



All redacted text in this document is according to Section 40 of ATIPPA, 2015

Public Council Meeting

Tuesday, May 9, 2017 at 5:00 pm

Location: Council Chambers

1. Call of Meeting to order – with Nathan Chaulk
2. Adoption of Agenda for May 9, 2017
3. Delegations/Presentations
 - a) Municipal Awareness Month Proclamation with Nathan Chaulk
4. Adoption of Minutes of April 25, 2017
5. Business Arising from Minutes
6. Committee Meeting Reports

a) Planning & Development Committee – Agenda:

Applications:

- 1) Civics # 92-94 & 96 Witch Hazel Road – Reconfigure Property Boundaries, Single Dwelling, & Agriculture
- 2) Civic # 8-10 Johnathan Heights– Business (Personal Service)
- 3) Civic # 48-54 Skinners Road – Cellular Antenna

Correspondence:

- 4) Department of Fisheries and Land Resources – Crown Land Application Referral
- 5) Baccalieu Horizon Residential Subdivision – Request to Amend Subdivision Agreement

Discussion:

- 6) Country Gardens Covenant
- 7) Civic # 270-282 Witch Hazel Road – Condition of Building
- 8) Subdivision Design Standards (Maximum Length of Cul-de-Sac)

Permits Issued:

- 9) Permits issued from April 13th to April 27th, 2017

b) Recreation/Community Services –Agenda:

- No meeting held

c) Public Works –Agenda:

- 1) Grand Concourse Authority (GCA) Trail Maintenance Fee 2017 – Voiseys Brook Trails
- 2) Meadow Heights Lift Station Generator
- 3) Animal Control Services – Partnership with the Town of Torbay
- 4) Discussion Items

d) Economic Development, Marketing & Communications - Agenda:

- No meeting held

e) Protective Services – Agenda:

- 1) Commissionaires – Municipal Enforcement
- 2) Canada Day Security – Recreation & Community Services Department
- 3) FES Updates

f) Administration and Finance – Agenda:

- 5) Accounts for Payment
- 6) Access To Information and Protection of Privacy Act Requests
- 7) Development Fees
- 8) Expropriation and Awarding of contract of Nearys Pond Road
- 9) Killick Coast Subdivision Guideline Gap Analysis
- 10) Letter of concern re new MYCW allocation plan
- 11) Level of Service Plan
- 12) Portugal Cove Rd sidewalk
- 13) Project Cost Recovery
- 14) School Road and Tolt Road
- 15) Soccer Field Expansion
- 16) Staffing
- 17) Water Meter Project extension
- 18) Watershed Legal Case
- 19) Correspondence

7. Correspondence

8. New/General/Unfinished Business

- Maggie's Place Development Plan

9. Agenda items/Notice of Motions etc.

10. Adjournment



DELEGATIONS / PRESENTATIONS

Proclamation

Municipal Awareness Day

Whereas municipal government is responsible for the provision of services that enhance the quality of life of its citizens; and

Whereas dedicated mayors, councillors and staff are essential for the effective governance of their municipalities; and

Whereas citizen involvement is essential for an active community; and

Whereas it is fitting and proper to recognize and encourage the contribution of all who work diligently for the improvement of our municipalities.

Therefore Be It Proclaimed

That May 10, 2017 be known as Municipal Awareness Day in municipalities of Newfoundland and Labrador in recognition of the vital role of municipal government and in recognition of all whose efforts support it.



Hon. Eddie Joyce, Minister
Municipal Affairs and Environment



Mayor Karen Oldford, President
Municipalities Newfoundland & Labrador



Mr. Brian Peckford, President
Professional Municipal Administrators

I herby declare May 10, 2017 Municipal Awareness Day

in the City/Town of _____

Mayor



MINUTES



TOWN OF PORTUGAL COVE-ST. PHILIP'S

April 25, 2017

Regular Public Council Meeting - 5:00 p.m.

IN ATTENDANCE:

**Mayor
Deputy Mayor
Councillors:**

**Moses Tucker
Gavin Will
Dave Bartlett
Norm Collins
Aaron Facey
Johnny Hanlon**

**Town Manager
Director of Financial Operations
Director of Recreation
Planning & Development Coordinator
Deputy Town Clerk**

**Chris Milley
Tony Pollard
Dawn Sharpe (for presentations)
Les Spurrell
Claudine Murray**

Mayor Tucker called the meeting to order and welcomed the gallery of 41 persons (12 following the presentations) in attendance for the meeting, noting regrets from Councilor Joe Butler.

ADOPTION OF AGENDA

Motion: Will/Hanlon
2017-220 Resolved that the agenda dated April 25, 2017, be adopted as circulated.
Carried Unanimously

DELEGATIONS/PRESENTATIONS

- Standing Ovation Honour – Peter Hammond
- Best of PCSP Awards - Team of the Year, Grade 5 Beachy Cove Elementary Boys Basketball Team

ADOPTION OF MINUTES

Motion: Bartlett/Facey
2017-221 Resolved that the minutes of April 11, 2017 be adopted as circulated.
Carried Unanimously

BUSINESS ARISING

1. Commissionaires Municipal Enforcement Service

The Corp of Commissionaires met with the RNC, the CAO of Torbay, and I to talk about the partnership and how it can support initiatives by the RNC and allow the Town's and the RNC to have closer and mutually beneficial ties that should support improvements in safety and security for members of both communities. This meeting took place on April 20th after the Protective Services Committee reported later on.

2. Spurrells Road Bridge

The Spurrells Road Bridge should be in route traveling across the province. We have been informed that the installation will start tomorrow. As this is a prefabricated structure, it should not take much time to install. The bridge and road should be open to vehicular traffic again within a week. This news was received yesterday and is supplemental to what will be reported on by the A&F Committee.

3. Maggies Place Development Plan

The Director of ED and I met with Tract Consultants after the public presentation to finalize a report on work package 1 to present to council for approval. Unfortunately they have been unable to finish the report in time for consideration at this council meeting. It should be completed in time to be presented to council for consideration at the next scheduled council meeting.

COMMITTEE REPORTS

Planning & Development Report of April 18, 2017 – presented by Councillor Collins

1. Civic # 627-629 Indian Meal Line – Residential Subdivision

Motion: Collins/Bartlett

2017-222 Resolved that the application to subdivide property and construct a residential subdivision at Civic # 627-629 Indian Meal Line be rejected as per Appendix A: Tabled Report.

Carried Unanimously

2. Civic # 1-3 Olivia Place – Business (Home Office)

Motion: Collins/Hanlon

2017-223 Resolved that the application to establish a home office for a professional business (electrical contracting) at Civic # 1-3 Olivia Place be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

3. Civic # 1194 Portugal Cove Road – Commercial Extension

Motion: Collins/Will
2017-224 Resolved that the application to construct an extension to an existing commercial building at Civic # 1194 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

4. Civic # 109-131 Witch Hazel Road – Agricultural Buildings (Pump House & Greenhouse)

Motion: Collins/Bartlett
2017-225 Resolved that the application to construct a pump house and three greenhouses for agricultural purposes at Civic # 109-131 Witch Hazel Road be granted approval in principle as per Appendix A: Tabled Report
Carried Unanimously

5. Civic # 17-25 Hogans Pond Road – Subdivide Property

Motion: Collins/Will
2017-226 Resolved that the application to subdivide property at Civic # 17-25 Hogans Pond Road be rejected as per Appendix A: Tabled Report.
Carried Unanimously

6. Department of Fisheries and Land Resources – Crown Land Application

The Planning Department is in receipt of correspondence from the Lands Branch, Eastern Regional Lands Office advising that the Town's Application for Crown land at Witch Hazel Road was cancelled as "The Department of Fisheries and Land Resources - Agrifoods Division has determined the area under application falls within the St. John's Urban Region Agriculture Development area, an area intended for commercial agricultural development".

7. Permits issued from March 31st to April 12th, 2017

There were twelve (12) permits issued from March 31st to April 12th, 2017 as per Appendix A: Tabled Report.

Recreation /Community Services Report of April 18, 2017 – presented by Councillor Facey

1. Best of PCSP Awards

The Town will be hosting the "Best of PCSP Awards" following the Council Meeting on Tuesday, April 25th at the Royal Canadian Legion. There will be twelve awards presented to outstanding volunteers, coaches, athletes, and businesspersons who have made a positive impact of the quality of the lives of the residents of this community. There has been a great response from our residents to attend this event and we look forward to a great evening. Please find attached the names of the Grade 5 Puma Boys Basketball Team members that won "Team of the Year" award presented earlier this evening.

2. Feildians Soccer Association

The Sports Coordinator will be meeting with Mr. Phil Oliver with the Feildians Soccer Association to discuss a possible partnership with them for usage of the Rainbow Gully Soccer Turf.

3. New Librarian

The successful applicant for the position of Librarian is Mrs. Elyse Coombs. She will be starting on Monday, May 15th. Elyse is originally from Portugal Cove – St. Philip's and will be returning to our community from Halifax. It is anticipated that the Library will reopen the end of May and we will have the grand reopening during the Regatta Festival in July.

4. Community Grants

After reviewing the Community Grant Applications, the committee would like to put forward the following recommendations:

Motion: Facey/Bartlett
2017-227 Resolved that the Town donate \$1000.00 to the 2017 PWC Safe Grad Committee to assist with their fund-raising efforts for their event.

Carried Unanimously

Motion: Facey/Hanlon
2017-228 Resolved that the Town donate \$100.00 to Sandra Squires to assist with her travel to nationals with the Newfoundland and Labrador Dart Team.

Carried Unanimously

Public Works Committee Report of April 19, 2017 - presented by Councillor Bartlett

1. No meeting held

2. Traffic Calming Policy

As per the previous Public Works Committee reports (March 22 and April 3, 2017), Committee discussed the Traffic Calming Policy developed by Harbourside Transportation Consultants (HTC). Committee has reviewed the policy and a copy was placed on the Town's website. No feedback was received therefore Committee would like to move forward with approval for adoption.

Motion: Bartlett/Collins
2017-229 Resolved that Council approve the adoption of the Traffic Calming Policy developed by Harbourside Transportation Consultants (HTC).

Carried Unanimously

Economic Development, Marketing & Comm. of April 18, 2017 - presented by Councillor Facey

1. Service Level Review

The Committee discussed a supplement to the proposed Service Level Review plans in order to incorporate additional public engagement through a community survey. The Director of Economic Development will work with the consultant awarded the project to amend the contract. The Newfoundland and Labrador Statistics Agency is currently reviewing the project and Council will be advised of the potential timelines and costs at the next Committee meeting.

Note: Councillor Collins left the meeting prior to discussion of Item #2, Maggie's Place Development Plan.

2. Maggie's Place Development Plan

The Committee discussed revisions to the draft zoning and servicing plans. The Final Work Package One Recommendations Report is to be submitted.

Note: Proposed motions are deferred to committees after servicing drawings are received as a part of Work Package 1. To be brought back to next Council meeting.

Note: Councillor Collins returned to the meeting after discussion of Item # 2, Maggie's Place Development Plan.

3. PCSP Connects Policy

The Committee was presented a new draft of the policy for their review and consideration. The policy is attached.

Motion: Facey/Bartlett
2017-236 The Committee recommends that Council adopt the "PCSP Connects Policy".
Carried Unanimously

4. Town Signs Design Charrette

The Town will host a design charrette in partnership with Grand Concourse on Sunday, May 28th from 2:00 – 5:00 at the Recreation Centre. Residents and businesses will be invited to attend this public event to help design the Town's gateway signs and additional community wayfinding signage.

5. Website Service Agreement

The Committee discussed technical maintenance package options for the website with Waterwerks Communications, the firm who designed the website. Now that the site is live and operational, we will need technical support with changes and improvements to the site over time. The cost of the package is reviewed quarterly and will cost \$595 per month. This is a budgeted item.

6. PCSP Agriculture Industry Meeting

The Town will formally invite members of the community in the agriculture industry to a meeting in mid-May to discuss the promotion and support of the industry in PCSP.

Protective Services Committee – April 18, 2017 presented by Councillor Hanlon

1. Commissionaires – Municipal Enforcement

The Town Manager introduced Mr. Peter Morey from the Commissionaires NL. Mr. Morey is a member of the new team of Commissionaires who will be providing Municipal Enforcement services to the Town. Mr. Morey gave an overview of the scheduling and patrols planned for his team and how their time will be allocated between Portugal Cove-St. Philip's and the Town of Torbay. Mr. Morey will be a regular attendee of the Committee meetings to provide updates.

2. FES Updates

a) The Chiefs have implemented the Financial Training Allowance policy as part of the Department's Operating Policy.

b) There have been seventeen (17) expressions of interest from firefighters to attend the upcoming FES Fire School in May. The high response number and diversity of courses our members are interested in speaks to the high level of commitment and advanced education we have on our Department. It was noted that Newfoundland and Labrador is the only province to hold a centralized training initiative, all other provinces go through private schools.

c) Requests for burning permits have started to come in for the season.

d) The Public Education Committee has some efforts in the works, including an awareness program to increase the visibility of the Department.

3. SafePCSP

The Committee discussed several initiatives and concerns from the SafePCSP community group. June will be proclaimed Pedestrian Safety Month, the proclamation will be signed at a Public Council meeting closer to the month of June, and the Town will advertise this through gateway signs, website and social media. A full page article has also been placed in the May-June edition of the Tickle newsletter.

Admin. and Finance Committee Report of April 18, 2017 presented by Deputy Mayor Will

1. Accounts for Payment

Motion:	Will/Facey
2017-230	Resolved that Council approve payment of regular accounts in the amount of \$34,034.63 and Capital accounts in the amount of \$9,959.00 for a total of \$43,993.63.
Carried	Unanimously

2. 2016 Audit

The Director of Financial Operations reviewed the Audited Financial Statements (tabled) with Committee and responded to questions and/or comments arising.

Motion: Will/Hanlon

2017-231 Resolved that Council adopt the 2016 audited financial statements prepared by Byron D. Smith Chartered Accounts.

Carried Unanimously

3. Amendment to Tolt Road motion 2017-217

Due to a revised estimate, the Committee recommends an amendment to motion 2017-217 as follows:

Motion: Will/Bartlett

2017-232 Resolved that the town applies under the 2017-2020 Multi-Year Capital Works Program to resurface the entirety of Tolt Road and as well install water stubs to existing properties along the existing water service main. Initial estimates for this project total \$3,135,410.00, HST included.

Carried Unanimously

4. Level of Service Plan (tabled at the February 16, 2017 Public Council Meeting)

Proposals for the PCSP Level of Service Review project have been received and evaluated. Committee reviewed Vigilant Management's recommendation for consultant based on the scoring assigned in accordance with the RFP evaluation criteria. Twells Consulting Ltd scored the highest out of the six proponents. The recommendation highlighted some of the proposal's key selection points.

The Town Manager confirmed that he and the Director of Economic Development also reviewed all the proposals and agree with Vigilant's evaluation and recommendation. The Town Manager recommended that the Town engage with the preferred proponent to refine the project and develop a contract based on their proposal. A copy of the highest scoring proposal was distributed to all of council and the remaining proposals made available to councillors if they wanted to review. Therefore, the Committee recommends the following motion:

Motion: Will/Facey

2017-233 Resolved that Council select Twells Consulting Ltd to be the prime consultant for the Level of Service Review project. Furthermore, Town staff will engage with Twells Consulting Ltd. to refine the project deliverables based on their proposal and develop a contract that is to be returned to council for final approval.

Carried Unanimously

4. Correspondence Policy

Motion: Will/Bartlett

2017-234 Resolved that Council change the name of the Handling of Correspondence Policy to Processing Correspondence Policy and adopt the changes as tabled.

Carried Unanimously

5. Taxation of 800 St. Thomas Line

Taxation of land at 800 St. Thomas Line was discussed. Deputy Mayor Will shall advise the land owner of possible solutions.

6. Country Gardens Covenants

Country Gardens Home Owners Association proposed the Town to enforce covenants when issuing permits. The Town will not take on the legal responsibility to enforce subdivision covenants. However, at our discretion, the Town is willing to advise a Home Owner Association and perspective applicant if zoning covenants are met.

7. Project updates:

- a) Thorburn road/Dogberry Hill tender changes were considered for future motions.
- b) Meadow Heights cost recovery was discussed needs to be refined and a communication plan will be developed for residents.
- c) Sludge dewatering project status is with Public Works.
- d) Spurrells Bridge is on route for delivery and installation.
- e) Neary's Pond Road tender info session with bidders is scheduled for 04/24/2017 prior to the closing and awarding of the tender.

CORRESPONDENCE

- None for this meeting

NEW/GENERAL/UNFINISHED BUSINESS

- None for this meeting

AGENDA ITEMS/NOTICE OF MOTIONS ETC.

- None for this meeting

ADJOURNMENT

Motion: Will/Hanlon
2017-235 Resolved that this meeting be adjourned. Time is 5:49 p.m.
Carried Unanimously

Moses Tucker, Mayor

Claudine Murray, Deputy Town Clerk

Attachments:

Appendix A - Tabled Planning & Development Report

Appendix B - 2016 Audited Financial Statements

Appendix C - Processing Correspondence Policy April 25 2017



BUSINESS ARISING



PLANNING & DEVELOPMENT

Planning and Development Committee Report Agenda

May 2nd, 2017

In Attendance: Councillor Norm Collins (Chairperson)
Deputy Mayor Gavin Will
Les Spurrell, Planning & Development Coordinator
Holly Duffett, Planning Technologist

Also in Attendance: Mayor Moses Tucker
Chris Milley, Town Manager/Engineer

Applications:

- 1) Civics # 92-94 & 96 Witch Hazel Road - Reconfigure Property Boundaries, Single Dwelling, & Agriculture
- 2) Civic # 8-10 Johnathan Heights- Business (Personal Service)
- 3) Civic # 48-54 Skinners Road - Cellular Antenna

Correspondence:

- 4) Department of Fisheries and Land Resources - Crown Land Application Referral
- 5) Baccalieu Horizon Residential Subdivision - Request to Amend Subdivision Agreement

Discussion:

- 6) Country Gardens Covenant
- 7) Civic # 270-282 Witch Hazel Road - Condition of Building
- 8) Subdivision Design Standards (Maximum Length of Cul-de-Sac)

Permits Issued:

- 9) Permits issued from April 13th to April 27th, 2017

Planning and Development Committee Report

May 2nd, 2017

In Attendance: Councillor Norm Collins (Chairperson)
Deputy Mayor Gavin Will
Les Spurrell, Planning & Development Coordinator
Holly Duffett, Planning Technologist

Also in Attendance: Mayor Moses Tucker
Chris Milley, Town Manager/Engineer

Item # 1

Motion: The Committee recommends that the application to reconfigure property boundaries at Civics # 92-94 & 96 Witch Hazel Road and construct a single dwelling and agricultural activity at Civic # 96 Witch Hazel Road be granted approval in principle as per Appendix A: Tabled Report.

Item # 2

Motion: The Committee recommends that the application to establish a personal service business (day spa) as a home occupation at Civic # 8-10 Johnathan Heights be granted approval in principle as per Appendix A: Tabled Report.

Item # 3

Motion: The Committee recommends that the application to install six cellular antennas to an existing cellular tower at Civic # 48-54 Skinners Road be granted approval in principle as per Appendix A: Tabled Report.

Item # 4

Motion: The Committee recommends that Council correspond with the Department of Fisheries and Land Resources advising that the Town cannot recommend approval of the application for Crown Land at Civic # 89B Woodland Drive as per Appendix A: Tabled Report.

Item # 5

Motion: The Committee recommends that an amendment to the Baccalieu Horizon Residential Subdivision Agreement be completed regarding the conveyance of public open space as per Appendix A: Tabled Report.

Item # 6

The Committee discussed the Town's involvement regarding the Country Gardens covenant. This item was referred to the Committee at the April 25th, 2017 Council meeting.

The Committee reviewed a legal opinion from the Town's Solicitor regarding the Town providing a new service regarding restrictive covenants. He concluded that "the Town may very well be attracting liability that it could easily and economically avoid by simply not offering this service".

Item # 7

Motion: The Committee recommends that Council place a Removal Order on a dwelling at Civic # 270-282 Witch Hazel Road due to safety concerns presented regarding the condition of the structure.

Item # 8

Motion: The Committee recommends that Council complete an amendment to the Town's Development Regulations 2014-2024 to increase the maximum length of a fully-serviced cul-de-sac to 450 m as per Appendix A: Tabled Report.

Item # 9

There were twelve (12) permits issued from April 13th to April 27th, 2017 as per Appendix A: Tabled Report.

**Appendix A: Tabled Report
May 2nd, 2017**

Applications:

Item # 1:

**Civics # 92-94 & 96 Witch Hazel Road
Reconfigure Property Boundaries, Single Dwelling, & Agriculture
Zoning: Agriculture (AG) – Unserviced**

The Committee recommends that the application to reconfigure the property boundaries at Civics # 92-94 and 96 Witch Hazel Road and the construction of a single dwelling and agriculture activity at Civic # 96 Witch Hazel Road be granted approval in principle. Approval in principle is subject to approval from the Department of Fisheries and Land Resources.

The Administrator advised that this application does not comply with the Town's Municipal Plan & Development Regulations 2014-2024 due to potential conflict between the proposed use (residential) and surrounding existing land uses (commercial agriculture) as per Plan Policy AG-4 (Land Uses), Plan Policy AG-5 (Land Uses), Plan Policy AG-7 (Separation of Non-Farm Developments and Agricultural Operations), and Plan Policy AG-11 (Non-Farm Dwellings).

Item # 2:

**Civic # 8-10 Johnathan Heights
Business (Personal Service)
Zoning: Mixed Use (MIX) – Serviced**

The Committee recommends that the application for Civic # 8-10 Johnathan Heights be granted approval in principle, permitting the establishment of a personal service business (day spa) as a home occupation. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government, specifically Development Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Mixed Use, and Schedule D: Off-Street Parking Requirements.

The Administrator recommended that Council use their discretion to grant approval in principle to this application.

Item # 3:

**Civic # 48-54 Skinners Road
Cellular Antenna
Zoning: Residential Medium Density (RMD)**

The Committee recommends that the application for Civic # 48-54 Skinners Road be granted approval in principle, permitting the installation of six cellular antennas to an existing cellular tower. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government.

The Administrator recommended that Council use their discretion to grant approval in principle to this application.

Correspondence:

Item # 4:

Department of Fisheries & Land Resources – Crown Land Application Referral

The Planning Department is in receipt of a referral for an application for Crown Land at Civic # 89B Woodland Drive for the purpose of expanding a residential subdivision (proposed Chesley-Van Heights Stage VI). The area is zoned Residential Development Scheme Area (RDSA) & Agriculture (AG).

The Committee recommends that Council correspond with the Department of Fisheries and Land Resources advising that the Town cannot recommend approval of the application for Crown Land at Civic # 89B Woodland Drive until such time that a Comprehensive Development Scheme for the area has been completed in accordance with the Town's Municipal Plan and Development Regulations 2014-2024, specifically Section 3.4.2 (Residential Development Scheme Areas and Schedule C: Residential Development Scheme Area.

Item # 5:

Baccalieu Horizon Residential Subdivision – Request to Amend Subdivision Agreement

The Planning Department is in receipt of a request to amend the Public Open Space required to be conveyed to the Town so that the developer will retain the Lot # 7 (to be incorporated into an adjacent parcel(s) and instead convey additional land along the shoreline and an access to the shoreline.

The Committee recommends that Council amend the Baccalieu Horizon Residential Subdivision Agreement to remove the requirement of the conveyance of “a ‘Tot Lot’ measuring 435.585 m²” and replace it by adding additional area to the required “strip of land (walking trail) running along the coastline” with a minimum width of 5 m of

walkable area, and by providing access from West Point Road to the coastline area with a minimum width of 3 m.

Discussion:

Item # 8:

Subdivision Design Standards (Maximum Length of Cul-de-Sac)

The Committee recommends that Council complete an amendment to the Town's Development Regulations to allow for a maximum length of a cul-de-sac of 450 m in areas served by or planned to be served by municipal piped water and sewer services, with such conditions as recommended by the Town's Consultant Planner, to allow for maximum land use in fully serviced areas.

Permits Issued:

Item # 9:

#	Permit	Issued Date	Civic #	Street Name	Permit Type
1	17-066	04/17/2017	16-18	Bayview Heights	Water & Sewer Connection
2	17-067	04/17/2017	16-18	Bayview Heights	Single Dwelling
3	17-068	04/18/2017	116-120	Bennetts Road	Driveway Access
4	17-069	04/18/2017	1624-1626	Portugal Cove Road	Replace Driveway Culvert
5	17-070	04/19/2017	34-36	Mitchells Pond Place	Occupancy
6	17-071	04/20/2017	1199-1205	Thorburn Road	Water & Sewer Connection
7	17-072	04/25/2017	2	Conatti Place	Water & Sewer Connection
8	17-073	04/26/2017	197-199	Tolt Road	Accessory Building
9	17-074	04/26/2017	197-199	Tolt Road	Patio/Deck
10	17-075	04/27/2017	210-234	Beachy Cove Road	Test Holes
11	17-076	04/27/2017	16	River Front Drive	Occupancy
12	17-077	04/27/2017	20	River Front Drive	Occupancy



PUBLIC WORKS



Public Works Committee

May 3, 2017

In attendance: Councillor Dave Bartlett, Chair
Councillor Norm Collins
Staff: Gail Tucker, Director, Public Works
Linda Newhook, Public Works Coordinator
Regrets: Councillor Johnny Hanlon

1. Grand Concourse Authority (GCA) Trail Maintenance Fee 2017 – Voiseys Brook Trails

Committee was advised of the 2017 trail maintenance fees for Voiseys Brook trails. As a condition of membership, trails constructed by the GCA are maintained by GCA. Maintenance services include mowing, litter collection, vegetation removal, surface structure repairs and maintenance and repairs to all walk amenities. This is a budgeted item for 2017.

MOTION: Committee recommends that the 2017 service fees for Voiseys Brook Trails by the Grand Concourse Authority in the amount of \$16,976.24 plus HST be approved.

2. Meadow Heights Lift Station Generator

The Meadow Heights Servicing Plan includes the placement of a sanitary sewer lift station. As it is expected there will be surplus monies available through the multi-year capital works funds due to the Nearys Pond Road and Meadow Heights Servicing projects forecasting under budget, staff has recommended the additional dollars be used to purchase a generator to add to the Town's capacity for emergency power for lift stations. Over the past few years, additional lift stations (Blagdon Hill, Waters Edge, Oceans Edge and now Meadow Heights) have been implemented yet no additional generator capacity added. The Department of Municipal Affairs and Environment (DMAE) has agreed to cost share the purchase of this equipment at a 50/50 arrangement.

MOTION: Committee recommends that the anticipated surplus monies under the multi-year capital works funds be allocated to a 50/50 cost share arrangement with DMAE for the purchase of an emergency power lift station generator as per specifications determined by the requirements of the Town's infrastructure.

3. Animal Control Services – Partnership with the Town of Torbay

A proposal for shared Animal Control services with the Town of Torbay was discussed. This partnership will provide enhanced services to the resident of Portugal Cove-St. Philip's through daytime patrols, dog impounding and a higher level of enforcement capability under the Animal Health and Protection Act with special constable provisions. The Town of Torbay has already partnered with The Town of Logy Bay, Middle Cove, Outer Cove, Town of Flatrock and the Town of Pouch Cove on this front.

MOTION: Committee recommends that the Town enter into a partnership with the Town of Torbay as per the letter of proposal dated December 18, 2016.



Discussion Items:

- 4. Portugal Cove Road Pedestrian Pathway (Sidewalk) Project** – The concept for the Portugal Cove Road sidewalks was discussed. Committee asked that the information be shared with Council of the Whole to ensure all Council members are aware of the concept being proposed.
- 5. Speeding on Olivers Pond Road** – a complaint was received indicating excessive speeding on Olivers Pond Road with a request for traffic calming installations. The complaint will be referred through the Town's Traffic Calming Policy process.



PROTECTIVE SERVICES



Protective Services Committee

Tuesday, May 2, 2017

IN ATTENDANCE: Councilor Johnny Hanlon
Deputy Mayor Gavin Will
Councilor Norm Collins
Fred Hollett, Co-Chief – Volunteer Fire Department
Heather Coughlan, Employee & Public Relations Administrator
Chris Milley, Town Manager / Engineer
Peter Morey, Commissionaires NL (Item #1)

ALSO IN ATTENDANCE: Nicole Clark, Special Events Coordinator (Items #1 & 2)

1. Commissionaires – Municipal Enforcement

- Representatives from the Commissionaires met with the RNC, Sgt. Kevin Foley and Insp. Barry Constantine, as a means to discuss their role as Municipal Enforcement and open the lines of communication.
- The Committee discussed the possibility of having radios carried in the Commissionaire's vehicles. This would help to mitigate a potential communications gap, especially during after-hours and emergency situations. The chiefs will inquire with 911 on the Town's behalf regarding radio contact with the Commissionaires.
- Representatives from the Commissionaires met with the Principal of Beachy Cove Elementary as a means of introduction and to open the lines of communication.

2. Canada Day Security – Recreation & Community Services Department

Nicole Clark, Special Events Coordinator for the Recreation and Community Services Department, met with members of the Committee with regards to security services for their upcoming Canada event in Voisey's Park. The Committee discussed the options available based on the three quotes received.

3. FES Updates

- Engine 2 is out for service for approximately 10 days for manufacturer's recall work; alternate arrangements have been implemented.
- FD Zodiac has been placed back in service for the season.
- NEA Fire Chiefs are meeting later in the month and the topic of recreational fireworks is on the agenda.
- The NEA training committee is continuing to work on training sessions for the fall.
- The Public Education Committee are currently working on Municipal Awareness Day, Canada Day, and PCSP Regatta Festival involvement.
- Provincial Forest Fire season began May 1st, residents will now be required to obtain a provincial burning permit from Paddy's Pond prior to obtaining a permit from the Town. An announcement on this will be placed in the next edition of the Northeast Avalon Times and it has been promoted on the Town's web and social media sites.



ADMINISTRATION & FINANCE



Administration & Finance Committee Report

May 2, 2017 - 9:00 a.m.

In attendance: Chairperson, Deputy Mayor Will
Councillor Facey
Mayor Tucker

Staff: Chris Milley, Town Manager
Tony Pollard, Director of Financial Operations
Claudine Murray, Deputy Town Clerk

Absent: Councillor Butler

1. Accounts for Payment

MOTION: Committee recommends that Council approve payment of regular accounts in the amount of \$43,374.08 and Capital accounts in the amount of \$95,224.95 for a total of \$138,599.03 as tabled.

2. Access To Information and Protection of Privacy Act Requests

The committee reviewed the number of applicants and the volume of requests under the Access To Information and Personal Protection Act (ATIPPA) as shown in the tabled report. The multiple concurrent requests for large numbers of records often interferes with the operations of the Town.

3. Development Fees

The Committee had a general discussion regarding the Town's development assessment fees charged with permits for building lot development. The following applicable sections were reviewed as part of the discussion: Municipalities Act, 1999 s. 414(2)(tt); Urban and Rural Planning Act, 2000 s. 35(1)(e)(iii); and Town of Portugal Cove-St. Philip's Development Regulations 2014-2024 s. 17.

Note that DM Will left the room at this point due to possible conflict of interest and the item #4 was chaired by Councillor Facey and Mayor Tucker acted as ex-officio member for quorum.

4. Expropriation and Awarding of contract of Nearys Pond Road

A title search for a portion of land that the Town intended to acquire for the Neary's Pond Road rehabilitation project resulted in inconclusive or unclear ownership title. As a result, the Town has no clear rightful owner to focus a negotiation. Section 222(1)(b) of the Municipalities Act says that when we find ourselves in such a situation, the council may expropriate the land in accordance with Part IX of the Urban and Rural Planning Act, 2000. By doing so, the process will identify the owner(s) who will receive the value of land that the Town requires. The survey of the parcel of land is this report.

Therefore:

MOTION: The Committee recommends that in accordance with s. 222 of the Municipalities Act, 1999, Council approve the Town proceeding with the expropriation of the land required for the new turning circle of Neary's Pond Road in accordance with Part IX of the Urban and Rural Planning Act, 2000.

The committee also reviewed the attached bid results for the tender to construct the Neary's Pond Road rehabilitation project and Vigilant Management's recommendation to award to lowest qualified bidder. The recommendation to award the project has been sent to DMAE for their approval. The recommendation is tabled with this report. Therefore:

MOTION: The Committee recommends that Council award the contract for Nearys Pond Road, project # 17-MYCW-17-00116, to Farrell's Excavating Limited for a value of \$549,214.70, HST included, pending approval to award from the Provincial Government.

5. Killick Coast Subdivision Guideline Gap Analysis

The Town received a draft of Killick Coast Subdivision Guideline Gap Analysis from Municipalities Newfoundland and Labrador (MNL). This document could be used in harmonizing Municipal Regulations and Policies for the Killick Coast Towns. The draft was reviewed and comments will be returned to MNL.

6. Letter of concern re new MYCW allocation plan, from April 4 ctme meeting

Committee discussed the need and decided to draft a letter of concern to Department of Municipal Affairs and Environment regarding the change in the new Multi Year Capital Works allocation formula.

7. Level of Service Plan

As a follow up to motion 2017-233 where the Town was working with Twells Consulting to refine the project and develop a contract, the Town Manager is recommending that the Town enters into a contract based on the proposal as submitted without changes. There is still an opportunity to adjust how survey data is obtained for the project. Depending on how this is done or who is obtained to do this work there may be an additional cost to the project but not necessarily as an addition to this contract. Any addition to this contract for this purpose will be on the contract hourly rate.

MOTION: The Committee recommends that Council sign the contract with Twells Contracting to be the prime consultant for the Level of Service Review project at a cost of \$64,807.00 HST included.

8. Portugal Cove Rd sidewalk

Portugal Cove Rd sidewalk update: the design drawings have been received and sent to Public Works for review.

9. Project Cost Recovery

A draft project cost recovery policy statement document was reviewed by Committee.

10. School Road and Tolt Road

School Rd & Tolt Rd updates: application has been submitted and are waiting on Government approval.

11. Soccer Field Expansion

In accordance with prior budget acceptance and motion 2017-011, the Town has engaged Grand Concourse Authority and Turf Master to commence the expansion of Rainbow Gully Turf Field.

MOTION: The Committee recommends the Town issue a purchase order to Turf Master for expansion to the turf at Rainbow Gully Turf Field at a cost of \$289,000 plus HST.

12. Staffing

The Director of Financial Operations discussed necessary internal staffing changes to make the department run more efficiently.

13. Water Meter Project extension

With reference to the Project 17-CWWF-17-0034 installation of residential water meters, this project is awaiting RFP approval from cabinet and it appears unlikely that the original project date of March 31, 2018 will be reachable. We therefore need to apply for an extension to the project timeline.

MOTION: It is recommended that the Town apply for an extension to time required to complete Project 17-CWWF-17-0034 to March 31, 2019.

14. Watershed Legal Case

The watershed legal case was discussed and deferred to a Committee of the Whole Meeting, date to be determined.

15. Correspondence

The committee reviewed tabled correspondence from a resident regarding Town water and sewer and will send an acknowledgment back to the resident.

Accounts for Payment - May 2, 2017

REGULAR ACCOUNTS:

5364143	17/04/2017	Wolseley Canada Inc.	\$	9,130.27
		4 Sampling Stations		
RW 201703-4	27/04/2017	City of St. John's	\$	34,243.81
		Water consumption (Jan-March 2017)		
		TOTAL REGULAR ACCOUNTS	\$	43,374.08

CAPITAL ACCOUNTS:

2017043	31/03/2017	Newfoundland Design Associates	\$	9,736.81
		Meadow Heights Sewer Services		
16018-HB	10/01/2017	Eastern Contracting	\$	85,488.14
		Town Hall Renovations - CP#6		
		TOTAL CAPITAL ACCOUNTS	\$	95,224.95
		GRAND TOTAL	\$	138,599.03

Town of Portugal Cove-St. Philips
BNK1 - BNS CURRENT ACCT
 Cheques from 044890 to 044923 dated between 05/01/2017 and 05/01/2017

CHEQUE REGISTER

Printed: 10:07:36AM 05/01/2017

Page 1 of 2

Number	Issued	Amount	SC	Status	Status Date
044891	04/18/2017 Sutton Group, Capital Realty	60,814.99	A/R	*VOID*	04/18/2017
044892	04/18/2017 Sutton Group, Capital Realty	60,814.06	A/R	*VOID*	04/18/2017
044893	04/18/2017 Sutton Group, Capital Realty	66,352.15	A/R	*VOID*	04/18/2017
044894	04/18/2017 Hanlon, Goldie and Roy Adam	230.57	A/R	OUT-STD	04/18/2017
044895	04/18/2017 Rebecca Collier	100.00	G/L	*VOID*	04/18/2017
	7340-6400 Travel - Canada Games Rebecca Collier	100.00			
044896	04/18/2017 Cole Whitewick	100.00	G/L	OUT-STD	04/18/2017
	7340-6400 Shave for the Brave Cole Whitewick	100.00			
044897	04/18/2017 Ashley MacKinnon	1,380.00	A/P	OUT-STD	04/18/2017
	10669 NEIA Erosion Control Workshop	1,380.00			
044898	04/18/2017 Frederick Hollett	1,063.75	A/P	OUT-STD	04/18/2017
	Apr9-15 Fd consult Apr9-15	1,063.75			
044899	04/18/2017 Lester Spurrell	656.08	A/P	OUT-STD	04/18/2017
	MDOA Conference Flight Halifax Flight - MDOA Conference	656.08			
044900	04/18/2017 Municipal Training and Development Corp.	400.00	A/P	*VOID*	04/18/2017
	Spring Conf 2017 Reg Spring Conf 2017 Registration - D Beckett, I	-400.00*			
044901	04/18/2017 Royal Canadian Legion	100.00	A/P	OUT-STD	04/18/2017
	Volunteer Awards Volunteer Awards	100.00			
044902	04/19/2017 Chris Hall	320.00	G/L	OUT-STD	04/19/2017
	6190-1200 Travel APWA Des Moines Chris Hall	320.00			
044903	04/19/2017 Municipal Development Officers Association of Nova Scotia	400.00	A/P	OUT-STD	04/19/2017
	Spring conf. 2017 registration for Les and David	400.00			
044905	04/26/2017 Tony Pollard	124.48	G/L	OUT-STD	04/26/2017
	6205-1200 Misc. KM. Dec to Apr. Tony Pollard	124.48			
044907	04/27/2017 Anderson Jones, Michael & Lisa	180.09	A/R	OUT-STD	04/27/2017
044908	04/27/2017 Scott, Matthew	400.00	A/R	OUT-STD	04/27/2017
044909	04/27/2017 Tucker, Adam	400.00	A/R	OUT-STD	04/27/2017
044910	04/27/2017 Chambers, Ian and Shauna	400.00	A/R	OUT-STD	04/27/2017
044911	04/27/2017 DSV Contracting, C/O Neil Thistle	400.00	A/R	OUT-STD	04/27/2017
044912	04/27/2017 Bartlett, David	400.00	A/R	OUT-STD	04/27/2017
044913	04/27/2017 AA Towing Ltd.	1,150.00	A/P	OUT-STD	04/27/2017
	26882 4 Vehicle Removal	1,150.00			
044914	04/27/2017 Frederick Hollett	1,848.40	A/P	OUT-STD	04/27/2017
	Batteries for SCBA Equipm Batteries for SCBA Equipment	141.03			
	Fd consult Apr16-22 Fd consult Apr16-22	1,638.75			
	Office Supplies Office Supplies - Training Materials	68.62			

* - Partial payment was made on Invoice

** - Name on Check was modified

Town of Portugal Cove-St.Philips
BNK1 - BNS CURRENT ACCT
 Cheques from 044890 to 044923 dated between 05/01/2017 and 05/01/2017

CHEQUE REGISTER

Printed: 10:07:36AM 05/01/2017

Page 2 of 2

Number	Issued	Amount	SC	Status	Status Date
044915	04/27/2017 Julie Pomeroy	158.37	A/P	OUT-STD	04/27/2017
	006052 ACE Supplies	31.52			
	060877 ACE Supplies	126.85			
044916	04/27/2017 Mandy Young	246.99	A/P	OUT-STD	04/27/2017
	Meals First Aid Training Meals - First Aid Training	246.99			
044917	04/27/2017 Municipal Training and Development Corp.	400.00	A/P	*VOID*	04/27/2017
	Spring Conf 2017 Reg Spring Conf 2017 Registration - D Beckett, I	400.00			
044918	04/27/2017 Richard Murphy	1,035.00	A/P	OUT-STD	04/27/2017
	Fd consultations Apr17-23 Fd consultations Apr17-23	1,035.00			
044919	04/27/2017 Newfoundland & Labrador Basketball Association	100.00	G/L	OUT-STD	04/27/2017
	7340-6400 Rebecca Collier Newfoundland & Labrador	100.00			
044920	04/27/2017 Ollerhead Capital Realty Corp.,	187,981.20	A/R	OUT-STD	04/27/2017
044921	04/27/2017 Manning, Wayne and Amanda	385.26	A/R	OUT-STD	04/27/2017
044922	04/27/2017 Spectrum Investigation & Security (1998) Limited	262.20	A/P	OUT-STD	04/27/2017
	IN27889 Security Feb 18-19 2017 - Winter Carnival	262.20			
Cheque Totals Issued:		199,722.39			
Void:		188,881.20			
Total Cheques Generated:		388,603.59			
Total # of Cheques Listed:		30			

* - Partial payment was made on Invoice

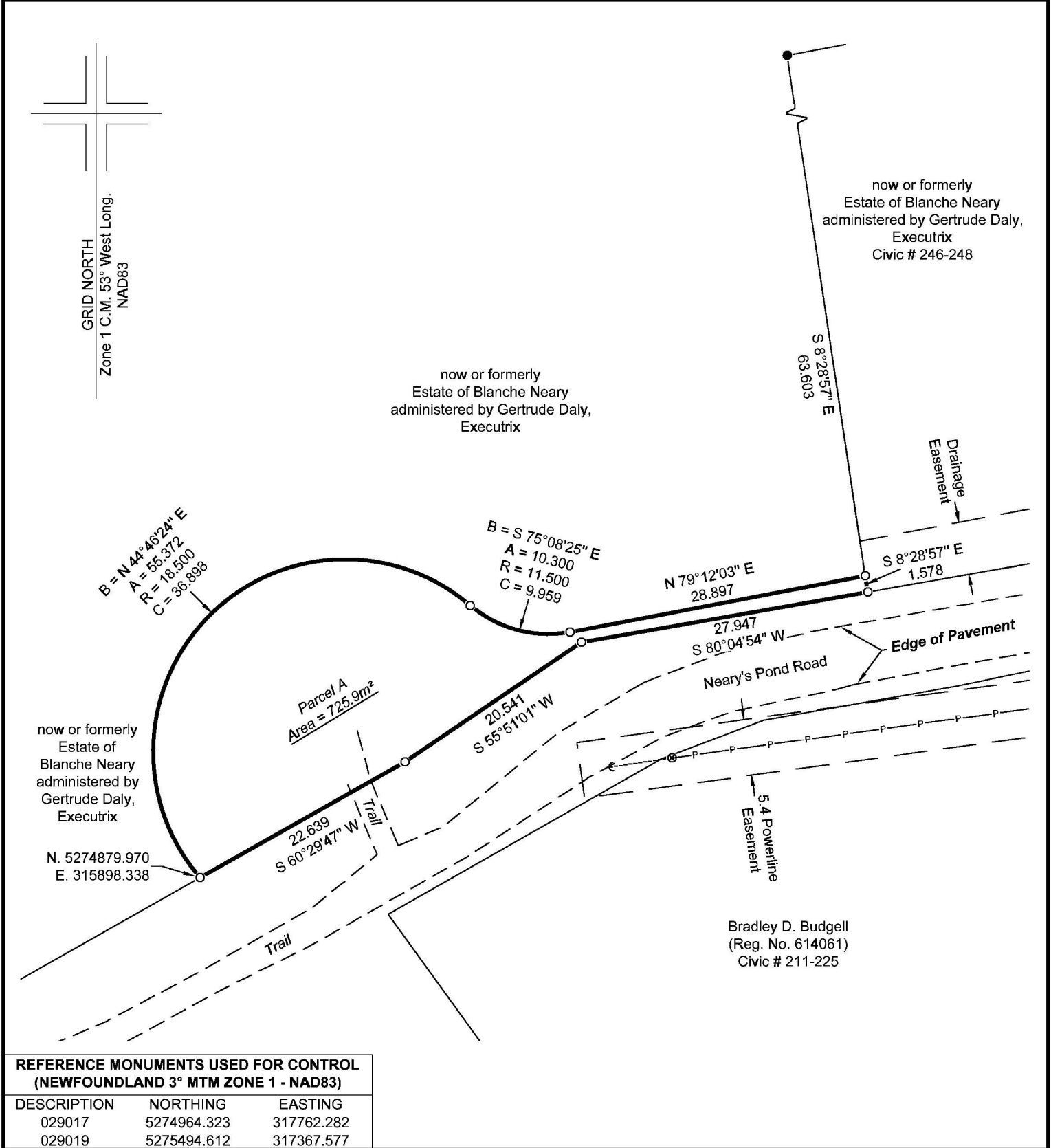
** - Name on Check was modified

PCSP ATIPPA Jan. 1 to May 8, 2017				
Requestor	# of request	# of questions from requests	Time spent on completed requests (in hours)	# of Requests Outstanding
#1	52	145	157	18
2	3	11	19	0
3	2	7	17	0
4	2	4	18	0
5	1	3	15	0
6	2	2	7	0
7	1	1	6	0
8	1	1	2	0
9	1	1	2	0
10	1	1	0	1
Total	66	176	243	19

PCSP ATIPPA Summary of monthly requests for 2017								
	Requests (from #1)	No. of Requests Completed (from #1)	Time spent on completed requests (from #1)	No. of Requests Outstanding (from #1)	Requests from others (from all except #1)	No. of Requests Completed (from all except #1)	Time spent on completed requests (from all except #1)	No. of Requests Outstanding (from all except #1)
Jan	6	6	36.5	0	1	1	5	0
Feb	11	11	65	0	2	2	17	0
Mar	10	10	29	0	10	10	64	0
Apr	19	7	26.5	12	0	N/A	N/A	N/A
May	6	0	0	6	1	0	0	1
Total	52	34	157	18	14	13	86	1

PLAN SHOWING
AREA TO BE ACQUIRED FOR ROAD
FOR THE TOWN OF PORTUGAL COVE-ST. PHILIP'S
NEARY'S POND ROAD
PORTUGAL COVE - ST. PHILIP'S, NL

AF Committee item #4



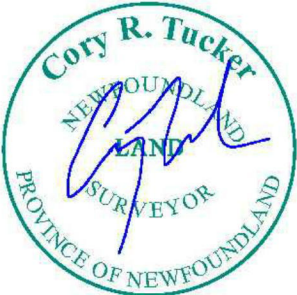
NOTES:
This plan certifies the information shown as of
May 4th, 2017 and only as of that date.

Combined Scale Factor = 0.999881

Distances are horizontal ground shown in metres and
decimals thereof.

LEGEND

Iron Bar placed: ○
Iron Bar found: ●
Power Line: —P—
Power Pole: ⊗
Power Pole Anchor: —→
Portions referred to are shown thus:



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Unauthorized use, alteration or reproduction of this survey
and its attached survey description is prohibited by law as
outlined in the Copyright Act. However, use and
reproduction thereof by or on behalf of the person, for
whom this survey plan and description were prepared, is
permitted, provided that no alterations whatsoever are
made thereto;



McElhanney
Land Surveys (NL) Ltd.

McElhanney Land Surveys (NL) Ltd. 34 Pippy Place, St. John's, NL, A1B 3X4 T 709-722-0564 F 709-722-0361 Email ctucker@mcelhanney.net						
	0	May 4/17	Plan Issued	LF	CRT	CRT
	REV.	DATE	DESCRIPTION	DRAF	CHKD	SURV
	REVISIONS					
Scale: 1:500	Plan ID.: N00098PRL2		Job No.: 371100098	Page: 3 of 3		



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR

Department of Transportation and Works

REPORT AFTER PUBLIC TENDER CALL

TENDER #: 10226 DOCKET #: MA10226 TENDER CLOSING DATE & TIME: 2017/04/27 2:00:00PM

TENDER DESCRIPTION: MA10226 - Neary's Pond Road Reconstruction, Town of Portugal PROJECT #: Cove-St Phillips, NL

NUMBER OF TENDERS RECEIVED: 9 NUMBER OF ADDENDUM ISSUED: 4

CHAIRMAN: Stephen Slaney

SECRETARY: Lisa Willar

CONSULTANT: Vigilant Management

SCHEDULE OF TENDERS

NAME AND ADDRESS	Base Bid	HST	Tender Total	Security
MERCER'S PAVING INCORPORATED (TB) , P.O. Box 165, Goulds, NL, A1S1G4			④ 629,589.35	Bid Bond Included
IMPERIAL EXCAVATING LIMITED , 95A Main Highway, Holyrood, NL, A0A2R0			⑧ 717,204.40	Bid Bond Included
FARRELLS EXCAVATING LTD , P.O. Box 909, Mount Pearl, NL, A1N3C8			① 549,214.70	Bid Bond Included
MODERN PAVING LTD , P.O. Box 401, Mount Pearl, NL, A1N2C4			⑨ 797,270.85	Bid Bond Included
CLARKE'S TRUCKING & EXCAVATING LTD. , 163 Paradise Road, Paradise, NL, A1L2Y1			⑤ 644,580.75	Bid Bond Included
WEIR'S CONSTRUCTION LTD. , P. O. Box 14091, Station Manuels, CBS, NL, A1W3J1			⑦ 682,591.70	Bid Bond Included
FAIRVIEW INVESTMENTS LTD , 360 Topsail Road, St. John's, NL, A1E2B6			⑥ 678,904.80	Bid Bond Included
PYRAMID CONSTRUCTION , 178 Majors Path, P.O. Box 681, St. John's, NL, A1C5L4			③ 614,999.07	Bid Bond Included
J3 CONSTRUCTION LTD (TB) , 422 Logy Bay Rd., P.O. Box 29138, St. John's, NL, A1A5B5			② 605,521.00	Bid Bond Included

TRANSPORTATION TENDERS (Only)

PRE-TENDER ESTIMATE OF COST:

Base Bid

Materials

Other Charges

Engineering

TOTAL COST:

\$844,700.93

POST-TENDER ESTIMATE OF COST:

Base Bid

Materials

Other Charges

Engineering

TOTAL COST:

ESTIMATED SUBSTANTIAL COMPLETION DATE: 15-Sep-2017

DESIGN MANAGER: Alex Alyward (Prime Consultant)

CONSTRUCTION MANAGER: Grant Horwood (Project Management Consultant)

RECOMMENDED TENDER: Farrell's Excavating Limited

AMOUNT Less HST: \$477,578.00

TENDER ANALYSIS COMPLETED & RECOMMENDED BY: Grant Horwood

REVIEWED BY: Jason Russell

CONTRACT AWARD:

(Approved By)

(Date)

REMARKS:

April 28, 2017

Department of Municipal Affairs and Environment
West Block, Confederation Building
P.O. Box 8700
St. John's, NL A1B 4J6

Attn: Bertha Fowler

Re: Award Recommendation for Neary's Pond Road Reconstruction
MAE Project Number: 17-MYCW-17-00116

Dear Bertha,

The tender for Neary's Pond Road Reconstruction closed on 27-Apr-2017 at 2:00 pm. There were nine bidders in total and the lowest qualified bid was from Farrell's Excavating Limited valued at \$549,214.70 (HST Included). This compares favorably to the pre-tender estimate of \$844,800.93.

The bid received from Farrell's Excavating has been reviewed and found to be compliant. We recommend award of the contract to Farrell's Excavating Limited. Upon your direction we will prepare a contract for signing and execution.

Sincerely,



Grant Horwood, P. Eng.
Senior Project Manager

Enclosed;
Tender Results
Bid packages



Phone: 709-782-5950 Fax: 709-782-5951 Email: info@vigilantmanagement.ca
Address: 69 Karwood Drive, Unit #9, P.O. Box 50064, Paradise, NL, A1L 0J2

REPORT AFTER PUBLIC TENDER CALL

TENDER #: 10226 **DOCKET #:** MA10226 **TENDER CLOSING DATE & TIME:** 2017/04/27 2:00:00PM
TENDER DESCRIPTION: MA10226 - Neary's Pond Road Reconstruction, Town of Portugal Cove-St Phillips, NL **PROJECT #:**
NUMBER OF TENDERS RECEIVED: 9 **NUMBER OF ADDENDUM ISSUED:** 4
CHAIRMAN: Stephen Slaney **SECRETARY:** Lisa Willar **CONSULTANT:** Vigilant Management

SCHEDULE OF TENDERS

NAME AND ADDRESS	Base Bid	HST	Tender Total	Security
FARRELLS EXCAVATING LTD , P.O. Box 909, Mount Pearl, NL, A1N3C8	\$ 477,578.00	\$71,636.70	\$549,214.70	5222414-17-014 Bid Bond
J3 CONSTRUCTION LTD (TB) , 422 Logy Bay Rd., P.O. Box 29138, St. John's, NL, A1A5B5	\$ 526,540.00	\$78,981.00	\$605,521.00	5222575-17-009 Bid Bond
PYRAMID CONSTRUCTION , 178 Majors Path, P.O. Box 681, St. John's, NL, A1C5L4	\$ 534,781.80	\$80,217.27	\$614,999.07	TS8022473-11 Bid Bond
MERCER'S PAVING INCORPORATED (TB) , P.O. Box 165, Goulds, NL, A1S1G4	\$ 547,469.00	\$82,120.35	\$629,589.35	37-4253-0009-17-02 Bid Bond
CLARKE'S TRUCKING & EXCAVATING LTD. , 163 Paradise Road, Paradise, NL, A1L2Y1	\$ 560,505.00	\$84,075.75	\$644,580.75	5222495-17-009 Bid Bond
FAIRVIEW INVESTMENTS LTD , 360 Topsail Road, St. John's, NL, A1E2B6	\$ 590,352.00	\$88,552.80	\$678,904.80	100011957-04 Bid Bond
WEIR'S CONSTRUCTION LTD. , P. O. Box 14091, Station Manuels, CBS, NL, A1W3J1	\$ 593,558.00	\$89,033.70	\$682,591.70	5707(04)17 Bid Bond
IMPERIAL EXCAVATING LIMITED , 95A Main Highway, Holyrood, NL, A0A2R0	\$ 623,656.00	\$93,548.40	\$717,204.40	TCS0129055-17-07 Bid Bond
MODERN PAVING LTD , P.O. Box 401, Mount Pearl, NL, A1N2C4	\$ 693,279.00	\$103,991.85	\$797,270.85	69-5010-005-17 Bid Bond

TRANSPORTATION TENDERS (Only)

PRE-TENDER ESTIMATE OF COST:

Base Bid

Materials

Other Charges

Engineering

TOTAL COST:

POST-TENDER ESTIMATE OF COST:

Base Bid

Materials

Other Charges

Engineering

TOTAL COST:

ESTIMATED SUBSTANTIAL COMPLETION DATE:

DESIGN MANAGER:

CONSTRUCTION MANAGER:

RECOMMENDED TENDER:

AMOUNT Less HST:

TOWN OF PORTUGAL COVE-ST-PHILIP'S

APR 20 2017

RECEIVED

Copy emailed to: Addressee

April 17, 2017

The Town Council
Town of Portugal Cove-St. Philip's
1119 Thorburn Road
Portugal Cove-St. Philip's
NL A1M 1T6

Redactions as per s. 40
of the ATIPPA

Enclosed are Questions re lack of town water to residents of 4 roads in the town of Portugal Cove-St. Philip's and lack of sewer to residents of 3 roads in the town.

I have forwarded dozens of correspondence to a majority of Council since March 2016 on this matter and assumed they took this matter to the appropriate Committees including the Committee of the Whole.

No resident should be without clean drinking water or any water in 2017, especially when funding was available. I am asking that you review the information, and answer the Questions, and rectify the situation. Minister Joyce says the authority is in your hands!

cc. Honourable Eddie Joyce
Honourable Andrew Parsons
Parliamentary Secretary, Graham Letto

**OVERALL PICTURE AND QUESTIONS RE THE LACK OF CLEAN DRINKING
WATER FOR A NUMBER OF RESIDENTS IN PORTUGAL COVE-ST. PHILIP'S
April 17, 2017**

A. THERE WAS A WATER/SEWER FUNDING AGREEMENT WITH THE PROVINCE

There was a May 16, 2014 – Agreement/Contract between the Town of PCSP and the Provincial Government/Municipal Affairs for \$2,763.119.00 for water for Skinners Road and water/sewer for Franklin Place, Drovers Heights and part of Indian Meal Line.

In a Council Meeting on March 8, 2016 – Council voted to re-direct this funding for a route to a new Town Depot and re-surfacing a road.

There was no discussion with/or input from residents prior to this decision being made. Residents on Franklin Place, Drovers Heights, part of Indian Meal Line, had been told they would be receiving w/s and residents of Skinners Road had a commitment for water!

QUESTION 1:

WHY WAS FUNDING FOR W/S FOR FOUR ROADS TAKEN AWAY FOR A ROUTE TO A TOWN DEPOT AND RE-SURFACING A TOWN ROAD?

QUESTION 2:

WHERE IS THE DOCUMENTATION THAT DEMONSTRATES THE PRIORITY OF THE DEPOT ROUTE AND ROAD RE-SURFACING OVER CLEAN DRINKING WATER?

QUESTION 3: WHO EXACTLY ORIGINATED THE DECISION TO TAKE THE FUNDING AWAY FROM 4 ROADS FOR A ROUTE TO A TOWN DEPOT AND RE-SURFACING A ROAD?

B. THERE WAS A WATER COMMITMENT TO RESIDENTS OF SKINNERS ROAD and WATER/SEWER COMMITMENT TO RESIDENTS OF FRANKLIN PLACE, DROVERS HEIGHTS, PART OF INDIAN MEAL LINE

The Contract/Agreement signed by the Town and Provincial Government on May 16, 2014 was also a Commitment between the Town and residents of the four roads indicated.

When residents were informed of this funding, they planned for a different future, in terms of the role of water or sewer in their lives. Those without town water and those without clean drinking water saw this Commitment as a welcome solution. This had significant implications for those who had to replace septic systems or purchase drinking water.

QUESTION 7:

WITH NO REPORT ON IF OR WHEN A NEW TOWN DEPOT WILL BE NEEDED WHY THE DECISION TO TAKE FUNDING FOR WATER/SEWER FOR THIS PURPOSE? WITHOUT A REPORT? ON WHAT BASIS WAS SUCH A DECISION MADE?

E. PLANNING WITHIN THE BUDGET

If I go to the grocery store and have estimated that the groceries will cost \$100 and then find out they cost \$110.00 – do I buy what I can for \$100 or walk out of the store and go the shoe store and buy a pair of boots? This seems to be the analogy that describes how Council dispensed of the Provincial Government grant of \$2,763,119.00!

You say there was not enough funding for four (4) roads/projects, then rather than take it all away and give to Meadow Heights, and Neary's Pond Road, why not figure out which of the 4 roads (Skinners Road, Franklin Place, Drovers Heights, Indian Meal Line) could be water or water/sewer serviced for the \$2,763,119.00? Would Skinners Road have cost more than \$2,763,119.00? If not why was this not water serviced? – or any of the other 3 roads?

Furthermore, this should lead Council to question the estimates that were given on the basis of which the grant was received! Why does it appear these were so wrong?

What happened in taking ALL funding away does not seem to make good planning sense!

QUESTION 8: WHO DECIDED ON THIS "ALL OR NOTHING" APPROACH?

F. NOT SUFFICIENT FUNDS?

Residents of the four roads denied water or water/sewer were told there weren't sufficient funds to cover the Municipal share of costs.

Yet:

The Municipal share of the Town cost for water/sewer on the route to the new depot is \$339,442.00 (ATIPP/PB/75/2017) which all taxpayers must pay, including those from the 4 roads, denied water.

\$389,154.00 Gas Tax is being spent on water stubs for some residents of Thorburn Road.

The cost of purchasing land on Maggies Place is \$864,441.20 + \$7926.00 financing per year.

QUESTION 9:

WHY MUST RESIDENTS OF FRANKLIN PLACE, SKINNERS ROAD, DROVERS HEIGHTS, AND INDIAN MEAL LINE PAY FOR ALL COSTS OF WATER SEWER FOR THEMSELVES WHILE RESIDENTS ALONG THE ROUTE TO A NEW DEPOT, DON'T? IS THIS FAIR?

QUESTION 15:

WHO EXACTLY DID THE TOWN HAVE IN MIND AS THE BENEFACTORS OF THE ROUTE TO A NEW TOWN DEPOT?

QUESTION 16:

WHY IS A NEW TOWN DEPOT (UNDER ATIPP, THERE IS NO REPORT THE CURRENT ONE IS INADEQUATE) A HIGHER PRIORITY THAN CLEAN DRINKING WATER?

REMEMBER, MOTION 2016-063 re-allocated the w/s funding for a route TO A NEW TOWN DEPOT – Not for something called Maggies Place Development. You can't change Motion 2016-063.

QUESTION 17:

DOES ANYONE IN THE TOWN HALL REALLY UNDERSTAND WHAT IT MEANS NOT TO HAVE CLEAN DRINKING WATER? (Perhaps not, with the Town Hall purchasing bottled water - \$661.00 in 2016!)

QUESTION 18:

SHOULDN'T A COMMITMENT TO RESIDENTS, LONG TIME TAXPAYERS, SUPERCEDE SERVICE TO RESIDENTS ALONG A ROAD TO A TOWN DEPOT - A DEPOT FOR WHICH THERE IS NO RECORDED SUPPORT!

I. WHERE DID THE MAGGIES PLACE DEVELOPMENT COME FROM?

Motion 2016-063 says nothing about Maggies Place Development. It merely references Town owned property on Maggies Place for the purpose of servicing the future site of a new Municipal Depot.

There has been a lot of hype about Maggies Place Development (originally non-town owned land for a new depot – for which there is no rationale). There have been brochures, meetings conducted by paid consultants but no source as to who originated this – whose pet project this is?

QUESTION 19: WHO (I DON'T AGREE WITH SPONTANEOUS SUGGESTION) ORIGINATED THE MAGGIES PLACE DEVELOPMENT IDEA SINCE IT WAS NOT MENTIONED IN THE MOTIONS TAKING WATER/SEWER AWAY FROM FOUR ROADS IN MARCH 2016?

I. UNITED NATIONS GENERAL ASSEMBLY DECLARATION

In 2010, the UN General Assembly declared drinking water a priority (Resolution 64/292).

What would be the reaction of the UN General Assembly to know that in spite of funding having been provided, there are residents in Portugal Cove-St. Philip's, NL, Canada without potable water or no water in 2017?

town will still apply for grants as it always did with the town portion coming from a direct charge back to residents via the levy and local improvement assessment."

(e) All property tax payers are expected to help pay the cost of purchasing Maggies Place at \$864,441.29 + \$7,926.00 financing per year.

(f) All property tax payers are expected to help pay the cost of the municipal portion of putting water/sewer on the route to the depot (Meadow Heights) - \$339,442.00 according to ATIPP Request (PB/75, February 24/17)

THIS ATIPP REQUEST WAS SUBMITTED TO THE TOWN:

(a) Any town policy/decision for installing water and/or sewer that supports statements (a) and (b) (Statement c had not been received by the requestor at the time). Provide date of policy/decision, date and by whom it was approved/adopted.

(b) Any memos/documents rationalizing Statements (a) and (b) with Statements (e) and (f). Provide dates of such memos/documents.

IN SPITE OF THE EXPRESSED DECISIONS OF COUNCIL, ABOVE, THERE IS NO WRITTEN TOWN POLICY SUPPORTING THESE DECISIONS, AND NO RATIONALE WHY SOME RESIDENTS TO BE HOOKED UP TO W/S MUST PAY ALL COSTS, AND FOR OTHERS, ALL TOWN TAXPAYERS MUST HELP PAY THE TOWN'S PORTION OF THE COST as of March 29, 2017. THERE IS NO SOURCE OF WHERE THE DECISION ON "COMMON PROPERTY ASSETS" CAME FROM!

QUESTION 22:

WHY IS THE TOWN OPERATING ON THE ABOVE INDICATED DECISIONS WHEN THERE IS NO WRITTEN TOWN POLICY SUPPORTING THEM?

M. NO REGULATIONS PROTECTING DUG WELLS

ATIPPA PB/132/2017 Request:

Record/copy of regulations re dug wells such as minimum distance buildings (dwellings, sheds, accessory buildings, etc.) must be located from a dug well.

RESPONSE: THE TOWN HAS NO REGULATIONS REGARDING THE DISTANCE OF BUILDINGS FROM DUG WELLS OR REGULATIONS RE POSSIBLE CONTAMINANTS REGARDLESS OF SOURCE. THERE IS NO PROTECTION FOR OWNERS OF DUG WELLS. TOWN HALL NEEDS TO BE REMINDED THERE ARE STILL DUG WELLS IN THIS RURAL TOWN!

QUESTION 23:

WHY DOESN'T THE TOWN HAVE DUG WELL REGULATIONS TO PROTECT RESIDENTS WITH DUG WELLS?

Then funding was provided for Drovers Heights, Franklin Place, Skinners Road and part of Indian Meal Line, and that disappeared and the route to a Town Depot is being serviced and Neary's Pond Road upgraded.

I would suggest that Councilors re-read their Flyers/Brochures for their Campaign in 2013. As I remember, they were going to work in the best interests of residents? I assume this meant ALL residents? Yet, we can't find out who/which person came up with the Town Depot (Note there is no report that one is needed) or who came up with the Maggies Place idea that seems to have come out of the blue, and take water or water/sewer from residents of 4 roads.

QUESTION 25:

WHY WON'T COUNCIL DO THE RIGHT THING AND RECOGNIZE THE RIGHT OF ALL ITS CITIZENS TO CLEAN DRINKING WATER - A PROJECT FOR WHICH PROVINCIAL FUNDING WAS PROVIDED?

QUESTION 26:

IF THE ESTIMATES WERE WRONG, THEN WHY DIDN'T THE TOWN PLAN WITHIN BUDGET (REMEMBER THE GROCERY STORE ANALOGY) AND PROVIDE WATER OR WATER/SEWER ACCORDING TO HOW FAR THE \$2,763,119.00 WOULD COVER?

A good, old-fashioned and diplomatic policy still is, "First come; first served!"

QUESTION 27:

WHY DOESN'T THE COUNCIL MAKE THE TOWN A VERY DESIRABLE PLACE TO LIVE FOR ALL?

APR 26 2017

RECEIVED

**IN ADDITION TO
"OVERALL PICTURE AND QUESTIONS RE THE LACK OF CLEAN DRINKING
WATER FOR A NUMBER OF RESIDENTS IN PORTUGAL COVE-ST. PHILIP'S"**

April 17, 2017

(Dated: April 24, 2017)

P. DECISION TO DEFER LIST OF 2014-17 MYCW PROJECTS

The Minutes of March 8, 2016 of the Town of PCSP Council meeting contain the following (my underlining):

5. Added item: Multi-Year Capital Works Projects update

Multi-Year Capital Works Projects update

The status and possible cost recovery options of the current Multi-Year capital works projects were discussed at the February 23 Committee of the Whole meeting. The discussion was brought to the Admin Finance Committee for further discussion and decision on what direction to take. The Committee of the Whole and Admin/Finance Committee both agreed that they would recommend deferring the current list of MYCW projects until there is a greater need by the residents for them to be completed and they are economically more feasible. In turn the committees agreed that they would recommend applying to divert the remaining MYCW funds to projects that will give benefit to a greater number of residents and would allow for more acceptable cost recovery models. The committees chose to apply for funding to service the land that the Municipal Depot is planned to be built on. Servicing the land would be the first step in the development of a new depot. In order to service the land, properties along Meadow Heights would also be fully serviced with sewer and water (from an existing transmission main) so would also be included in the funding application. The Admin/Finance Committee discussed adding another high priority project identified in the Asset Management Plan. The project that was considered is the upgrading and paving Neary's Pond Road from Round Pond Road to the end of Neary's Pond Road.

The following resolutions resulted:

Part (A)

2016-062 Resolved that the Multi-Year Capital Works projects for water servicing of Skinners Road and water and sewer servicing of Drovers Heights, Franklyn Place, and Indian Meal Line be deferred for future consideration and that the remaining project funds be released for potential reallocation to alternate capital works projects.

Part (B)

2016-063 Resolved that the Town apply to reallocate a portion of the remaining available 2014-2017 Multi- Year Capital Works funding to provide water and sewer services to Meadow Heights and the Town owned property on Maggies Place for the purpose of servicing the future site of a new Municipal Depot.

Part (C)

2016-064 Resolved that the Town apply to reallocate a portion of the remaining available 2014-2017 Multi- Year Capital Works funding to upgrade and repave Neary's Pond Road from Round Pond Road to the end of Neary's Pond Road.

QUESTION 28:

ON WHAT BASIS/DOCUMENTATION/INFORMATION DID COUNCIL DECIDE THERE WAS NOT A GREATER NEED BY THE RESIDENTS OF SKINNERS ROAD FOR CLEAN WATER, AND RESIDENTS OF FRANKLIN PLACE, DROVERS HEIGHTS, AND PART OF INDIAN MEAL LINE FOR WATER/SEWER OVER W/S FOR MEADOW HEIGHTS AS A ROUTE TO NEW TOWN DEPOT (NOTE: There is no record a new town depot is needed) OR UPGRADING OF NEARY'S POND ROAD?

QUESTION 29:

WHAT WERE THE NUMBER OF RESIDENTS ON THE FOUR ROADS FOR WHICH THE MYCW GRANT HAD BEEN RECEIVED, AND THE NUMBER OF RESIDENTS ON THE ROUTE TO A NEW DEPOT?

(Again NOTE, there is no documentation that a new depot is needed.)

QUESTION 30:

WHAT WERE THE NUMBER OF RESIDENTS ON NEARY'S POND ROAD FROM ROUND POND ROAD TO THE END OF NEARY'S POND ROAD?

QUESTION 31:

HOW MANY CORRESPONDENCES FROM MEADOW HEIGHTS, AND HOW MANY CORRESPONDENCES FROM THE 4 ROADS FOR WHICH FUNDING WAS PROVIDED AND THEN REMOVED, WERE SENT TO THE TOWN HALL ADVOCATING FOR WATER OR WATER/SEWER?

QUESTION 32:

WHAT "MORE ACCEPTABLE COST RECOVERY MODEL" IS IN PLACE FOR THE RESIDENTS OF MEADOW HEIGHTS AND THE RESIDENTS OF NEARY'S POND ROAD FOR IMPROVED INFRASTRUCTURE?



CORRESPONDENCE

7. Correspondence

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
Apr. 26, 2017	Resident	Amendment - Water and Sewer Concerns letter	A&F Committee
Apr. 27, 2017	Fire and Emergency Services NL (FES-NL)	Acknowledgement - Regional Firefighting Water Supply Tanker letter	PS Committee
May 4, 2017	Youth Ventures NL	Request - Permit and Licensing	
May 2, 2017	Crime Stoppers NL	Invite - Police & Peace Officer Of The Year Award (POYA)	
May 2, 2017	Federation of Canadian Municipalities (FCM)	Thank you - Legal Defense Fund contribution	



NEW/GENERAL/ UNFINISHED BUSINESS

Unfinished Business

Maggie's Place Development Plan

At the Council meeting of Tuesday, April 25th a motion from the Economic Development, Marketing and Communications committee meeting of Tuesday, April 18th was deferred as the final report for Maggies Place Development Plan Work Package One was not completed. The report has subsequently been completed and distributed to Council for their review on Wednesday, May 3rd.

Motion: The committee recommends that the "Work Package One of the Maggies Place Development Plan" be approved. This concludes work package one of the Maggies Place Development Plan project.

Motion: The committee recommends that Tract Consulting proceed to Work Package Two for the Maggies Place Development Plan as per the project charter.



AGENDA ITEMS/ NOTICE OF MOTIONS