



# Town of Bay Bulls

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## Meeting Minutes

*Public Meeting*

December 9, 2019  
8:00 p.m.

Council Chambers  
Town Office

### Members Present

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

### Staff Present

Jennifer Aspell, Town Clerk/Manager

### Regrets

Sandra Cahill, Town Clerk  
Ashley Wakeham, Assistant Town Clerk

## 1. Call to Order

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Mayor Harold Mullooney assumed the Chair and called the meeting to order at 8:15 p.m.

## 2. Adoption of Agenda

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**MOTION: 2019-9947** Deputy Mayor O'Driscoll/ Councillor Coady

MOVE THAT the agenda of December 9, 2019 Public Meeting be amended to include:

- 13.1 Public Meeting Schedule for 2020
- 13.2 Christmas Gift for Staff
- 13.3 Christmas Greetings from Council in the Irish Loop Post next edition

Further MOVE THAT the amended agenda be adopted for the December 9, 2019 Public Meeting.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

## 3. Adoption of Minutes

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**November 13, 2019 Public Meeting Minutes**

**MOTION: 2019-9948** Deputy Mayor O'Driscoll / Councillor Coady

MOVE THAT the minutes of November 13, 2019 be adopted as presented.

Questions called. Motion carried unanimously.

For Motion: 6  
Against: 0

### ***November 28, 2019 Special Public Meeting Minutes***

**MOTION: 2019-9949** Councillor Coady/ Deputy Mayor O’Driscoll  
MOVE THAT the minutes of November 28, 2019 be adopted as presented.  
Questions called. Motion carried unanimously.  
For Motion: 6

## **4. Business Arising**

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### **4.1 Cost Estimate for Bill Joy’s Lane Work**

**MOTION: 2019-9950** Councillor Luby / Councillor Coady  
MOVE THAT the presented estimate for work on Billy Joy’s Lane totaling \$2,012.50 (HST included) be accepted.  
Questions called. Motion carried unanimously.  
For Motion: 6  
Against: 0

## **5. Delegations & Proclamations**

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**No delegations or proclamations for December 9, 2019**

## **6. Applications**

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### **6.1 Amendment to Application # 2019-433**

Development of Lot/ To Operate a Business – Restaurant  
873 Southern Shore Highway, Bay Bulls

**MOTION: 2019-9951** Councillor Tucker/ Councillor Luby  
MOVE THAT the request to erect signage at the business location of 873 Southern Shore Highway be approved. Any signage to be erected on the Southern Shore Highway at Long Pond must be approved by Service NL.  
Questions called. Motion carried unanimously.  
For Motion: 6  
Against: 0

**MOTION: 2019-9952** Councillor Tucker/ Deputy Mayor O’Driscoll  
MOVE THAT the applicant must provide an engineer stamped drawing of the parking lot listing all access points, the applicant must also provide a letter to the Council agreeing to install guide rail in the parking lot by March 31, 2020. Upon receipt and review of the requested information a decision will be made.  
Questions called. Motion carried unanimously.  
For Motion: 6

Against: 0

### **6.2 Application # 2019-813**

Ratification of Backfill & Excavation – Septic Replacement

**MOTION: 2019-9953** Councillor Tucker/ Deputy Mayor O’Driscoll

MOVE TO ratify the email vote of November 27, 2019 to approve Application # 2019-813.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

### **6.3 Application # 2019-439**

New Development – Single Family Home

22 Quay’s Road, Bay Bulls

8:20 p.m. Councillor Luby declared a conflict of interest on application no. 2019-439 and left the Chambers. Councillor Luby has family that resides in the immediate area of the proposed development.

**MOTION: 2019-9954** Councillor Maloney/ Councillor Coady

MOVE THAT Application number 2019-439 be deferred pending the outcome of a water assessment study.

Questions called. Motion carried unanimously.

For Motion: 5

Against: 0

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

### **6.4 Application # 2019-521**

Crownland Referral – Subdivision

Southern Shore Highway, Bay Bulls

8:20 p.m. Mayor Muldowney declared a conflict of interest on application no. 2019-521 and left the Chambers. Mayor Muldowney owns land the area of the proposed development on the Southern Shore Highway.

8:21 p.m. Deputy Mayor O’Driscoll assumed the Chair.

**MOTION: 2019-9955** Councillor Tucker / Councillor Maloney

MOVE THAT Application number 2019-521 be refused based on the Climate Change Adaptation Study referenced in action item 9.8.

Questions called. Motion carried unanimously.

For Motion: 5

Against: 0

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

## **7. Accounts Payable**

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### **7.1 Accounts for Payment**

8:21 p.m. Deputy Mayor O’Driscoll declared a conflict of interest on cheque no. 2232 and left the Chambers.

Deputy Mayor O'Driscoll has immediate family employed by the Town.

**MOTION: 2019-9956** Councillor Tucker / Councillor Coady  
MOVE THAT cheque number 2232 totaling \$1,511.10 be released.  
Questions called. Motion carried unanimously.  
For Motion: 5  
Against: 0

8:22 p.m. Deputy Mayor O'Driscoll returned to the Chambers.

8:22 p.m. Councillor Luby declared a conflict of interest on cheque no. 2227 and 2241 and left the Chambers.  
Councillor Luby has immediate family employed by the payees.

**MOTION: 2019-9957** Councillor Tucker / Councillor Coady  
MOVE THAT cheque number 2241 and 2247 totaling \$5,034.50 be released.  
Questions called. Motion carried unanimously.  
For Motion: 5  
Against: 0

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

**MOTION: 2019-9958** Deputy Mayor O'Driscoll / Councillor Tucker  
MOVE THAT all other payables in section A totaling 263,508.45 be released  
Questions called. Motion carried unanimously.  
For Motion: 6  
Against: 0

**Total for Section A: \$270,054.05**

**Total for Section B: \$42,555.42- Re-occurring monthly bills for information only**

**Total Disbursements for the Month: \$312,609.47**

## **7.2 Renewal – Cloud Traffic Data Capabilities**

**MOTION: 2019-9959** Deputy Mayor O'Driscoll / Councillor Luby  
MOVE THAT the renewal of the Cloud Data Subscription for the digital traffic sign be deferred pending clarification on Bluetooth versus Cloud capabilities.  
Questions called. Motion carried unanimously.  
For Motion: 6  
Against: 0

# **8. Committee Reports**

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**8.1 Southern Shore Joint Council Meeting Package for December 5, 2019 and Minutes of October 29, 2019 Meeting.**

**8.2 Northeast Avalon Joint Council Meeting Package for December 4, 2019**

### 8.3 Regional Fire Committee Meeting Overview

Mayor Muldowney requests clarification on the subdivision fire hydrant request outlined in the Committee Report. Specifically, Mayor Muldowney would like to know if the request is to have dry hydrants included in subdivision design specifications.

### 8.3 Bay Bulls – Bauline Athletic Association (BBBAA) Monthly Activities Report

### 8.4 Bay Bulls – Bauline Athletic Association (BBBAA) Monthly Financial Report

## 9. Action

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### 9.1 Ratification of Motions

#### Motion No. 1 – Lower Road Project Costs – 6 Lower Road

**MOTION: 2019-9960** Deputy Mayor O’Driscoll / Councillor Luby  
MOVE TO ratify the email vote of November 29, 2019 to proceed with the removal of collapsed pipe and the installation of new materials at 6 Lower Road to mitigate potential issues with water pooling and flooding at a cost of \$12,602.00 + HST.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

#### Motion No. 2 – Purchase of Postage

**MOTION: 2019-9961** Deputy Mayor O’Driscoll / Councillor Luby  
MOVE TO ratify the email vote of November 27, 2019 to purchase six rolls of postage stamps as per PO# 20191127 at a cost of \$621.00 HST included.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

### 9.2 Request to Install Street Lighting at Track Road Extension

8:28 p.m. Deputy Mayor O’Driscoll declared a conflict of interest on agenda item 9.2 and left the Chambers. Deputy Mayor O’Driscoll has family that own land in the area of the requested street lighting.

8:28 p.m. Councillor Luby declared a conflict of interest on agenda item 9.2 and left the Chambers. Councillor Luby resides in the area of the requested street lighting.

**MOTION: 2019-9962** Councillor Tucker / Councillor Maloney  
MOVE THAT the request for the installation of a pole light at the end of the Track Road Extension be denied as the pole lighting is consistent with other areas in the Town. However, if further development takes place in the area, the request for additional pole lights may be reconsidered at that time.

Questions called. Motion carried unanimously.

For Motion: 4

Against: 0

8:29 p.m. Deputy Mayor O'Driscoll and Councillor Luby returned to the Chambers.

### **9.3 Recruitment Firm Proposals**

**MOTION: 2019-9963** Councillor Tucker / Councillor Maloney

MOVE THAT Council accept the lowest bid provided by a recruitment firm to conduct the recruitment process for the open position of Maintenance Assistant.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

### **9.4 Town of Bay Bulls Collections Policy No.TBB-004-CN**

**MOTION: 2019-9964** Deputy Mayor O'Driscoll / Councillor Tucker

MOVE THAT Council adopt the Collections Policy No. TBB-004-CN as presented to take effect January 1, 2020.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

### **9.5 Travel – Public Works Committee**

**MOTION: 2019-9965** Councillor Maloney / Deputy Mayor O'Driscoll

MOVE THAT the travel reimbursement for Public Works to a maximum amount of \$120.00 per month remain in effect for 2020.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

### **9.6 Professional Memberships - Renewals**

**MOTION: 2019-9966** Deputy Mayor O'Driscoll / Councillor Tucker

MOVE THAT Council renew memberships to Municipalities Newfoundland and Labrador (MNL), Professional Municipal Administrators (PMA) and The Federation of Canadian Municipalities (FCM) as they require renewal in 2020.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

### **9.7 TRIO Group Benefits Program**

**MOTION: 2019-9967** Deputy Mayor O'Driscoll / Councillor Tucker

MOVE THAT Council defer a decision on a benefit package until staff conduct a comparison of packages and pricing from other suppliers.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

## 9.8 Motion to Conduct Climate Change Adaptation Study

8:33 p.m. Mayor Mullaney declared a conflict of interest on agenda item 9.8 and left the Chambers. Mayor Mullaney owns land in an area identified by the study.

8:33 p.m. Councillor Coady declared a conflict of interest on agenda item 9.8 and left the Chambers. Councillor Coady resides in an area identified for the study.

8:33 p.m. Deputy Mayor O'Driscoll assumed the Chair.

**MOTION: 2019-9968** Councillor Tucker / Councillor Maloney

MOVE THAT the Town of Bay Bulls will complete a Climate Change Adaptation Study that will include flood risk mapping, stormwater management, overland flow, coastal erosion evaluation and recommendations for risk mitigation. Pending the outcome of the study, the Town of Bay Bulls may consider rezoning within the Town boundaries. Applications for development in the study area may be deferred pending the outcome of the Climate Change Report.

Questions called. Motion carried unanimously.

For Motion: 4

Against: 0

8:34 p.m. Mayor Mullaney and Councillor Coady returned to the Chambers. Mayor Mullaney assumed the Chair.

## 9.9 Office Christmas Hours

**MOTION: 2019-9969** Deputy Mayor O'Driscoll / Councillor Tucker

MOVE THAT the Town office close for 3 business days during the Christmas season. Closing on December 24<sup>th</sup>, 2019 at 12:00 p.m. and remaining closed until January 2<sup>nd</sup>, 2020 at 8:00 a.m.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

## 9.10 Independent Contractor Agreement

No motion required. Contract to remain as is.

# 10. Information Only

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## 10.1 Adopted Budget 2020

Mayor Mullaney addressed the gallery and Council and gave a brief address on the mil rate increase:

Mayor Mullaney stated the budget will see a slight increase of .25 of a mil for residential property tax which is the first increase in a number of years and that increase was largely mandated by the Department of Municipal Affairs and Environment as the Town's own source revenue must reflect population growth in recent years. The minimum increases were done to met this target.

## **10.2 Tax Structure 2020**

## **10.3 Section 3.1.2 Bay Bulls Municipal Plan – Environmental Policies**

# **11. Correspondence Received**

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## **11.1 Memo – Municipal Assessment Fees 2020**

## **11.2 MAE Correspondence – Long Pond Walking Trail Update**

## **11.3 MAE Correspondence – Confirmation of Receipt of Budget 2020**

# **12. Correspondence Sent**

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## **12.1 Letter to Municipalities on the Southern Shore – Request to Share Services**

## **12.2 Climate Change Adaptation Map**

8:40 p.m. Mayor Mullooney declared a conflict of interest on agenda item 12.2 and left the Chambers. Mayor Mullooney owns land in an area identified for the study.

8:40 p.m. Councillor Luby declared a conflict of interest on agenda item 12.2 and left the Chambers. Councillor Luby has immediate family residing in an area identified for the study.

8:40 p.m. Deputy Mayor O’Driscoll assumed the Chair no motion was required. However, a short discussion took place about the Climate Change Adaptation Study and the areas of focus.

8:41 p.m. Mayor Mullooney and Councillor Luby returned to the Chambers. Mayor Mullooney assumed the Chair.

## **12.3 Letter to Applicant of Application No. 2019-519**

## **12.4 Letter to Applicant of Application No. 2019-520**

## **12.5 Letter to Applicant of Application No. 2019-812**

## **12.6 Letter to Applicant of Application No. 2019-104**

## **12.7 Letter to Applicant of Application No. 2019-440**

## **12.8 Memo to residents – 2020 tax increase**

# **13. New Business**

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## **13.1 Schedule of Public Meetings for 2020**



**MOTION: 2019-9970** Deputy Mayor O'Driscoll / Councillor Luby

MOVE THAT every second Monday of the month at 8:00 p.m. Council will hold its Regular Public Meeting unless otherwise specified by Council. The meeting dates for 2020 are: Monday, January 13<sup>th</sup>, Monday, February 10<sup>th</sup>, Monday, March 9<sup>th</sup>, Monday, April 13<sup>th</sup>, Monday, May 11<sup>th</sup>, Monday, June 8<sup>th</sup>, Tuesday, July 14<sup>th</sup>, Monday, August 10<sup>th</sup>, Monday, September 14<sup>th</sup>, Tuesday, October 13<sup>th</sup>, Monday, November 9<sup>th</sup>, Monday, December 14<sup>th</sup>.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

### **13.2 Gift for Staff**

8:42 p.m. Deputy Mayor O'Driscoll declared a conflict of interest on agenda item 13.2 and left the Chambers. Deputy Mayor O'Driscoll has immediate family employed by the Town.

**MOTION: 2019-9971** Councillor Maloney / Councillor Tucker

MOVE THAT a Christmas gift be given to staff.

Questions called. Motion carried unanimously.

For Motion: 5

Against: 0

8:42 p.m. Deputy Mayor O'Driscoll returned to the Chambers.

### **13.3 Season's Greeting in the Irish Loop Post**

**MOTION: 2019-9972** Councillor Tucker / Councillor Luby

MOVE THAT a holiday greeting advertisement be published in the Irish Loop Post from the Town of Bay Bulls Council and Staff.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

## **14. Adjournment**

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8:43 p.m. Mayor Muldowney called for adjournment as there was no further business of the Council.

**MOTION: 2019-9973** Deputy Mayor O'Driscoll / Councillor Coady

MOVE THAT the meeting be adjourned.

Questions called. Motion carried unanimously.

For Motion: 6

Against: 0

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Mayor

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Town Manager

\_\_\_\_\_  
Date

