

Town of Bay Bulls

Meeting Minutes

For the Public Meeting of March 11, 2019

Held in Council Chambers at 8:00 p.m.

Members Present

Mayor Harold Mallowney
Deputy Mayor Wendy O'Driscoll
Councillor Patrick Coady
Councillor Eric Maloney
Councillor Joan Luby
Councillor Evelyn Tucker

Staff Present

Sandra Cahill, Town Clerk
Ashley Wakeham, Assistant Town Clerk

Regrets

Call to Order

Mayor Harold Mallowney assumed the Chair and called the meeting to order at 8:03 p.m.

Adoption of Agenda

MOTION: 2019-9608 Deputy Mayor O'Driscoll / Councillor Coady
MOVE THAT the agenda of March 11, 2019 Public Meeting be adopted as presented.
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)
Against: 0

Mayor Mallowney called for new business additions:

Appoint Commissioner for Appeals
Collaborative Fund – Municipal Assessment Agency (Town Maps)
Digital Speed Signs
Award Cleaning Contract

Adoption of Minutes

February 11, 2019 Minutes

MOTION: 2019-9609 Deputy Mayor O’Driscoll/ Councillor Coady
MOVE THAT the minutes of February 11, 2019 be adopted as presented
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullooney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Coady & Maloney)
Against: 0

February 18, 2019 Minutes – Special Meeting – Gas Tax Allocation

MOTION: 2019-9610 Deputy Mayor O’Driscoll/ Councillor Coady
MOVE THAT the minutes of February 18, 2019 be adopted as presented
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullooney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Coady & Maloney)
Against: 0

Delegations & Proclamations

East Coast Trails Association

East Coast Trails Association Official Signing of the Memorandum of Understanding between the ECT and the Town of Bay Bulls – Randy Murphy, President of the East Coast Trail was in attendance and joined Mayor Harold Mullooney at the Chair for the signing.

Mr. Murphy addressed all Council members and the public and expressed his sincere thanks to the Town of Bay Bulls for their continued commitment to preserve and protect the trail for future generations.

Proclamation

Mayor Mullooney addressed Council and members of the public to proclaim the following:

WHERE AS, Purple Day is a global effort to promote Epilepsy Awareness in countries around the world; and

WHERE AS, Purple Day was founded by nine-year-old Cassidy Megan of Nova Scotia, who wanted to let people know that if you have epilepsy you are not alone; and

WHERE AS, Epilepsy is one of the most common neurological conditions, estimated to affect more than 10,000 people in Newfoundland and Labrador, over 300,000 people in Canada, and 50 million people worldwide; and

WHERE AS, One in ten persons will have at least one seizure during their lifetime; and

WHERE AS, The public is often unable to recognize common seizure types, and unable to respond with appropriate first aid; and

WHERE AS, Purple Day will be celebrated on March 26th annually to increase understanding, reduce stigma, and improve the quality of life for people living with epilepsy throughout the country and globally

NOW, THEREFORE, be it resolved that I, Mayor Harold Mallowney, of Bay Bulls do hereby proclaim March 26th as Purple Day in an effort to raise awareness and understanding of epilepsy, and to support all those who live with seizures each day.

Applications

There were no applications for March 11th, 2019

Accounts Payable

8:16 p.m. Mayor Mallowney & Councillor Luby declared conflict of interest on **Chq. No. 1885**, and left the Chambers. Both the Mayor and Councillor Luby have family land in the area of the Southern Shore Hwy

Deputy Mayor O'Driscoll assumed the Chair and called for a motion to release **Chq. No. 1885** in the amount of \$138.00

MOTION: 2019-9611 Councillor Tucker/Councillor Coady

MOVE THAT **Chq. No. 1885** in the amount of \$138.00 be released for professional services rendered.

Questions called. Motion carried.

For Motion: 4 (Deputy Mayor O'Driscoll, Councillors Tucker, Coady & Maloney)

Against: 0

8:16 p.m. Mayor Mallowney & Councillor Luby returned to the chambers; Mayor Mallowney reassumed the Chair.

8:17 p.m. Deputy Mayor O'Driscoll & Councillor Luby declared conflict of interest on **Chq. No. 1895**, and left the Chambers. The Deputy Mayor has family land in the area of Track Rd Ext. and Councillor Luby resides in this area.

MOTION: 2019-9612 Councillor Tucker/ Councillor Coady

MOVE THAT **Chq. No. 1895** be released in the amount of \$80.50 for professional services rendered.

Questions called. Motion carried.

For Motion: 4 (Mayor Mallowney, Councillors Tucker, Coady & Maloney)

Against: 0

8:17 p.m. Deputy Mayor O'Driscoll & Councillor Luby returned to the Chambers.

8:18 p.m. Deputy Mayor O'Driscoll asked for council to decide on her proposed conflict on **Chq. No. 1887** made payable to Mobile Central High School – Seniors Outreach Dinner, Deputy Mayor O'Driscoll sits on Mobile School Council.

MOTION: 2019-9613 Councillor Coady/ Councillor Maloney

MOVE THAT Deputy Mayor O'Driscoll is not in conflict in this instance.

Questions called. Motion carried.

For Motion: 5 (Mayor Mallowney, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

MOTION: 2019-9614 Councillor Maloney/ Deputy Mayor O'Driscoll
MOVE THAT all other payables in Section A totaling \$55,268.89 be released.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Muldowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Total for Section A: \$55,487.39

Total for Section B: \$66,654.75

Total Disbursements for the Month: \$122,142.14

Correspondence & Action

Bay Bulls Regional Lifestyle Centre – Request for Repairs

8:18 p.m. Councillors Tucker and Luby asked council to decide on their proposed conflict in regards to requests from the BBRLC Board, both Councillors are members of the board.

MOTION: 2019-9615 Deputy Mayor O'Driscoll/ Councillor Coady

MOVE THAT Councillors Tucker & Luby are not in a conflict in regards to requests from the BBRLC.

Questions called. Motion carried.

For Motion: 4 (Mayor Muldowney, Deputy Mayor O'Driscoll, Councillors Coady & Maloney)

Against: 0

MOTION: 2019-9616 Deputy Mayor O'Driscoll/ Councillor Tucker

MOVE THAT the repairs request be granted; the town will acquire 3 quotes on the small repairs to prevent ice from falling near a side exit door.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Muldowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Bay Bulls Regional Lifestyle Centre – Operation Grant Payment No. 1

MOTION: 2019-9617 Deputy Mayor O'Driscoll/ Councillor Coady

MOVE THAT the Operational Grant Payment No. 1 be released in the amount of \$25,000.00 – in alignment with the 2019 Budget commitment.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Muldowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Capital Investment Plan – Application

Councillor Tucker addressed the council with ideas to revitalize the waterfront area by the Municipal Bldg., this will keep with the current theme planned for the she continued.

Mayor Muldowney advised council will give some more thought to this but the waterfront project seems to be a viable one.

Donation Request – under the Town’s new “Donation Program” From St. Bernard’s Elementary

MOTION: 2019-9618 Deputy Mayor O’Driscoll/ Councillor Maloney

MOVE THAT the donation request to support the Kids Eat Smart Breakfast Program be approved in the amount of \$250.00

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Development Regulation Amendment No. 5 – “Residential Subdivision Area” to “Residential”

8:22 p.m. Councillor Luby declared conflict of interest on **Action Item: Development Regulation Amendment No. 5 – “Residential Subdivision Area” to “Residential”**, and left the Chambers. Councillor Luby has family that resides in the area of this proposed subdivision on Southern Shore Hwy

MOTION: 2019-9619 Councillor Tucker/ Councillor Coady

MOVE THAT Development Regulation Amendment No. 5 “Residential Subdivision Area” to “Residential” proceed to the registration phase with Municipal Affairs and Environment – Land Use and Planning Division.

Questions called. Motion carried.

For Motion: 5 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Coady & Maloney)

Against: 0

8:22 p.m. Councillor Luby returned to the Chambers.

St. John’s Urban Region Regional Plan (STJURRP) – Amendment No. 4 for 47A Heavy Tree Rd – Diamond Marsh Subdivision Stage 4

MOTION: 2019-9620 Deputy Mayor O’Driscoll / Councillor Tucker

MOVE THAT there is no comments or concerns on the proposed STJURRP Amendment No. 4

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Town Property and Equipment Policy # TBB-008-AD

MOTION: 2019-9621 Councillor Tucker/ Deputy Mayor O’Driscoll

MOVE THAT The Town accept the policy as presented with the deletion of paragraph 2 on page 5.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

“Name That Road” contest –the winner will be presented with a certificate as the official “Road Namer” signed by Mayor Mullowney and a \$25.00 gift certificate to Cineplex.

MOTION: 2019-9622 Councillor Luby/ Councillor Coady

MOVE THAT “Danielle Place” be chosen as the new name of the small side road off Sheldon Drive.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Information Only

Action report – February

Appeal Decision

Book Value – 2016 5500 Dodge Ram

Electrical Quotes

Municipal Assessment Agency Memo

Natural Asset Management

OIPC Training Dates

General Business

Canada Post – Community Fund for Children

The Town will try to apply for this funding for a small project to help benefit the children of the area, staff will ask the BBRLC and the BBAA if they would like to apply as well for a joint project.

Application for Crownland – Linear Park

MOTION: 2019-9623 Deputy Mayor O’Driscoll/ Councillor Luby

MOVE THAT Council apply to occupy land around Stone Ducky Brooke for future expansion of the walking trail system.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullaney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

LED Lighting Project – BBRLC & Town Offices

On hold for future quotes on the work requested.

Planning & Development Committee

On hold until development picks up at which time the committee will be resurrected

Professional Municipal Administrators (PMA) School – Assistant Town Clerk to attend sessions from Mar 25-29 to complete 5 modules needed to help earn a Certified Municipal Clerk designation

MOTION: 2019-9624 Deputy Mayor O’Driscoll / Councillor Maloney

MOVE THAT Council approve the cost of \$856.75 for registration to attend.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullaney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

New Town Truck Options

Option 4 – 2019 Chevrolet Silverado 2500 HD was discussed as the most viable option. Council expressed some questions:

1. Will adding attachments for the plow and broom void the warranty?
2. Can the current attachments on the 2006 be reused on the 2019?

Staff will gather this information and present to council for a final decision at a later time.

Deferment of By-Election – Ministerial Approval

Minister of Municipal Affairs and Environment Graham Letto provided permission to the Town of Bay Bulls to defer holding a by-election until June 25th 2019, with a Nomination Day of June 3rd

Heat Pump Repairs – Town Office

MOTION: 2019-9625 Councillor Luby / Councillor Coady

MOVE THAT Council approve the repairs in the amount of \$762.00 as presented in the accepted quote Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor MULLOWNEY, Deputy Mayor O'DRISCOLL, Councillors TUCKER, LUBY, COADY & MALONEY)

Against: 0

Revoke Awarded Demolition Work

8:31 p.m. Deputy Mayor O'Driscoll & Councillor Luby declared conflict of interest on **General Business Item: Revoke Awarded Demolition Work**, and left the Chambers. The Deputy Mayor has family land in the area of Track Rd Ext where the work was scheduled to take place and Councillor Luby resides in this area.

MOTION: 2019-9626 Councillor Tucker/ Councillor Coady

MOVE THAT council revoke this awarded bid as per the bid documents due to the property owner's compliance with the remove order. No further action will take place at this time.

Questions called. Motion carried.

For Motion: 4 (Mayor MULLOWNEY, Councillors TUCKER, COADY & MALONEY)

Against: 0

8:31 p.m. Deputy Mayor O'Driscoll & Councillor Luby returned to the Chambers

Municipalities Newfoundland & Labrador (MNL) annual Symposium – Gander May 2-4, 2019

Mayor MULLOWNEY & Councillor Luby to attend. Staff will arrange accommodations and registration.

Professional Municipal Administrators (PMA) Annual General Meeting – St. John's June 2019

All staff to attend including the new-hire; Councillor Luby will also attend

Medical Donation – Community Member

MOTION: 2019-9627 Councillor Tucker/ Councillor Luby

MOVE THAT Council send a donation of \$250.00 for medical needs.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullaney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Royal Canadian Mounted Police – Rental Agreement Renewal

MOTION: 2019-9628 Deputy Mayor O'Driscoll/ Councillor Luby

MOVE THAT Council accept the terms and conditions including the escalator clause in the new rental agreement presented.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullaney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

New Business

Cleaning Services for the Municipal Bldg. – Award contract

MOTION: 2019-9629 Councillor Luby/ Deputy Mayor O'Driscoll

MOVE THAT the contract be awarded to the lowest bidder at \$24 per hour

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullaney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Appointment of Commissioner for the Assessment Review Period of 2019

MOTION: 2019-9630 Councillor Tucker/ Councillor Luby

BE IT RESOLVED that the Town Council of Bay Bulls hereby appoints Thomas Strickland as Commissioner for the Assessment Review period of 2019.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mullaney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)

Against: 0

Mapping

Councillor Luby asked could the Town apply to the Municipal Assessment Agency's Collaborative Fund to help with getting GIS mapping and paper maps of the town made available in the office.

Councilor Luby also advised that the Witless Bay Volunteer Fire Dept. is interested in small laminated maps for each member to have aboard their trucks for easy reference. The Town will investigate this further

Digital Speed Sign

Councillor Luby asked could council purchase a 3rd sign as budgeted in the 2019 budget. Staff will gather the 3 quotes for the next public meeting.

Notice of Motion

Backfill/Excavation Regulations 2019

Councillor Tucker addressed Council:

“Take notice that at the next public meeting of council I will move a motion to approve the new backfill/excavation regulations accompanied with the amended development application and checklist”

Amendment to Accessory Building Conditions 2019

8:39 p.m. Councillor Tucker declared conflict of interest on **Notice of Motion: Amendment to Accessory Building Conditions 2019**, and left the Chambers. Councillor Tucker has containers similar to the ones in question on her property.

8:39 p.m. Councillor Luby asked council to decide on her proposed conflict under s. 209 of the Municipalities Act.

MOTION: 2019-9631 Deputy Mayor O’Driscoll/Councillor Coady

MOVE THAT Councillor Luby is not in conflict

Questions called. Motion carried.

For Motion: 4 (Mayor Mallowney, Deputy Mayor O’Driscoll, Councillors Coady & Maloney)

Against: 0

Councillor Maloney addressed Council:

“Take notice that at the next public meeting of council I will move a motion to amend the Development Regulations for Accessory Building Conditions in all residential zones to include the following: School buses, semi-trailers, ISO sea/shipping/freight containers or other vehicle body types shall be prohibited from being used as an accessory building”

Adjournment

8:40 p.m. Mayor Mallowney called for adjournment as there was no further business of the Council.

MOTION: 2019-9632 Deputy Mayor O’Driscoll / Councillor Coady

MOVE THAT the meeting be adjourned.

Questions called. Motion carried. Unanimously

For Motion: 6 (Mayor Mallowney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Maloney & Coady)

Against: 0

Mayor



Clerk