

# Town of Bay Bulls

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## Meeting Minutes

*For the Public Meeting of April 8, 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

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

## Adoption of Agenda

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**MOTION: 2019-9637** Deputy Mayor O'Driscoll / Councillor Maloney

MOVE THAT the agenda of April 8, 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:

There was no new business for April 8<sup>th</sup> 2019

## Adoption of Minutes

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### *March 11, 2019 Minutes*

**MOTION: 2019-9638** Deputy Mayor O'Driscoll/Councillor Coady

MOVE THAT the minutes of March 11, 2019 be adopted with corrections on Page 9 to include Councillor Luby's use of s. 209 of the Municipalities Act.

Questions called. Motion carried. Unanimously

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

Against: 0

**March 15, 2019 Minutes – Special Meeting – Purchase of New Town Truck**

**MOTION: 2019-9639** Deputy Mayor O’Driscoll/ Councillor Coady  
MOVE THAT the minutes of March 15, 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

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### Resident of Bill Joy’s Lane

8:04 p.m. resident of Bill Joy’s Lane addressed council with concerns about the road conditions on Bill Joy’s Lane; furthermore she inquired what the Town’s spring maintenance plans are for this area.

Mayor Mullooney advised the resident that this area will be looked at when the weather warms up and a remedy will be decided upon at that time.

Council will have maintenance staff review the area and report recommendations back to the council

### Proclamation – CMHA Mental Health Week, 2019

8:07 p.m. Mayor Mullooney addressed Council and members of the public to proclaim the following:

**WHERE AS,** CMHA Mental Health Week promotes mental health awareness through education campaigns, activities and events held across Newfoundland and Labrador and offers practical ways to maintain and improve mental health and support recovery from mental health problems and illnesses

**WHERE AS,** the Canadian Mental Health Association encourages everyone to Get Loud for mental health – to speak up and take action to improve mental health for all Canadians

**WHERE AS,** increased awareness and understanding of mental health will promote the use of mental health services and supports and ensure Canadians with mental health problems and illnesses are afforded the opportunity to recover

**WHERE AS,** the Canadian Mental Health Association actively supports and encourages good mental health in all aspects of our lives, during CMHA Mental Health Week and throughout the year

**NOW THEREFORE BE IT RESOLVED THAT I,** Mayor Harold Mullooney, Town of Bay Bulls, here by proclaim the week of May 6-12, 2019, as CMHA MENTAL HEALTH WEEK. I encourage all citizens to join me and #GetLoud about what mental health really is.

# Applications

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## **Application # 2019-100**

Operate a Business – Home Office  
Solomon Close, Bay Bulls

### **MOTION: 2019-9640** Councillor Coady/ Councillor Luby

MOVE THAT Application # 2019-100 to operate a home office located at Solomon Close be approved.

Questions called. Motion carried. Unanimously

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

Against: 0

## **Application # 2019-430**

New Development– Single Family Home  
Northside Rd, Bay Bulls

### **MOTION: 2019-9641** Deputy Mayor O’Driscoll / Councillor Maloney

MOVE THAT Application # 2019-430 to construct a single family home located at Northside Rd be approved in principle.

Questions called. Motion carried. Unanimously

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

Against: 0

## **Application #2019-516**

Crownland Referral - Permission to construct road  
Cemetery Lane West, Bay Bulls

### **MOTION: 2019-9642** Deputy Mayor O’Driscoll / Councillor Coady

MOVE THAT Application # 2019-516 to construct a road located in the area of Cemetery Lane West be approved.

Questions called. Motion carried. Unanimously

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

Against: 0

## **Application # 2019-431**

New Development– Single Family Home  
Quay’s Rd, Bay Bulls

### **MOTION: 2019-9643** Deputy Mayor O’Driscoll / Councillor Maloney

MOVE THAT Application # 2019-431 to construct a single family home located at Quay’s Rd be approved in principle; pending an updated survey of the land.

Questions called. Motion carried. Unanimously

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

Against: 0

## Accounts Payable

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**MOTION: 2019-9644** Councillor Tucker / Councillor Coady

MOVE THAT all payables in Section A totaling \$92,716.38 be released.

Questions called. Motion carried. Unanimously

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

Against: 0

**Total for Section A: \$92,716.38**

**Total for Section B: \$94,755.33**

**Total Disbursements for the Month: \$187,471.71**

## Correspondence & Action

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**Bay Bulls to Bauline Athletic Association (BBAA) – Request for support of their annual auction fundraiser being held June 1, 2019 at the Bay Bulls Regional Lifestyle Center.**

**MOTION: 2019-9645** Councillor Tucker/ Deputy Mayor O'Driscoll

MOVE THAT Council purchase a print/painting valued at approx. \$250.00 for a donation to the auction

Questions called. Motion carried. Unanimously

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

Against: 0

### **Climate Change Partnership – Project Charter**

**RESOLUTION: 2019-9646** Deputy Mayor O'Driscoll / Councillor Coady

BE IT RESOLVED the Town of Bay Bulls supports and accepts the charter as presented

Questions called. Motion carried. Unanimously

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

Against: 0

### **Development Regulation Amendment – Accessory Buildings**

8:16 p.m. Councillor Tucker declared conflict of interest on **Action Item: Development Regulation Amendment – Accessory Buildings** and left the Chambers; Councillor Tucker has a structure on her property included in this amendment.

8:16 p.m. Councillor Luby under s. 209 of the *Municipalities Act, 1999* asked council to decide her proposed conflict on this item; Councillor Luby has family in a Rural Residential zone with structures included in this amendment.

**MOTION: 2019-9647** Councillor Maloney/ Councillor Coady

MOVE THAT Councillor Luby is not in a conflict on this item.

Questions called. Motion carried.

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

Against: 0

**MOTION: 2019-9648** Councillor Maloney/ Councillor Coady

MOVE THAT on a go forward basis accessory building conditions in all residential zones be amended 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 accessory buildings

Questions called. Motion carried.

For Motion: 5 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Luby, Coady & Maloney)

Against: 0

8:18 p.m. Councillor Tucker returned to the Chambers

**First Read – New Backfilling and Excavation Regulations**

**MOTION: 2019-9649** Deputy Mayor O'Driscoll/ Councillor Tucker

MOVE THAT the regulation be sent to the Town Planner for final review and approval.

Questions called. Motion carried. Unanimously

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

Against: 0

**Notice of Sale – 2006 GMC Sierra 2500 HD**

**MOTION: 2019-9650** Deputy Mayor O'Driscoll/ Councillor Luby

MOVE THAT the Notice of Sale be released to the public; sealed offers will be accepted until Tuesday April 16<sup>th</sup> at 2:00 p.m.

Questions called. Motion carried. Unanimously

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

Against: 0

**Landscape NL – Forgotten Corners Beautification Project – Call for Proposals**

**MOTION: 2019-9651** Councillor Tucker/ Deputy Mayor O'Driscoll

MOVE THAT a proposal be submitted for the forgotten corners project

Questions called. Motion carried. Unanimously

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

Against: 0

**Resolution to Accept – Abbot & White Accounting as the Town's auditor & Review and Accept Ultimate Gas Tax Report**

**RESOLUTION: 2019-9652** Councillor Maloney/ Councillor Tucker

BE IT RESOLVED the Town of Bay Bulls accept Abbott & White to complete the Town of Bay Bulls audit for the fiscal year of 2018; and the Gas Tax Report be accepted as presented.

Questions called. Motion carried. Unanimously

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

Against: 0

**Request – Resident on Irishtown Rd requests permission to use a domestic band-saw for personal use only**

**MOTION: 2019-9653** Deputy Mayor O’Driscoll / Councillor Coady

MOVE THAT permission will be granted for personal use only; and the same conditions as previous approvals with apply: no outstanding messes, and respectful hours of operation.

Questions called. Motion carried. Unanimously

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

Against: 0

**Request – Snow Clearing contractor requested renewal for 2019-2020**

**MOTION: 2019-9654** Councillor Tucker/ Deputy Mayor O’Driscoll

MOVE THAT a decision on Year 2 option will be made at a later date possibly in September or October

Questions called. Motion carried. Unanimously

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

Against: 0

**Request – Resident of Dunn Drive having issues with water runoff washout driveway and edge of pavement**

Council will have maintenance staff review the area and report recommendations back to the council.

**Human Resources: Acceptance of new updated Job Descriptions for 1. Municipal Worker and 2. Assistant Town Clerk**

**MOTION: 2019-9655** Councillor Tucker/ Deputy Mayor O’Driscoll

MOVE THAT Council accept the job descriptions as presented

Questions called. Motion carried. Unanimously

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

Against: 0

**Request – Saltwire Network (The Telegarm) requested permission to install a “flyer box” at the Bay Bulls Regional Lifestyle Centre**

**MOTION: 2019-9656** Deputy Mayor O’Driscoll / Councillor Tucker

MOVE THAT council deny the request for a flyer box station at the Bay Bulls Regional Lifestyle Centre; due to concerns about litter and given the BBRLC is an events hosting centre this would not be a good place to have a flyer box.

Questions called. Motion carried. Unanimously

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

Against: 0

**Capital Investment Plan Application**

Deferred until May for further consideration of all prospective projects

**MOTION: 2019-9657** Deputy Mayor O’Driscoll / Councillor Tucker

MOVE THAT council deny the request for a flyer box station at the Bay Bulls Regional Lifestyle Centre; due

to concerns about litter and given the BBRLC is an events hosting centre this would not be a good place to have a flyer box.

Questions called. Motion carried. Unanimously

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

Against: 0

### **Purchase Agreement – 12 Southside Rd**

**MOTION: 2019-9658** Deputy Mayor O'Driscoll / Councillor Coady

MOVE THAT council accept the purchase agreement as presented for property located at 12 Southside Rd in the amount of \$40,000 plus HST.

Questions called. Motion carried. Unanimously

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

Against: 0

### **Demolition of building located at 12 Southside Rd**

**MOTION: 2019-9659** Deputy Mayor O'Driscoll / Councillor Coady

MOVE THAT council release the call for bids on the demolition work required at 12 Southside Rd; and awarded to the lowest bidder

Questions called. Motion carried. Unanimously

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

Against: 0

### **Request – Resident requested relief from salt and slit run off contaminating the property owners well**

Council will have maintenance staff review the area and report recommendations back to the council.

## **Information Only**

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Warranty update and QC – Core Test Results (Alley Rd & Farm Rd Upgrades)

Information Log/Database for review

Donation Program-Policy Reminder/Review

Summer Maintenance – Dept. of Transportation and Works

Update on Municipal Master Road Const. Specs

## **General Business**

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## **Adjustment to Taxes**

**MOTION: 2019-9660** Deputy Mayor O'Driscoll / Councillor Tucker

MOVE THAT the adjustment be approved

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 Hall**

**MOTION: 2019-9661** Councillor Luby/ Deputy Mayor O'Driscoll

MOVE THAT the project proceed with the approved quote as presented for \$35,306.20 HST included.

Questions called. Motion carried. Unanimously

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

Against: 0

## **Digital Radar Speed Sign – As per Budget allocation the Town will purchase an additional Radar sign for traffic calming measures.**

**MOTION: 2019-9662** Councillor Luby/ Deputy Mayor O'Driscoll

MOVE THAT the presented radar speed sign be approved in the amount of \$2795.00 plus HST

Questions called. Motion carried. Unanimously

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

Against: 0

## **Triware Technologies has offered a reduced rate for service calls for Printers, Computers, and Technical Services based on the pre-paid block of – Triware is the Town's current technologies company.**

**MOTION: 2019-9663** Deputy Mayor O'Driscoll / Councillor Luby

MOVE THAT purchase a block of service time at a reduced rate in the amount of \$2000.00

Questions called. Motion carried. Unanimously

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

Against: 0

## **Town Logo and Truck Decals**

**MOTION: 2019-9664** Councillor Luby / Deputy Mayor O'Driscoll

MOVE THAT Council approve the lowest quote to supply and install 4-town logos and 2 –“Town of Bay Bulls” lettering in the amount of \$174.99 plus HST.

Questions called. Motion carried. Unanimously

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

Against: 0

## **Request for Standing Offer - Electrical**

**MOTION: 2019-9665** Councillor Luby / Councillor Coady

MOVE THAT Staff will draw up a RFSO on Electrical Trade work, and have the draft ready for May for review.

Questions called. Motion carried. Unanimously



For Motion: 6 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)  
Against: 0

#### **General Routine Maintenance for Town Truck – Rust Check**

**MOTION: 2019-9666** Deputy Mayor O'Driscoll / Councillor Coady  
MOVE THAT the maintenance be approved as part of general maintenance for fleet vehicles  
Questions called. Motion carried. Unanimously  
For Motion: 6 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)  
Against: 0

#### **Request from resident to buy the old NL Power poles that are owned by the Town**

**MOTION: 2019-9667** Councillor Tucker / Councillor Maloney  
MOVE THAT the town retain the poles for future use.  
Questions called. Motion carried. Unanimously  
For Motion: 6 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)  
Against: 0

#### **Re-Configure Files**

Council stated the Assistant Town Clerk will focus on the re-organization of the town's files both paper and electronic.

#### **Hiring Committee to work with the consultants in the next phases of hiring the Town Clerk/Manager position**

Mayor Mallowney asked council which members where interested in sitting on the hiring committee; Councillor Maloney and Councillor Coady put their name forward

**MOTION: 2019-9668** Deputy Mayor O'Driscoll/ Councillor Luby  
MOVE THAT the Hiring Committee comprised of Mayor Mallowney, Councillors Maloney & Coady be enacted for the hiring of the Town Clerk/Manager.  
Questions called. Motion carried. Unanimously  
For Motion: 6 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)  
Against: 0

#### **Clean – Up Requests, Remove and Repair Orders**

**MOTION: 2019-9669** Councillor Tucker/ Councillor Maloney  
MOVE THAT Repair or Remove Orders be sent to derelict properties in town, a list will be supplied to the Town Office Staff for review.  
Questions called. Motion carried. Unanimously  
For Motion: 6 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Coady & Maloney)  
Against: 0

#### **Permission for Councillor Eric Maloney to send a Crownland Application on behalf of the Town of Bay Bulls to occupy along Stone Ducky Brooke for a future expansion of a proposed Community Walking Trail.**

**MOTION: 2019-9670** Councillor Tucker/ Councillor Maloney

MOVE THAT an Application to occupy along Stone Ducky Brooke be sent to Crownlands on behalf of the Town of Bay Bulls

Questions called. Motion carried. Unanimously

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

Against: 0

## New Business

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No New Business for April 8<sup>th</sup> 2019

## Adjournment

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8:33 p.m. Mayor MULLOWNEY called for adjournment as there was no further business of the Council.

**MOTION: 2019-9671** Deputy Mayor O'DRISCOLL / Councillor COADY

MOVE THAT the meeting be adjourned.

Questions called. Motion carried. Unanimously

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

Against: 0

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Mayor



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Clerk