



TOWN OF PORTUGAL COVE-ST. PHILIP'S

September 9, 2014

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Johnny Hanlon
	Town Manager	Chris Milley
	Town Clerk	Judy Squires
	Director of Financial Operations	Tony Pollard
	Director of Ec.Dev/Marketing/Comm.	Jeff Lawlor
	Director of Public Works	Gail Tucker

Mayor Tucker called the meeting to order and welcomed the gallery of 14 persons in attendance. Regrets received from Deputy Mayor Will and Councillor Facey who are away.

ADOPTION OF AGENDA

Motion: Hanlon/Bartlett
2014-295 Resolved that the Agenda dated **September 9, 2014**, be adopted as circulated.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Butler/Bartlett
2014-296 Resolved that the minutes of **August 26, 2014**, be adopted as corrected.
Carried Unanimously

BUSINESS ARISING The Town Manager circulated his Action item report to Council noting that there

are 21 new items, 24 completed and 21 in progress. Further updates provided as follows:

- The Dogberry Hill Bridge Replacement started Monday, Sept. 8th and is expected to last 6 weeks, extensive communication plan was implemented prior to the start of the project.
- In response to inquiries regarding connection and rates for the Thorburn Road sewer project, a flow chart has been developed and on our website to assist residents and other staff and/or Council with information on the process and costs.
- The Town was served with a Notice of Expropriation for the land required by the province for the New School and we have until November 28th to file any claims for compensation. This issue will be addressed at the next Admin Finance Committee meeting.
- Welcome extended to the new Public Works Coordinator who started on September 8th.
- Updates on employee Frank Dwyer's son Joey is available on their Facebook page: Joey's Journey and in the recent edition of the Herald. We wish him and his family all the best.

COMMITTEE REPORTS

Planning & Development Report of September 2, 2014 presented by Councillor Collins

1. 5-7 Bemisters Road

Motion: Collins/Hanlon
2014-297 Resolved that the application to construct an accessory building and patio/deck at Civic # 5-7 Bemisters Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

2. 8 North Point Road

Motion: Collins/Bartlett
2014-298 Resolved that the application to construct a patio/deck at Civic # 8 North Point Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 37-43 Emberleys Road

Motion: Collins/Hanlon
2014-299 Resolved that the application to construct a wharf at Civic # 37-43 Emberleys Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

4. Agricultural business/Butlers Pond

Motion: Collins/Bartlett
2014-300 Resolved that the application to expand an existing agriculture business on agriculture land in the vicinity of Butler's Pond be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

5. Municipal Plan and Development Regulations 2014-2024 - Adoption

Motion: Collins/Bartlett
2014-301 Resolved that Council adopt the Commissioners Report prepared by Commissioner Tom Strickland, with his recommendations. Furthermore, the Committee also recommends that Council approve Municipal Plan and Development Regulations 2014-2024, as adopted (with changes as per the Commissioner's recommendations) and forward the Municipal Plan and Development Regulations 2014-2024 to the Department of Municipal and Intergovernmental Affairs for Registration, as per Section 24 of the Urban and Rural Planning Act, 2000.
Carried Unanimously

Note: Councillor Collins noted the commissioner's report included 3 recommendations, namely: accepting the report; inclusion of the amendment for several agricultural infill areas; and the inclusion of the new school zoning amendment.

6. Open Space Area – Thorburn Woods Subdivision

Motion: Collins/Butler

2014-302 Resolved that (as per Residential Subdivision Agreement) that the Town perform all work required to complete a Public Open Space Area at the corner of Dogberry Hill Road Extension and Summerwood Place to the satisfaction of the Town’s Parks, Recreation and Community Services Department. Furthermore, the Committee recommends that the Town correspond with the Developer advising them that the Town will began the process of initiating action to draw upon the Phase II Warranties for Stage I and Stage IIA of the Thorburn Woods Residential Subdivision to complete all work and conveyances required within Stage I and Stage IIA.

Carried Unanimously

7. Amendment No. 53 (Skinners Road)

Motion: Collins/Bartlett

2014-303 Resolved that Council adopt Development Regulations Amendment No. 53, 2013 (Skinners Road), as per Section 16 of the Urban and Rural Planning Act, 2000. The Committee also recommends that Council approve Development Regulations Amendment No. 53, 2013 (Skinners Road) as adopted and forward the Amendment to the Department of Municipal and Intergovernmental Affairs for Registration, as per Section 24 of the Urban and Rural Planning Act, 2000.

Carried Unanimously

8. Permit Stats

There were twenty two (22) permits issued from August 15th to August 27th, 2014.

Recreation /Lifestyle Committee Report – no meeting or report

Public Works Committee Report – September 3, 2014 presented by Councillor Bartlett

1. Correspondence – 31 Emberleys Road & 89 Round Pound Road

Correspondence from 31 Emberleys Road and 89 Round Pound Road was referred to Committee from the Council meeting of August 26, 2014. Committee has been advised by the Planning and Development Department that Phase I Works of Timbereia Estates has been accepted and the Town is now in the position to provide garbage/recycling, snow clearing and ice control services as per the subdivision agreement. Residents in this area will be advised of the same.

2. Garbage Collection Drive-along

Councillor Dave Bartlett participated in a garbage collection drive-along with Public Works staff at the end of August. Councillor Bartlett spent time observing collection efforts and discussing with staff the operational needs and challenges associated with waste management services.

Note: Councillor Bartlett commented that he saw first-hand the problems facing the collectors and both he and the Mayor requested that the Director of Public Works pass along thanks to the staff for their hard work.

3. Budget Priorities

Committee discussed the upcoming budget process and priorities from a Public Works perspective. A list of priorities was initiated and Committee was asked to bring items to the table for the next Committee meeting.

4. Loop Drive Traffic Direction Survey

As per the Council meeting of August 26, 2014, staff has been requested to revisit and initiate a survey with residents of the Loop Drive area regarding the potential change of traffic direction on Loop Drive. Public Works staff will work with the Director of Economic Development, Marketing & Communications in this regard.

4. Neary's Pond Road – 4-way Stop

Committee members have received feedback regarding the non-observance of the four-way stop on Neary's Pond Road. Residents are encouraged to contact the Royal Newfoundland Constabulary (RNC) on issues of traffic enforcement. Staff will also make contact with the RNC in this regard.

Economic Development, Marketing & Communications Report – September 3, 2014 presented by Councillor Butler

1. Advisory Committee on the Environment (ACE) and Heritage Committee

Heritage Committee will be starting their meetings up after the summer on September 4th while ACE will be on September 10th

2. Placebuilder

Tract will be presenting to Council and Senior Staff the first draft of the priorities identified through the PlaceBuilder process on September 11th. Prior to its completion there will be a public session announcing the draft plan.

3. Best of PCSP Awards

Nominations are now open and have been promoted in the Tickle Newsletter. Radio commercials with local businesses will start next week and targeted advertising has begun.

4. Stewardship Agreement

The Department of Environment and Conservation have been contacted to update us on expected timelines to sign the Stewardship Agreement. We are still waiting on the Ministers office to set a date.

5. Pre-Budget Consultations

Pre-Budget Consultations are currently being promoted in the Newsletter, Facebook, Twitter and starting on September the Radio Commercials featuring the Mayor. Residents, Businesses and Community Groups are encouraged to register to make a presentation to council or send in a written submission. Public Meetings will take place in September and October with a draft of the budget presented to Public in November.

Protective Services Committee Report – September 2, 2014, presented by Councillor Hanlon

1. AIDS Committee of NL, SWAP Program Representative – Tree Walsh

The goal of the Safe Works Access Program (SWAP) with the AIDS Committee of NL is to reduce the risk of harm to everyone. A training session on how to safely collect hazardous sharps is being arranged for Town Staff, and a public information session on what to do if you discover hazardous sharps is also being arranged. SWAP will answer any call to pick up discovered needles. SWAP recommends the installation of drop boxes, which are currently being sourced and are hoping to be available in the near future, around the community in places where needles have been found. SWAP will then come and retrieve the full drop boxes and empty them safely.

2. Fire & Emergency Services Updates

a) Municipal Open Air Burning Regulations

The Committee reviewed the draft resolution as prepared by Chiefs Murphy and Hollett on Open Air Burning Regulations.

In consideration that this past summer the Dept. of Natural Resources declared a provincial wide fire ban and Municipalities Newfoundland & Labrador issued an Info Note on July 25, 2014 advising municipalities of the need for proper municipal regulations for such fire bans, a number of municipalities followed suit declaring their own municipal fire bans.

This was followed by Dept. of Natural Resources rescinding their provincial ban after one week. Municipalities chose to continue a municipal fire ban.

It is also recognized that not all municipalities have municipal regulations enabling the declaration of a municipal fire ban; therefore the Committee puts forward the following draft resolution:

Motion: Hanlon/Bartlett
2014-304 Resolved that the following Draft Resolution be forwarded to MNL for inclusion at the 2014 MNL convention:

Title: Municipal Open Air Burning Regulations

Whereas: *The Town of Portugal Cove – St. Philips is recommending the development of a standardized draft regulation would be of benefit for municipal consideration, and*

Whereas: *A standardized draft regulation developed by Fire & Emergency Services, with the assistance of the Dept. of Natural Resources, would be beneficial and simplify the process of ministerial regulation approval, simplify the review process by FES-NL, and facilitate a standardized guidance document, with a common question and answer document to assist municipalities;*

Now therefore: *Be it resolved that MNL, request that the Government of Newfoundland Labrador in concert with NL Association of Fire Services, develop a standardized Municipal Open Air Burning Regulation draft, with a guidance document and a common question and answer document, that can be considered for adoption by municipalities in Newfoundland Labrador; and*

Furthermore: *that the draft regulation be available for consideration by municipalities early in 2015, for possible municipal adoption before the 2015 fire season.*

Carried Unanimously

b) A resolution has been drafted for submission to the NLAFS re: Alarmed and Ready program

c) The VFD is calling for expressions of interest in a lieutenant's position with a deadline for resumes of Friday September 12, 2014

d) Antique Fire Truck

A decision needs to be made regarding the antique fire truck currently in possession of the VFD; therefore:

Motion: Hanlon/
The Committee recommends that the process to remove the antique fire truck from the possession of the Town's ownership be started.

Failed. (No seconder for the motion)

e) Other items:

- The new fire truck is scheduled to arrive for November/December
- VFD issued jackets, polos and t-shirts have been distributed
- The Chiefs office is moving on Monday September 8, 2014 to the new location in the Fire Hall beneath the Town Hall
- FD Banquet is scheduled for Saturday September 27, 2014, Council attendance is invited
- Recruitment is pending and information is available on the website
- The Emergency Plan is evolving, the Chiefs have met with the Directors
- The Implementation Plan is also evolving
- Two firefighters have been identified to go to NLAFS conference in Gander
- NLAFS is celebrating its 50th Annual Convention on September 19 – 21, 2014 and the VFD normally provides some sponsorship in the form of purchasing an advertisement. The Chiefs propose that the Town sponsor a coffee break at the convention with a \$500.00 donation from their Public Relations funds, therefore:

Motion: Hanlon/Butler
2014-305 Resolved that the Volunteer Fire Department make a donation of \$500.00 to the NLAFS in the form of sponsoring a coffee break at their Annual 2014 Convention.
Carried Unanimously

3. Commissionaires

The Committee would like to keep this item in the minds of Committee members. The Committee recognizes that regulations are necessary to have in place in order to work on enforcement and this process is ongoing.

Admin. and Finance Committee Report – September 2 2014 presented by Councillor Collins

1. Accounts for Payment

Motion: Collins/Hanlon
2014-306 Resolved that accounts for payment be approved as follows:
Regular Accounts - \$79,389.10
Carried Unanimously

2. Review of Financial Reports

Brief discussion took place on the Financial Reports whereby the Director of Finance indicated a few areas of potential concern for budget overruns. In particular water consumption is up significantly from budget and as well some recent staff additions and relocations combined with some system issues may result in overruns in the area of Computer Support. The director indicated he would provide a more detailed update for next meeting as he was just returning from vacation.

3. MNL Resolutions. Deadline September 15th.

Motion: Collins/Hanlon
2014-307 Resolved that the following Draft Resolution be forwarded to MNL for inclusion at the 2014 MNL convention:

Title: ATIPP Guidelines for Municipalities

As a result of the information submitted to the ATTIPA Review Committee there seems to be a difference in consistency in the manner in which the ATTIPA regulations are being applied by different Municipalities. Accordingly it is requested that,

***Whereas** the method of releasing information to the public may vary between different Municipalities and,*

***Whereas** it is in the best interest of the public and the Municipalities that there be consistency in the method of information release and,*

***Whereas** it would be beneficial to receive training on the Access to Information and Protection of Privacy legislation specific to the needs of municipalities; therefore*

***BE IT RESOLVED**, that MNL request the Office of Public Engagement (ATIPP Office) to develop an explicit set of guidelines for municipalities on releasing information and a training program for municipal Staff and Councillors relative to those guidelines.*

Carried Unanimously

4. Accounts receivable item

Discussions were held concerning a specific taxpayer who is disputing taxes assessed by the Town. Committee agreed to meet at the next A and F meeting to hear the residents' concerns relating to the matter.

5. Temporary access to new school construction site

The province has requested access to the new school construction site via Rainbow Gully Road. Approval in principle was given to them and a meeting to finalize the details will take place in the coming days.

6. Human Resources Update

The Town Manager updated the committee on the status of the Staff evaluation process that is to be undertaken within the coming weeks. The process has commenced and the Town manager hopes to have the majority of senior staff participate in the process within the next two weeks.

7. Correspondence from Resident re: water and sewer rates

The attached letter is from a resident of the town enquiring into the charges to have water and Sewer services installed on Thorburn Road. The committee wished to reaffirm the response from the Town manager with the appropriate charges as explained to the resident.

CORRESPONDENCE -

(a) Proclamation for Arthritis Awareness Month – September 2014
Mayor Tucker read, signed the Proclamation proclaiming September to be Arthritis Awareness Month in the Town of Portugal Cove-St. Philip's

NEW/GENERAL/ UNFINISHED – None for this meeting

ADJOURNMENT

Motion: Collins/Hanlon
2014-308 Resolved that this meeting be adjourned. Time 8:05 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

Attachments: (1) Appendix A: Tabled Report (Planning & Development)

**Appendix A: Tabled Report
September 2nd, 2014**

Applications:

- Item # 1 Civic # 5-7 Bemisters Road
Accessory Building & Patio/Deck
Zoning: Residential Medium Density (RMD) - Unserviced

The Committee recommends that the application for Civic # 5-7 Bemisters Road be granted approval in principle, permitting the construction of an accessory building and Patio/Deck.

The Administrator recommended that this application be rejected.

- Item # 2 Civic # 8 North Point Road
Patio/Deck
Zoning: Heritage Community (HC) - Serviced

The Committee recommends that the application for Civic # 8 North Point Road be granted approval in principle, permitting the construction of an extension to an existing patio/deck.

- Item # 3 Civic # 37-43 Emberleys Road
Wharf
Zoning: Residential Infill (RI) - Unserviced

The Committee recommends that the application for Civic # 37-43 Emberleys Road be granted approval in principle, permitting the construction of a wharf. Approval in principle is subject to approval from the Department of Environment and Conservation (Crown lands).

- Item # 4 Agriculture Land in the Vicinity of Butlers Pond
Expansion of Existing Business (Agriculture)
Zoning: Agriculture (AG) - Unserviced

The Committee recommends that the application for agriculture land in the vicinity of Butler's Pond be granted approval in principle, permitting the expansion of an existing agriculture business. Approval in principle is subject to approval from the Department of Natural Resources (Agrifoods). Approval in principle is also subject to approval from the Department of Environment and Conservation due to the proximity of this development to Butlers Pond. Approval in principle shall be in full compliance with the Town's Municipal Plan and Development Regulations, and all other regulatory bodies of government.