

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

June 29, 2020

A meeting of Council took place on the above date via Video Conference with the following members in attendance: Mayor Brazil, Deputy Mayor Stamp, Councillors T. Smith, D. Smith, Jewer, Ryan, Lundrigan and Town Manager Tony Ryan.

Mayor Brazil called the meeting to order at 7:03 pm and welcomed everyone to the meeting. He stated that all residents are invited to watch via Spaniard's Bay Facebook page Live.

## **Motion to Adopt Agenda**

The agenda for the meeting June 29,2020 was tabled.

Councillor Lundrigan asked to have an item added for Recreation Committee, Recreation Director position.

It was moved by Councillor Jewer, seconded by Councillor Ryan, to adopt the Agenda of June 29,2020 as amended.

Carried

## **Adoption of the Minutes**

The minutes of the meeting of June 1, 2020 & Continuation June 4,2020 were tabled.

It was moved by Councillor Jewer, seconded by Deputy Mayor Stamp, that the minutes of the meeting of June 1, 2020 & Continuation June 4,2020 be adopted as presented.

Carried

## **Business arising from the Minutes**

## **Town Managers Report**

1. To the best of our knowledge there is 1 leak outstanding at Rectory Avenue. We have finished 1 leak repair on this line so far however, this is an extra-long service crossing private property. We have booked an excavator for June 30<sup>th</sup> to complete this job.
2. Attached to my report is a request from the chair of the Tourism advisory Committee asking what Council will be doing about tending to the Flower boxes around Town. She is also asking what happened about the geraniums and Potentillas. Much of this was damaged during the renovation of the front of the building last fall to early winter. As for weeding some of this work can be done by our maintenance person. On the issue of Flowers and boxes etc. Going forward this is an item that should be contracted yearly. We do have some companies in Town who could do this sort of work.

3. Attached to my report is an application referred from Natural Resources for Farrell's Excavating Limited to operate an aggregate site in the area of "Rocky Hills". This is inside the location of the former Tilton Dump. This site was previously used during the Construction of the Veteran's Highway and in recent years by Donald H. Smith Ltd. I need a motion from Council stating no objection to this application proceeding.
4. Attached to my report is a request from the owner of The Vimy seeking approval for a license to provide alcohol service on the lawn. For the purpose of this request, the lawn will be considered part of the patio in order to meet the required regulations for distancing etc. because of COVID 19 guidelines. Mrs. Gushue advises that this is a temporary change.
5. We have received an inquiry regarding opening the playground to the public. Provincial guidelines for playground areas require that hand sanitizing stations are provided and equipment has to be washed down a minimum of twice daily among others.
6. The next MNL Regional COVID 19 Group call for member Towns on the Avalon will be at 10:00 am on July 10, 2020.
7. The Tender for Gas Tax Paving Projects closes Friday, July 03, 2020 at 3:00 pm. I will need a decision from Council on the proposed location of our sign prior to having the lot paved.

### **Motions arising from the Town Managers Report**

It was moved by Councillor Jewer, seconded by Councillor D. Smith, to seek quotes from local business' to complete and maintain the Town's flower boxes.

Carried

It was moved by Councillor Jewer, seconded by Councillor D. Smith, to accept in principle Farrell's Excavation Limited to operate an aggregate site in the area of 'Rocky Hills' in accordance to the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable provincial and federal regulations.

Carried

It was moved by Councillor D. Smith, seconded by Councillor Jewer, to approve the license to provide alcohol services on the lawn at The Vimy temporarily due to the COVID 19 regulations.

Carried

A general discussion occurred regarding the opening of the playground. Councillor Lundrigan stated the playground may open Monday July 6,2020 once all Covid19 Guidelines can be maintained, from hand sanitizing stations and equipment cleaning twice a day.

It was moved by Councillor Jewer, seconded by Councillor Ryan, to have the new Town Office sign centrally located on the parking lot.

Carried

A letter/pictures was presented from a resident of Chipman's road regarding snow clearing damages.

It was moved by Councillor Jewer, seconded by Councillor Ryan, to defer this request to the Public Works Committee for review and recommendation back to Council.

Carried

## **Committee Reports**

### **Finance Committee**

#### **Accounts Payable**

Accounts Payable list was tabled.

It was moved by Councillor D. Smith, seconded by Councillor Jewer, that Accounts Payables in the amount of \$21,216.56 be paid.

Carried

### **Public Works Committee**

#### **Snow Clearing Damages - 180 New Harbour Road**

It was moved by Councillor Jewer, seconded by Councillor D. Smith, to replace the fence.

Carried

Issues regarding drainage/runoff problems causing damage to property were discussed. Councillor Jewer stated that the Town Manager, Foreman and himself will visit the property and look at the problem.

#### **Resident of Big Pond Road – Ditching issues**

A letter from a resident of Big Pond Road regarding ditching issues was reviewed by the Public Works Committee.

It was moved by Councillor Jewer, seconded by Councillor Ryan, that the ditching located at Big Pond Road was up to standards and no action was required.

Carried

### **Planning Committee**

#### **Amend New home application – 28 Big Pond Road**

An amended New Home Application at 28 Big Pond Road was reviewed by the Planning Committee.

It was moved by Councillor T. Smith, seconded by Councillor Ryan, to approve the application for a new home at 28 Big Pond Road as amended 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 for New Home – 5-7 Godsell’s Road**

An application for a New Home at 5-7 Godsell’s Road was tabled.

It was moved by Councillor T. Smith, seconded by Councillor Ryan, to refer the application to the Planning Committee for review and recommendation back to Council.

Carried

**Application for New Building Addition – 236A-238 Conception Bay Highway**

An application for a Building Addition at 236A-238 Conception Bay Highway was reviewed by the Planning Committee.

It was moved by Councillor T. Smith, seconded by Councillor Ryan, to approve the addition at 236A-238 Conception Bay Highway, conditional of a residential buffer consisting of a 6-8 foot high privacy fence.

Carried

**CBN Joint Council – Minutes May 29,2020**

May 29, 2020 minutes were presented for information of Council only.

**Recreation Committee – Recreation Director**

Councillor Ryan declared a Conflict of Interest on this matter in accordance with Section 207(1)(c) of the Municipalities Act as his daughter was an applicant. He left the meeting at 7:50 pm

Councillor Lundrigan announced the position of Recreation Director was decided after interviewing four candidates.

It was moved by Councillor Lundrigan, seconded by Councillor Jewer, that the position of Recreation Director be offered to Debbie Sheppard subject to providing the required documentation from the request for Code of Conduct from RCMP and favourable reference check.

Carried

Councillor Ryan returned to meeting at 7:54pm

**Repeater and Lift Station Upgrades**

A quote from Chris Barrett for repairs to the Repeater located on Seymour’s Road and the Lift Station at Big Pond Road was tabled.

It was moved by Councillor Jewer, seconded by Councillor Ryan, to accept the quote from Chris Barrett in the amount of \$6,529.00 all inclusive for repairs to the Repeater located on Seymour’s Road.

It was moved by Councillor Ryan, seconded by Councillor D. Smith, to accept the quote from Chris Barrett in the amount of \$6,987.00 for repairs to the Lift Station located at Big Pond Road.

Carried

**Gas Tax Funding – Completed and/or Cancelled Projects**

It was moved by Councillor Jewer, seconded by Councillor Ryan, that the Town cancel unused Gas Tax Funding for project 234-2014-5029 for paving a 290sq ft section of New Harbour Road in the amount of \$11,885.54 and Project 234-2014-5031 for paving a 100ft section of Northern Cove Pond Road in the amount of \$4,098.46 and the assigned funding for these projects be released to apply towards upcoming Gas Tax Eligible Projects totalling \$15,984.00.

Carried

It was moved by Councillor Jewer, seconded by Councillor Ryan, that the Town release unused funding on completed Gas Tax Eligible Projects and that this unused funding

can be reassigned to upcoming Gas Tax Eligible Projects. These projects and amounts are as follows:

Project #234-2008-1804 in the amount of \$13,301.57

Project #234-2010-1950 in the amount of \$4,445.59

Project #234-2013-2609 in the amount of \$381.18

Project #234-2015-5338 in the amount of \$1,050.00

Project #234-2015-5339 in the amount of \$2,045.00

Project #234-2015-5340 in the amount of \$2,153.00

Project #234-2019-6645 in the amount of \$12,519.00

Project #239-2019-6665 in the amount of \$52,339.00

Releasing \$89,234.54 to be assigned to future gas tax eligible projects.

Carried

### **Eastern Regional Service Board**

A letter was tabled from Eastern Regional Service Board to support communities in the region with annual assistance for community clean ups. Mayor Brazil thanks the residents for all the clean up efforts that have taken place.

### **Capital Works – Mint Cove Pond Road North**

It was moved by Councillor Jewer, seconded by Deputy Mayor Stamp, that the Town write to the Honourable Derrick Bragg, Minister of Municipal Affairs and Environment, seeking approval to borrow the sum of one hundred forty thousand nine hundred and thirty five dollars and no cents (\$140,935.00) from the Bank of Nova Scotia representing the Town's share of project # 17-RNC-20-00001 for Road Reconstruction and Paving at Mint Cove Pond Road North. Said loan to be repaid in 1-year terms, over a period not to exceed 10 years at an interest rate of Prime less ½ percent.

Carried

### **Letters**

#### **Donation of Land – 16 Godsell's Road**

A letter was tabled from Alice M. Mercer to donate land at 16 Godsell's Road.

It was moved by Councillor Ryan, seconded by Councillor Jewer, that the Town of Spaniard's Bay accept the donation of property located at 16 Godsell's Road from Alice M. Mercer.

Carried

#### **Resident of Seymour's Road – Sale of Property**

A letter was tabled from a resident of Seymour's Road inquiring on the procedure that had taken place concerning a property sold by the Town referred to as Lot 9, Seymour's Road. There was a lengthy discussion on the topic.

It was moved by Deputy Mayor Stamp, seconded by Councillor Ryan, that a letter be sent to the resident of Seymour's Road, explaining that proper protocol was followed in the sale and there will be no change to the decision on the former sale of the property referred to as Lot 9, Seymour's Road.

Carried

### **Youth Venture Program**

Mayor Brazil stated that this letter is for information only.

**Resident of Spaniard's Bay- Request to purchase Land – 32-34 The Battery**

Deputy Mayor lost internet connection 8:30 pm

A letter was tabled from a resident of Spaniard's Bay requesting the purchase of land at 32-34 The Battery. (Previously discussed June 21,2019)

A lengthy discussion occurred. The property is currently not owned by the Town.

It was moved by Councillor Ryan, seconded Councillor Lundrigan, to maintain status quo, ownership will transfer to the Town as previously agreed upon at some point during the next tax sale.

Carried

Deputy Mayor returned to the meeting at 8:33pm

**Tax Relief Request – The Spaniard's Room**

A letter was tabled requesting Tax relief for The Spaniard's Room.

It was moved by Councillor Lundrigan, seconded by Councillor Ryan, to refer this request to the Finance Committee for review and recommendation back to Council.

Carried

**Permits**

**Application for a New Shed – 43 Back Cove Road South**

An application was tabled to build a New Shed at 43 Back Cove Road South.

It was moved by Councillor T Smith, seconded by Councillor Ryan, to grant approval for a new shed at 43 Back Cove Road South 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 for a New Shed 4A The Battery**

An application was tabled to build a New Shed at 4A The Battery.

It was moved by Councillor T Smith, seconded by Councillor Ryan, to grant approval for a new shed at 4A The Battery 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 for a New Garage – 19 Janes Road**

An application was tabled to build a New Garage at 19 Janes Road.

It was moved by Councillor T Smith, seconded by Councillor D. Smith, to grant approval for a New Garage at 19 Janes Road 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 for a New House Addition – 66-68 Mint Cove Pond Road North**

An application was tabled to build New House Addition at 66-68 Mint Cove Pond Road North.

It was moved by Councillor T Smith, seconded by Councillor Ryan, to grant approval for a New House addition at 66-68 Mint Cove Pond Road North 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 for a New Home and Garage - 155-157 Conception Bay Highway**

An Application was tabled to build a New House and Garage at 155-157 Conception Bay Highway.

It was moved by Councillor T. Smith, seconded by Councillor Ryan, to grant approval for a New House and Garage at 155-157 Conception Bay Highway 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 Re-open Seasonal Cottage – 8-10 Old Highway (Ryan's Brook)**

An Application was tabled to re-open the Seasonal Cottages at 8-10 Old Highway (Ryan's Brook).

It was moved by Councillor Jewer, seconded by Councillor D. Smith, to grant approval to re-open the Seasonal Cottages at 8-10 Old Highway (Ryan's Brook) in accordance to the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable provincial and federal regulations.

Carried

**Other Business**

Councillor Lundrigan stated that interviews for the Student Summer Recreation Positions will begin this week. The basketball court will reopen when the Playground does.

Councillor D. Smith stated that it would be nice to have meetings back in the chambers and still have the meetings streamed live. There was a discussion about social distancing and not being able to accommodate the public.

Councillor Jewer listed numerous roads that need repairs in the Town that are not included in the Gas Tax Projects. He also gave Mayor Brazil his condolences on the loss of his Nephew.

Councillor Ryan discussed the Town installing a Veteran's Memorial Wall. Mayor Brazil recommend the project be taken to the Royal Canadian Legion in Spaniard's Bay for review.

Deputy Mayor Stamp extended condolences to Chief Roberts and his family for the loss of a family member.

Mayor Brazil stated that the Harbour Grace Waste Recovery site is now open at regular hours. He also wished everyone a Happy Canada Day.

**Adjournment**

Mayor Brazil stated that the next regular meeting of Council will be Monday, July 20, 2020 at 7:00 pm.

It was moved by Councillor Jewer, seconded by Councillor T Smith, and carried that the meeting adjourn at 8:53pm.

Carried





