municipalities requesting Municipalities to fill in a form regarding their support or rejection for the new changes to Bill C-69.

It was moved by Councillor Ryan, seconded by Councillor Tracy Smith, for Council to defer this letter for review and revisit at the July meeting.

Carried

Permits

Application for a New Business - 5B Casey's Lane

An application was tabled for approval in Principle to open a Nursing Home at 5B Casey's Lane, Spaniard's Bay.

It was moved by Councillor T Smith, seconded by Councillor Ryan, to give approval in principle to open a new business at 5B Casey's Lane, Spaniard's Bay in accordance to the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable provincial and federal regulations.

Carried

Application to build a new home- 58-68 Brown's Road

An application was tabled to build a new home at 58-68 Brown's Road, Spaniard's Bay.

It was moved by Councillor T Smith, seconded by Councillor Ryan, to give approval for a new home at 58-68 Brown's Road in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable provincial and federal regulations.

Carried

Application for a new Business - 152 Back Track Road

An application was tabled to open a new business at 152 Back Track Road, Tilton.

It was moved by Councillor Tracy Smith, seconded by Councillor Ryan, to turn this application over to the Planning Committee for review and recommendation back to Council.

Carried

Application to build a new shed- 145 Seymour's Road

An application was tabled to build a new shed at 145 Seymour's Road, Spaniard's Bay.

It was moved by Councillor T Smith, seconded by Councillor Ryan, to give approval for a new shed at 145 Seymour's Road in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable provincial and federal regulations.

Carried

Donations

Tilton-Spaniard's Bay Girl Guiding Unit

Councillor Tracy Declared a Conflict of Interest on this item in accordance with Section 207(1)(c) of the Municipalities Act as she sits on the committee. She left the meeting at 9:12 pm.

A donation letter was received from the Girl Guides requesting a donation towards their year end outing.

It was moved by Deputy Mayor Stamp, seconded by Councillor Ryan, to give the Tilton-Spaniard's Bay Girl Guiding Unit the standard donation of \$25.00.

Carried

Councillor Tracy Smith returned to the meeting at 9:13 pm.

Mayor's March

A letter was tabled from the Heart & Stroke Foundation asking the Mayor to participate in the Mayor's March in aid of the Heart and Stroke Foundation.

The Mayor stated that he cannot commit to this at this time.

Other Business

Deputy Mayor Stamp questioned if Tourism could put a sign up outside the building so people will know where to come. Town Manager said that would be fine just not in the window, as it blocks people's line of sight.

Deputy Mayor Stamp stated that she has been receiving many comments regarding the new slip way installed. Councillor David Smith stated that the problem is that you can only launch a boat there at high tide. If people go out fishing and it's low tide when they get back in they will not be able to remove their boats and there is no where to leave them. Deputy Mayor Stamp stated that she will contact Small Crafts and Harbours to have them check into this issue.

Councillor Jewer apologized that he was late for the meeting.

Councillor Ryan stated that the fence by the soccer field is broken, there is damage done on both sides.

Councillor Lundrigan stated that the Recreation Committee are in the process of finding someone to repair the soccer nets and get the frame painted. They had one quote but it was far more than Recreation could spend. She stated that registration for the Summer Camp was Monday June 24, 2019. There was only 17 kids registered. She was wondering if the spots don't fill by the end of the week could we accept kids from outside the town. Mayor Brazil stated that previous years we have taken in kids from outside the town.

Councillor David Smith stated that he had someone mention to him about garbage dumped down over the hill in Tilton by where the water spring. He questioned if Department of Transportation would look at this where it is their roadway. Mayor Brazil stated that they will not take care of garbage.

Mayor Brazil reminded all of Council of the Joint Councils supper at the Legion in Bay

Roberts.

Adjournment

Mayor Brazil stated that the next regular meeting of Council will be Monday, July 22, 2019 at 7:00 pm.

It was moved by Councillor T Smith, seconded by Deputy Mayor Stamp, and carried that the meeting adjourn at 9:37 pm.

Carried

Recorder
Vanessa Higgins

Paul Brazil, Mayor