

# The Municipality of Spaniard's Bay

## Agenda

Monday, 01 October 2018 - 7:00 PM

1. **Motion to Adopt Agenda**
2. **Petitions and Visiting Groups**
3. **Minutes of Meetings Held** September 4, 2018 Sept 12/18
4. **Business Arising From the Minutes**
5. **Town Managers Report**
6. **Committee Reports:**
  - A. **Finance Committee**
    - Accounts Payable List (\$13,580.75 )
    - Cash Position at Sept 27, 2018
    - Quick Statistics Accounts Receivable
    - Income/Expense Statement
    - Cheque Register
  - B. **Tourism Advisory** Membership to Legendary Coast Eastern NL
  - C **Wharf Committee** - Wharf Committee Members & Duties
7. **Lift Station Repairs Quote**
8. **Quote for Curb & Gutter Repairs**
9. **Municipal Enforcement Officer**
10. **Quote for repairs to Backhoe**
11. **MNL Convention - Motion for Town Manager to Attend**
12. **Letters**
  - A. Resident of Rectory Avenue - Water Flooding
  - B. Resident of Back Cove Road - Water Pooling
  - C. Resident of Delaney's Crescent- Request to take over street light
13. **Permits**
  - A. Application for New Garage- 30 Delaney's Crescent
  - B. Application for 3 Bay Detached Garage - 12-14 Bishops Cove Shore
  - C. Application for Daycare - K. Green - NHR Road
  - D. Application for Extension to Storage Building - 102 CB Hwy
  - E. Application for Shed - 200 Back Track - D. Sutton
  - F. Proposed Development Plan - LGM Properties
14. **Donation Requests**
  - A. Autism Society- Donation for Active for Autism walk
  - B. Baccalieu Trail SPCA - Donation for annual Dinner & Auction
  - C. Fire Department - Request to Donate for open House
15. **Other Business**

## 16. **Adjournment**

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

October 1, 2018

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, Tracy Smith, David Smith and Lundrigan and Town Manager Tony Ryan. Visitors included, Theresa Greeley, Sheldon Coombs, Jackie Herd, Calvin Ledrew, Dave Gosse, Gerald Harris, Ted Jones, Todd Crane, Betty Neil, David Smith, Tony Menchions, Francis Coombs, John Drover, Ron Power, Ethel Power, John Churchill, Brenda Coombs and Chris Lewis. Mayor Brazil called the meeting to order at 7:01 pm and welcomed everyone to the meeting.

### **Motion to Adopt Agenda**

The agenda for October 1, 2018 meeting was tabled.

Councillor Jewer stated that he would like to add section D to Committee Reports as Public Works including these topics, Northern Pines, Bishops Cove Shore Road and Smith's Road Tilton.

It was moved by Councillor David Smith, seconded by Deputy Mayor Stamp, to adopt the Agenda of October 1, 2018 as amended.

Carried

### **Adoption of the Minutes**

The minutes of the meeting of September 4, 2018 were tabled.

It was moved by Councillor Jewer, seconded by Councillor Ryan, that the minutes of the meeting of September 4, 2018 be adopted as presented.

Carried

The minutes of the meeting of September 12, 2018 were tabled.

It was moved by Councillor Jewer, seconded by Councillor Tracy Smith, that the minutes of the meeting of September 12, 2018 be adopted as presented.

Carried

## **Town Manager's Report October 01, 2018**

1. To the best of our knowledge we have 3 leaks outstanding. One at Gosse's Road, one at New Harbour Road and one on Mint Cove Pond Road South.
2. The Tender ad for paving under the Gas Tax Program has been placed. The closing day for bids will be at 3:00 pm on Friday, October 12, 2018 at 3:00 pm.
3. The RFPs for Engineering services have been completed and reviewed. Exp Services were the successful engineering firm for Paving at Brown's Road, Backup Generator for the Chlorination Plant and the Sewer Lift Station Upgrades at Northern Cove. We have received confirmation letters on the Generator and Lift Station projects. I expect to receive the letter on the Brown's Road Paving Project later this week.
4. Winter Sand has been ordered and delivered. We will be mixing it later during the month.
5. Several applications were received late for this period. Storage facility addition at CB Highway, Shed at Back Track and Business permit for Daycare at New Harbour Road. I added these to the agenda as there was a need to revise it anyway.

### **Committee Reports**

#### **Accounts Payable**

Accounts Payable list was tabled.

It was moved by Deputy Mayor Stamp, seconded by Councillor Jewer, that Accounts Payable in the amount of \$13,580.75 be paid.

Carried

#### **Tourism Committee**

##### **Membership to Legendary Coast Eastern NL**

A letter was tabled from the Tourism Committee requesting permission for the Tourism Committee to pay the \$150.00 fee to join the Legendary Coast Eastern NL group. Mayor Brazil stated that Council and the Committee met with Kathy Stacie for a presentation from the Legendary Coast and it was a great presentation and they do great advertising for communities around Newfoundland. The \$150 fee, will include all of our committees within the town to be a part of this group not just the Tourism Committee.

Deputy Mayor Stamp outlined some of the things this group has to offer for the community.

It was moved by Deputy Mayor Stamp, seconded by Councillor David Smith, for Council to pay the membership fee of \$150.00 for the committee to join the Legendary Coast Eastern NL.

Carried

### **Wharf Committee**

A letter was tabled from the Northern Cove Marina Committee, with a list of the new executive committee members as well as a list of the rules and regulations of the committee.

Mayor Brazil stated that we will deal with both matters separately.

Councillor David Smith declared a conflict of interest in accordance to Section 207 of the Municipalities Act as he has family in the immediate area of the wharf. He left the meeting at 7:15 pm.

It was moved by Councillor Jewer, seconded by Councillor Ryan, to disband the current Harbour Authority Committee, and accept the new members as the "Northern Cove Marina Committee".

Carried

Mayor Brazil stated that we need to assign a Council Liaison to the Northern Cove Marina Committee. Councillor Paul Ryan volunteered to be Liaison. Mayor Brazil asked Councillor Ryan to set up a meeting with the Northern Cove Marina Committee and Council to discuss the rules and regulations of the Committee.

Councillor David Smith returned to the meeting at 7:19 pm

### **Public Works Committee**

#### **Northern Pines**

A request was made from the developer of Northern Pines for Council to take over payment for Street Lights installed in the Northern Pines development as the town has taken over the roads.

Councillor Jewer stated that the town only take over 5 of the street lights as these are the only ones needed for road maintenance and snow clearing operations.

It was moved by Councillor Jewer, seconded by Councillor Ryan, to take over the 5 street lights in the developed area and intersections of the roadway.

Carried

#### **Bishop's Cove Road**

Councillor Jewer stated a few weeks back Council issued a letter for a resident to repair water flow from their property unto the road and neighbouring properties. Councillor Jewer stated that he visited the property and the resident has weeping tile installed and covered over and has rectified the problem.

It was moved by Councillor Jewer, seconded by Deputy Mayor Stamp, that in reference to an order issued to a property owner at 63-65 Bishop's Cove Road, Council is currently of the opinion that the remediation work undertaken by the property owner satisfies an order of Council issued dated September 11, 2018.

Carried

#### **Smith Property Drainage**

Councillor Jewer stated that the town workers had done some repairs to the road way but they did not clear the ditch, and it is grown over with trees and scrubs and is causing flooding to the residents property.

It was moved by Councillor Jewer, seconded by Councillor David Smith, to have the drain at Smith's Road cleared to avoid future flooding.

Carried

### **Lift Station Repair Quote**

A quote was tabled from Rodco Mechanical Ltd. in the amount of \$7837.25 for repairs to the lift station at Mint Cove Pond Road South.

It was moved by Councillor Jewer, seconded by Councillor Lundrigan, to have Rodco Mechanical Ltd. complete repairs to the Lift Station at Mint Cove Pond Road South in the amount of \$7837.25.

Carried

### **Quote for Curb & Gutter Repairs**

Councillor Lundrigan declared a conflict of interest in accordance to Section 207 of the Municipalities Act as she has family who requested repairs on the list.. She left the meeting at 7:25 pm.

A quote was tabled from K.G. Roberts Cement Finishing for curb & gutter repairs throughout town in the amount of \$6037.50.

Town Manager Tony Ryan stated there are 6 places throughout town that need repair and our workers do not have the equipment to do so.

It was moved by Councillor Jewer, seconded by Councillor Ryan, to accept the quote of \$6037.50 from K.G. Roberts Cement Finishing to have the work completed.

Carried

Councillor Lundrigan returned to the meeting at 7:27 pm.

### **Municipal Enforcement Officer**

Deputy Mayor Stamp stated that she would like for Council to consider budgeting for a Municipal Enforcement Officer for next year. She stated she would like to write neighbouring towns to see if they would be interested in a cost share position. Deputy Mayor Stamp stated that having an enforcement officer in the town could help with many complaints we receive on a daily basis and help set regulations and policies within our town.

Councillor David Smith stated that he would be against doing this as a lot of the matters discussed are things our RCMP can take care of, and as for giving out fines, it normally ends up going to court which would mean the town would then need to hire lawyers and the cost of this would bring a huge expense to the town.

Councillor Ryan stated that many of the duties that are included in this job is currently part of the foreman's job. He stated that he also agrees with David that legal fees could become very expensive.

It was moved by Deputy Mayor Stamp, seconded by Councillor Tracy Smith, to have the Mayor contact neighbouring towns to see if there is any interest in a cost share proposal for an Enforcement Officer.

Mayor Brazil, Deputy Mayor Stamp, Councillors Tracy Smith, Jewer, Ryan and Lundrigan voted in favour of the motion. Councillor David Smith voted against the motion.

Carried

### **Quote for Repair of Backhoe**

A quote was tabled from Harvey and Company in the amount of \$6722.55 for repairs to the JCB Backhoe.

It was moved by Councillor David Smith, seconded by Deputy Mayor Stamp to accept the quote from Harvey and Company Ltd. to complete repairs to the JCB backhoe for the cost of \$6722.55.

Carried

### **MNL Convention**

Councillor Ryan declared a conflict of interest in accordance to Section 207 of the Municipalities Act as the town manager is his brother. He left the meeting at 7:40pm.

Deputy Mayor Stamp stated that she would like for Council to send Town Manager Tony Ryan to the Convention, as there are a lot of topics that would be good for the information of the town manager.

It was moved by Deputy Mayor Stamp, seconded by Councillor Jewer, for the Town Manager to attend the MNL Convention.

Carried

Councillor Ryan returned to the meeting at 7:41 pm

### **Letters**

#### **Resident of Rectory Avenue - Water Flooding**

A letter was tabled from a resident of Rectory Avenue, regarding water flooding where the curb and gutter is broken.

Councillor Jewer stated that this matter was taken care of earlier in the meeting with the quote for Curb and Gutter.

#### **Resident of Back Cove Road- Water Pooling**

A letter was tabled from a resident of Back Cove Road regarding water pooling on Back Cove Road and flooding his property during heavy rainfall.

Councillor Jewer stated that himself and Deputy Mayor Stamp visited the residence and the area is very level so water pools, and a drain needs to be added so we are recommending having our engineers look at the road where the water pools and get a recommendation as to how to install proper drainage.

It was moved by Councillor Jewer, seconded by Deputy Mayor Stamp to have the engineers look at the issue and to advise what type of ditching or drainage is necessary to fix the problem.

Carried

Mayor Brazil declared a conflict of interest in accordance to Section 207 section 1 (c) "a relative of the councillor has a monetary interest directly or indirectly in the matter" of the Municipalities Act for the next two topics of the agenda. He left the meeting at 7:46 pm. Deputy Mayor Stamp took the chair.

#### **Resident of Delaney's Crescent- Request to take over street light**

A letter was tabled from a resident of Delaney's Crescent requesting the town take over a street light that he had been paying for since before the town took over the road.

It was moved by Councillor Jewer, seconded by Councillor Lundrigan, for the town to accept the request from a resident at Delaney's Crescent that Council take over the street light at Delaney's Crescent .

Carried

## **Permits**

### **Application to build a new garage - 30 Delaney's Crescent**

A application was tabled to build a new garage at 30 Delaney's Crescent.

It was moved by Councillor Jewer, seconded by Councillor Tracy Smith, to give approval for a garage at 30 Delaney's Crescent in accordance to the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable provincial and federal regulations.

Carried

Mayor Brazil returned to the meeting at 7:48 pm

### **Application to build a New Garage - 12-14 Bishop's Cove Road, Spaniard's Bay**

A application was tabled to build a 3 Bay Garage at 12-14 Bishops Cove Road, Spaniard's Bay.

Town Manager Tony Ryan stated that the size of the garage is in excess of the 7% but its not in excess of the towns 81 square meters. The structure would also comply if it were to have a 10% variance approval. .

It was moved by Councillor Tracy Smith, seconded by Councillor Lundrigan, to give approval for a 3 Bay Garage at 12-14 Bishop's Cove Road in accordance to the provisions of the Town of Spaniard's Bay Development Regulations and/or all other applicable provincial and federal regulations including the variance as requested.

Carried

### **Application for Daycare - New Harbour Road**

An application was tabled to build a new daycare at 110-112 New Harbour Road.

Town Manager Tony Ryan stated that this is a commercial area and everything falls under the town plan.

It was moved by Councillor David Smith, seconded by Councillor Tracy Smith, to give approval for a new daycare at 110-112 New Harbour 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 extension to Storage Building- 100 Conception Bay Highway**

An application was tabled to build an extension onto a storage building at 102 Conception Bay Highway.

It was moved by Councillor Jewer, seconded by Councillor Ryan to accept the application for an extension to a storage building at 102 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

### **Proposed Development Plan- LGM Properties**

Information pertaining to the proposed development plan for Simon Place was tabled.

It was moved by Councillor Ryan, seconded by Councillor Tracy Smith, to refer the submission from LGM Properties Ltd. to the Planning Committee for its review and inclusion into a development agreement for the proposed Simon Place Sub-Division.

Carried

### **Donations**

#### **Autism Society**

A donation request was tabled for a donation in aid of the Active for Autism Walk.

It was moved by Councillor Jewer, seconded by Councillor Ryan, to give the standard donation of \$25 to the Active for Autism Walk.

Carried

#### **Baccalieu Trail SPCA**

A donation request was tabled for a donation to the Baccalieu Trail SPCA in aid of the annual Dinner and Auction.

It was moved by Councillor Jewer, seconded by Councillor Ryan to give the standard donation of \$25 to the SPCA in aid of their annual Dinner and Auction.

Carried

#### **Fire Department- Request to Donate Toward Open House**

A letter was tabled from the fire department requesting council donate to their annual open house.

It was moved by Deputy Mayor Stamp, seconded by Councillor Tracy Smith for Council to donate 2 smoke alarms to the Fire Department for their annual Open House.

Carried

### **Other Business**

Deputy Mayor Stamp stated that she had been talking to Fire Chief Curt Roberts and the Fire Department is going to be collecting non-perishable food items for the food bank during their open house for Fire Prevention Week on October 11, 2018, She stated that Council has been invited to attend the School's Walk for Breakfast on October 3, 2018 between 830 and 10:00 am.



Deputy Mayor Stamp stated she would like to send out a huge congratulations to Mrs. Cathy Kleinwort on receiving the Seniors of Distinction award that was handed out by the provincial government today in St. Johns.

Councillor Jewer stated that on the 19<sup>th</sup> of September, the JMC Committee had a meeting looking for new members. This is a very important committee that is shared between two towns. It brings many tourists to our town and desperately needs new members.

Councillor Lundrigan stated that the Recreation Committee will be doing its annual haunted house again this year and their Trunk or Treat. If anyone would like to volunteer please let us know and please come out and support these great events.

Mayor Brazil stated that he attended the Joint Councils meeting this past week and the ECO Grant are ready to start receiving all the data from each towns that we want presented on the brochures and websites.

The next regular Council Meeting will be Monday, October 29, 2018 at 7:00 pm.

**Adjournment**

It was moved by Councillor David Smith , seconded by Deputy Mayor Stamp , and carried that the meeting adjourn at 8:12 pm.

Recorder  
Vanessa Higgins

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Paul Brazil, Mayor