

Town of Bay Bulls

Meeting Minutes

For the Public Meeting of Aug 13, 2018

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

Members Present

Mayor Harold Mallowney
Deputy Mayor Wendy O'Driscoll
Councillor Phillip Burton
Councillor Joan Luby
Councillor Evelyn Tucker
Councillor Eric Maloney

Staff Present

Sandra Cahill, Town Clerk

Regrets

Ashley Wakeham, Assistant Town Clerk

Call to Order

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

Adoption of Agenda

MOTION: 2018-9345 Councillor Tucker/Deputy Mayor O'Driscoll
MOVE THAT the agenda of August 13, 2018 Public Meeting be adopted as presented.
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

8:03 p.m. Mayor Mallowney called for New Business additions

Added to New Business:

Councillor Tucker – Station Rd & Winnionish Drive

Councillor Luby – Water on Roads

Deputy Mayor O'Driscoll & Councillor Maloney – Update on Walking Trail

Adoption of Minutes

July 10, 2018 as presented

MOTION: 2018-9346 Deputy Mayor O'Driscoll/Councillor Luby
MOVE THAT the Minutes of July 10, 2018 be adopted with correction to Motion No. 2018-9324 (Reversed motion, rescind and correct)
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

June 11, 2018 Minutes with corrections - Info Only

Delegation

No Delegations scheduled for August 13th

Applications

Application to Operate a Business Application # 2018-118 Commercial - Restaurant 48A Bread & Cheese Rd.

Correction to Business Application # 2018-118

MOTION: 2018-9347 Councillor Tucker/Deputy Mayor O'Driscoll
MOVE THAT Motion No. 2018-9316 be rescinded
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

MOTION: 2018-9348 Councillor Tucker/Deputy Mayor O'Driscoll
MOVE THAT business application No. 2018-118 be accepted and advertised in accordance with development regulation No. 32 & 90 of the Town's Regulations on Discretionary Use.
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

MOTION: 2018-9349 Councillor Tucker/Deputy Mayor O'Driscoll
MOVE THAT Business Application No. 2018-118 be approved as the Town did not receive any objections to the proposal.
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

8:10 p.m. Councillor Tucker declared conflict of interest on application # 2018-511 and left the chambers; Councillor Tucker has immediate family that own land in the area.

Crown Land Application No. 141415
Application # 2018-511
Residential- Sub-Division
In the area of 730 Southern Shore Hwy

MOTION: 2018-9350 Councillor Luby/Deputy Mayor O'Driscoll
MOVE THAT comments be sent to lands branch stating that an agricultural buffer exists in this area; and also some land in question could be privately owned.

Questions called. Motion carried.

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

Against: 0

8:12 p.m. Councillor Tucker returned to the Chambers

8:13 p.m. Councillor Tucker asked Council to decide on her proposed conflict of interest in regards to application No. 2018-119

MOTION: 2018-9351 Deputy Mayor O'Driscoll/Councillor Luby
MOVE THAT Councillor Tucker is not in conflict on Application No. 2018-119

Questions called. Motion carried.

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

Against: 0

8:13 p.m. Councillor Tucker returned to the Chambers

Application to Operate a Business
Application # 2018-119
Commercial – Spa/Aesthetics Services
738 Southern Shore Hwy

MOTION: 2018-9352 Councillor Luby/Councillor Burton
MOVE THAT Business Application No. 2018-119 be approved

Questions called. Motion carried. Unanimously

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

Against: 0

8:16 p.m. Councillor Tucker asked Council to decide on her proposed conflict of interest in regards to Application No. 2018-113

MOTION: 2018-9353 Deputy Mayor O'Driscoll/Councillor Burton
MOVE THAT Councillor Tucker is not in conflict on Application No. 2018-113

Questions called. Motion carried.

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

Against: 0

8:16 p.m. Councillor Tucker returned to the Chambers

Application for Change of Use
Application # 2018-113
Commercial – Restaurant/Pub/Lounge
710 Southern Shore Hwy

MOTION: 2018-9354 Deputy Mayor O’Driscoll/Councillor Burton
MOVE THAT applicant be sent a letter with a list of required information.
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Accounts Payable

8:20 p.m. Councillor Luby declared conflict of interest on Cheque No.’s 1585 & 1605 and left the chambers

MOTION: 2018-9355 Councillor Tucker/Councillor Burton
MOVE THAT Cheque No’s 1585 & 1605 totaling \$1,280.39 be released
Questions called. Motion carried.
For Motion: 5 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Maloney & Burton)
Against: 0

8:20 p.m. Councillor Luby returned to the Chambers

MOTION: 2018-9356 Deputy Mayor O’Driscoll/Councillor Maloney
MOVE THAT All other payables in Section A totaling \$78,911.70 be released
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Total Accounts Paid in Section A: \$80,192.09

Total Accounts Paid in Section B: \$52,492.32 Regular Re-Occurring Monthly Bills

Total Disbursements for August: \$132,684.41

Correspondence & Action

Town Covenant for JVT Holdings Sub-Division

MOTION: 2018-9357 Councillor Burton/Deputy Mayor O’Driscoll
MOVE THAT the covenant be accepted as presented
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Request for Traffic Calming Measures: Harvey Place

MOTION: 2018-9358 Deputy Mayor O'Driscoll/Councillor Luby
MOVE THAT Council place a sign in the area advising motorist to slow down
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Request to Address Water-Run Off At 80 Cemetery Lane West

MOTION: 2018-9359 Councillor Tucker/Councillor Luby
MOVE THAT outside maintenance look at the area
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Records and Retention Policy

MOTION: 2018-9360 Deputy Mayor O'Driscoll/Councillor Burton
MOVE THAT policy accepted, staff to start the process
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Flooding 573 Southern Shore Hwy

MOTION: 2018-9361 Councillor Luby/Councillor Tucker
MOVE THAT Council look at the drainage issue at this property
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Standard Form of Agreement

MOTION: 2018-9362 Councillor Tucker/Councillor Luby
MOVE THAT council accept the agreement as presented for the Lower Rd upgrades
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Standard Form of Agreement Schedule III : Additional Reimbursable Allowances

MOTION: 2018-9363 Councillor Tucker/Councillor Luby
MOVE THAT council accept the additional cost of \$4,000 as presented
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Information Only

For Council: from; Councillor Kevin O'Brien, Town of Bay Bulls; RE: Resignation Effective July 18, 2018

For Council: from; Rick Curran, Director of Regional Operations Avalon; Service NL; RE: Signage at Long Pond

Information Circular: from; Heather Tizzard; Assistant Deputy Minister; Municipal Infrastructure and Support RE: Extension to CWWF and PTIF Programs

Memo: from; Betty Moore, Board Vice-Chair\Avalon Director; Municipal Assessment Agency; RE: Update on Municipal Assessment Agency

General Business

Replacement Guard Rail Posts

MOTION: 2018-9364 Councillor Tucker/Councillor Luby

MOVE THAT order posts as needed at the presented cost of \$39/post + delivery

Questions called. Motion carried. Unanimously

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

Against: 0

Right of Entry under *Municipalities Act, 1999*

MOTION: 2018-9365 Councillor Luby/Councillor Tucker

MOVE THAT council send letters to private landowners to fix water runoff issues on their properties

Questions called. Motion carried. Unanimously

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

Against: 0

Request from Christmas Tree Lighting Committee

MOTION: 2018-9366 Deputy Mayor O'Driscoll/Councillor Luby

MOVE THAT council lend support to the lighting set for the first Friday in December

Questions called. Motion carried. Unanimously

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

Against: 0

8:49 p.m. Deputy Mayor O'Driscoll & Councillor Tucker declared conflict of interest on Southside Rd- clean up and left the chambers; Deputy Mayor O'Driscoll & Councillor Tucker both reside on Southside Rd.

Southside Rd – Scott's Hill Area

MOTION: 2018-9367 Councillor Luby/Councillor Burton

MOVE THAT Outside Maintenance look at the area and do any cleanup needed
Questions called. Motion carried.

For Motion: 4 (Mayor Muldowney, Councillors Luby, Maloney & Burton)

Against: 0

8:50 p.m. Deputy Mayor O'Driscoll & Councillor Tucker returned to the Chambers

8:50 p.m. Councillor Luby declared conflict of interest on Railway preservation on Station Rd and left the chambers; Councillor Luby has immediate family that reside on Station Rd.

Preservation of Railway Bed-Station Rd

MOTION: 2018-9368 Councillor Tucker/Deputy Mayor O'Driscoll
MOVE THAT Council send an application to lands branch to reserve this area.

Questions called. Motion carried.

For Motion: 5 (Mayor Muldowney, Deputy Mayor O'Driscoll, Councillors Tucker, O'Brien, Maloney & Burton)

8:51 p.m. Councillor Luby returned to the chambers

Dis-Arm Come Home Year Committee

MOTION: 2018-9369 Councillor Tucker/Councillor Maloney
MOVE THAT council remove Come Home Year Committee as an arm of council.

Questions called. Motion carried. Unanimously

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

Against: 0

SNC - Lower Path Rd - Culvert Installation

MOTION: 2018-9370 Councillor Maloney/Councillor Tucker
MOVE THAT council proceed with new scope of work for a second culvert on Lower Path Rd

Questions called. Motion carried. Unanimously

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

Against: 0

Surface Well - 17 Alley Rd

MOTION: 2018-9371 Councillor Luby/Councillor Burton
MOVE THAT council sent a letter to the resident to fill-in the open surface well.

Questions called. Motion carried. Unanimously

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

Against: 0

Snow Clearing Contract 2018-2019 Season

MOTION: 2018-9372 Deputy Mayor O'Driscoll/Councillor Burton
MOVE THAT the snow clearing tender be released as presented

Questions called. Motion carried. Unanimously

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

Against: 0

Salt Delivery for 2018-2019 winter season

MOTION: 2018-9373 Deputy Mayor O'Driscoll/Councillor Tucker
MOVE THAT council proceed to order 100 tonnes of salt
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Sand Delivery for 2018-2019 winter season

Town Clerk informed council that enough sand was left over from 2017-2018 season to use for now & no new sand will be purchased; the Town can revisit the need in March or April.

Class A – Stone delivery

MOTION: 2018-9374 Councillor Luby/Councillor Tucker
MOVE THAT council order the needed class A from the standing offer list.
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Staff Annual Leave Request – Sept 3-Sept 23

MOTION: 2018-9375 Deputy Mayor O'Driscoll/Councillor Tucker
MOVE THAT the requested annual leave be granted as presented
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

8:57 p.m. Councillor Luby declared conflict of interest on the purchase of water totes and left the chambers; Councillor Luby has immediate family that own and operate the company selling the totes.

Purchase Large Water Totes: BBRLC Maintenance

MOTION: 2018-9376 Councillor Tucker/Deputy Mayor O'Driscoll
MOVE THAT Council purchase large water totes used for maintenance at the BBRLC water reservoir
Questions called. Motion carried.
For Motion: 5 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Tucker, Maloney & Burton)
Against: 0

8:57 p.m. Councillor Luby returned to the Chambers

Additional Road Upgrades for Farm Rd

MOTION: 2018-9377 Councillor Tucker/Deputy Mayor O'Driscoll
MOVE THAT Council accept the Farm Rd upgrades and to include Track Rd as presented by SNC
Questions called. Motion carried. Unanimously

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

By-Election Dates

- *September 4th Nomination Day*
- *September 25th Election Day*

MOTION: 2018-9378 Councillor Luby/Councillor Tucker

MOVE THAT Council advertise the position of Alternate Returning Officer

Questions called. Motion carried. Unanimously

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

Against: 0

New Business

Station Rd & Winnonish Dr

Councillor Tucker discussed equipment requirements for Station Rd & Winnonish Dr job as stated in the Town's Standing Offer

Water on Municipal Roads

Councillor Luby reconfirmed that council will be sending letters to residents to address water runoff issues, to discuss

9:06 p.m. Mayor Mallowney & Councillor Luby declared conflict of interest on the Walking Trail at Long Pond and left the chambers; Mayor Mallowney owns land in the area of the proposed trail & Councillor Luby has immediate family that resides in the area.

Long Pond Walking Trail Update

Deputy Mayor O'Driscoll & Councillor Maloney shared with Council the walking trail will proceed with input from the property owner at 258 Southern Shore Hwy

Councillor Maloney discussed sending the maintenance supervisor to the area to tidy up some of the grassy spots

9:12 p.m. Mayor Mallowney & Councillor Luby returned to the chambers

Adjournment

9:14 p.m. Mayor Mallowney called for adjournment as there was no further business of the Council.

MOTION: 2018-9379 Councillor Tucker/Deputy Mayor O’Driscoll
MOVE THAT the meeting be adjourned
Questions called. Motion carried. Unanimously
For Motion: 6 (Mayor Mullooney, Deputy Mayor O’Driscoll, Councillors Tucker, Luby, Maloney & Burton)
Against: 0

Mayor



Clerk

Draft