

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

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The Municipality of Spaniard's Bay

August 28, 2019

A meeting of Council took place on the above date with the following members in attendance: Mayor Brazil, Deputy Mayor Stamp and Councillors Jewer, Lundrigan, Ryan, David Smith and Tracy Smith. Mayor Brazil opened the meeting at 8:35 pm and welcomed everyone.

Adopt the Agenda

It was moved by Councillor David Smith, seconded by Councillor Lundrigan, that the agenda for the meeting of August 28, 2019 be adopted as presented.

Carried

Recreation Commission

It was moved by Deputy Mayor Stamp, seconded by Councillor Ryan, that Council terminate the position of Seasonal Recreation Director effective immediately and that pay in lieu of notice to continue until September 06, 2019 in accordance with the termination notice that has already been given to the Seasonal Recreation Director.

Carried

It was moved by Deputy Mayor Stamp, seconded by Councillor David Smith, that the Seasonal Recreation Director be instructed to turn in all books, records, receipts, files, computer and keys on or before 10:00 am on August 29, 2019.

Carried

Occupational Health and Safety

A discussion took place regarding a recent inspection from Occupational Health and Safety and the items that the Town are required to address.

It was moved by Deputy Mayor Stamp, seconded by Councillor Ryan, that Council conduct an investigation in accordance with order 0540931-08 and that said investigation be completed in accordance with the Town of Spaniard's Bay OH&S Program Harassment Policy.

Carried

It was moved by Councillor Tracy Smith, seconded by Councillor Jewer, that Mr. Cliff Yetman be contacted and asked to complete the aforementioned investigation on behalf of Council. It was further moved that Mr. Yetman be advised to proceed with the investigation as soon as his schedule permits.

Carried

It was generally agreed that the Mayor and Town Manager review the OH&S orders received to ensure that all orders received to ensure compliance.

2019 Gas Tax Road Reconstruction and Paving

A meeting to open bids for 2019 Road Resurfacing - Town of Spaniard's Bay convened at 3:00 pm on Friday, August 23, 2019. In attendance were Deputy Mayor Darlene Stamp and Councillor Sherry Lundrigan representing Council and supplier representatives included Kevin Keating of Concord Paving Ltd., Jessica Weir of Weir's Construction and Neil Parsons of Parsons Paving Ltd. .

The work includes pavement resurfacing at Hunt's Road and Peddles Road. Three other roads including Butt's Path, Whalefinn Drive and Finn's Hill require some base work and are to be paved for the first time.

A total of Three (3) bids were received by the 3:00 pm close of bids on Friday, August 23, 2019.

	Amount	HST	Total
1. Concord Paving Ltd.	\$151,810.00+	\$ 22,771.50	= \$ 174,581.50
2. Weir's Construction Ltd.	\$207,640.00	+ \$ 31,146.00	= \$ 238,786.00
3. Parsons Paving Ltd.	\$178,310.00	+ \$ 26,746.50	= \$ 205,056.50

It was moved by Councillor Jewer, seconded by Councillor Ryan, to accept the bid from Concord Paving Ltd. in the amount of \$151,810.00 plus \$22,771.50HST to a total of \$174,581.50 to complete 2019 Gas Tax Paving Tender with closing date of August 23, 2019 as they were the lowest bidder meeting the specifications of the Tender.

Carried

Request to Take Over Water and Sewer Infrastructure at Fowler's Road

Council reviewed documentation submitted by Mr. Gordon Fowler asking that Council take over the water and sewer infrastructure at Fowler's Road.

It was moved by Deputy Mayor Stamp, seconded by Councillor Jewer, that Mr. Gordon Fowler be advised that Council will takeover the water and sewer infrastructure at Fowler's Road in accordance with the request received on the condition that the buffer zone situated along the northeast side of Fowler's Road be also included in the property conveyed to the Town.

Carried

Water Build Up at Ryan's Road

A discussion took place regarding the water build up along Ryan's Road. This item has been an issue now for a number of years. It was agreed that the Town Manager seek the assistance of Concord Paving Ltd. to see if a solution to this issue can be found.

Animal Control

A discussion took place regarding the Town's regulations for animal control.

It was moved by Councillor Tracy Smith, seconded by Deputy Mayor Stamp, that the Animal Control Liaison work with the Regional Committee to create a workable set of animal control regulations that would be suitable to the three member towns, Spaniard's Bay, Clarke's Beach and North River.

Carried

Turnaround at Chipman's Road

A discussion took place regarding a request from a resident asking that Council relocate the turnaround at the top of Chipman's Road.

It was moved by Councillor Ryan, seconded by Councillor Jewer, that the resident be written and advised that "Unfortunately Council is not in a position to accept your request at this time. The property identified on the survey provided was used as a turn around for a number of years. When the Town ran a sewer line project through the area the turnaround was cleaned up and put into the condition as it appears today. This work was done during a period that although there was a name on the property for municipal records purposes, there were no deeds available to verify property ownership and at one point, was even considered property of the Crown."

Carried

Request to Purchase Town Owned Land

A request to purchase a piece of land owned by the Town was discussed. This is a parcel of land that was formerly known as property of Absalom Gosse and known in the survey and is situated at 83-85a Seymour's Road.

It was moved by Deputy Mayor Stamp, seconded by Councillor Tracy Smith, that Council sell the parcel of land situated at 83-85a Seymour's Road for the sum of \$1700.00 to Gerald Sheppard on the condition that Mr. Sheppard be responsible for all associated costs involved with the sale and transfer of the property including survey, deed and registration plus the cost of advertising the sale in the Compass in accordance with Section 201.2 of the Municipalities Act (1999).

Carried

A request to purchase a piece of land owned by the Town was discussed. This is a parcel of land that was formerly known as property of Absalom Gosse and known in the survey and is situated at 8-10a Janes Road.

It was moved by Deputy Mayor Stamp, seconded by Councillor Tracy Smith, that Council sell the parcel of land situated at 8-10a Janes Road for the sum of \$1600.00 to Trevor King on the condition that Mr. King be responsible for all associated costs involved with the sale and transfer of the property including survey, deed and registration plus the cost of advertising the sale in the Compass in accordance with Section 201.2 of the Municipalities Act (1999).

Carried

A request to purchase a piece of land owned by the Town was discussed. This is a parcel of land that was formerly known as property of Mrs. Susie Mercer located at 22-24

The Battery.

The Town Manager advised that in this instance the Town cannot sell the parcel of land requested as the Town does not own it. The only way that the Town can legally own a property when it is the subject of a tax sale is if it actually bids and becomes the successful bidder at the auction. In this instance, there were no bids received.

It was moved by Deputy Mayor Stamp, seconded by Councillor Tracy Smith, that Council seek legal advise on how to acquire legal ownership of the parcel of property in question as it is currently in limbo. Once ownership has been determined Council then can make a decision on how to dispose of the property if that is the decision of Council at that time.

Carried

Other Business

A discussion took place regarding equipment that was originally purchased by the former Special Events Committee.

It was moved by Deputy Mayor Stamp, seconded by Councillor Tracy Smith, that the equipment purchased by the former Special Events Committee is in fact property of the Town and is currently in the custody of the Recreation Commission. It was further moved that the Recreation Commission adopt a policy on loaning and maintaining this equipment.

Carried

Adjournment

It was moved by Councillor Tracy Smith, seconded by Councillor David Smith, that the meeting adjourn at 10:01 pm.

Carried

Recorder
Tony Ryan

Signed