

# Town of Bay Bulls

## Meeting Minutes

*For*

The Public Meeting of March 13, 2018

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

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### **Members Present:**

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

### **Regrets:**

### **Staff Present:**

Sandra Cahill, Town Clerk  
Ashley Wakeham, Assistant Town Clerk

### **Call to Order:**

Mayor Harold Mallowney assumed the Chair and called the meeting to order at 8:00 p.m.

### **Adoption of Agenda:**

**MOTION: 2018-9207** Deputy Mayor O'Driscoll/Councillor O'Brien

MOVE THAT the agenda of March 13, 2018 Public Meeting be adopted as presented.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Tucker, O'Brien, Maloney, Luby & Burton)

Against: 0

### **Adoption of Minutes:**

**MOTION: 2018-9208** Councillor Tucker/Councillor O'Brien

MOVE THAT the Minutes of February 12, 2018 be adopted as presented

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mallowney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

8:01 p.m. Councillors Luby & Maloney declared conflict of interest and left the Chambers.

**Rescind Motion 2003-436** “Move to freeze the granting of Crown Land for agriculture in the Municipal Community of Bay Bulls.”

**MOTION: 2018-9209** Councillor Tucker/Councillor Burton

MOVE for discussion.

Questions called. Motion carried.

For Motion: 5 (Mayor Mallowney, Deputy Mayor O’Driscoll, Councillors Tucker, O’Brien & Burton)

Against: 0

**MOTION: 2018-9210** Councillor Tucker/Councillor Burton

MOVE THAT the motion stays in place.

Questions called. Motion carried.

For Motion: 4 (Mayor Mallowney, Deputy Mayor O’Driscoll, Councillors Tucker, O’Brien)

Against: 1 (Councillor Burton)

8:03 p.m. Councillors Luby & Maloney returned to the Chambers

### **Delegation**

None scheduled for March 13, 2018

### **Applications:**

#### **Application for Crownland**

**Application # 2017-503**

**J&C Sod Farm**

**S.S. Hwy – Amendment to Agricultural Lease #1002431**

8:04 p.m. Councillor Luby declared conflict of interest on application # 2017-503 and left the Chambers.

Councillor Tucker stated application 2017-503 has died and does not meet requirements due to the agricultural freeze remaining in place.

Comments to be sent to Crownlands.

8:07 p.m. Councillor Luby returned to the Chambers

#### **Application for Crownland**

**Application # 2018-507**

**Stone Island Enterprises**

**S.S. Hwy – Residential Sub-Division**

**MOTION: 2018-9211** Councillor Tucker/Councillor Luby

MOVE THAT application 2018-507 be denied due to proper procedures not being followed.

*\*Friendly amendment by Councillor Tucker to defer application 2018-507 for one month rather than deny*

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Tucker, Luby Maloney, O'Brien & Burton)

Against: 0

**Application for Crownland**

**Application # 2018-508**

**Stephen Puddister**

**Station Road – Extension to existing private land**

8:14 p.m. Councillor Luby declared conflict of interest on application # 2018-508 and left the Chambers.

**MOTION: 2018-9212** Deputy Mayor O'Driscoll/Councillor Burton

MOVE THAT application 2018-508 be refused.

Questions called. Motion carried.

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

Against: 1 (Councillor Tucker)

8:15 p.m. Councillor Luby returned to the Chambers

**Application for Crownland**

**Application # 2018-509**

**Harold Hayes**

**Northside – Wilderness Cottage**

**MOTION: 2018-9213** Deputy Mayor O'Driscoll/Councillor O'Brien

MOVE THAT application 2018-509 be sent back to Crownlands as it is not in our Development Area.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

**Business Application: Change of Use**

**Application # 2018-113**

**J&A Conv. – Additional Use Pub/Lounge**

**710 Southern Shore Hwy**

8:18 p.m. Councillor Tucker asked for council to decide her proposed conflict on Application #2018-113.

**MOTION: 2018-9214** Deputy Mayor O'Driscoll/Councillor Luby

MOVE THAT Councillor Tucker is not in conflict

Questions called. Motion carried.

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

Against: 0

**MOTION: 2018-9215** Councillor O'Brien/Councillor Burton

MOVE THAT application 2018-113 be deferred pending comments from the Dept. of Transportation and Works on parking conditions

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Muldowney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

8:21 p.m. Councillor Burton declared conflict of interest on application # 2018-416 and left the Chambers.

### **Application to Develop Land**

#### **Application # 2018-416**

#### **Single Family Home**

#### **43 Island Cove Rd**

**MOTION: 2018-9216** Councillor O'Brien/Councillor Tucker

MOVE THAT application 2018-416 be approved pending compliance with Service NL requirements and receipt of an updated survey.

Questions called. Motion carried.

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

Against: 0

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

### **Application to Operate A Business**

#### **Application # 2018-114**

#### **Reflexion Remedy – Health & Wellness Reflexology**

#### **788 S.S. Hwy**

8:18 p.m. Councillor Tucker asked for council to decide her proposed conflict on Application #2018-114.

**MOTION: 2018-9217** Deputy Mayor O'Driscoll/Councillor Luby

MOVE THAT Councillor Tucker is not in conflict

Questions called. Motion carried.

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

Against: 0

**MOTION: 2018-9218** Deputy Mayor O'Driscoll/Councillor O'Brien

MOVE THAT application 2018-114 be approved

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

**Application to Operate a Business**

**Application # 2018-115**

**Homespun for the Homestead – Retail/Studio Space for Home Decor**

**801 S.S. Hwy**

8:23 p.m. Deputy Mayor O'Driscoll & Councillor Tucker declared conflict on application #2018-115 and left the chambers.

**MOTION: 2018-9219** Councillor O'Brien/Councillor Burton

MOVE THAT application 2018-115 be approved

Questions called. Motion carried.

For Motion: 5 (Mayor Mullooney, Councillors Luby, Maloney, O'Brien & Burton)

Against: 0

**Accounts Payable:**

8:25 p.m. Mayor Mullooney & Councillor Maloney declared conflict of interest on cheque no. 1082 & 1088 and left the Chambers.

8:25 p.m. Deputy Mayor O'Driscoll assumed the Chair and called for a motion to release cheque no. 1082 & 1088

**MOTION: 2018-9220** Councillor O'Brien/Councillor Tucker

MOVE THAT Cheque No. 1082 & 1088 totaling \$10, 537.48 be released.

Questions called. Motion carried.

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

Against: 0

8:25 p.m. Mayor Mullooney, Councillor Maloney returned to the Chambers.

8:25 p.m. Mayor Mullooney assumed the Chair.

**MOTION: 2018-9221** Deputy Mayor O'Driscoll/Councillor Tucker

MOVE THAT All other payables in Section A totaling \$44,791.18 be approved for release.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

**Accounts Paid in Section A: \$55,328.66**

**Accounts Paid in Section B: \$62,880.71 (reoccurring monthly bills)**

**Correspondence & Action:**

**Amendment to Regulation 78 – Dedication of Land**

**MOTION: 2018-9222** Councillor Burton/Deputy Mayor O’Driscoll

MOVE THAT Council contact the town planner to have amendment process started

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O’Driscoll, Councillors Luby, Tucker, Maloney, O’Brien & Burton)

Against: 0

**Farm Road Upgrade**

**MOTION: 2018-9223** Councillor Tucker/Councillor O’Brien

MOVE THAT Staff ask SNCL about two prices for the proposed upgrades: one for the current position of approx. 400 meters and one for the original position of approx. 650 meters.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O’Driscoll, Councillors Luby, Tucker, Maloney, O’Brien & Burton)

Against: 0

**Letter from Snow Clearing Operator Requesting 2 Year Option**

**MOTION: 2018-9224** Councillor O’Brien/Deputy Mayor O’Driscoll

MOVE THAT the request be deferred for two months until the end of the contract.

Questions called. Motion carried.

For Motion: 5 (Mayor Mullooney, Deputy Mayor O’Driscoll, Councillors Maloney, O’Brien & Burton)

Against: 2 (Councillors Luby & Tucker)

**Bay Bulls Regional Lifestyle Centre Board Members**

Councillor Joan Luby

Councillor Evelyn Tucker

Councillor Phillip Burton

Mayor Harold Mullooney

**Bay Bulls Regional Lifestyle Centre subsidy request**

Approved Under Accounts

## **Bank Proposal**

**MOTION: 2018-9225** Councillor Maloney/Councillor O'Brien

MOVE THAT the town accept the proposal from CCU.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

## **Cemetery Lane West Sub-Division**

**MOTION: 2018-9226** Councillor Luby/Councillor Tucker

MOVE THAT a proposed 10 lot subdivision be approved so long as all conditions from SNCL are met by the developer, and all additional costs incurred, including engineering will be the responsibility of the developer.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

## **New Copier Lease**

**MOTION: 2018-9227** Councillor Tucker/Deputy Mayor O'Driscoll

MOVE THAT Council accept the lowest proposal for a lease contract with Modern Business for a Samsung SL-M4080FX Copier

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

## **Invoice for Courier Services**

**MOTION: 2018-9228** Councillor O'Brien/Deputy Mayor O'Driscoll

MOVE THAT Council release payment for \$69.00 for services rendered.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

## **Information Only:**

Correspondence: from; Fisheries and Land Resources; RE: Town of Bay Bulls Application 153503 Grant for Green Space/Parking area at Long Pond

MEMO: from; Derrick Simmons, Director of Fire Services/Fire Commissioner & David McCormack, Director of Emergency Services; RE: Fire & Emergency Services Training School

Circular to Municipalities: from; Jamie Chippett, Deputy Minister for the Dept. of Municipal Affairs & Environment; RE: Cannabis Retail Outlets

Memorandum: from; Sean Dutton, Chief Procurement Officer for the Government Purchasing Agency; RE: Public Procurement Framework

Reminder: from; Krista Parsons, Executive Director for Professional Municipal Administrators; RE: Annual General Meeting 2018.

**General Business:**

**Planning & Development:**

**Application for Crownland RE: Walking Trail at Long Pond**

8:53 p.m. Mayor Mullooney declared conflict of interest and left the Chambers.

8:53 p.m. Deputy Mayor O'Driscoll assumed the Chair and called for a motion.

**MOTION: 2018-9229** Councillor Maloney/Councillor O'Brien  
MOVE THAT Council apply for the area around Long Pond to be used as a walking trail.  
Questions called. Motion carried.

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

8:54 p.m. Mayor Mullooney returned to the Chambers.

8:54 p.m. Mayor Mullooney assumed the Chair.

**Construction Change Orders**

Councillor O'Brien stated that change orders shall be a decision of council, and this shall be made clear to the Town's engineering firm for the upcoming road upgrades.

**Repainting Traffic Lines & Crosswalks**

8:55 p.m. Deputy Mayor O'Driscoll & Councillor Tucker declared conflict of interest and left the Chambers.

**MOTION: 2018-9230** Councillor O'Brien/Councillor Luby



MOVE THAT Council acquire quotes for this work.

Questions called. Motion carried.

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

Against: 0

8:56 p.m. Deputy Mayor O'Driscoll & Councillor Tucker returned to the Chambers.

### **Administration:**

#### **New Revised Business Application**

##### **Town Clerk request for annual leave July 16-Aug 3**

8:56 p.m. Deputy Mayor O'Driscoll declared conflict of interest and left the Chambers

**MOTION: 2018-9231** Councillor Tucker/Councillor O'Brien

MOVE THAT Council grant annual leave request

Questions called. Motion carried.

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

Against: 0

8:57 p.m. Deputy Mayor O'Driscoll returned to the Chambers.

### **General Items:**

#### **BBBAA Annual Auction Night**

**MOTION: 2018-9232** Deputy Mayor O'Driscoll/Councillor Luby

MOVE THAT Council purchase a table for the BBBAA Annual Auction Night

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

#### **Tarp for Salt & Sand**

Deferred for further clarification on measurements and additional quotes

#### **Eastern Waste Management: Illegal Dumping**

**MOTION: 2018-9233** Deputy Mayor O'Driscoll/Councillor Luby

MOVE THAT Council accept the proposal from Eastern Waste Management.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullowney, Deputy Mayor O'Driscoll, Councillors Luby, Tucker, Maloney, O'Brien & Burton)

Against: 0

**BBBAA Request for Air Conditioning Unit**

Staff to get prices on unit for BBBAA

**OHS Municipal Safety Representatives**

Mayor Mullooney called for two Councillors to sit

Deputy Mayor O’Driscoll & Councillor Luby put their names forward

**Councillor Burton Requested to be on Public Works Committee**

Mayor Mullooney conveyed there is no issue with Councillor Burton joining the Public Works Committee

**Aerial Maps for Staff & Councillors**

Ok for office staff to purchase aerial maps

**Community Events:**

Annual Spring Clean Up will be held on June 2, 2018

Christmas Tree Lighting will be held the first Friday in December each year

**Adjournment:**

9:10 p.m. Mayor Mullooney called for adjournment as there was no further business of Council.

**MOTION: 2018-9234** Councillor Tucker/Deputy Mayor O’Driscoll

MOVE THAT the meeting be adjourned.

Questions called. Motion carried. Unanimously

For Motion: 7 (Mayor Mullooney, Deputy Mayor O’Driscoll, Councillors Luby, Tucker, Maloney, O’Brien & Burton)

Against: 0

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Mayor



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Clerk