

Town of Bay Bulls

Meeting Minutes

For the Public Meeting of Sept 10, 2018

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

Members Present

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

Staff Present

Sandra Cahill, Town Clerk

Regrets

Ashley Wakeham, Assistant Town Clerk
Deputy Mayor Wendy O'Driscoll

Call to Order

Mayor Harold Mullooney assumed the Chair and called the meeting to order at 8:10 p.m.

Adoption of Agenda

MOTION: 2018-9389 Councillor Tucker/Councillor Luby
MOVE THAT the agenda of September 10, 2018 Public Meeting be adopted as presented.
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mullooney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

8:11 p.m. Mayor Mullooney called for New Business additions

Added to New Business:
Councillor Tucker – Invoices, Letter, Southern Shore Hwy

Adoption of Minutes

August 13, 2018 Minutes

Rescind Motion No. 2018-9324

MOTION: 2018-9390 Councillor Tucker/Councillor Luby

MOVE THAT motion No. 2018-9324 be rescinded.

Questions called. Motion carried. Unanimously

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

Against: 0

Rescind Motion No. 2018-9357

MOTION: 2018-9391 Councillor Tucker/Councillor Luby

MOVE THAT motion No. 2018-9357 be rescinded.

Questions called. Motion carried. Unanimously

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

Against: 0

August 13, 2018 Adoption of Minutes

MOTION: 2018-9392 Councillor Tucker/Councillor Luby

MOVE THAT the minutes of the Public Meeting for Aug 13, 2018 be adopted with corrections under new business.

Questions called. Motion carried. Unanimously

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

Against: 0

August 27, 2018 Adoption of Minutes

MOTION: 2018-9393 Councillor Maloney/Councillor Tucker

MOVE THAT the minutes of the Special Public Meeting for Aug 27, 2018 be adopted as presented

Questions called. Motion carried. Unanimously

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

Against: 0

August 30, 2018 Adoption of Minutes

MOTION: 2018-9394 Councillor Maloney/Councillor Tucker

MOVE THAT the minutes of the Special Public Meeting for Aug 30, 2018 be adopted as presented

Questions called. Motion carried. Unanimously

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

Against: 0

Delegation

8:14 p.m. Reginald Caren Owner/Operator of Paddy's Conv took the floor and addressed Council
The following was discussed:

In February 2018 application 2018-113 to operate a business (Change of Use) was received by council Reg expressed his concerns that this process has taken a very long time.

Reg asked council to make a decision on the application tonight

Councillor Luby had questions about a survey belonging to another property owner in the area

Reg explained that there is approx. 20 feet available for staff parking, and a licensed engineer has done his drawings, Reg further explained he supplied a recent survey of the area showing all boundaries.

8:18 p.m. delegation ended

Mayor Mullooney called for a motion on application 2018-113

Applications

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

MOTION: 2018-9395 Councillor Tucker/Councillor Maloney
MOVE THAT application 2018-113 be approved
Questions called. Motion carried.
For Motion: 4 (Mayor Mullooney, Councillors Coady, Tucker & Maloney)
Against: 1 (Councillor Luby)

Application to Develop Land (Shed)
Application # 2018-423
Residential – Garage
41 Northside Rd

MOTION: 2018-9396 Councillor Tucker/Councillor Maloney
MOVE THAT application 2018-423 be approved for residential garage only
Questions called. Motion carried.
For Motion: 4 (Mayor Mullooney, Councillors Coady, Tucker & Luby)
Against: 1 (Councillor Maloney)

Application to Develop Land
Application # 2018-422
Commercial – Gift Shop/Café
743 Southern Shore Hwy

8:26 p.m. Mayor Mullaney & Councillor Tucker declared conflict of interest on application 2018-422 for 743 Southern Shore Hwy; both Mayor Mullaney & Councillor Tucker have family that reside in and/or own land in the immediate area.
Quorum was lost; application 2018-422 moved to October's agenda for decision.

Accounts Payable

Progress Claims #1 & #2: Alley Rd & Farm Rd Road Project

MOTION: 2018-9397 Councillor Luby/Councillor Maloney
MOVE THAT progress claim #1 & #2 totaling \$332,048.70 be released
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mullaney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Change Order #001: Alley Rd & Farm Rd Road Project

MOTION: 2018-9398 Councillor Luby/Councillor Coady
MOVE THAT change order #001 totaling \$4,870.25 be released
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mullaney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

8:29 p.m. Councillor Luby declared conflict of interest on Cheque No. 1630 & 1633 for Southeast Const. for work on Station Rd; Councillor Luby has immediate family that reside on Station Rd.

MOTION: 2018-9399 Councillor Tucker/Councillor Maloney
MOVE THAT Cheque No. 1630 & 1633 totaling \$5,278.56 be released pending clarification
Questions called. Motion carried.
For Motion: 4 (Mayor Mullaney, Councillors Coady, Tucker & Maloney)
Against: 0

8:29 p.m. Councillor Luby returned to the Chambers

MOTION: 2018-9400 Councillor Luby/Councillor Maloney
MOVE THAT all other payables in section A totaling \$375,792.16 be released
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mullaney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Total Accounts Paid in Section A: \$381,070.72
Total Accounts Paid in Section B: \$84, 553.05 Monthly Bills
Total Disbursements for September: \$465,623.77

Correspondence & Action

Town Covenant for JVT Holdings Sub-Division

MOTION: 2018-9401 Councillor Luby/Councillor Maloney

MOVE THAT section 31 of the covenant be amended to add “all other culverts/ditches as directed by the Town”

Questions called. Motion carried. Unanimously

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

Against: 0

MOTION: 2018-9402 Councillor Luby/Councillor Maloney

MOVE THAT an amendment to be made to Motion 2018-9401 “have a meeting with Vigilant to discuss first”
Questions called. Motion carried.

For Motion: 3 (Councillors Tucker, Luby & Maloney)

Against: 2 (Mayor Muldowney & Councillor Coady)

MOTION: 2018-9403 Councillor Tucker/Councillor Coady

MOVE to Approve the Development Agreement as presented including #31 as presented

Questions called. Motion carried. Unanimously

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

Against: 0

Long Pond-Walking Trail

8:58 p.m. Mayor Muldowney & Councillor Luby declared conflict of interest on the Long Pond – Walking Trail; Mayor Muldowney owns family land in the area & Councillor Luby has family that reside in the area.

Quorum was lost this item is moved to October’s Agenda

Council Resolution – FCM Municipal Asset Management Program

MOTION: 2018-9404 Councillor Maloney/Councillor Tucker

BE IT RESOLVED that the Town of Bay Bulls directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities’ Municipal Asset Management Program for *Infrastructure Inventory and State of Infrastructure Reports – Town of Bay Bulls*.

BE IT THEREFORE RESOLVED that the Town of Bay Bulls commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities’ Municipal Asset Management Program to advance our asset management program:

1. Preparing an inventory of our municipal infrastructure and presenting it in GIS format
2. Preparing Preliminary State of Infrastructure Reports showing current condition, life expectancy and estimated replacement cost.

BE IT FURTHER RESOLVED that The Town of Bay Bulls commits \$9,000 towards the cost of this initiative.

Questions called. Motion carried. Unanimously

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

Against: 0

Assets Management Policy

Mayor Muldowney asked could this be done another time, to give new Councillor Coady time to review the policy. Item deferred.

Road Salt Quotes

MOTION: 2018-9405 Councillor Luby/Councillor Maloney

MOVE THAT Council approved the lowest bid for 100 ton of road salt at \$118.17 HST incl. per metric ton

Questions called. Motion carried. Unanimously

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

Against: 0

Radar Speed Sign Quotes

MOTION: 2018-9406 Councillor Luby/Councillor Maloney

MOVE THAT Council approved the lowest bid for \$1500 + HST

Questions called. Motion carried. Unanimously

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

Against: 0

9:00 p.m. Councillor Luby declared conflict of interest on the request for traffic calming on Track Rd Ext; Councillor Luby resides on Track Rd Ext

Request for Traffic Calming Measure on Track Rd Ext

Councillor Tucker stated that it is late in the year for speed bumps; this item will be addressed in the spring

9:01 p.m. Councillor Luby returned to the Chambers

Request for Road Maintenance: Quay's Rd

Councillor Tucker stated that she spoke with the resident and Quay's Rd is high on the priority list for next spring or summer

Re-Occurring Damage to Wires at 52 St. John's Rd

Councillor Coady stated that highway regulations for wire height have to be 13.6 feet or higher. If Rogers Communications wires are lower than that the resident must call Rogers to fix; if the height is satisfactory then the resident must call highway enforcement because the trucks must not be higher than the 13.6 foot according to the regulation. This is not a council matter. Staff to direct resident to call his provider and check the height of the wires

Request for Pole Lights at 42 Lower Path Rd

Public Works Committee will have a closer look at this area and determine if a light can be accommodated in this area.

9:07 p.m. Councillor Maloney declared conflict of interest on the request for action on Clean up Order for 135 Northside Rd; Councillor Maloney has immediate family in the area.

Request for Action on Clean Up Order for 135 Northside Rd

Pictures presented to Council from resident at 135 Northside Rd. Council is satisfied with the clean-up performed as shown in the pictures.

9:10 p.m. Councillor Maloney returned to the Chambers

FCM – Feasibility Study

MOTION: 2018-9407 Councillor Tucker/Councillor Coady
MOVE THAT Council defer until spring and collect more information
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mullooney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Request from Southern Shore Arena Association

Mayor Mullooney asked if anyone was interested in being a member of the arena board

Information Only

For Council: from; Town Clerk, Town of Bay Bulls; RE: October's Public Meeting time changed to Tuesday Oct 9th

For Council: from; Witless Bay Fire Dept.; RE: Annual Firefighters Dinner & Dance to be held Oct 20th

Information: from; Vigilant Management; Project Status Report; RE: Project # 1820- Lower Rd Reconstruction

Memo: from; Derek Simmons, Director of Fire Services/Fire Commissioner; Municipal Affairs & Environment; RE: Fire Prevention Week From October 7-13

MOTION: 2018-9408 Councillor Luby/Councillor Maloney
MOVE THAT Council run thank you ad in the local paper for the volunteer fire dept.
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mullooney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Information: from; Lindsay Brushett, MCIP, Planner III; Dept. of Planning, Engineering & Regulatory Services for The City of St. John's; RE: SJURRP Amendment #2

Memo: from; Tony Keats, MNL President; RE: MNL Annual General Meeting 2018

General Business

9:13 p.m. Councillor Tucker declared conflict of interest on 12 Southside Rd; Councillor Tucker resides on Southside Rd.

12 Southside Rd

Mayor Mallowney stated he spoke with the property owner; the interest is there to move forward. A further discussion is needed update to follow.

9:14 p.m. Councillor Tucker returned to the Chambers

MCW (Municipal Capital Works) Priority Road List

Mayor Mallowney stated council will be preparing a Municipal Priority Road List to have on hand for the next 3 – 5 years as funding becomes available council will try to “knock” those off that list.

New/Used Truck Purchase

Mayor Mallowney stated a truck will be added to the 2019 budget

Request from Christmas Tree Lighting Committee

MOTION: 2018-9409 Councillor Tucker/Councillor Luby

MOVE THAT Council support the Christmas Tree Lighting to a maximum of \$300 plus supplies

Questions called. Motion carried. Unanimously

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

Against: 0

Track Rd – Yield Sign

Councillor Luby stated that the new portion of pavement connecting Track Rd to Farm Rd currently has a stop sign; but Councillor Luby voiced concerns with the angle of this extension; she proposed a possible yield sign.

Mayor Mallowney stated the RCMP may be able to give advice on the best solution

Misc. Guard Rail Repairs

Councillor Tucker stated a list will be compiled to do guard rail maintenance

Public Works – Ditching

MOTION: 2018-9410 Councillor Tucker/Councillor Luby

MOVE THAT council use the standing offer and have some ditching done; a list will be compiled

Questions called. Motion carried. Unanimously

For Motion: 5 (Mayor Mallowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

MOTION: 2018-9411 Councillor Maloney/Councillor Tucker
MOVE THAT council use the standing offer to get fill for the gunridge road
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mallowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Strategic Planning / Consultant

Councillor Luby stated she would like to hire Strategic to finish up some work started by the HR Committee.

Mayor Mallowney interjected that a meeting will be held with NAPE; and no consultant is needed for that piece of work.

It was agreed once council decides what they would like strategic to complete they will contact them to make arrangements for a meeting

BBRLC – Community Event

MOTION: 2018-9412 Councillor Tucker/Councillor Coady
MOVE THAT council support the Funday with \$75.00.
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mallowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Letter to the Town of Witless Bay

Councillor Tucker stated she would like a letter sent to the Town of Witless Bay; to confirm their continued support for the BBAA for the upcoming budget year.

By- Election Timelines

MOTION: 2018-9413 Councillor Maloney/Councillor Tucker
MOVE THAT Nomination Day be held Sept. 25th
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mallowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

MOTION: 2018-9414 Councillor Maloney/Councillor Tucker
MOVE THAT Election Day be held Oct. 16th
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mallowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

MOTION: 2018-9415 Councillor Maloney/Councillor Tucker

MOVE THAT Kaitlyn O'Driscoll be appointed Alternate Returning Officer
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Muldowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Councillor Training – COI & Effect Meetings

Information session will be held in Ferryland on Oct 25th from 9:30am-4:30pm

Town Clerk Salary

Moved to privileged

Mandatory Civic Numbers

Councillor Coady addressed concerns with emergency response in some areas of town that maybe harder to find such as Long Pond Path, Gunridge Rd, Cabot Dr etc. Councillor Coady suggested a few directional signs to aid emergency responders.

Councillor Coady further stated the possibility of offering civic numbers to residents for display near the road for easier response time. This will be reviewed at a later time

Council agreed directional signs will be erected.

Come Home Year Committee – proposed deck at look out area on Lower Rd

Area known to be private; committee can ask if area can be used.

MOTION: 2018-9416 Councillor Tucker/Councillor Luby
MOVE THAT a friendly amendment be made to motion # 2018-9411 to include an extra 5-6 loads of fill for turnarounds
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Muldowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Pre-Cast Headwalls for Lower Path Rd Culvert

MOTION: 2018-9417 Councillor Tucker/Councillor Luby
MOVE THAT council accept the price as presented from Capital Precast
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Muldowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Culvert for Lower Path Rd

MOTION: 2018-9418 Councillor Tucker/Councillor Luby
MOVE THAT council accept the price from Protech
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Muldowney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

New Business

Invoice

MOTION: 2018-9419 Councillor Tucker/Councillor Luby
MOVE THAT payment in the amount of \$362.25 be released
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mullooney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Letter from Resident on Northside Rd

Request about street light; no issue to remove pole for development.

Relocate to green space area.

Southern Shore Hwy

Councillor Tucker stated she met with property owner who is having water runoff issues
Proposed ditching to be done to alleviate this issue. Area added to the ditching list

Adjournment

9:45 p.m. Mayor Mullooney called for adjournment as there was no further business of the Council.

MOTION: 2018-9420 Councillor Tucker/Councillor Luby
MOVE THAT the meeting be adjourned.
Questions called. Motion carried. Unanimously
For Motion: 5 (Mayor Mullooney, Councillors Coady, Tucker, Luby & Maloney)
Against: 0

Mayor



Clerk