

Mayor Paul Brazil  
Deputy Mayor – Tammy Oliver  
Councillors – Eric Jewer  
                  Sheri Lundrigan  
                  Debbie Newman  
                  Paul Ryan  
                  Darlene Stamp  
Town Mgr - Tony Ryan

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# The Municipality of Spaniard's Bay

**June 27, 2023**

A meeting of Council took place on the above date with the following members in attendance: Mayor Brazil, Deputy Mayor Oliver, Councillor Jewer, Stamp, Newman, Lundrigan, Ryan and Town Manager Tony Ryan. All residents are invited to watch via Spaniard's Bay Facebook page Live. Mayor Brazil called the meeting to order at 7:05 pm and welcomed everyone to the meeting.

Councillor Stamp passed the Mayor a Notice to Rescind the Motion of May 16, 2023 **Motion #23-139**

It was moved by Councillor Jewer, seconded by Councillor Newman, that the Town not accept the request for compensation of additional expenses due to the water line leak at 17-19 Blandford's Road as it would create a precedent over which the Town would have no future control. In this instance, the Town made every effort to address this leak in a timely fashion and was restricted only to severe snow and low temperature conditions.

## **Motion to Adopt Agenda**

The agenda for the meeting of June 27, 2023 was tabled.

**Motion #23-175** It was moved by Councillor Lundrigan, seconded by Councillor Ryan, that the Agenda of June 27, 2023 be adopted as presented.

Carried

## **Adoption of the Minutes**

The minutes of the meeting June 6 ,2023 were tabled.

**Motion #23-176** It was moved by Councillor Lundrigan, seconded by Councillor Ryan, that the minutes of the meeting of June 27, 2023 be adopted as presented.

Carried

## **Town Manager's Report**

1. To the best of our knowledge there are no leaks outstanding. We do need to locate and repair the curb stop for A1 Convenience building or install a new curb stop. A leak developed inside the building that could not be turned off inside as the pressure was too great for conventional means. We attempted to so the connection for the Community Garden last week but had to abort the work when we could not locate the valve for the hydrant at Back Cove Road North. This work continued today.
2. I need a motion to pay invoices in the amount of 18,038.89 representing invoices received since the agenda cut off on Friday.
3. Attached to my report is an application for a house at 38 Jack Pine Drive. The application is for a property that construction has already commenced. The property meets all conditions of the Residential Medium Density Land Use Zone conditions.
4. GPS Equipment is now installed in most Town vehicles. (Excludes Backhoe).

The remaining sensors to be installed are for the new vehicle that has not arrived yet and snow clearing equipment once the blades etc. are installed.

5. I am looking for approval to install a curb stop or a flushing hydrant at the end of the line at Back Cove Road South. The last 10 houses on this line gets a lot of dirt coming through their houses in instances when we need to shut the line down such as we had to do today.
6. We are still experiencing issues with Swiffer refills and other wipe type items catching up in sewer lift pumps. We have had call outs on the weekend for 4 of the last 5 weeks with 2 calls this past Sunday alone. Problem area lately is the lift station near Denny's Road.
7. Andrea Sheppard is currently on medical leave. I am looking for approval to post an office position for 3 month period with a review at that time. Does the Council want to appoint a small Committee to review candidates and conduct interviews? Two (2) individuals for this task should be plenty.

### **Motions arising from the Town Manager's Report**

**Motion 23-177** It was moved by Deputy Mayor Oliver, seconded by Councillor Lundrigan, to pay the invoices in the amount of \$18,038.89 that came in since the agenda was completed.

Carried

**Motion 23-178** It was moved by Deputy Mayor Oliver, seconded by Councillor Jewer, to approve the application for a New House at 38 Jack Pine Drive, Spaniard's Bay, in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulation

Carried

Deputy Mayor Oliver stated how important it is for residents to apply for permits before starting work on new home or structures, as if it don't fit into the town plan it could have to be removed.

**Motion 23-179** It was moved by Councillor Jewer, seconded by Councillor Ryan, to install a curb stop or a flushing hydrant at the end of the line at Back Cove Road South.

Carried

**Motion 23-180** It was moved by Councillor Stamp, seconded by Councillor Newman, to advertise the office position for a 3 month period, with a review at the end.

Carried

It was generally agreed that a committee made up of Town Manager Tony Ryan, Councillor's Lundrigan and Stamp be created to review applications and complete interviews for this position.

### **Committee Reports**

#### **Finance Committee**

## **Accounts Payable**

Accounts Payable list was tabled.

**Motion #23-181** It was moved by Deputy Mayor Oliver, seconded by Councillor Ryan, that Accounts Payables in the amount of \$45,878.07 be paid as presented.

Carried

Cash Position, Quick Stats, Income Expense Statement and Cheque Register were tabled for Council's information.

Councillor Ryan left the meeting at 7:30

## **Planning Committee**

### **Northern Pines**

Deputy Mayor Oliver stated that the Planning Committee had met regarding a notice that was issued over 60 days ago to the developer to have conditions of the development plan completed within 30 days. She stated she was just notified that most conditions have not been met and the developer is just waiting on an outside company to complete repairs.

**Motion #23-182** It was moved by Deputy Mayor Oliver, seconded by Councillor Lundrigan, to grant 30 days to have the requests completed or a stop work order will be issued on any further development.

Carried

Councillor Ryan returned at 7:33

## **Walker Metals**

Deputy Mayor Oliver stated that this business application was first denied by Council in November of 2021 and after a meeting with the business owner was approved in January of 2022 with an understanding that there would be no scrap cars left in the area and a privacy fence would be installed. It was understood that this would be a load and go type of business. The area right now has hundreds of scrap cars and nothing blocking the area from being seen.

**Motion #23-183** It was moved by Deputy Mayor Oliver, seconded by Councillor Lundrigan, to immediately write the business owner to remove all vehicles and have all conditions met from previous agreement.

Carried

## **Sports Bar – Conception Bay Highway**

**Motion #23-183** An application was tabled at June 6, 2023 Council meeting and was deferred to the Planning Committee for review and recommendation back to Council.

It was moved by Deputy Mayor Oliver, seconded by Councillor Ryan, to grant conditional approval for a Sports Bar at Conception Bay Highway, pending all other government approvals, approvals must be sent to the office prior to the permit being granted.

Carried

**Motion #23-184** It was moved by Councillor Lundrigan, seconded by Councillor Stamp, that Councillor Jewer take the chair as the Mayor is in conflict.

Carried

### **Storage Lockers – 2-4 Bishop’s Cove Road**

An application was tabled and approved at a meeting of Council on May 16, 2023 for new storage units, once the owner stated construction he had to remove the whole building due to rot, a new application was tabled for a new build.

**Motion #23-185** It was moved by Deputy Mayor Oliver, seconded by Councillor Jewer, to grant approval for new Storage Lockers at Bishop’s Cove Shore, Spaniard’s Bay as presented in accordance with the provisions of the Town of Spaniard’s Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **Public Works**

#### **Garbage at Greenhead Cemetery**

**Motion #23-186** It was moved by Councillor Jewer, seconded by Councillor Newman, to issue a letter to the property owner to have the brush and garbage cleaned up.

Carried

#### **Anthony’s Road Drainage**

Councillor Jewer stated that we will refer this to the next regular meeting of Council as the Town Foreman was off on holidays and Public Works did not get a chance to look at the area.

#### **Children at Play Sign – Ridge Road**

**Motion #23-187** It was moved by Councillor Jewer, seconded by Councillor Newman, to have a Children at Play Sign installed at Ridge Road directly across from Delaney’s Crescent.

Carried

#### **Culvert at end Ridge Road**

Councillor Ryan Declared a Conflict of Interest in the matter in accordance section 207(1)c of the Municipalities Act.

Councillor Ryan left the meeting at 7:48

Councillor Jewer stated that the culvert at the end of Ridge Road has previously been approved and once Concord starts the repairs at ridge road this will be installed. He also stated that once the road work is completed at Ridge Road that the curb may not be needed so it will be looked at during the time the repair work is completed.

Councillor Ryan returned to the meeting at 7:53

#### **Request to have Fire Hydrant Lowered**

**Motion #23-188** It was moved by Councillor Jewer, seconded by Councillor Newman, to have the town review all Fire Hydrants in the town and have all issues addressed.

Carried

#### **Quote for New Truck Plow and Motion to Borrow**

A quote was tabled for the installation of a new plow for the new Truck that is ordered.

**Motion #23-189** It was moved by Councillor Jewer, Seconded by Councillor Ryan, to write the Minister of Municipal Affairs seeking approval to borrow for the new truck and plow for a total of \$140,662.05 HST included.

Carried

## **Flower Boxes**

Councillor Lundrigan stated that we budgeted for new flowers this year, she stated that she was going to get some quotes from local businesses to get this done.

Mayor Brazil & Councillor Ryan Declared a Conflict of Interest in the matter in accordance section 207(1)c of the Municipalities Act.

Mayor Brazil & Councillor Ryan left the meeting at 8:00 pm Deputy Mayor Oliver took the Chair.

**Motion #23-190** It was moved by Councillor Lundrigan, seconded by Councillor Stamp, to get quotes from local business' to replenish flower boxes, and council will vote by email on the quote as time is short for the season.

Carried

Mayor Brazil & Councillor Ryan returned at 8:09

## **Permits**

### **New Garage – 91 Northern Cove Pond Road**

Application for a new garage at 91 Northern Cove Pond Road, Spaniard's Bay was tabled.

**Motion #23-191** It was moved by Deputy Mayor Oliver, seconded by Councillor Ryan, to grant approval for a new garage at 91 Northern Cove Pond Road, Spaniards Bay as long as the right of way is left open in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **New Garage 131 New Harbour Road**

Application for a new garage 131 New Harbour Road, Spaniard's Bay was tabled.

**Motion #23-192** It was moved by Deputy Mayor Oliver, seconded by Councillor Stamp, to grant approval for a new garage at 131 New Harbour Road, Spaniard's Bay as presented in accordance with Regulation 10, with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **New Garage – 162 New Harbour Road**

Application for a new garage at 162 New Harbour Road, Spaniard's Bay was tabled.

**Motion #23-193** It was moved by Deputy Mayor Oliver, seconded by Councillor Ryan, to grant approval for a new garage at 162 New Harbour Road, Spaniards Bay in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **New Garage – 1-3 Valley Road**

Application for a new garage at 1-3 Valley Road, Spaniard's Bay was tabled.

**Motion #23-194** It was moved by Deputy Mayor Oliver, seconded by Councillor Stamp, to grant approval for a new garage at 1-3 Valley Road, Spaniards Bay in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **New Garage – 520-532 Conception Bay Highway**

Application for a new garage at 520-532 Conception Bay Highway, Spaniard's Bay was tabled.

**Motion #23-194** It was moved by Deputy Mayor Oliver, seconded by Councillor Ryan, to grant approval for a new garage at 520-532 Conception Bay Highway, Spaniards Bay in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **New Dock – 50 Jack Pine Drive**

Application for a Dock at 50 Jack Pine Drive, Spaniard's Bay was tabled.

**Motion #23-195** It was moved by Deputy Mayor Oliver, seconded by Councillor Ryan, to grant approval for a new dock at 50 Jack Pine Drive, Spaniards Bay in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **New Garage – 14-18 Whalen's Road**

Application for a new garage at 14-18 Whalen's Road, Spaniard's Bay was tabled.

**Motion #23-196** It was moved by Deputy Mayor Oliver, seconded by Councillor Lundrigan, to grant approval for a new garage at 14-18 Whalen's Road Road, Spaniards Bay in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **Crown Land Application**

Application for crown land referral , Spaniard's Bay was tabled.

**Motion #23-197** It was moved by Deputy Mayor Oliver, seconded by Councillor Jewer, to grant recommendation for the Crown Land Application Referral at Swile Pond.

Carried

### **Letters**

#### **Approval to Complete Work by Pond – 24 Jack Pine Drive**

**Motion #23-198** It was moved by Deputy Mayor Oliver, seconded by Councillor Ryan, to grant approval for work to be completed by the pond at 24 Jack Pine Drive, in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

#### **Approval to Complete Work by Pond – 36 Jack Pine Drive**

**Motion #23-199** It was moved by Deputy Mayor Oliver, seconded by Councillor Ryan, to grant approval for work to be completed by the pond at 36 Jack Pine Drive, in accordance with the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable Provincial and Federal Regulations.

Carried

### **Request for Speed Bumps on Seymour's Road**

A letter was tabled requesting speed bumps for Seymour's Road. Deputy Mayor Oliver asked Council to decide if she was in conflict on this matter.

**Motion #23-200** It was moved by Councillor Jewer, seconded by Councillor Ryan, that Deputy Mayor Oliver is not in conflict on this matter.

Carried

A lengthy discussion occurred regarding the pros and cons of speed bumps, and Council's decision over the years to not place any more speed bumps throughout town as they have shown not to reduce speed.

**Motion #23-201** It was moved by Councillor Stamp, seconded by Councillor Lundrigan, that the town purchase 3 speed bumps to place in different areas of town on a rotational basis to see if it helps reduce the speeds in the area, and to use Seymour's Road as the first trail.

Mayor Brazil, Deputy Mayor Oliver, Councillor Jewer, Newman and Ryan voted against this motion, and Councillor Stamp and Lundrigan voted in favor of the motion.

Motion Defeated

### Donation

#### Tri Con Gentle Giants – Law Enforcement Run

**Motion #23-202** It was moved by Councillor Jewer, seconded by Deputy Mayor Oliver, to give the standard donation of \$25.00 to the Tri Con Gentle Giants Law Enforcement Run.

Carried

### Other Business

Deputy Mayor Oliver stated she would like to wish Students and Residents a safe and happy summer.

Councillor Jewer stated that he would like to congratulate all of the graduates and wish everyone a safe and happy summer.

Councillor Newman stated she would like to wish everyone a safe and happy summer.

Councillor Ryan stated that the Wharf Committee is ready for the open of the food fishery this weekend. Residents can stop by the townhall to get their season pass for boat launch.

Councillor Lundrigan wished everyone a safe and happy summer.

Councillor Stamp stated that she would like to wish everyone a safe and happy summer and remind everyone to please practice water safety.

Mayor Brazil stated that some Councillors attended the school this past week with the grade 2's. They sent along a certificate from the Green Team to Council. I would like to thank Ms. Drover and her class for having us and doing such a great job.

Mayor Brazil stated that we need a motion to accept the Fire Truck Tender.

**Motion #23-203** It was moved by Councillor Jewer, seconded by Deputy Mayor Oliver, to accept the tender from Metal Fab Ltd. In the amount of 617,889.25 HST included for the purchase of a new Fire Truck.

Carried

### Adjournment

Mayor Brazil stated that the next meeting of Council will be Tuesday, July 18, 2023 at 7:00 pm.

**Motion #23-174** It was moved by Councillor Jewer, seconded by Councillor Lundrigan, and carried that the meeting adjourn at 8:59pm.

Carried

Recorder  
Vanessa Butler

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Mayor, Paul Brazil