

Town of Bay Bulls

Meeting Minutes

For the Public Meeting of May 13, 2019

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

Members Present

Mayor Harold Mullooney
Councillor Patrick Coady
Councillor Joan Luby
Councillor Evelyn Tucker

Staff Present

Sandra Cahill, Town Clerk
Ashley Wakeham, Assistant Town Clerk

Regrets

Deputy Mayor, Wendy O'Driscoll
Councillor Eric Maloney

Call to Order

Mayor Harold Mullooney assumed the Chair and called the meeting to order at 8:02 p.m.

Adoption of Agenda

MOTION: 2019-9675 Councillor Coady / Councillor Luby
MOVE THAT the agenda of May 13, 2019 Public Meeting be adopted as presented.
Questions called. Motion carried. Unanimously
For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)
Against: 0

Mayor Mullooney called for new business additions:

There was no new business for April 8th 2019

Adoption of Minutes

April 8, 2019 Minutes

MOTION: 2019-9676 Councillor Tucker/Councillor Coady
MOVE THAT the minutes of April 8, 2019 be adopted as presented
Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)
Against: 0

April 26, 2019 Minutes – Special Meeting – Lower Rd Upgrades Tender Award

MOTION: 2019-9677 Councillor Coady / Councillor Luby
MOVE THAT the minutes of Special Meeting April 26, 2019 be adopted as presented
Questions called. Motion carried. Unanimously
For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)
Against: 0

Delegations & Proclamations

Congratulations Announcement from Mayor and Council:

Mayor Mullooney addressed Council and members of the public:

“A special congratulations to our Deputy Mayor’s daughter Amelia O’Driscoll and Councillor Luby’s son Jake Frizzell and warm congratulations to all Mobile Central High School graduates of the Class of 2019 who had their graduation ceremony this past April 17th; Keep on growing. Keep adding to the goodness and beauty in the world. Keep developing those unique dreams and talents that make you who you are!”

Proclamation – Recreation Month 2019

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

WHERE AS, The Town of Bay Bulls recognizes that recreation enhances quality of life, active living and lifelong learning, helps people to live happier and longer, develops creativity, and builds healthy bodies and positive lifestyles; and

WHERE AS, recreation provides opportunities for personal growth and development for people of all abilities and can be especially helpful to people living with disabilities; and

WHERE AS, our parks, open spaces, and trails ensure ecological sustainability, provide space to enjoy nature, help maintain clean air and water, and preserve plant and animal wildlife; and

WHERE AS, recreation is an important contributor to community economic development, which creates jobs, fosters tourism, and makes communities more attractive places in which to live, work and play

THEREFORE, the community of BAY BULLS does hereby proclaim the month of June to be Recreation Month.

Applications

Application # 2019-432

New Development – SF Home
Northside Rd, Bay Bulls

MOTION: 2019-9678 Councillor Luby / Councillor Tucker

MOVE THAT application 2019-432 be referred to the planner for further comments

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Accounts Payable

MOTION: 2019-9679 Councillor Coady / Councillor Tucker

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

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Total for Section A: \$67,761.38

Total for Section B: \$81,117.40

Total Disbursements for the Month: \$148,878.78

Correspondence & Action

Ocean Edge Girl Guides Donation application #2019-02

MOTION: 2019-9680 Councillor Tucker / Councillor Coady

MOVE THAT a donation of \$100.00 be given to the Ocean Edge Girl Guides

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Award RFQ – Traffic Line Painting

MOTION: 2019-9681 Councillor Tucker / Councillor Luby

MOVE THAT award be given to the best price provided meeting all specification for paint, reflectivity, and applicator.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Backfilling and Excavation Regulations Resolution of Acceptance

RESOLUTION: 2019-9682 Deputy Mayor O'Driscoll/ Councillor Tucker

BE IT RESOLVED THE Town of Bay Bulls accepts the presented "*Backfilling and Excavation Regulations*" and this shall form part of the Town of Bay Bulls Development Regulations; BE IT FURTHER RESOLVED that residents and contractors wishing to engage in backfilling and/or excavation activity will be required to submit an application for approval to the Town of Bay Bulls.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor MULLOWNEY, Councillors Tucker, Luby & Coady)

Against: 0

Addition to the Town's Fee Structure

MOTION: 2019-9683 Councillor Luby / Councillor Coady

MOVE THAT Backfilling and Excavation permit fees be added to the fee structure for the duration of 2019; as follows:

\$75.00 charge for a residential Backfilling and Excavation permit

\$100 charge for a commercial Backfilling and Excavation permit.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor MULLOWNEY, Councillors Tucker, Luby & Coady)

Against: 0

Development Amendment No. 6 – Accessory Buildings

8:12 p.m. Councillor Tucker declared conflict of interest on action item "Development Amendment No. 6 – Accessory Buildings" and left the Chambers.

Council lost quorum; action item "Development Amendment No. 6 – Accessory Buildings" is deferred to June 10 2019 agenda.

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

Bristol Landing – Phase III Options for Emergency Fire Access Road

MOTION: 2019-9684 Councillor Tucker / Councillor Coady

MOVE THAT option B proposed on the presented map showing the access off the Witless Bay Line is the preferred access point of the Town of Bay Bulls.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor MULLOWNEY, Councillors Tucker, Luby & Coady)

Against: 0

Capital Investment Plan Application

8:14 p.m. Councillor Luby declared conflict of interest on action item "Capital Investment Plan Application"; and left the Chambers.

Council lost quorum; action item "Development Amendment No. 6 – Accessory Buildings" is deferred to June 10 2019 agenda.

8:14 p.m. Councillor Luby returned to the Chambers

Medical and Discretionary Donation Procedure

Council reviewed for information

Healthy Eating Policy

MOTION: 2019-9685 Councillor Tucker / Councillor Luby

MOVE THAT Council adopt the presented Healthy Eating Policy for all future events held by the Town of Bay Bulls.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Request – Snow Clearing Operator has requested the mandatory holdback be released as the contract has ended effective April 30, 2019

MOTION: 2019-9686 Councillor Tucker / Councillor Luby

MOVE THAT 100% of the holdback be released to the contractor effective May 15, 2019

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Snow Clearing Damage Claims

Claim #1: Salt & Sand debris created damage to motor vehicle; Council reviewed the submission and all pictures of the damages.

MOTION: 2019-9687 Councillor Coady / Councillor Tucker

MOVE THAT Claim #1 be dismissed based on the opinion of council.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Claim #2: Resident is requesting assistance to reinstate a portion of his lawn due to medical reasons the resident is unable to complete the work.

MOTION: 2019-9688 Councillor Tucker / Councillor Coady

MOVE THAT Claim #2 be accepted; maintenance staff will assist in the form of man power to help tidy the area by turning over sods.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Maintenance Staff – Training Requirements for Fall Arrest and Confined Space as per OH&S Regulations

MOTION: 2019-9689 Councillor Tucker / Councillor Luby

MOVE THAT Maintenance staff be sent for training to ensure all training is up-to-date

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Against: 0

Resolution of Acceptance for the National Building Code of Canada

RESOLUTION: 2019-9690 Councillor Luby / Councillor Coady

BE IT RESOLVED that the Town of Bay Bulls adopt the National Building Code of Canada as the standard for all construction within the Town of Bay Bulls; BE IT FURTHER RESOLVED that the Town of Bay Bulls will add to all permits issued the following “The Town of Bay Bulls DOES NOT carry out building inspections. The permit holder is responsible to ensure that all work completed under this permit meets the requirements of the National Building Code of Canada’s codes, standards, and regulations enforced at the time of construction”

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Request from Pennecon - Grand Bank Warehousing to Eastern Waste Management

8:20 p.m. Mayor Muldowney declared conflict of interest on action item “Request from Pennecon...”; and left the Chambers.

Council lost quorum; action item “Request from Pennecon...” is deferred to June 10 2019 agenda.

8:21 p.m. Mayor Muldowney returned to the Chambers

Request from LegionNL – purchase of advertising space

8:22 p.m. Councillor Tucker declared conflict of interest on action item “Request from LegionNL – purchase of advertising space” and left the Chambers.

Council lost quorum; action item “Request from LegionNL – purchase of advertising space” is deferred to June 10 2019 agenda.

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

Request for the Town to install street light on Track Rd Ext.

8:23 p.m. Councillor Luby declared conflict of interest on action item “Request for the Town to install street light on Track Rd Ext.” and left the Chambers.

Council lost quorum; action item “Request for the Town to install street light on Track Rd Ext” is deferred to June 10 2019 agenda.

8:23 p.m. Councillor Luby returned to the Chambers.

St. John’s Urban Region Regional Plan Amendment for Portugal Cove-St. Philip’s

MOTION: 2019-9691 Councillor Tucker / Councillor Coady

MOVE THAT Council does not have any concerns or comments on the proposed amendments from Portugal Cove-St. Phillip’s.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Muldowney, Councillors Tucker, Luby & Coady)

Letter to the Department of Transportation and Works requesting spring maintenance along Southern Shore Highway

MOTION: 2019-9692 Councillor Luby / Councillor Coady

MOVE THAT the presented letter be sent to the department's manager with the addition of concerns surrounding insufficient lines at the crosswalk located at the intersection of Southern Shore Hwy and Cemetery Lane West.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)

Spring Maintenance – Recommendations

Area #1: Right of Way on Alley Rd to be graded and sloped to alleviate water running onto the Public roadway

MOTION: 2019-9693 Councillor Coady / Councillor Tucker

MOVE THAT Council accept the presented recommendations for grading and class A stone along this right of way.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)

Area #2: Bill Joy's Lane Upgrading

MOTION: 2019-9694 Councillor Tucker / Councillor Luby

MOVE THAT Council accept the presented recommendations for 45 meters of ditching and 1 600mm HDPE culvert to be installed across the lane. The recommendation to pave 280 m2 of Bill Joy's Lane is on hold.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)

Area #3: Scott's Hill – Contamination of residential well

MOTION: 2019-9695 Councillor Tucker / Councillor Coady

MOVE THAT Council accept the presented recommendations for curbing to be installed and an open ditch be instated to help carry the water away from the well.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)

Area #4: Dunn Drive – water runoff issues

Recommendation stating that development of the 2 vacant lots will help to alleviate this water run off issue in the Dunn Drive area was accepted; no further action will be taken by the Town in this area; it was noted that the solution is development will need to happen with vegetation and lawns re-instated on the vacant lots.

Information Only

Development & Permit Report
Action Report

ECT Media Release – MOU Signing
Enforcement / By-Law Officer
Letter of apology to Council

General Business

30 Minute Community Face Lift Challenge

MOTION: 2019-9696 Councillor Tucker / Councillor Luby

MOVE THAT Council set the date for the 30-minute community face lift challenge as May 25th 2019; and further MOVES that a winner will be chosen out of the submitted photos for a prize.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)

Large Community Clean Up scheduled for June 1 2019

Residents are encouraged to come to the Town Hall beginning at 9:30 a.m. on June 1 2019 to received their safety vests, gloves, grabbers and garbage bags in order to participate in this year's community wide clean up. Healthy snack options will be available to participates at the Town Hall throughout the morning.

East Coast Trails – “Trailraiser” Fundraising Event June 8 2019

MOTION: 2019-9697 Councillor Luby/ Councillor Coady

MOVE THAT the Town lend support and provide catering for the event.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)

Legal Advice to proceed in the removal of derelict vacant homes – Remove/Repair orders have been issued with a date of May 20 for compliance

MOTION: 2019-9698 Councillor Luby/ Councillor Tucker

MOVE THAT the Town Clerk contact the Town's legal for advice on next steps in the removal process

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)

Triware Technologies to install new PC for Assistant Town Clerk

MOTION: 2019-9699 Councillor Coady / Councillor Luby

MOVE THAT the Town purchase and install the new PC for a cost of \$1,586.71 as per the quote received.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullooney, Councillors Tucker, Luby & Coady)

Request from property owner to cut pavement for installation of a water line to an existing business

MOTION: 2019-9700 Councillor Coady / Councillor Luby

MOVE THAT the Town accept the proposal and \$500.00 deposit for the work that is to be completed by the property owner.

Questions called. Motion carried. Unanimously

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

Against: 0

Ryan's Property – tentative site plan

Council reviewed and will keep the design in mind for the future development of the lot.

Come Home Year Committee

Council reviewed the proposal to build a wheelchair accessible lookout deck on the Ryan's property from the Come home Year Committee; CHYC will be donating the surplus money acquired from the 2017 Come Home Year to help build this proposed lookout deck.

Council agreed to this generous donation and will be working with the CHYC to design and build the deck.

Southern Shore Arena Board – Fundraising Request

MOTION: 2019-9701 Councillor Tucker / Councillor Coady

MOVE THAT the Town send a \$100.00 donation to the Ken Williams Fundraiser.

Questions called. Motion carried. Unanimously

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

Against: 0

Civic Numbering for Emergency Response

Councillor Luby addressed the chambers with information from the monthly Regional Fire Committee meeting; it had been discussed for the need of better civic numbering closer to the road to aid the Fire Dept. and Eastern Health in better response times in the event of an emergency.

Council agreed and will gather quotes on house numbers to purchase and make them available to the residents at the Town Office.

Fire Inspections

Councillor Luby addressed the chambers once more to bring forward the need for Commercial Fire Inspections; the Witless Bay Fire Dept. has expressed a need to be notified when new commercial builds, sub-divisions, and multi-unit builds are underway.

Council agreed to make this part of the administrative process for these types of applications.

Letter to East Coast Trails from Council

MOTION: 2019-9702 Councillor Coady/ Councillor Luby

MOVE THAT the Town send a letter to the East Coast Trails asking them to start work on the proposed parking lot for the Northside trailhead, and to ask that they remind hikers that the entrance is to the Gunridge Rd cannot be blocked with parked cars.

Questions called. Motion carried. Unanimously

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

Against: 0

New Business

Privacy Fence for Ryan's Property

MOTION: 2019-9703 Councillor Luby/ Councillor Coady

MOVE THAT the Town replace the privacy fence with murals along one side of the Ryan's Property

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullaney, Councillors Tucker, Luby & Coady)

Against: 0

Liar's Bench

MOTION: 2019-9704 Councillor Luby/ Councillor Tucker

MOVE THAT the Town replace the Liar's Bench that once sat on the Ryan's property

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullaney, Councillors Tucker, Luby & Coady)

Against: 0

Clean-Up Beach Area & Right of Way in front of Town Hall

MOTION: 2019-9705 Councillor Luby/ Councillor Tucker

MOVE THAT the Town install water control culvert/pipe, stone for the walkway, and benches in the rest area.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullaney, Councillors Tucker, Luby & Coady)

Against: 0

MOTION: 2019-9706 Councillor Luby/ Councillor Tucker

MOVE THAT the Town ask residents if they would be interested in donating "memory" benches to be placed around town.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullaney, Councillors Tucker, Luby & Coady)

Against: 0

Adjournment

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

MOTION: 2019-9707 Councillor Tucker / Councillor Coady

MOVE THAT the meeting be adjourned.

Questions called. Motion carried. Unanimously

For Motion: 4 (Mayor Mullaney, Councillors Tucker, Luby & Coady)

Against: 0



Mayor

Clerk

DRAFT