

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

August 15, 2023

A meeting of Council took place on the above date with the following members in attendance: Deputy Mayor Oliver, Councillor Stamp, Newman, Lundrigan, Jewer, Ryan and Town Manager Tony Ryan. Mayor Brazil is on Holidays so Deputy Mayor Oliver will chair the meeting. In the gallery was Gerald Harris, Curt Roberts, Gerald Pye, Calvin Ledrew, Mose Anthony, Terry Barrett, Maxwell Butler, and Debbie Sheppard. All residents are invited to watch via Spaniard's Bay Facebook page Live. Deputy Mayor Oliver called the meeting to order at 7:04 pm and welcomed everyone to the meeting.

Motion to Adopt Agenda

The agenda for the meeting of July 18, 2023 was tabled. Councillor Ryan asked to have an item added to the agenda. Planning 6.B Overpayment of taxes.

Motion #23-226 It was moved by Councillor Ryan, seconded by Councillor Lundrigan, that the Agenda of August 15, 2023 be adopted as amended.

Carried

Petitions and/or Visiting Groups

Deputy Mayor Oliver stated that the resident could not make the meeting so we will defer this matter until he can meet with Council.

Adoption of the Minutes

The minutes of the meeting July 18, 2023 were tabled.

Motion #23-227 It was moved by Councillor Jewer, seconded by Councillor Ryan, that the minutes of the meeting of July 18, 2023 be adopted as presented.

Carried

Town Managers Report

1. To the best of our knowledge there is 1 leak outstanding at Crane's Road. Unfortunately, we will have to dig across the road to complete the repair. Permit is in place and work will continue tomorrow.
2. Attached to my report is a quote from Dreamscape to clean up and other work at the flower beds in front of the Municipal Centre. I am looking for a motion to complete this work to the value of \$665.00+HST if it is the wish of the Council to proceed.
3. Noted directors on the Recreation Commission now for Canada Revenue Agency purposes are primarily members who have not been on the Commission for at least the last 20 years. The Recreation Commission met and agreed that for the purpose of appointing Director for their Commission, The Town accept their recommendation that Chairperson Melissa Mercer, Recreation Director Debbie Sheppard and Town Manager Tony Ryan be appointed directors of

the Recreation Commission and that the Canada Revenue Agency be advised accordingly asking that all previously contacts be removed from their files.

4. I am currently in discussions with Brandt Canada trying to get a price on a trailer to transport our new excavator. This is under the Canoe Procurement Program. I was expecting to have a price for this evening's meeting, but it has not arrived yet.
5. All applications for funding under the Canada Community Building Fund have been submitted. This program was previously known as the Gas Tax Program.
6. In 2020, we received a License to Occupy a parcel of Crown Land at Crane's Road for the purpose of building a secondary access to the Valley for Fire Protection and Water and Sewer reasons. This project became sidelined for COVID and other reasons. We have to reapply as the license expired in 2 years. Application has been site. I am expecting a response much quicker this time around.
7. I invited a couple of local businesses to submit quotes to complete work for a 2 week period digging for the waterline project at Big Pond Road. The low bidder meeting the requirement was Donald H. Smith Limited at \$117.65 plus 17.65 HST for a total of \$135.30 per hours based on 2 weeks work. I need a motion to award this work to Donald H. Smith Ltd. For the amount stated above. This work could commence as early as Tuesday morning next week dependent on the availability of a staff member from EMCO to come out to install the valve.
8. I need the following motion to support the most recent cost sharing arrangement for the purchase of our new fire truck: "That the Town of Spaniard's Bay accept funding on a cost share basis for the purchase of a new Fire Fighting vehicle (4 door pumper truck) in accordance with the 2022/23 Fire Protection Infrastructure Program letter for Project # FES-NL220007 in the letter dated August 11, 2023."

Tony Ryan, Town Manager

Motions arising from the Town Manager's Report

Councillor Ryan declared a conflict of interest in accordance to Section 6 of the Municipal Conduct Act as the business owner is a family member.

He left the Meeting at 7:08

Motion 23-228 It was moved by Councillor Lundrigan, seconded by Councillor Stamp, to accept the quote from Dreamscape Gardens in the amount of \$665.00 plus HST to clean up the Flower Gardens at the Municipal Centre

Carried

Councillor Ryan Returned at 7:09

Motion 23-229 It was moved by Councillor Ryan, seconded by Councillor Jewer, that Chairperson Melissa Mercer, Recreation Director Debbie Sheppard and Town Manager Tony Ryan be appointed as directors of the Recreation Commission for the Canada Revenue Agency and that the Canada Revenue Agency be advised accordingly asking that all previously contacts be removed from their files.

Carried

Motion 23-230 It was moved by Councillor Jewer, seconded by Councillor Ryan, to accept the bid from Donald H. Smith Limited at \$117.65 plus 17.65 HST for a total of \$135.30 per hour based on 2 weeks work to complete the w/s work at Big Pond Road.

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

Carried

Motion 23-231 It was moved by Councillor Ryan, seconded by Councillor Jewer, That the Town of Spaniard's Bay accept funding on a cost share basis for the purchase of a new Fire Fighting vehicle (4 door pumper truck) in accordance with the 2022/23 Fire Protection Infrastructure Program letter for Project # FES-NL220007 in the letter dated August 11, 2023.

Carried

Committee Reports

Finance Committee

Accounts Payable

Accounts Payable list was tabled.

Motion #23-232 It was moved by Councillor Jewer, seconded by Councillor Newman, that Accounts Payables in the amount of \$35,143.26 be paid as presented.

Carried

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

Planning Committee

Bay Builders

Motion #23-233 It was moved by Councillor Stamp, seconded by Councillor Lundrigan, to defer this to the next regular to grant Council time to meet with the business to discuss and gather further information.

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

Carried

Walker Metals

Motion #23-234 It was moved by Councillor Stamp, seconded by Councillor Lundrigan, to defer this to the next regular to grant Council time to meet with the business to discuss and gather further information.

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

Carried

Over Payment of Taxes – Resident of Seymour’s Road

A request was tabled several months ago requesting compensation for charges for water/sewer fees to a property which has no access to water/sewer.

Motion #23-235 It was moved by Councillor Ryan, seconded by Councillor Lundrigan, to reimburse for charges for 3 years plus current year as per town policy.

Carried

Marina Committee

Councillor Stamp stated that she had some items sent in to be discussed but most have since been rectified but was wondering if Councillor Ryan has an update on the Committee.

Councillor Ryan stated that he has been talking to different government agencies but have been getting mixed answer. He stated that we are having a meeting with the Committee after this meeting to discuss further.

Motion #23-236 It was moved by Councillor Newman, seconded by Councillor Ryan, to purchase and install a 24 hour surveillance sign and a no drugs or alcohol on the premises sign for the wharf.

Carried

Public Works

Stop Sign at Gosse’s Drive

Councillor Jewer stated that at the last meeting of Council we had a request to have a 4 way stop erected at Gosse’s Drive and have some bush cleared by the stop sight at Bishop’s Cove Shore Road.

Motion #23-237 It was moved by Councillor Jewer, seconded by Councillor Ryan, to have the two stop signs removed at Gosse’s Drive and relocate them at Ryan’s Road, this will stop traffic congestion at Conception Bay Highway and give the right of way to the traffic at Gosse’s Drive.

Carried

Motion #23-237 It was moved by Councillor Jewer, seconded by Councillor Newman, to write Department of Transportation and Works and ask them to clear them brush at Bishop’s Cove Road as this is a Government Roadway.

Carried

Culvert at Anthony’s Road

Motion #23-238 It was moved by Councillor Jewer, seconded by Councillor Ryan, to have Afsono come out and clean the culvert and insert a camera to check for blockages, then clean out 10-15 feet and either side of the catch basin & line with rock to prevent gravel from entering the culvert. If this do not correct the problem, we will add this to the budget for next year to install a culvert at an alternate location

Carried

Road Reconstruction Rectory Avenue/Casey’s Lane

Councillor Lundrigan asked Council to decide if she was in Conflict on this matter as she lives on Casey’s Lane.

Motion #23-239 It was moved by Councillor Jewer, seconded by Councillor Stamp, that Councillor Lundrigan is in Conflict on this matter.

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

Defeated

Motion #23-240 It was moved by Councillor Jewer, Seconded by Councillor Ryan, that we the Town of Spaniard's Bay accept cost shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated this 31 day of July, 2023, Project number 17-RNC-20-00007, Project Name Road Reconstruction & Paving Rectory Avenue/Casey's Lane with a total project value of \$1,390,008.00. This Council agrees to provide the Ultimate Recipient value of \$420,127.00 in funding for this project and authorizes the Mayor and Town Clerk to enter into a funding agreement with the Department of Transportation and Infrastructure on behalf of the Town of Spaniard's Bay.

Carried

Motion #23-241 It was moved by Councillor Jewer, seconded by Councillor Ryan, to write the Minister of Municipal and Provincial Affairs seeking approval to borrow \$420,127.00, Town share of the project.

Carried

Motion #23-242 It was moved by Councillor Ryan, seconded by Councillor Newman, to issue and RFP for an Engineering Quote for this Project.

Carried

Quote for Mini Excavator

Motion #23-243 It was moved by Councillor Jewer, seconded by Councillor Newman, to purchase the John Deere Mini Excavator with digging & ditching buckets, flail mower and steel tracks in the amount of \$174,225.00 HST included from Brandt tractor.

Carried

Motion #23-244 It was moved by Councillor Jewer, seconded by Councillor Ryan, to write the Minister of Municipal and Provincial Affairs seeking approval to borrow \$174,225.00, to purchase this mini excavator.

Carried

Ditching & Tree Trimming

Councillor Stamp stated that she has had multiple complaints of an a turn on New Harbour Road that needs some trees trimmed as it is dangerous for residents turning out from their drive way. There are many other areas that need to be done but can wait until we get our new excavator.

Motion #23-245 It was moved by Councillor Stamp, seconded by Councillor Jewer, to have our workers cut the area by the river back about the length of a wire pole.

Carried

Permits

New Business – Brazil’s Hill

An application for a new business, a children’s party facility, Spaniard’s Bay was tabled.

Motion #23-246 It was moved by Councillor Jewer, seconded by Councillor Lundrigan, to grant Council’s approval for the applicant to advertise to use this property for discretionary use under Regulation 10 of the Town Plan.

Carried

New Garage – 9 Big Pond Road

An application for a new garage at 9 Big Pond Road, Spaniard’s Bay was tabled.

Motion #23-247 It was moved by Councillor Ryan, seconded by Councillor Lundrigan, to grant approval for a new garage at 9 Big Pond 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 House – Eady’s Road

An application for a new house at Eady’s Road, Spaniard’s Bay was tabled.

Motion #23-248 It was moved by Councillor Ryan, seconded by Councillor Lundrigan, to refer this application to the Planning Committee for review and recommendation back to Council.

Carried

New Greenhouse – 59 Bishop’s Cove Road

An application for a new greenhouse at 59 Bishop’s Cove Road, Spaniard’s Bay was tabled.

Motion #23-249 It was moved by Councillor Ryan, seconded by Councillor Lundrigan, to grant approval for a new greenhouse at 59 Bishop’s Cove 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 Shed – 19 Brown’s Road

An application for a new garage at 19 Brown’s Road, Spaniard’s Bay was tabled.

Motion #23-250 It was moved by Councillor Ryan, seconded by Councillor Lundrigan, to grant approval for a new garage at 19 Brown’s Road, Spaniards Bay under Regulation 10 of the Town plan as the garage will be aligned in front of the house and 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 Crown Land – Riverhead, Long Pond

Application for crown land referral , Riverhead, Long Pond, Spaniard’s Bay was tabled.

Motion #23-251 It was moved by Councillor Ryan, seconded by Councillor Lundrigan, to grant recommendation for the Crown Land Application Referral at Riverhead, Long Pond.

Carried

Letters

Request to Purchase Land Big Pond Road

A letter was tabled to purchase a piece of land on Big Pond Road.

Motion #23-252 It was moved by Councillor Lundrigan, seconded by Councillor Ryan, to defer this request to the Planning Committee for review and recommendation back to Council.

Carried

Request to Purchase Land Big Pond Road

A letter was tabled to purchase a piece of land on Big Pond Road.

Motion #23-253 It was moved by Councillor Lundrigan, seconded by Councillor Ryan, to defer this request to the Planning Committee for review and recommendation back to Council.

Carried

Letter regarding Planting Tree's at Property Line – Jack Pine Drive

A letter was tabled regarding a neighbour planting trees on their property line on Jack Pine Drive.

Deputy Mayor Oliver stated that she visited the property and the trees in question right now are only small and are on the property owner's land. This is not something that we have any regulations on in our town plan, therefore it is not something that Council can enforce. It was generally agreed to acknowledge the letter but it is not something that Council can deal with at this time.

Other Business

Councillor Jewer stated that he would like to thank Deputy Mayor Oliver and Councillor Newman for organizing a great Family Fun Day in our community. He stated that this would not be possible without the great volunteers we have. It was a great day despite the rain.

Councillor Newman stated that she would like to thank everyone involved in putting off a great family fun day for the community. It was a great time had by all.

Councillor Ryan stated that he would like to say the same. Hats off to all the volunteers who helped put this great event off.

Councillor Lundrigan stated that she would like to thank everyone involved in the family fun day, from the organizers, volunteers, vendors, performers, and residents. It was a wonderful event and great to see everyone out to enjoy it despite the weather.

Councillor Stamp stated the same. Thanks to everyone involved.

Deputy Mayor Oliver stated that she would really like to make a point to acknowledge that volunteers and how important they are to these types of events. They would not be possible without our volunteers. Thank you to anyone who helped out big or small.

She stated that she would like to announce that we have a new liaison for the Fire Department

Adjournment

Deputy Mayor Oliver stated that the next meeting of Council will be Tuesday, September 5th, 2023 at 7:00 pm.

Motion #23-254 It was moved by Councillor Stamp, seconded by Councillor Lundrigan, and carried that the meeting adjourn at 8:02pm.

Carried

Recorder
Vanessa Butler

Mayor, Paul Brazil