



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

Public Council Meeting  
Tuesday, July 4, 2017 at 5:00 pm  
Location: Council Chambers

1. Call of Meeting to order
2. Adoption of Agenda for July 4, 2017
3. Delegations/Presentations
4. Adoption of Minutes of June 20, 2017
5. Business Arising from Minutes
6. Committee Meeting Reports

a) Planning & Development Committee – Agenda:

Applications:

- 1) Civic # 1461 Portugal Cove Road – Single Dwelling
- 2) Civic # 81-83 Hughs Pond Road – Accessory Building
- 3) Civic # 24 Keeley Lane – Wharf & Patio/Deck
- 4) Civic # 16-18 Dawn Allen Road – Accessory Building

Correspondence:

- 5) Eastern Newfoundland Regional Appeal Board – Decisions of Appeals

Discussion:

- 6) Civic # 17-19 Hibbs Place – Condition of Structure
- 7) Civic # 24 Keeley Lane – Landscaping Proposal

Permits Issued:

- 8) Permits issued from June 9th to June 22nd, 2017

b) Recreation/Community Services Agenda:

- 1) Voisey's Brook Walking Trail Phase II
- 2) Lifestyle Centre Charter
- 3) FCM Funding

c) Public Works Agenda:

- 1) Newbury Street Resident Group - Meeting
- 2) Rainbow Gully Water and Sewer Service – Design and Contract Management Fees
- 3) Ice Control Materials (Salt Order) - Update
- 4) Newbury Street Pedestrian Walkway - Tender
- 5) Roads Updates
- 6) Sidewalk Project – Thorburn Road/Dogberry Hill Road
- 7) Depot

d) Economic Development, Marketing & Communications Agenda:

- 1) Agriculture Strategic Session
- 2) Level of Service Plan
- 3) Maggies Place Development Plan Project

e) Protective Services Agenda:

- 1) Resident Concerns
- 2) Commissionaires – Municipal Enforcement
- 3) FES Updates
- 4) Civic Numbering

f) Administration and Finance Agenda:

- 1) Accounts for Payment
- 2) Tender Results – Portugal Cove Sidewalks
- 3) Community Enhancement Employment Program
- 4) New Grant Funding for Climate Change Infrastructure Projects
- 5) Business/Property Tax exemption
- 6) Office of the Information and Protection Commissioner (OIPC) complaints
- 7) A&F Committee Correspondence

g) Other Reports

7. Correspondence

- Correspondence received from June 19 to June 30, 2017

8. New/General/Unfinished Business

9. Agenda items/Notice of Motions etc.

10. Adjournment





# **DELEGATIONS / PRESENTATIONS**



# **MINUTES**



## TOWN OF PORTUGAL COVE-ST. PHILIP'S

June 20, 2017

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

### IN ATTENDANCE:

Mayor

Deputy Mayor

Councillors:

Moses Tucker

Gavin Will

Dave Bartlett

Joe Butler

Norm Collins

Johnny Hanlon

Town Manager

Director of Financial Operations

Director of E.D., Mark. & Comm.

Director of Recreation (Acting)

Deputy Town Clerk

Chris Milley

Tony Pollard

Jeff Lawlor

Dawn Sharpe

Claudine Murray

Mayor Tucker called the meeting to order and welcomed the gallery of 6 persons in attendance for the meeting, noting regrets from Councillor Facey.

### ADOPTION OF AGENDA

Motion: Will/Butler

2017-305 Resolved that the agenda dated June 20, 2017, be adopted as circulated with a noted change to new business and presentations.

Carried Unanimously

### DELEGATIONS/PRESENTATIONS

- Plaid for Dad is a fundraising campaign for prostate cancer research. The Town was collecting funds from employees of Municipalities on the Avalon. Dawn Sharpe, Director of Recreation and Community, will forward the \$695.50 to the Prostate Cancer Canada organization.

### ADOPTION OF MINUTES

Motion: Will/Hanlon

2017-306 Resolved that the minutes of June 6, 2017 be adopted as circulated.

Carried Unanimously

## **BUSINESS ARISING**

### **1. Level of Service Review**

The first phase of the level of service review project is well underway. Interviews have been conducted with Council, Management, and staff to gather municipal information and perspective. The project will now focus on collecting and sharing information with residents and business owners. While there is a formalized method devised for anyone to share their thoughts and opinions, everyone is encouraged to share in other ways that suit their needs. Regular updates on the project will be shared through the Economic Development Committee.

### **2. Interviews for Manager – Streets, Fleet and Waste Management Position**

Town Manager sat in on the interviews two weeks ago. The department is carrying on with a second round of interviews and they have narrowed the field considerably. Town Manager will not be involved in the second round which will consist of mostly HR type questions.

### **3. Tour of the New Intermediate School**

The Town Manager and a few staff toured the school on Thursday June 15 to give any feedback we had on it. We didn't have too much to offer at the time but certainly, it looked impressive and the community will benefit from it when it opens in September.

### **4. Torbay Waste Water**

There is a meeting scheduled with Torbay this week on the possibility of treating their waste. This will be the first meeting following their request in a letter that came in a prior Council meeting to see if the Town is interested in entertaining the idea of treating their waste.

### **5. Nearys Pond Road Kick Off Meeting June 27<sup>th</sup>**

A meeting was held on June 27 with the consultants and contractors who were awarded the project and they are expecting to start July 4 timeframe.

### **6. Met with Vigilant on Meadow Heights Catchment Areas**

Town Manager met with Vigilant Management on the calculations because, as we are working forward with the fee rates for the Meadow Heights project, we have to better define the area in order to calculate the rate of fees for the levies and assessments.

## **COMMITTEE REPORTS**

### Planning & Development Report of June 13, 2017 – presented by Councillor Collins

#### **1. Civic # 1250 & 1252-1254 Thorburn Road – Subdivide Property & Construct Single Dwelling**

Motion:	Collins/Bartlett
2017-307	Resolved that the application to subdivide property & construct a single dwelling at Civics # 1250 & 1252-1254 Thorburn Road be granted approval in principle as per Appendix A: Tabled Report.
Carried	Unanimously

**2. Civic # 19-21 Knapps Road – Single Dwelling**

Motion: Collins/Hanlon  
2017-308 Resolved that the application to construct a single dwelling at Civic # 19-21 Knapps Road be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**3. Civic # 249-253 Olivers Pond Road – Accessory Building**

Councillor Butler left the Council meeting prior to discussion of Item # 3.  
Councillor Butler left the Committee meeting prior to discussion of Item # 3.

Motion: Collins/Bartlett  
2017-309 Resolved that the application to construct an accessory building at Civic # 249-253 Olivers Pond Road be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

Councillor Butler returned to the Committee meeting after discussion of Item # 3.  
Councillor Butler returned to the Council meeting after discussion of Item # 3.

**4. Civic # 138-142 Bennetts Road – Accessory Building Extension**

During review of this application by the Town, it was determined that the proposed development is located within the Town's Residential Low Density Zone but would require referral to the City of St. John's for comment due to its proximity to the Protected Watershed zone in accordance with Plan Policy GL-8 (General Layout Policies) of the Town's Municipal Plan 2014-2024. On June 5<sup>th</sup>, 2017 the City of St. John's refused this application citing that the development is located within the Watershed zone.

The Committee reviewed this application in accordance with the land use designations and zones identified on the Generalized Future Land Use and Development Regulations Maps within the Town's Municipal Plan and Development Regulations 2014-2024 which were registered by the (then) Department of Municipal and Intergovernmental Affairs on October 8<sup>th</sup>, 2014 and came into legal effect on October 17<sup>th</sup>, 2014.

The Town will notify the applicant of the correspondence received from the City of St. John's in its letter outlining the decision of Council regarding this application.

Motion: Collins/Hanlon  
2017-310 Resolved that the application to construct an accessory building extension at Civic # 138-142 Bennetts Road be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**5. Civic # 1561 Portugal Cove Road – Portable Vendor**

The Planning Department is in receipt of correspondence from a resident regarding a permitted portable vendor operation at Civic # 1558-1564 Portugal Cove Road.

The Committee advised Staff to correspond with the resident advising that the vendor will only be operating from that location two days a week and that their permit to operate at this location is temporary and can be reviewed again by Council at such time that it needs to be renewed.

**6. Eastern Newfoundland Regional Appeal Board – Notice of Appeal Hearings**

The Planning Department is in receipt of correspondence advising the hearings have been scheduled for the following appeals on Tuesday, June 13<sup>th</sup>, 2017 starting at 10:00 am at Council Chambers, Mount Pearl City Hall:

- Civic # 16-18 Dawn Allen Road – Removal Order (Accessory Building), and;
- Civic # 10-12 Hilltop Lane – Removal Order (Dwelling Extension).

Item submitted for information.

**7. Subdivision Design Standards (Maximum Length of Cul de Sac)**

Motion: Collins/Bartlett

2017-311 Resolved that the Council complete an amendment to the Town's Development Regulations to increase the maximum length of cul de sacs as per Appendix A: Tabled Report.

Carried Unanimously

Note: Deputy Mayor Will summarized the current regulations which are 200 meters for fully serviced and 300 meters for un-serviced cul-de-sacs.

The Town Manager acknowledged Council dealt with this issue appropriately through a process of regulations change. Staff provided the wording of the change and requirements for the extension to 450m and therefore he can support the regulation change under the identified conditions. Staff were not able to provide a recommendation for the additional change from 200m to 300m in serviced areas because it was not aligned with planning policies as explained in previous committee discussions.

**8. Permits issued from May 26th to June 8th, 2017**

There were eighteen (18) permits issued from May 26th to June 8th, 2017 as per Appendix A: Tabled Report.

Recreation & Community Report of June 13, 2017 - presented by Councillor Hanlon

**1. Voisey's Brook Walking Trail Phase II - ROW**

The committee discussed with the Town Manager the need to have the right of way from Chesley Van Heights subdivision turned over as soon as possible to commence the construction of the connection trail to Voisey's Brook Park. In addition the committee also discussed the property



located between civic # 850-852 and # 854-856 Indian Meal Line and the steps to acquire the property.

## **2. Update Rainbow Gully Park Construction**

Staff provided the committee with an update on the soccer field expansion, the community garden renovation, and the softball field lighting. Currently all projects are on schedule and hope to have all three completed by August.

## **3. PCSP Intermediate School Public Library**

The Town of Portugal Cove – St. Philip's and the [English] School District are discussing the opportunity to make the library in the Intermediate School a Public Library. These discussions are in the preliminary stages and committee will be updated on the progress when information is available.

## **4. Voisey's Brook Batting Cages**

The Recreation Director met with a couple of Minor Softball executive this week. They were pleased to inform the town that they are seeing an increase in registration numbers this season. Currently there are 140 youth registered in 4 divisions, with the expectation of more before the start of the season. To improve the training program, Minor Softball would like to partner with the Town to install batting cages in Voisey's Brook Park. Committee would like to put forward the following recommendation:

Motion: Hanlon/Bartlett  
2017-312 Resolved that the Town purchase and install batting cages in Voisey's Brook Park for \$19000.00 + HST. Furthermore PCSP Minor Softball will contribute \$5500.00 + HST and secure \$8000.00 in sponsorship funds over the next 5 years.  
Carried For: Mayor Tucker, Clr. Bartlett, Clr. Butler, Clr. Collins, Clr. Hanlon  
Against: Deputy Mayor Will

## **5. Community Grants**

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

Motion: Hanlon/Bartlett  
2017-313 Resolved that the Town donate \$100.00 to Kaitlyn Hall to assist with travel to Halifax for the Atlantic Soccer Championships on the U15 Provincial Soccer Team.  
Carried Unanimously

Motion: Hanlon/Bartlett  
2017-314 Resolved that the Town donate prizes and staff resources to the Ursula Crescent Street Party organized by Carolyn Jones.  
Carried Unanimously

Motion: Hanlon/Bartlett  
2017-315 Resolved that the Town donate prizes and staff resources to the Thorburn Woods Street Party organized by Candace Hall.  
Carried Unanimously

Public Works Committee Report of June 14, 2017 - presented by Councillor Bartlett

**1. Department of Municipal Affairs and Environment Correspondence - Approval to issue RFP regarding Household Water Meter Installation**

Staff advised that correspondence was forwarded from the Deputy Town Clerk for information purpose only from the Department of Municipal Affairs and Environment (DMAE) indicating that the Town received approval from DMAE to issue a Request for Proposal (RFP) to select a vendor to supply and install Household Water Meters.

**2. Department of Municipal Affairs and Environment Correspondence - Approval to Call for Tenders Meadow Heights WS Servicing**

Staff advised that correspondence was forwarded from the Deputy Town Clerk for information purpose only from the Department of Municipal Affairs and Environment (DMAE) indicating that the Town received approval from DMAE to proceed with a public tender call for the Meadow Heights Water / Sewer Servicing Project.

**3. Voisey's Brook Park Maintenance Hut – Electrical Repairs**

Emergency underground electrical repairs were required during recent construction at Voisey Brook Park as preparation began to install water lines to service the facilities maintenance hut. Repairs included obtaining permit from Government Services at a cost of \$325.00, cost of materials at \$4,556.84 and labour cost of \$1,385 plus HST.

Motion: Hanlon/Bartlett  
2017-316 Resolved that the cost of emergency repairs by BSB Electrical Services at a cost of \$6,266.84 plus HST be approved.  
Carried Unanimously

**4. Newbury Street Update**

The tender for the Newbury Street Pedestrian Walkway was advertised and has a closing date of June 22, 2017. The tender includes the provision of a traffic markings and painted colored asphalt coating to denote the pedestrian walkway along the entire length of Newbury Street.

Note: Review of the Newbury Street Residential Petition is still ongoing.

**DISCUSSION ITEMS:**

**5. LED Street Lighting, Newfoundland Power**

Further to Committee report of May 30 regarding correspondence received from Newfoundland Power advising the utility is undertaking a technical assessment on the use of LED street lighting, they have advised there are no changes to rates at the present time as they currently do not have approval from their Regulator (Public Utilities Board) for anything other than High Pressure Sodium (HPS) lighting. The 22 identified lights are scheduled to be installed during this construction year in the new Porches subdivision.

**6. Line Painting – Dogberry Hill Road**



Committee questioned at what point during construction will the line-painting on Dogberry Hill Road to differentiate the vehicular roadway from the extension of asphalt pedestrian pathway be completed. Staff will report back once confirmation of information is received.

#### **7. Mitchells Road – Right of Way**

Investigation has been ongoing in the area of Mitchells Road to determine whether there is a right of way, a public access, or privately owned laneway in the area. A fence has been erected in a feckless manner and is interfering with snow removal operations. Committee requested that staff proceed with a title search of the area in question and report findings back at a future meeting.

### Economic Development, Marketing & Comm. Report of June 14, 2017 – presented by Clr. Butler

#### **1. Agriculture Meeting**

A meeting with the Agriculture community was held on Tuesday, June 7<sup>th</sup>. The Director of Economic Development was joined by Deputy Mayor Gavin Will and Councillor Butler. There were numerous farmers in attendance. The meeting primarily revolved around a request for assistance to help develop an Agriculture Strategic Plan in PCSP. The Scope of this potential plan is still to be determined. The Director of Economic Development will continue to work with these local businesses to determine the level of support and assistance that the Town can provide.

#### **2. Level of Service Plan**

The Town received two proposals to execute a community wide survey to support the level of service plan. Vigilant Management has recommended that the Town utilize MQO Research to complete this work. Their plan is to do 400 random interviews via phone. The proposal and review is attached. The cost of the work is \$9,205. With its addition the Level of Service Plan remains under budget.

Motion: Butler/Bartlett  
2017-317 Resolved that MQO Research be hired to complete a community survey for the Level of Service Plan at a cost of \$9,205.  
Carried Unanimously

#### **3. Maggies Place Development Plan Project**

Town staff are finalizing the scope of work with Tract Consulting for the Municipal Plan amendments for rezoning the area recommended in work package one of the plan. This scope of work will be presented to Council at the next meeting.

#### **4. ACE**

The Green Team have been hired for the summer program and include Catherine Hooper, Anika Bursey, Caleb Jones (from PCSP) and Benjamin Stratton. ACE is currently working on a proposal with a grad student to do a complementary piece or work studying invertebrates in the study area.

#### **5. Heritage**

The Town will be receiving the anchor that was discovered during work done to the Portugal Cove Marina. The age of the anchor has been estimated at 150-160 years old. Our Heritage Coordinator will continue to work with the Provincial Archeology Office to preserve and conserve the artifact

that will eventually be displayed somewhere in the community. The Heritage Foundation and the Folklore students have created a booklet of the stories that were gathered from the Memory Mug Up earlier this year. The booklet will be presented to the Town at a community event this summer.

Admin. and Finance Committee Report of June 13, 2017 presented by Deputy Mayor Will

Note: Protective Services Report was read after Admin and Finance Report

**1. Accounts for Payment**

Motion: Will/Bartlett  
2017-318 Resolved that Council approve payment of regular accounts in the amount of \$66,324.80 and capital accounts in the amount of \$197,155.57 for a total of \$263,480.37 as tabled.  
Carried Unanimously

**2. Stewardship Association of Municipalities - SAM Conservation Fund Grant 2017**

The committee received a request from the Stewardship Association of Municipalities (SAM) for the Town to act as a grant agency for their SAM Conservation Fund. The fund provides a scholarship award to a student of the province for wildlife and habitat conservation related initiatives. This year, the scholarship will grant \$1,000 to the winning applicant. SAM will arrange a public ceremony for representatives of SAM, the Town and the winner.

Motion: Will/Butler  
2017-319 Resolved that Council approve the Town to act as the grant agency for the Stewardship Association of Municipalities Inc Conservation Fund in the amount of \$1,000.  
Carried Unanimously

**3. Locates for 22 Belbins Road**

Committee received a request from the land owner of 22 Belbins Road. The request is for the Town to reimburse the cost of water and sewer line locates on the property. In order for the land owner to obtain a permit, the Town requires an easement on the land and whereas the Town cannot provide an accurate location of the lines, the committee recommends that we approve the request for location service upon proof of payment. A motion will be brought forward when the proof of payment is received.

**4. Sewage for Torbay**

The committee reviewed the June 2, 2017 request from the Town of Torbay on to use our wastewater treatment plant. The committee will carry forward this item and bring updates to a future Council meeting.

Protective Services Committee Report of June 13, 2017 – presented by Councillor Hanlon

### **1. Commissionaires – Municipal Enforcement**

The Committee reviewed the report as provided by the Municipal Enforcement Officer. This report has been tabled as Appendix B.

The Commissionaires have also spoken with the Legion regarding their concerns around the war memorial.

Note: The Mayor noted that the flags are in disrepair and the Town will replace those. The Legion recommends the flags are flown from April to November and taken down for the winter.

Residents wishing to report concerns can do so by contacting the Town Hall, either through phone 895-8000, after hour message service, or via email [pcsp@pcsp.ca](mailto:pcsp@pcsp.ca).

### **2. FES Updates**

- a) FireSmart Presentation by Joe Russell of Fisheries and Land Resources is scheduled for July 11<sup>th</sup> meeting.
- b) 98 Old Broad Cove Road: We have made some observations of this structure which revealed that it's an older home with a dilapidated appearance, however the integrity of the structure appears secure. The property has all windows and doors in place which provides security from a public access perspective. The electrical service is disconnected thus eliminating any electrical fire hazard. If a fire were to take place, the department would initiate suppression tactics in a normal fashion. We see this structure as a no fire hazard even though the appearance is not pleasing to the eye. We have also consulted with the Planning and Development department on this matter.
- c) Engine 1 and Engine 2 – 1998 Ford Pumper/ 2015 Spartan - has received annual Motor Vehicle Inspection, routine maintenance with no major issues.
- d) Engine 2 has had a major recall (splay rails and transmission cooler) completed which is under warranty of the manufacturer.
- e) 9 members attended 2017 Fire School with all good reports having been very beneficial to those in attendance.
- f) 7 Officers attended a Fire Service Leadership Seminar in Bay Roberts hosted by the Maritimes Fire Chiefs Association. Very worthwhile as those in attendance thought it was very educational.
- g) Department is preparing for upcoming community events such as Canada Day and Regatta.

### **3. MOU with Paradise & E-Access Road through St. John's**

Further to motion #2016-180, the Committee discussed options to move along the process of completing the proposed restricted access roadway which will serve as a secondary evacuation route in the event of an emergency such as a wildfire. This proposed E-Access route will run through the Town of Paradise and the City of St. John's. In an effort to move along this process, the Committee puts forward the following motion:

Motion: Butler/Bartlett  
 2017-320 Resolved that Council submit a development application to the City of St. John's for a permit to complete an emergency evacuation road from Dogberry Hill Road to Camrose Drive in the Town of Paradise.  
 Carried Unanimously

#### 4. Noise Complaint

Information on a Noise complaint was shared with the Committee and passed along to the Municipal Enforcement Officer for investigation.

#### 5. Dirt bikes / ATVs Nearys Pond Road

The recreational traffic concerns in the area of Nearys Pond Road have been reported to the Municipal Enforcement Officers and they are increasing their patrols in response.

Note: If you see recreational traffic concerns, a good practice is to register a complaint with the RNC noting the location, time and particular markings so that the information is on record. The police department telephone number is 729-8000.

#### Other Reports

- None for this meeting

#### COUNCIL CORRESPONDENCE

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
June 12, 2017	Stewardship Association of Municipalities (SAM)	Request – donation, to act as a grant agency for the SAM Conservation Fund	AF Cmte
June 1, 2017 Opened June 19, 2017	Resident	Comments re: The Tickle Newsletter, May-June edition, From the Mayors Desk article	Going to June 27 <sup>th</sup> , AF Cmte

#### NEW/GENERAL/UNFINISHED BUSINESS

##### a) Level of Service Review

When finalizing the contract for the Level of Service Review project an error was identified. Twells Contracting was awarded the contract and named prime consultant for the Level of Service Review project at a cost of \$64,897 as per motion 2017-251. Upon further examination of the

total cost, as per their proposal, it was determined that a small accounting error occurred and the actual cost of the project is \$65,182. This is a difference of \$285.

Motion: Bartlett/Butler  
 2017-321 Resolved that further to motion 2017-251, the total cost of the Level of Service Review project be amended to \$65,182.  
 Carried Unanimously

**b) New Business Recreation and Community Services**

The Summer Programs Coordinator obtained 3 quotes for the field trips for the Summer Programs. Quotes received were as follows:

VIP Busses	\$4,250.00 + HST= \$4,887.50
Gladney's Bus	\$4,475.00 + HST=\$5,146.25
Parsons Ltd.	\$5,500.00 + HST= \$6,325.00

Motion: Hanlon/Collins  
 2017-322 Resolved that the Town utilize the services of VIP Busses in the amount of \$4887.50 for the Summer Programs Field Trips.  
 Carried Unanimously

**c) Dr. Andrew Furey Thanks**

We would like to say congratulation to Dr. Andrew Furey, a resident here is Portugal Cove-St. Philip's, who has recently been named the Red Cross humanitarian of the year. He is the founder of Team Broken Earth, which is a volunteer organization through which doctors are sent to help people affected by the 2010 Haiti earthquake.

Dr. Furey started Team Broken Earth in the aftermath of the earthquake and has travelled to Haiti more than 20 times since to help provide health care as well as training and education for local medical professionals.

This amazing organization has grown to three chapters across the province and counts more than 200 volunteer doctors, nurses and physiotherapists across Canada.

We would like to thank Dr. Furey for all that he does, and we're proud that he calls Portugal Cove-St. Philip's home.

Note: Council will send an official letter of thanks to Dr. Furey.

**d) Wind Damage to Hibbs Place**

Wind damage to a structure on Hibbs Place has occurred and as a result a neighboring home and garage has incurred damage by the structures' debris. The structure remains unsecure and continues to cause a significant public safety concern.

This matter has gone before Planning and Development committee and a letter has been sent to the property owner. The Town will take other courses of action to immediately rectify the situation.

**e) Urban Municipalities Committee**

Mayor Tucker attended the Urban Municipalities Committee meeting held this past weekend where the Town of Paradise asked for support in their bid to win the "One Horse Town Concert" contest. Paradise is one of six municipalities from across Canada in the running to have CMT Canada and Coors bring a live country music event to Town. The winner is selected through online voting. Please visit <http://coorsbanquet.ca/en/oht> to vote before July 9th.

**f) Funding available**

- a) Capacity Building Regional Facility Planning has \$50,000 available for municipalities to apply for and use in regional facility projects.
- b) There is \$160 M available through Federal funds expiring March 31, 2018, available for infrastructure projects.

**AGENDA ITEMS/NOTICE OF MOTIONS ETC.**

- None for this meeting

**ADJOURNMENT**

Motion: Hanlon/Will  
2017-323 Resolved that this meeting be adjourned. Time is 6:06 p.m.  
Carried Unanimously

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Moses Tucker, Mayor

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Claudine Murray, Deputy Town Clerk

Appendix A - Tabled Planning & Development Report  
Appendix B – Tabled Municipal Enforcement Officer Report



# **BUSINESS ARISING**



# **PLANNING & DEVELOPMENT**



## **Planning and Development Committee Report**

**June 27<sup>th</sup>, 2017**

**Attendance:** Councillor Norm Collins  
Deputy Mayor Gavin Will  
Councillor Joe Butler  
Les Spurrell, Planning & Development Coordinator  
David Beckett, Development Control Officer

**Also in Attendance:** Mayor Moses Tucker

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### **1. Civic # 1461 Portugal Cove Road – Single Dwelling**

**Motion:** The Committee recommends that the application to construct a single dwelling at Civic # 1461 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.

### **2. Civic # 81-83 Hughs Pond Road – Accessory Building**

**Motion:** The Committee recommends that the application to construct an accessory building at Civic # 81-83 Hughs Pond Road be granted approval in principle as per Appendix A: Tabled Report.

### **3. Civic # 24 Keeley Lane – Wharf & Patio/Deck**

**Motion:** The Committee recommends that the application to construct a wharf & patio/deck at Civic # 24 Keeley Lane be granted approval in principle as per Appendix A: Tabled Report.

### **4. Civic # 16-18 Dawn Allen Road – Accessory Building**

**A. Motion:** The Committee recommends that Council revoke the 'Removal Order' (Motion # 2016-073) that was placed on an accessory building constructed without a permit at Civic # 16-18 Dawn Allen Road, on March 30<sup>th</sup>, 2016.

**B. Motion:** The Committee recommends that the application to construct an accessory building at Civic # 16-18 Dawn Allen Road be granted approval in principle as per Appendix A: Tabled Report.

### **5. Eastern Newfoundland Regional Appeal Board – Decisions of Appeals**

The Planning Department is in receipt of decisions from the Eastern Newfoundland Regional Appeal Board regarding the following appeals:

- Civic # 10-12 Hilltop Lane – The Board agreed to postponement of the hearing as per a request by the appellant.
- Civic # 16-18 Dawn Allen Road – The Board determined that the appeal was not filed in accordance with the *Urban and Rural Planning Act, 2000* and the *Minister's Development Regulations* and is therefore invalid.

Item submitted for information.

**6. Civic # 17-19 Hibbs Place – Condition of Structure**

- A. Motion:** The Committee recommends that Council revoke Permit # 14-256 which was issued for the construction of a dwelling extension at Civic # 17-19 Hibbs Place on August 26, 2014 due to safety concerns regarding the condition of the structure.
- B. Motion:** The Committee recommends that Council place a Removal Order on a dwelling extension currently under construction at Civic # 17-19 Hibbs Place as per Appendix A: Tabled Report.
- C. Motion:** The Committee recommends that Council place a Removal Order on building materials at Civic # 17-19 Hibbs Place as per Appendix A: Tabled Report.

**7. Civic # 24 Keeley Lane – Landscaping Proposal**

The Committee discussed a proposal to place washed sand within 10 m of the high water mark of Butler's Pond in relation to an approval in principle to landscape this property which was granted by Council on April 19<sup>th</sup>, 2016.

The Committee advised that they have no objection to the placement of washed sand within 10 m of the high water mark of Butler's Pond subject to approval from the Department of Fisheries & Land Resources (Crown Lands).

**8. Permits Issued**

There were twenty seven (27) permits issued from June 9<sup>th</sup> to June 22<sup>nd</sup>, 2017 as per Appendix A: Tabled Report.

**Appendix A: Tabled Report  
June 27<sup>th</sup>, 2017**

**Applications:**

**Item # 1:**

**Civic # 1461 Portugal Cove Road  
Single Dwelling  
Zoning: Mixed Use (MIX) – Serviced**

**The Committee recommends that the application for Civic # 1461 Portugal Cove Road be granted approval in principle, permitting the construction of a single dwelling. 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 38 (Accesses and Service Streets), Development Regulation 48 (Lot Area and Size Exceptions), and Schedule C: Mixed Use.**

The Administrator recommended that this application be granted approval in principle.

**Item # 2:**

**Civic # 81-83 Hughs Pond Road  
Accessory Building  
Zoning: Residential Low Density (RLD) – Unserviced**

**The Committee recommends that the application for Civic # 81-83 Hughs Pond Road be granted approval in principle, permitting the construction of an accessory building. 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 39 (Accessory Buildings) and Schedule C: Residential Low Density.**

The Administrator recommended that this application be granted approval in principle.

**Item # 3:**

**Civic # 24 Keeley Lane  
Wharf & Patio/Deck  
Zoning: Residential Low Density (RLD) - Serviced**

**The Committee recommends that the application for Civic # 24 Keeley Lane be granted approval in principle, permitting the construction of a wharf and patio/deck. Approval in principle is subject to approval from the Department of Fisheries and Land Resources (Crown Lands). Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government, specifically Schedule E: Environmental Protection Overlay.**

The Administrator recommended that this application be granted approval in principle.

Item # 4:

**Civic # 16-18 Dawn Allen Road  
Accessory Building  
Zoning: Residential Medium Density (RMD) – Semi-Serviced**

- B. The Committee recommends that the application for Civic # 16-18 Dawn Allen Road be granted approval in principle, permitting the construction of an accessory building. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government, specifically Schedule E: Environmental Protection Overlay.**

The Administrator recommended that this application be granted approval in principle.

**Discussion:**

Item # 6:

**Civic # 17-19 Hibbs Place – Condition of Structure**

- B. The Committee recommends that Council place a Removal Order on a dwelling extension under construction at Civic # 17-19 Hibbs Place. Due to safety concerns that have been raised regarding the condition of the structure, this Order must have a short time period in which the property owner is to comply.**
- C. The Committee recommends that Council place a Removal Order on building materials at Civic # 17-19 Hibbs Place. Due to safety concerns that have been raised regarding the unsecured building materials on the property, this Order must have a short time period in which the property owner is to comply.**

The Administrator's opinion is that the condition of the dwelling extension under construction and building materials on site does not represent an imminent and severe threat to public safety requiring immediate removal. It is the opinion that the issue can be addressed by mitigation measures appropriate to the level of risk to the public to be determined by a professional in the field. This mitigation may merely require the site, structure, and materials to be immediately secured. Furthermore the nuisance aspect of the building and site condition can be addressed through provisions of Town's Development and Occupancy & Maintenance Regulations. Professionals in the field of building and public safety have been engaged to determine the level of risk to the public and recommended appropriate mitigation to better inform council and support any impending decision on action to be taken. Therefore the Administrator recommends that council use the pending professional recommendations before resolving to take specific action with respect to safety mitigation. Furthermore the administrator recommends that they resolve to immediately take action on the Nuisance aspect of the issue through provisions in the Development Regulations and the Occupancy & Maintenance Regulations.

**Permits Issued:**

Item # 8:

**There were twenty seven (27) permits issued from June 9<sup>th</sup> to June 22<sup>nd</sup>, 2017.**

#	Permit	Issued Date	Civic #	Street Name	Permit Type
1	17-140	06/09/2017	25-33	Canon Smith Crescent	Occupancy
2	17-141	06/09/2017	6	Rustys Loop	Culvert Repairs
3	17-142	06/09/2017	231-233	Beachy Cove Road	Single Dwelling
4	17-143	06/12/2017	218-222	Bauline Line Extension	Accessory Building
5	17-144	06/15/2017	294-302	Tolt Road	Landscaping
6	17-145	06/15/2017	352-358	Tolt Road	Landscaping
7	17-146	06/15/2017	182-194	Beachy Cove Road	Dwelling Extension/Renovations
8	17-147	06/15/2017	16-18	Bayview Heights	Occupancy
9	17-148	06/15/2017	1533	Thorburn Road	Landscaping
10	17-149	06/15/2017	19	Blagdon Hill	Site Preparation
11	17-150	06/16/2017	15	Blagdon Hill	Occupancy
12	17-151	06/16/2017	215	Bennetts Road	Wharf
13	17-152	06/16/2017	602	Indian Meal Line	Landscaping & Weeping Tile
14	17-153	06/20/2017	5	Eileen Place	Site Preparation
15	17-154	06/21/2017	474	Dogberry Hill Road	Single Dwelling
16	17-155	06/21/2017	1335-1343	Thorburn Road	Sewer Connection & Water Transfer
17	17-156	06/21/2017	1335-1343	Thorburn Road	Single Dwelling
18	17-157	06/21/2017	194-196	Tolt Road	Patio/Deck Enclosure



Tabled items at end of  
Council Package for:

# **PLANNING & DEVELOPMENT**



# **RECREATION & COMMUNITY SERVICES**



## **RECREATION & COMMUNITY SERVICES**

Thursday, June 29th, 2017

In Attendance: Chairperson, Councilor Aaron Facey  
Councilor Johnny Hanlon  
Councilor David Bartlett

Staff: Dawn Sharpe, Director of Recreation and Community Services

### **1. Voisey's Brook Walking Trail Phase II**

The committee discussed the progress with the Voisey's Brook Walking Trails Phase II. Staff is working with the owner of the Jera Street Property to access the land to start the connection from that area to Voisey's Brook Park. Talks are continuing with the owners of the ROW off Indian Meal Line as well. Update on this will be brought back to the next Recreation Committee meeting.

### **2. Lifestyle Centre Charter**

Staff provided the committee with a copy of the Lifestyle Centre Charter and concept design for the Lifestyle Centre for review. A copy of this Charter and design was also provided to all of Council for review. All comments can be forwarded to the members of the Recreation Committee for consideration at the next committee meeting.

### **3. FCM Funding**

The Recreation Committee reviewed the Federation of Canadian Municipalities (MCIP) Municipalities for Climate Innovation Program. The Recreation Director will make application under this funding for trails without the community. More specifically the trail system from Rainbow Gully Park to Little Powers Pond. Council is welcome to provide any other suggestions of trail networks to which we should apply and are asked to do so by July 11<sup>th</sup>.





Tabled items at end of  
Council Package for:

# **RECREATION & COMMUNITY SERVICES**



# **PUBLIC WORKS**



Public Works Committee

June 28, 2017

In attendance: Councillor Dave Bartlett, Chair  
Councillor Johnny Hanlon  
Councillor Norm Collins  
Deputy Mayor Gavin Will  
Staff: Gail Tucker, Director of Public Works  
Linda Newhook, Public Works Coordinator  
Other: Representatives Newbury Street Resident Group (Ian Barrett, Jane Garreffa, Jennifer King) – Item #1 only

**1. Newbury Street Resident Group - Meeting**

Three representatives of the Newbury Street Resident Group attended committee meeting to discuss its petition relating to the shortcutting issue on Newbury Street. Committee advised that the group's request to create cul de sacs of Newbury Street and Blagdon Hill is in conflict with the Town's Municipal Plan and is not permissible. Committee indicated that the options identified by the Town's traffic consultants to implement turning restrictions were still available and it also recognized the level of support by residents of the area to address the shortcutting issue. The Resident Group indicated it will provide further correspondence to Public Works with respect to the turning restrictions.

**2. Rainbow Gully Water and Sewer Service – Design and Contract Management Fees**

A quote was presented for the design and contract management fees to bring water and sewer services to Rainbow Gully Hut now that servicing is available in the area with the establishment of the new school. This is a 2017 budgeted item.

**Motion:** Committee recommends that EXP be engaged to provide design and contract management services for the Rainbow Gully Water and Sewer Servicing project at a cost of \$17,000 plus HST.

**3. Ice Control Materials (Salt Order) - Update**

In a previous committee meeting of March 8, 2017, approval was granted to order 1,750 tonnes of salt through the provincial government salt tender. The price per tonne was not known at that time as the government was issuing a new tender. The tender has now been awarded and the price per tonne is \$108.90. The expected total cost for 2017/2018 salt order is \$219,161.25 HST included.

**4. Newbury Street Pedestrian Walkway - Tender**

One bid was received in response to the tender for the coloured asphalt pedestrian pathway on Newbury Street. Pyramid Construction Limited was the only qualified bidder.

**Motion:** Committee recommends that the Newbury Street Pedestrian Walkway tender be awarded to Pyramid Construction Limited at a cost of \$21,000 plus HST.



## **DISCUSSION ITEMS**

### **5. Roads Updates**

- a) School Zone Painting - scheduled for completion the first week of August and will include the areas of both Beachy Cove School and the new school on Thorburn Road.
- b) School Road – ongoing issues with water run off on School Road. Sandbags were provided as requested by a resident and catch basins are scheduled to be cleaned out June 29. This area has been identified as requiring a permanent solution.
- c) Dogberry Hill Road Line Painting – asphalt markings for the pedestrian pathway will be completed once the asphalt rehabilitation is complete. The expected completion date for this project is July 5.
- d) Summer Ditching – Ditching program is ongoing. St. Philip's side is near completed, Portugal Cove side will be started in the next week or so.
- e) Mitchells Road – request sent to Frank Hearn Searching Services to provide a title search of the right of way on Mitchells Road.
- f) Witch Hazel Road / Old Broad Cove Road – committee recommended brush cutting at this intersection.
- g) Digital Sign Data – data retrieval is scheduled for June 30 and once analyzed will be provided to the RNC for review.

### **6. Sidewalk Project – Thorburn Road/Dogberry Hill Road**

Committee expressed concern regarding the Town's sidewalk recently placed on Thorburn Road and the connection to the new school entrance. Changes to the location of the sidewalk placed by the provincial government has resulted in it being on the opposite side of the road from the Town's placed sidewalk with a connection via a crosswalk. Staff are investigating options, costing and necessary approvals to extend the Town's sidewalk further into the school's entranceway and will report back to Committee with the information upon receipt.

### **7. Depot**

Committee inquired on the status of the design plans for the new depot. Staff advised they would ask for an update from the Town Manager and report back to Committee.



# **ECONOMIC DEV., MARKETING & COMMUNICATIONS**



## Economic Development, Marketing and Communications

### Minutes

June 28, 2017

3:30 pm

In attendance: Councillor Joe Butler, Chair  
Councillor Aaron Facey  
Councillor Dave Bartlett  
Jeff Lawlor, Director of Economic Development,  
Marketing and Communications

Also in attendance Deputy Mayor Gavin Will

#### **1. Agriculture Strategic Session**

The Director of Economic Development will facilitate a strategic visioning session with the Agriculture community on July 4<sup>th</sup>. The goal will be to help these local businesses define a vision for an industry led Agriculture Strategic Plan.

#### **2. Level of Service Plan**

MQO Research will work with Alex Twells Consulting and the Town to craft the community wide telephone survey that will support the Level of Service Plan. The survey will take place starting the middle of July. We will be heavily promoting this to residents to help ensure a strong response rate as we have a benchmark of 400 surveys to be completed.

#### **3. Maggies Place Development Plan Project**

Landowner meetings for the study area of work package #2 will take place July 19<sup>th</sup> and 20<sup>th</sup>. A proposal was reviewed by the Committee to complete the rezoning process of work package #1. In addition to the process, there will

have to be significant changes and additions to our current zones outlined in our Municipal Plan. These changes will not only benefit the Maggies Place Development Plan but also the entire community by creating the foundation of zoning for the next Municipal Plan update.

**Motion: The Committee recommends that Tract Consulting complete the proposed "MAGGIES PLACE DEVELOPMENT SCHEME AND ASSOCIATED AMENDMENTS TO THE MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS AND ST. JOHN'S URBAN REGION REGIONAL PLAN" at a cost of \$19,240.**



# **PROTECTIVE SERVICES**





## **Protective Services Committee**

Tuesday, June 27, 2017

5:30PM

IN ATTENDANCE: Councilor Johnny Hanlon  
Deputy Mayor Gavin Will  
Councilor Norm Collins  
Heather Coughlan, Employee & Public Relations Administrator  
Chris Milley, Town Manager / Engineer  
Fred Hollett, Co-Chief – Volunteer Fire Department

ALSO IN ATTENDANCE: Resident Pat Pender (Item #1)

### **1. Resident Concerns**

The Committee met with resident Pat Pender to discuss a number of concerns. The concerns pertaining to safety and protection will be handled through the Protective Services Committee and the items pertaining to roads and maintenance of infrastructure will be brought to the Public Works Committee.

### **2. Commissionaires – Municipal Enforcement**

The Committee reviewed the report as provided by the Municipal Enforcement Officer. This report has been tabled as Appendix A.

### **3. FES Updates**

- The Northeast Avalon Regional Training initiative has been scheduled for two weekends in September. There will be regional fire department participation and the invitation has been expanded beyond the region for those departments interested. Firefighter Mandy Young is once again leading the training committee.
- FireSmart Presentation by Joe Russell of Fisheries and Land Resources is scheduled for July 11<sup>th</sup> meeting.
- The chiefs have investigated a fire hydrant located on Jenny Lynn Drive and found it to be very low to the ground, especially in relation to the discharge ports. The chiefs

recommend that the barrel be extended to ensure proper discharge in the event of use.

This item is also being forwarded to the Public Works Committee.

- The PCSP Fire Department and the Torbay Fire Department in partnership with the Commissionaires are drafting a basic communications guideline.
- The Fire Department is also participating in an educational piece for the Day Camps.

#### **4. Civic Numbering**

The Committee discussed the ongoing issue of display of civic numbers. The Town's new Civic Numbering Regulations have a compliance deadline of July 2018. The Fire Department will assist in surveying residences for the purpose of compliance.

**Protective Services Committee**  
**APPENDIX A: TABLED MEO REPORT**

**PROTECTIVE SERVICES**

June 27, 2017

- Made contact with RNC Community Services, regarding a meeting with Supt. Joe Boland
- Still trying to get authorization to check license plates, delays due to staff turnover at MVR.
- Speeding on Old Broad Cove Road ongoing,
- Complaints about activity on Summerwood, added to our patrols, in contact with RNC and Eastern Health to discuss options in dealing with Mental Health issues.
- Chesley Van Heights resident complaining about dog barking, still investigating.
- ATV's and Dirt Bikes contacting different MEOs in Province to see if they have had progress in dealing with this issue.
- Bennett's Road gravel Pit in operation after hours, under investigation
- Illegal dumping in Windsor Heights access road, trenching along farmers property line to stop access.

June 28 – July 11, 2017

- RNC traffic patrols in dedicated areas,
- Recreation programs are started more patrols.
- Service NL about the ability to check license plates.
- Fire Chiefs regarding radio in vehicle.



# **ADMINISTRATION & FINANCE**



## **Administration & Finance Committee Report**

June 27, 2017 - 9:00 a.m.

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

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

### **1. Accounts for Payment**

**MOTION:** Committee recommends that Council approve payment of capital accounts in the amount of \$71,888.68 as tabled.

### **2. Tender Results – Portugal Cove Road Sidewalks**

The tender results for the Portugal Cove Sidewalks project # SJN-00238765-A0 were received from EXP Services Inc. on June 21, 2017. There were 4 bids in response to the tender issued. It is recommended that the contract for this work be awarded to the lowest bidder, Pyramid Construction Ltd.

Pyramid Construction bid \$116,127 which is approximately \$80,000 below the pretender estimate. Whereas the bid is under budget, committee considered to use the excess Gas Tax money to enhance the sidewalk delineation in the form of colored asphalt and/or rumble strips. Committee will continue a discussion of all remaining Gas Tax funds at the next Administration and Finance committee meeting and decide where best to recommend the money be allocated.

**MOTION:** Committee recommends that Council award the tender for the Portugal Cove Sidewalks Project to Pyramid Construction Ltd at a cost of \$116,127 HST included.

### **3. Community Enhancement Employment Program**

The Community Enhancement Employment Program (CEEP) is a provincially-funded program that provides short-term employment to provide skills development opportunities for workers and ongoing benefits to the region.

The committee discussed the program criteria and will consider opportunities where the Town can avail of the program. Deadline for applications is July 28, 2017.

### **4. New Grant Funding for Climate Change Infrastructure Projects**

Funding offered by Federation of Canadian Municipalities (FCM) through the Government of Canada's Municipalities for Climate Innovation Program (MCIP) is available to apply for. The Committee discussed the opportunity to apply for biking and walking paths, as well as, to

purchase a green vehicle. AF Committee will forward the funding information to Recreation and Public Works committees for consideration.

**5. Business/Property Tax exemption**

**a. Royal Canadian Legion Branch 10**

**MOTION:** Committee recommends that, as per past practice, the Town exempt property tax in the amount of \$1,595.97 and business tax in the amount of \$1,966.05 for the Royal Canadian Legion Branch 10 located at 5-9 Legion Road.

**b. Non- Profit Business**

The Committee reviewed a request, from a non-profit organization, for tax exemption or reduction. The Committee will investigate further and will look at other municipalities for how they treat non-profits from a tax perspective and develop a policy.

**6. Office of the Information and Protection Commissioner (OIPC) complaints**

An update to the May 8<sup>th</sup> Council ATIPPA report was discussed with an overview of the new requests received since that date. The number of requests has dropped significantly to only 3 requests received so far in June, alleviating some of the staffing resource issues. However, the number of OIPC complaints has increased. An OIPC complaint ties up a significantly greater number of staff resource hours to respond than an average ATIPPA request.

The ATIPPA Coordinator will provide an updated ATIPPA report and an OIPC complaint report to the next committee meeting. In addition, the Town will also consider pro-actively posting the OIPC complaints similarly to the ATIPPA requests posted on the Town's website.

Note: Councillor Facey left the meeting prior to item #7 on an emergency call.

**7. A&F Committee Correspondence**

**a. Resident**

The Mayor received correspondence on June 19, 2017 from a resident regarding the May-June Tickle Newsletter article, From The Mayors Desk. The letter provided feedback on the article. Committee reviewed the letter and will take it under advisement.

**b. Municipal Assessment Agency**

Council received correspondence on June 20, 2017 from the Municipal Assessment Agency which provided an overview of issues addressed at their June 8<sup>th</sup> meeting. A 2017 Board of Directors list was also provided. This item is for information only.

**c. Department of Municipal Affairs and Environment (DMAE)**

- i. The Mayor received correspondence on June 22, 2017 regarding capital investment plans from the Gas Tax Secretariat. The Portugal Cove Road Pedestrian Walkway project was granted approval as was the Spurrell's Bridge Replacement project. The final amended Capital Investment Plan for the Western Point Culvert Replacement project was also accepted.

- ii. The Town was copied on a response from DMAE to a resident regarding concerns on the proposed development of Maggie's Place. Committee has discussed section 221 of the *Municipalities Act, 1999* and is satisfied that all is in order.
- iii. The Town received information on the 2017 Municipal Long Service Awards for Elected Officials. This item is for information only however the Town will be applying for awards for Mayor Tucker and Councilor Collins.



# **CORRESPONDENCE**



## Town and Council Correspondence June 19 – 30, 2017

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
June 1, 2017 Opened June 19, 2017	Resident	Comments re: The Tickle Newsletter, May-June edition, From the Mayors Desk "Did You Know" article	AF Cmte
June 20, 2017	Municipal Assessment Agency (MAA)	Memorandum - Update on Board	AF Cmte
June 20, 2017	Dept. of Municipal Affairs	Approval Letter - Capital Investment Plan	AF Cmte
June 23, 2017	Dept. of Municipal Affairs	Response to resident re: Maggies Place Inquiry	AF Cmte
June 23, 2017	FCM	Announcing new grants of up to \$1M for climate change capital projects	AF Cmte
June 23, 2017	Dept. of Municipal Affairs	2017 Municipal Long Service Award Information and Application for Elected Officials	AF Cmte
June 23, 2017	Ballicatter After School Program	Request to review Property Tax Assessment	AF Cmte



# **NEW/GENERAL/ UNFINISHED BUSINESS**

New Business July 4, 2017

From A&F Committee

A recommendation to award the Meadow Heights Sanitary Sewer Servicing contract was received from Vigilant on June 29, 2017. There were 6 bids in response to the tender issued. The committee recommends the contract for this work be awarded to the lowest bidder, Pyramid Construction Ltd valued at \$1,356,684.90, HST included.

**MOTION:**

Committee recommends that Council award the contract for Meadow Heights Sanitary Sewer Servicing, project # 17-MYCW-17-00117, to Pyramid Construction Ltd for a value of \$1,356,684.90, HST included, pending approval to award from the Provincial Government.



# **AGENDA ITEMS/ NOTICE OF MOTIONS**



Tabled items

# **PLANNING & DEVELOPMENT**

JUN 23 2017

RECEIVED

**EASTERN NEWFOUNDLAND REGIONAL APPEAL BOARD**

**URBAN AND RURAL PLANNING ACT, 2000**

**APPEAL**

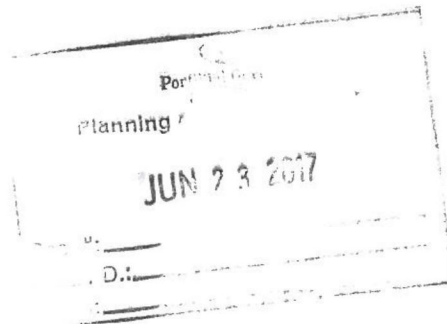
**BETWEEN** Dale Mitchell **Appellant**

**AND** Town of Portugal Cove-St. Philip's **Respondent**

**RESPECTING** Order

**BOARD MEMBERS** Michelle Downey – Chair  
Mary Thorne-Gosse  
Raelene Thomas

**DATE OF HEARING** June 13, 2017



**IN ATTENDANCE**

Les Spurrell – Authority

Ashley McKinnon – Authority

Robert Cotter – Secretary to the Eastern Newfoundland Regional Appeal Board

Kim Blanchard – Technical Advisor to the Eastern Newfoundland Regional Appeal Board

## **PRELIMINARY**

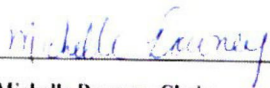
The Board received a written request from the appellant to postpone the hearing due to health reasons. The Town requested that the hearing proceed given the history of non-compliance with the property and the number of complaints received. The Board considered the request, and the arguments of the Town.

Given the potential impact of the Board's decision in this matter on Mr. Dale Mitchell and on the estate of Marie Mitchell, the Board determined it would be procedurally fair, in this instance, to ensure that Mr. Mitchell has an opportunity to be heard. Accordingly, the Board agreed to the postponement.

### **Conclusion**

The Board deliberated on the written request by Dale Mitchell to postpone the appeal hearing, and took into consideration the Town's position. The Board granted the postponement, with the hearing to be rescheduled at the next available date.

**DATED** at Mount Pearl, Newfoundland and Labrador, this 13<sup>th</sup> day of June, 2017.



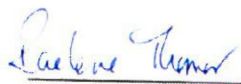
Michelle Downey, Chair

Eastern Newfoundland Regional Appeal Board



Mary Thorne-Gosse, Member

Eastern Newfoundland Regional Appeal Board



Raelene Thomas, Member

Eastern Newfoundland Regional Appeal Board

JUN 23 2017

RECEIVED

## EASTERN NEWFOUNDLAND REGIONAL APPEAL BOARD

## URBAN AND RURAL PLANNING ACT, 2000

APPEAL

**BETWEEN** Donnie Martin **Appellant**

**AND** Town of Portugal Cove-St. Philip's **Respondent**

**RESPECTING** Order

**BOARD MEMBERS** Michelle Downey – Chair  
Mary Thorne-Gosse  
Raelene Thomas

**DATE OF HEARING** June 13, 2017

**IN ATTENDANCE**

Donnie Martin – Appellant

Les Spurrell – Authority

Ashley McKinnon – Authority

Robert Cotter – Secretary to the Eastern Newfoundland Regional Appeal Board

Kim Blanchard – Technical Advisor to the Eastern Newfoundland Regional Appeal Board

1525  
Portugal Cove  
St. Philip's  
Planning and Development

JUN 23 2017





## DECISION

### Facts

The Board understands that, at the March 22, 2016 Regular Council meeting of the Town of Portugal Cove-St. Philip's, Council resolved to issue a Removal Order to Donnie Martin and Robin Adams concerning the existing accessory structure located at 16-18 Dawn Allen Road, which was built without a permit from the Town. The Order was issued under the authority of the *Municipalities Act, 1999* and the *Urban and Rural Planning Act, 2000*. On March 30, 2016, the Town posted the Removal Order on the accessory building, and also sent the Order via registered mail on April 1, 2016.

The Board learned that Mr. Martin received notification of the Removal Order on April 8, 2016 and received the Removal Order via registered mail on April 11, 2016. Mr. Martin filed an appeal against the issuance of the Removal Order with the Eastern Newfoundland Regional Appeal Board on April 29, 2016.

According to section 42(4) of the *Urban and Rural Planning Act, 2000 (URPA)*, an appeal must be filed within fourteen (14) days from the date the decision being appealed is received. Based on the information provided, it appears that Mr. Martin filed his appeal outside the fourteen (14) day time frame. According to section 6(5) of the *Minister's Development Regulations, NLR 3/01*, if an appeal is filed in contravention to section 42 of *URPA*, then the right to appeal shall be considered forfeited.

The Board heard arguments from the appellant and the Town on the matter of validity to first consider if it was within the jurisdiction of the Board, given that the appeal was not filed within the legislative timeframe.

### Legislation, Municipal Plans and Regulations considered by the Board

Urban and Rural Planning Act, 2000

Minister's Development Regulations, NLR 3/01



## **Matters presented to and considered by the Board**

### **Is the appeal valid?**

The Board reviewed Part VI, section 42(4), of the *Urban and Rural Planning Act, 2000* (the "Act") which requires an appeal be filed within 14 days. Section 42(4) states:

*An appeal made under this section shall be filed with the appropriate board not more than 14 days after the person who made the original application appealed from has received the decision being appealed.*

The Board considered the Appellant's Appeal Summary Form and arguments presented at the appeal, and determined that Mr. Martin received Council's decision on April 11, 2016. The Appellant filed his appeal with the Eastern Newfoundland Regional Appeal Board on April 29, 2016, which was outside the 14 day requirement outlined in section 42(4) of the *Act*.

The Board determined that the Appellant did not satisfy section 42(4) of the *Act*. In accordance with section 6(5) of the Minister's Development Regulations, "*where an appeal of a decision and the required fee is not received by a board in accordance with this section and Part VI of the Act, the right to appeal that decision shall be considered to have been forfeited.*"

### **Does the Board have jurisdiction to hear the appeal?**

The Board heard arguments from the Appellant that, upon becoming aware of the Order, he engaged in dialogue directly with the Mayor. He expressed to the Board that his sentiment was that he was working together with the Town in an effort to resolve the issue. Because he was of the understanding and belief that the issue would be resolved through direct communication with the Town, he did not immediately pursue the appeal avenue. Since the Board deemed the appellant had not exercised his right to appeal in a timely fashion in accordance with the Urban and Rural Planning Act, the Board found that it is without jurisdiction to hear the appeal.

JUN 23 2017

## Conclusion

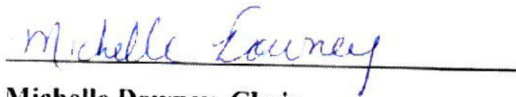
In arriving at its decision, the Board reviewed the submissions and evidence presented by all parties along with the technical information and planning advice.

The Board is bound by section 42 of the *Urban and Rural Planning Act, 2000* and therefore must make a decision that complies with the applicable legislation, policy and regulations.

Based on its findings, the Board determined that the appeal was not filed in accordance with section 42(4) of the *Urban and Rural Planning Act, 2000*, or section 6.5 of the *Minister's Development Regulations*, and is therefore, invalid.

Based on the information presented, the Board finds that it is without jurisdiction to hear the appeal. That is to say, Council's Order remains in effect.

**DATED** at Mount Pearl, Newfoundland and Labrador, this 13<sup>th</sup> day of June, 2017.




**Michelle Downey, Chair**

**Eastern Newfoundland Regional Appeal Board**



**Mary Thorne-Gosse, Member**

**Eastern Newfoundland Regional Appeal Board**



**Raelene Thomas, Member**

**Eastern Newfoundland Regional Appeal Board**



Tabled items

# **RECREATION & COMMUNITY SERVICES**

# Lifestyle Centre

## Project Charter

### Background

The Town of Portugal Cove – St. Philip's has identified the need to build a community-based facility, the Lifestyle Centre, that will engage all ages in a broad spectrum of inclusive programs and activities. The Lifestyle Centre will promote health and wellness through recreation, sport, culture, and heritage.

Originally, the Town of Portugal Cove – St. Philip's had engaged Tract Consulting and PHB Group to develop a concept design for The Lifestyle Centre. The following issues were presented by the Town:

1. The functionality of the building layout needed improvement
2. The building location had changed
3. The potential cost was deemed too high

As a result, the following items were determined to be necessary:

1. A new functional layout would be required including a value engineering exercise
2. A new concept design would need to be presented
3. A new construction estimate
4. Reduced budget of \$15M - \$17M (for all phases)

### Goals

To address the concerns outlined by the Town, Vigilant has identified the following resolutions and goals for The Lifestyle Centre:

- Construct a well-designed and functional building to serve the needs of the community without placing an unacceptable financial burden on taxpayers.
- Perform a space planning and a value engineering session with staff and prepare a preliminary functional layout
- Engage an Architect to refine the space plan, and assist with the final concept design and functional specification for Design/Build tender
- Apply for funding (only Concept Design and Estimate required)
- Issue Design/Build tender

### Scope and Work Plan

The goals of The Lifestyle Centre Project will be achieved by implementing the following activities:



1. Executing the Project as two phases; Phase I will involve the construction of the general Lifestyle Centre with a budget of \$11.2M. Phase II will see the addition of a recreational pool with a budget of \$6. The Town could decide to construct the facility in 3 Phases by splitting Phase I into 2 components to reduce the initial funding commitment.
2. Choose the Project Delivery method for execution of the Work (either Design-Build or Design-Bid-Build)
3. Conduct a space-planning session with stakeholders to address the need for an updated concept design
4. Develop a RFP (Request for Proposals) for Prime Consultant or Design-Build Contractor, dependant on the preferred choice of delivery method
5. Vigilant will initiate the Tendering process and through a detailed scoring method, help the Town choose a preferred proponent
6. If the Design-Build method is chosen, a Detailed Design will be created. If the traditional method of Design-Bid-Build is chosen, the Detailed Design will be created before Step 5.
7. Construction will commence; Vigilant will ensure the construction process is executed according to the Scope of Work.

## Project Delivery Method

Refer to Appendix A

## Key Stakeholders

Client	Town of Portugal Cove – St. Philip's
Funding Partners	Department of Municipal Affairs Government of Canada
Town Staff	Chris Milley, Town Manager
Project Management Consultant	Vigilant Management Inc. Grant Horwood, Vice-President John Oliveira, Jr. Project Manager

## Project Milestones

Milestone	Description	Responsibility	Date
M1	Project Approval	Town Staff/Vigilant	January 2017
M2	Finalize Concept Design	Staff/Council/ Vigilant	March 2017
M3	Funding Approval	Vigilant	May 2017
M4	Issue RFP (on Approved Delivery)	Vigilant	July 2017



	Method)		
M5	Award Contract	Town Staff/Council Vigilant	September 2017
M6	Start Construction	Selected Company	April 2018
M7	Substantial Completion	Selected Company	March 2019
M8	Final Completion	Selected Company	March 2019

## Roles and Responsibilities

Town Staff	<ul style="list-style-type: none"> <li>- Provide all necessary project information to Vigilant Management and respond to inquiries</li> <li>- Provide space-planning ideas to Vigilant Management</li> <li>- Initiate necessary Council approvals</li> </ul>
Project Management Consultant	<ul style="list-style-type: none"> <li>- Represent the Town in all project work and communications</li> <li>- Provide monthly Progress Reports</li> <li>- Complete cost estimate</li> <li>- Develop and issue RFP</li> <li>- Provide recommendation for award of RFP</li> <li>- Manage order and delivery of project</li> </ul>

## Budget

With a total budget of \$18M, The Lifestyle Centre will be constructed in two phases:

### 1. Phase I

<b>PHASE I - BUDGET</b>	<b>\$ 11,240,000</b>
<b>PROJECT MANAGEMENT</b>	\$ 180,000
<b>ARCHITECTURAL</b>	\$42,000
<b>SURVEY/GEOTECHNICAL</b>	\$18,000
<b>DESIGN-BUILD CONSTRUCTION</b>	\$ 11,000,000

### 2. Phase II: Addition of recreational pool (\$6M)

<b>PHASE II - BUDGET</b>	<b>\$ 6,215,000</b>
<b>PROJECT MANAGEMENT</b>	\$ 150,000
<b>ARCHITECTURAL/ENGINEERING</b>	\$50,000
<b>SURVEY/GEOTECHNICAL</b>	\$15,000
<b>DESIGN-BUILD CONSTRUCTION</b>	\$ 6,000,000





## Constraints, Assumptions, Risks and Dependencies

Constraints	<ul style="list-style-type: none"><li>- Budgetary/funding limits</li><li>- Timelines for approving funding</li><li>- Timeline limits related to proposed schedule</li></ul>
Assumptions	<ul style="list-style-type: none"><li>- Proposals will stay within budget</li><li>- Proposals will conform to established timeline</li></ul>
Risks and Dependencies	<ul style="list-style-type: none"><li>- Land proposed for facility and pool may be unable to accommodate the entire site</li><li>- New concept for space-planning may not be efficient or realistic in nature</li><li>- Approved funding amount may be less than expected</li></ul>

## Approvals

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**Chris Milley, P. Eng.**  
Town Manager

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**Moses Tucker**  
Mayor





## Appendix A – Project Delivery Comparison



# Procurement Comparison

## Town of Portugal Cove – St. Philip's

Project Delivery Comparison

### Life Style Centre



## Portugal Gove St. Philip's

Issue Date: 19-Dec-2016

Performed by: Vigilant Management Inc.



Review	By	Date	Remarks
0	JO	19-Dec-2016	Issued for Review



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ISSUED FOR REVIEW



## 1. Introduction

The Town of Portugal-Cove St. Philip's has identified the potential for building a Community Centre facility with integration of well-being related activities in a single place. This facility should be similar in the scope of services offered to Memorial University's The Works and the Paul Reynold's Community Centre in St. John's. Tract Consulting has developed a Feasibility Study and Business Case in 2011 where the services, site location, layout and potential revenue were outlined. The project was then deemed unfeasible.

Previous cost estimates put this Project in the 20 million mark, where \$10 million would involve the construction of aquatic facilities, with a 25 metres, 4 lane swimming pool. The other \$10 million are the construction costs of the recreational facility on Town-owned land, consisting of a recreational multi-use sports court surrounded by a running track and associated auxiliary assets.

The proposed phasing for the project is to first build the "dry" recreational facilities, and have the space available for the aquatic facilities to be built in the medium to long term.

Given the considerable amount of funds and risk involved in such a project, we have prepared a brief report laying out the aspects involved in each of the procurements methods up for consideration.

## 2. Procurement Methods

### 2.1. Bid-Build

This is the traditional procurement method where there are four separate steps:

1. A Request for Proposals for selection of a Design Consultant who will be the Prime Consultant.
2. The design process, in which design will be conducted in detail until completion.
3. Tendering based on design documents, where a General Contracting company is chosen based on the lowest bid submitted.
4. Construction based on the design documents.

The Prime Consultant will usually be an Architectural firm, which will design the general aspects of the building. It will avail of subconsultants, usually engineering firms, which will take care of the technical aspects of the design.

In this mode of procurement, the drawings and specifications dictate the General Contractor's scope of work. Thus, they have to be extremely detailed, as any omission will allow the Contractor an increase in his price. Small omissions which could be considered common sense can become costly depending on the circumstance.

Communication between the Contractor and Consultants also gets slowed due to the process of guaranteeing no side will be held liable for a potential delay. The level of documentation needed on both sides increases. As a whole, the General Contractor and the Prime Consultant are indeed two distinct sides throughout the duration of the project.

The deciding factor for the selection of the General Contractor is pricing. Firms better equipped to deal with a project of this scope may not be selected for the fact that they may not be able to outprice construction firms with less resources and lower quality of work. One other important factor to note is that given the competitive bidding environment, bidders will explore design deficiencies during pricing, knowing beforehand a certain number of Change Orders they will be able to claim to make up for the low price of their bid.

The need for close to perfect design documents and the documentation involved in the communication between General Contractor and Prime Consultant also causes the overall schedule to be longer. The time allotted for the project has to account for full detailed design completion and review before construction can commence. The time for processing Requests for Information and Change Orders also needs to be accounted for, specially if Provincial / Federal funding is in place.

In this procurement method, all risks of the construction process are carried by the Owner. The Owner will be the one to be financially responsible for Change Orders and design omissions. Any delay on the Prime Consultant's part that impacts schedule becomes a Delay Claim to be paid by the owner. If an aggressive schedule is proposed and cannot be fulfilled, the Owner is the one to cover the delay costs.

The advantage to the Bid-Build method is that the Prime Consultant will not be impacted by construction costs and most omissions, and thus will be innovative in the design proposed. Architectural designs tend to be more creative and appealing in the Bid-Build method. Close attention is paid to the design process, as there is no rush to match the pace of the construction work.

## 2.2. Design-Build

The Design-Build method comprises of the selection of a Builder, not a Consultant, to deliver the project. It is envisioned as a way to deflect most of the risks of construction to the Design-Builder, protecting the Owner from most unforeseen circumstances of construction, and practically eliminating the risks of Change Orders due to design omissions.

It is composed of three stages:

1. Concept Design





2. A Request for Proposals for selection of a Design-Builder;
3. Detailed Design and Construction

The RFP process for the selection of a Design-Builder is significantly more complex than the one for the selection of a Consultant.

### 2.2.1. Performance Specifications

The key difference between the RFP for selection of a Consultant and a Design-Builder is the requirement for Performance Specifications. The Performance Specifications are a set of functionality guidelines that details the Owner's requirements for the final building. For instance, while traditional specifications tend to outline the exact installation method of the minor systems of a building, the performance specifications will simply state the need for this system. Please, see the example below:

#### **Traditional Bid-Build Specification**

*Transformer to be 100 kVA, three-phase, delta-wye, installed in IP55 enclosure, grounded by #3 bare copper wire*

#### **Design-Build RFP Performance Specification**

*Transformer to account for full building load and comply with latest version of Canadian Electrical Code*

The Performance Specifications also brings all information needed for firm pricing by the Design-Builder. Information like geotechnical investigations, conditions of site, etc., need to be stated.

The Performance Specifications are a crucial document as they will act as the measure for the design and construction carried out by the Design-Builder. Thus, it is highly advised the Owner employs a Consultant usually referred to as the *Owner's Advisor*. The Owner's Advisor will assist the Owner in creating the Performance Specifications and oversee the procurement process to ensure the Design-Builder's qualifications.

### 2.2.2. Construction and Design

In the Design-Build procurement method, all Design Consultants, including architects, are subconsultants employed by the Design-Builder. Thus, communication between them tends to be fast and efficient. Any design omissions will not constitute Change Orders since the Design-Builder is also responsible for the design. This generally reduces the duration and cost of the design fees.



Once the Design-Builder has been selected, construction can usually start in little time, since most of the concept design will be already in place as part of the Proposal created by the Design-Builder. Usually, Civil and Structural Designs needs to reach advanced stage before construction can commence. Once they are in place, construction can happen concomitantly with final detailed design on other disciplines, and schedule is shortened.

The only risks to be carried by the Owner are changes in scope initiated by the Owner and *force majeure* happenings, like severely bad weather, catastrophes, or financial issues.

Since any design decisions directly impact the Design-Builder's cost, the design subconsultants will likely be more conservative in their approach to the Project. Also, design consultants need to keep their design up to pace with construction, so it is ready and reviewed to be implemented at the right time.

### 3. Conclusion

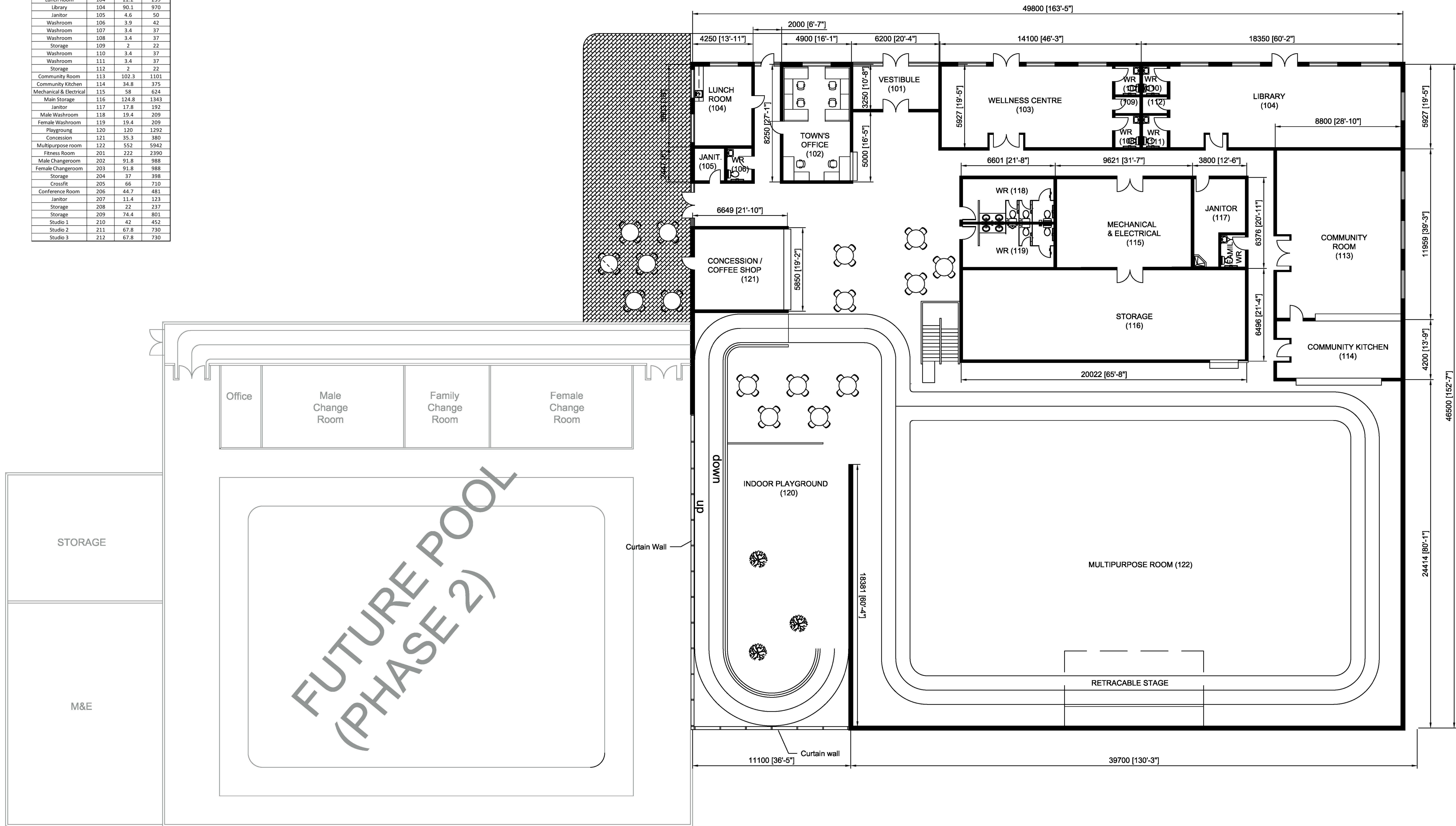
Since the Life Style Centre Project is a complex building with a significant weight on the Town's finances, we strongly recommend the Town moves ahead with Design-Build as the procurement method. It will give the Town peace of mind to have the project delivered on budget, and with few risks associated. As the Town's Project Manager, Vigilant management is qualified to act as the Owner's Advisor and provide all assistance need for the creation of the RFP, Performance Specifications and the selection of the Design-Builder.

We also recommend that the Town visit the Canadian Design-Build Institute website ([www.cdbi.org](http://www.cdbi.org)) for more information on the issues discussed in this brief report.





Room	Room #	Area (m <sup>2</sup> )	Area (ft <sup>2</sup> )
Vestibule	101	18	194
Town's Office	102	37.6	405
Wellness Centre	103	68	732
Lunch Room	104	22.2	239
Library	104	90.1	970
Janitor	105	4.6	50
Washroom	106	3.9	42
Washroom	107	3.4	37
Washroom	108	3.4	37
Storage	109	2	22
Washroom	110	3.4	37
Washroom	111	3.4	37
Storage	112	2	22
Community Room	113	102.3	1101
Community Kitchen	114	34.8	375
Mechanical & Electrical	115	58	624
Main Storage	116	124.8	1343
Janitor	117	17.8	192
Male Washroom	118	19.4	209
Female Washroom	119	19.4	209
Playground	120	120	1292
Concession	121	35.3	380
Multipurpose room	122	552	5942
Fitness Room	201	222	2390
Male Changeroom	202	91.8	988
Female Changeroom	203	91.8	988
Storage	204	37	398
Crossfit	205	66	710
Conference Room	206	44.7	481
Janitor	207	11.4	123
Storage	208	22	237
Storage	209	74.4	801
Studio 1	210	42	452
Studio 2	211	67.8	730
Studio 3	212	67.8	730

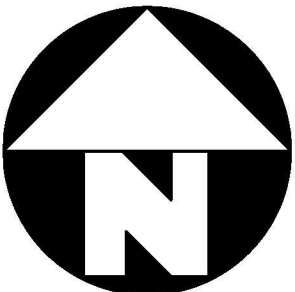


GENERAL NOTES

A2	ISSUED WITH CHARTER	27-JAN-17	
A1	ISSUED FOR BUDGET	9-JAN-2017	
NO.	DESCRIPTION	DATE	BY

REVISIONS

A	A - PLAN,SECTION,ELEVATION,OR DETAIL NO.
B	B - NO. OF DRAWING WHERE ABOVE IS DRAWN



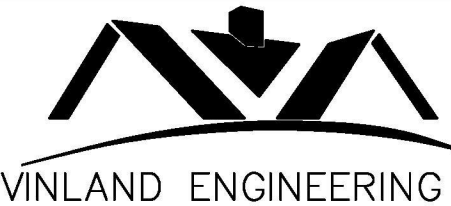
REFERENCE

CLIENT

PROJECT MANAGEMENT



CIVIL



PROJECT

LIFESTYLE CENTRE

LOCATION

NEWFOUNDLAND AND LABRADOR

DRAWING

CONCEPT SPACE PLAN  
LEVEL 1

DRAWN BY JO	CHECKED BY GH	APPROVED BY DS
CLIENT PROJECT NO. ***	PROJECT NO. 1653	DRAWING NO. A-2.01
DATE 3-JAN-2017	DWG. FILE NO. Preliminary Layout	REV. A2


49780 [163.4"]

REVISIONS

A - PLAN, SECTION, ELEVATION, OR DETAIL NO.  
B - NO. OF DRAWING WHERE ABOVE IS DRAWN

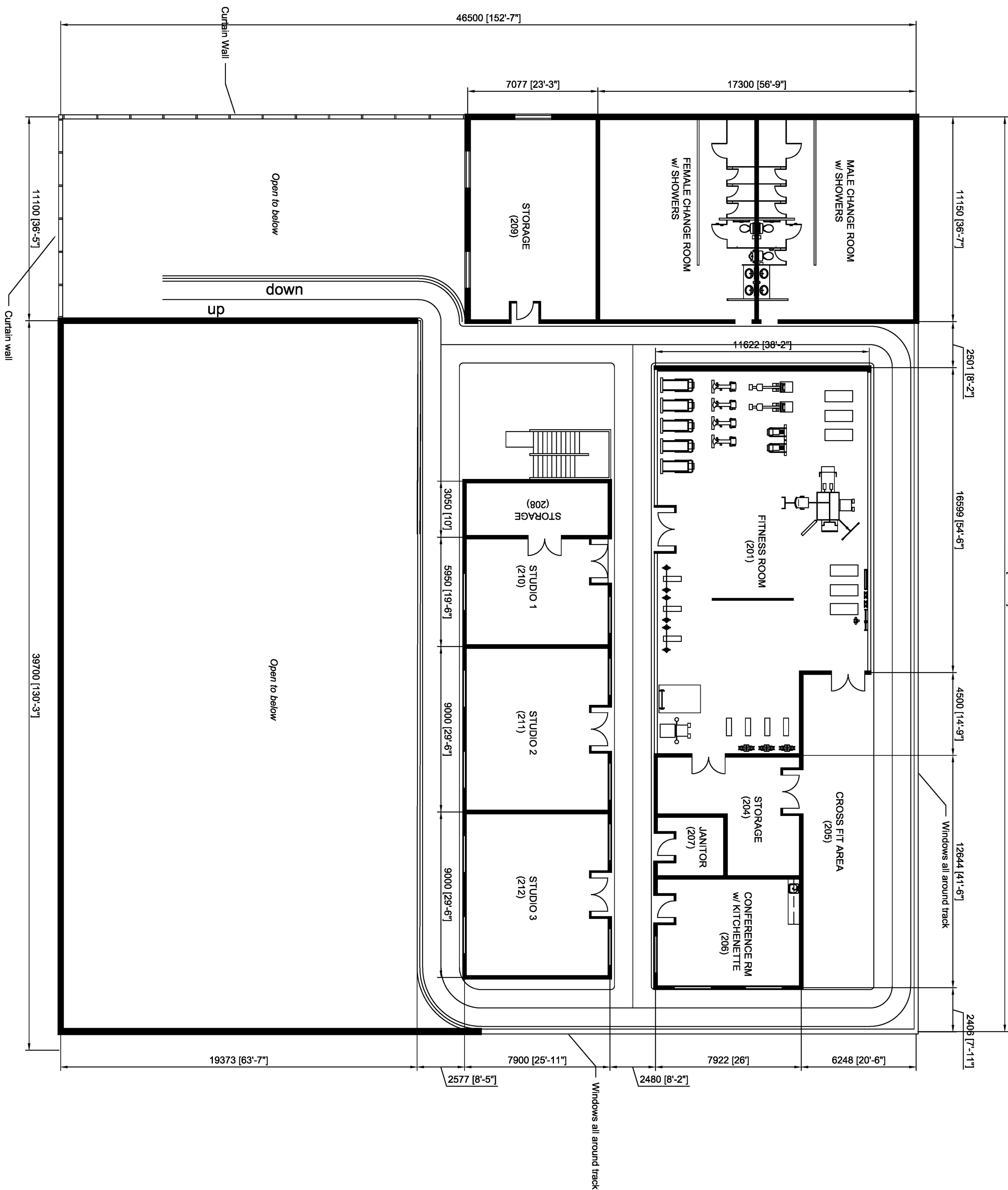


**VIGILANT**  
management



LOCATION	NEWFOUNDLAND AND LABRADOR
----------	---------------------------

APPROVED BY **	DRAWING NO. A-2.02
CHECKED BY GH	PROJECT NO. 1653
DRAWN BY JO	CLIENT PROJECT NO. ***
DATE 3-JAN-2017	DWG. FILE NO. Preliminary Layout
REV. A2	





Tabled items

# **Administration & Finance**

## Accounts for Payment - June 27, 2017

## REGULAR ACCOUNTS:

TOTAL REGULAR ACCOUNTS:	\$	-
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## CAPITAL ACCOUNTS:

IN0000171905	5/15/2017	Island Office Furniture	\$	5,453.07
		Three workstations - PW		

IN0000171904	5/15/2017	Island Office Furniture	\$	5,114.97
		Hutches, pedestals, tackboards-PW		

1298	5/24/2017	Jenkins Power Sheet Metal (2016) Inc.	\$	39,420.04
		Town hall heat pump upgrades		

PCSP-1635-WP2-01	5/31/2017	Tract Consulting Inc.	\$	21,900.60
		Maggies place work package two		

TOTAL CAPITAL ACCOUNTS:	\$	71,888.68
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GRAND TOTAL:	\$	71,888.68
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**Town of Portugal Cove-St.Philips**  
**BNK1 - BNS CURRENT ACCT**  
 Cheques from 045252 to 045358 dated between 06/12/2017 and 06/27/2017

**CHEQUE REGISTER**

Printed: 8:58:45AM 06/27/2017

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Number	Issued	Amount	SC	Status	Status Date
045252	06/12/2017 Corporate Express 44646924 paper,desktop caddy	68.30 68.30	A/P	OUT-STD	06/12/2017
045253	06/12/2017 Nicholas Hynes fireschool17 travel claim-fire school	280.00 280.00	A/P	OUT-STD	06/12/2017
045254	06/12/2017 Richard Murphy Jun5-11 Fd consultations Jun5-11	1,638.75 1,638.75	A/P	OUT-STD	06/12/2017
045255	06/12/2017 Brandon and Allison Martin Butler 5180-4100 BUTLB001 Pavement cut refund-64Meadow	500.00 500.00	G/L	OUT-STD	06/12/2017
045257	06/16/2017 Audio Cine Films Inc. 146279 smurfs movie for pcsp days	594.20 594.20	A/P	OUT-STD	06/16/2017
045258	06/16/2017 Automotive Supplies (1985) Ltd 97123 Unit 45 - pads & rotars front and rear, handl 98144 Unit #34 - 2 front rotars, 2 rear drums, front	943.86 473.82 470.04	A/P	OUT-STD	06/16/2017
045259	06/16/2017 Big Erics Inc. 30580 soap dispensers, case soap	126.28 126.28	A/P	OUT-STD	06/16/2017
045260	06/16/2017 CBS Rentals Limited 10168651 Edger rental for fields 10169410 Foul Line Trimmer Rental	782.00 469.20 312.80	A/P	OUT-STD	06/16/2017
045261	06/16/2017 Construction Signs 33789 max 50 sign, u posts 33865 12 bags glass beads for road painting 33901 12 bags glass beads for road painting	1,624.26 658.26 483.00 483.00	A/P	OUT-STD	06/16/2017
045262	06/16/2017 Corporate Express 44682150 BO-cork board-wwtp 44706343 BO-classroom organizer-library	218.83 183.84 34.99	A/P	OUT-STD	06/16/2017
045263	06/16/2017 Create A Face NL canadaday17 face painting canada day	300.00 300.00	A/P	OUT-STD	06/16/2017
045264	06/16/2017 CST Canada Co. 61129 furnace service	221.78 221.78	A/P	OUT-STD	06/16/2017
045265	06/16/2017 Dulux Paints 852903007074 paint tip, hair nets (for straining paint)	96.53 96.53	A/P	OUT-STD	06/16/2017
045266	06/16/2017 Elyse Sparkes 0030126 reimb-library supplies reimb-lib0617 reimb-library supplies	253.16 59.04 194.12	A/P	OUT-STD	06/16/2017
045267	06/16/2017 Emco Supply 12611556-00 Storm grate for manhole ferry road	552.00 552.00	A/P	OUT-STD	06/16/2017
045268	06/16/2017 Fastenal Canada Company NFMOU169778 nuts,bolts-inventory	121.41 121.41	A/P	OUT-STD	06/16/2017
045269	06/16/2017 GFL Environmental Inc. E60000032926 dump & replace garbage bin	2,094.49 2,094.49	A/P	OUT-STD	06/16/2017
045270	06/16/2017 Home Depot 1450358 Puddy Pencil - Boardroom railing 7451271 filter vaccum-depot FCH-000133137 late fee	120.43 87.88 29.59 2.96	A/P	OUT-STD	06/16/2017
045271	06/16/2017 Infinity Construction Limited 1852 Topsoil - for winter damage repairs - Meadow	69.00 69.00	A/P	OUT-STD	06/16/2017
045272	06/16/2017 Jackie Tucker Mar-May2017 cleaning services-Mar-May (2nd pymt-pd w/	1,140.00 1,140.00	A/P	OUT-STD	06/16/2017

\* - Partial payment was made on Invoice

\*\* - Name on Check was modified

**Town of Portugal Cove-St.Philips**  
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Printed: 8:58:45AM 06/27/2017

Page 2 of 5

Number	Issued	Amount	SC	Status	Status Date
045273	06/16/2017 Joe Donkers (Petty Cash) pc reimb05/17 petty cash-postage,landfill permit,library sup	247.55 247.55	A/P	OUT-STD	06/16/2017
045274	06/16/2017 Kent Building Supplies 15103305 Supplies to build library desk 15113776 supplies-library desk 15119534 supplies for library coffee table & rakes for p 15134697 Saw blades, pine for library, shakle for rake	464.22 159.41 26.57 178.74 99.50	A/P	OUT-STD	06/16/2017
045275	06/16/2017 Madonna Sharpe reimb-sportsday reimb-BCE Sports day supplies	461.50 461.50	A/P	OUT-STD	06/16/2017
045276	06/16/2017 Maxxam Analytics Inc. SJ3240158 water testing	1,031.55 1,031.55	A/P	OUT-STD	06/16/2017
045277	06/16/2017 Miao's Sod Farm 11726 sods-road maint	116.15 116.15	A/P	OUT-STD	06/16/2017
045278	06/16/2017 Newfoundland Distributors Ltd. 30243207 Cordless impact gun, 4 1/2 inch angle grind	765.77 765.77	A/P	OUT-STD	06/16/2017
045279	06/16/2017 Nick Miller reimb-sportday reimb-bce sports day supplies	163.10 163.10	A/P	OUT-STD	06/16/2017
045280	06/16/2017 NLCSA 51116 Professional Development - Public Works 51125 Professional Development - Public Works 51131 Professional Development - Public Works	1,242.00 483.00 373.75 385.25	A/P	OUT-STD	06/16/2017
045281	06/16/2017 Parts for Trucks 40388240-00 Wire, tape, connectors, plugs, rust check 40388722-00 4 airline fittings Unit 20 40389202-00 Unit #40 - battery lead, insullation for lead, l 40389636-00 2 case oil, oilf filter, general	545.27 108.82 32.64 275.71 128.10	A/P	OUT-STD	06/16/2017
045282	06/16/2017 Princess Auto Ltd. 492915 2 pipe wrenches etc	131.62 131.62	A/P	OUT-STD	06/16/2017
045283	06/16/2017 Protek Industries 19904 Cold Patch for Roads	853.30 853.30	A/P	OUT-STD	06/16/2017
045284	06/16/2017 Provincial Fence Products Ltd. 12984 Hinge for gate RG	28.75 28.75	A/P	OUT-STD	06/16/2017
045285	06/16/2017 Purolator Inc. 434890531 courier charges	32.45 32.45	A/P	OUT-STD	06/16/2017
045286	06/16/2017 Royal Freightliner 148608F Unit #48 shock, headlight plug 149268F headlights-unit#58 CMRO178328 core return	79.01 133.70 93.02 -147.71	A/P	OUT-STD	06/16/2017
045287	06/16/2017 S & S Supply 300167503 Ten brushes for sweeper	160.43 160.43	A/P	OUT-STD	06/16/2017
045288	06/16/2017 Saunders Equipment Ltd. 0000067659 Unit #48 - harness	472.08 472.08	A/P	OUT-STD	06/16/2017
045289	06/16/2017 Scope Industrial 5518839 PTO switch for ride on mower	16.04 16.04	A/P	OUT-STD	06/16/2017
045290	06/16/2017 St. John's Asphalt & Aggregate Inc. 002750 road gravel	2,416.31 2,416.31	A/P	OUT-STD	06/16/2017
045291	06/16/2017 Telus cells jun17 cell phones	2,263.63 2,263.63	A/P	OUT-STD	06/16/2017
045292	06/16/2017 The Hub	632.50	A/P	OUT-STD	06/16/2017

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\*\* - Name on Check was modified

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**CHEQUE REGISTER**

Printed: 8:58:45AM 06/27/2017

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Number	Issued		Amount	SC	Status	Status Date
	25116	Permit Books	632.50			
045293	06/16/2017	Valero Energy Inc.	<b>1,912.04</b>	A/P	OUT-STD	06/16/2017
	4111302775	Diesel	348.37			
	4111366323	diesel	1,563.67			
045294	06/16/2017	Windco Enterprises	<b>608.02</b>	A/P	OUT-STD	06/16/2017
	20170735	Service repairs - Depot, Roads, VB Park	498.77			
	20170771	service to remove speed sign	109.25			
045295	06/16/2017	Wolseley Canada Inc.	<b>805.00</b>	A/P	OUT-STD	06/16/2017
	5521646	grade rings-ws main	805.00			
045296	06/16/2017	Chris Milley	<b>200.00</b>	A/P	OUT-STD	06/16/2017
	May17	TRAVEL ALLOWANCE	200.00			
045297	06/16/2017	Gail Tucker	<b>200.00</b>	A/P	OUT-STD	06/16/2017
	May17	TRAVEL ALLOWANCE	200.00			
045298	06/16/2017	SCOTIA MORTGAGE, TAX DEPT.	<b>324.99</b>	A/R	OUT-STD	06/16/2017
045299	06/16/2017	Durdle, Cavell	<b>303.60</b>	A/R	OUT-STD	06/16/2017
045300	06/16/2017	Nick Miller	<b>500.00</b>	A/P	OUT-STD	06/16/2017
	mun softball	petty cash-municipal softball tournament su	500.00			
045302	06/20/2017	Chris Milley	<b>414.00</b>	A/P	OUT-STD	06/20/2017
	travelexp-FCM/CAMA	travel claim-FCM/CAMA	414.00			
045303	06/20/2017	Julie Pomeroy	<b>146.97</b>	A/P	OUT-STD	06/20/2017
	pcGreenteam	petty cash-Green Team-lab coats, note book	146.97			
045304	06/20/2017	Moses Tucker	<b>2,809.84</b>	A/P	OUT-STD	06/20/2017
	travelexp-FCM	travel claim-FCM conv	2,809.84			
045313	06/22/2017	AC Waterworks Inc.	<b>208.27</b>	A/P	OUT-STD	06/22/2017
	1026	hydrant bollard-parking lot station 2	208.27			
045314	06/22/2017	Atlantic Powertrain & Equipment Inc.	<b>502.55</b>	A/P	OUT-STD	06/22/2017
	46141	rubber plate,hose-yanmar	502.55			
045315	06/22/2017	Atlantic Cash & Carry	<b>473.17</b>	A/P	OUT-STD	06/22/2017
	34702140672128	Regatta supplies, Municipal softball tourman	473.17			
045316	06/22/2017	Brunswick News Inc	<b>315.10</b>	A/P	OUT-STD	06/22/2017
	1716875	job ad career beacon-ww maint.	315.10			
045317	06/22/2017	Canadian Linen & Uniform Service	<b>103.50</b>	A/P	OUT-STD	06/22/2017
	6500278570	mats rental	103.50			
045318	06/22/2017	Complete Transport Services	<b>2,748.17</b>	A/P	OUT-STD	06/22/2017
	39706	annual mvi engine 1	2,748.17			
045319	06/22/2017	Construction Signs	<b>483.00</b>	A/P	OUT-STD	06/22/2017
	33961	12 bags beads for road paint	483.00			
045320	06/22/2017	Corporate Express	<b>1,610.14</b>	A/P	OUT-STD	06/22/2017
	44618451	multi storage unit-library	139.14			
	44622054	metal table and chairs-library	461.87			
	44629378	laminator-library	134.69			
	44629395	side table-library	79.18			
	44631779	storage cabinet-library	248.62			
	44675816	refund-privacy filter	-126.59			
	44720968	supplies-econ dev,library,communications,n	620.23			
	44737767	chair	53.00			
045321	06/22/2017	East-Chem Inc.	<b>293.25</b>	A/P	OUT-STD	06/22/2017

\* - Partial payment was made on Invoice

\*\* - Name on Check was modified

**Town of Portugal Cove-St.Philips**  
**BNK1 - BNS CURRENT ACCT**  
 Cheques from 045252 to 045358 dated between 06/12/2017 and 06/27/2017

**CHEQUE REGISTER**

Printed: 8:58:45AM 06/27/2017

Page 4 of 5

Number	Issued		Amount	SC	Status	Status Date
	015092901	20 bags line chalk	293.25			
045322	06/22/2017	Emco Supply	<b>54.50</b>	A/P	OUT-STD	06/22/2017
	15528745-00	Ball valve for pump truck	54.50			
045323	06/22/2017	Fastenal Canada Company	<b>82.42</b>	A/P	OUT-STD	06/22/2017
	NFMOU172330	nuts,bolts,etc	82.42			
045324	06/22/2017	GCR Tire Centers	<b>3,311.54</b>	A/P	OUT-STD	06/22/2017
	931-59221	Supply & Install 8 tires for Garbage Compac	3,311.54			
045325	06/22/2017	Harvey & Company Limited	<b>1,449.66</b>	A/P	OUT-STD	06/22/2017
	1038916	Return	-273.24			
	1039521	2 belts and a tensioner-unit#35	763.82			
	1039588	Strobe Light Unit #48	508.07			
	109596	Unit #38 oil and filter	451.01			
045326	06/22/2017	Home Depot	<b>27.01</b>	A/P	OUT-STD	06/22/2017
	6451047	grommets for desk and tape measure	27.01			
045327	06/22/2017	Image 4 Printing & Design Inc.	<b>3,410.90</b>	A/P	OUT-STD	06/22/2017
	17745	regatta booklets	3,410.90			
045328	06/22/2017	In the Box Media Promotions	<b>681.38</b>	A/P	OUT-STD	06/22/2017
	12677	shirts-mun softball tournament - cost sharec	681.38			
045329	06/22/2017	Irving Oil Limited	<b>1,633.62</b>	A/P	OUT-STD	06/22/2017
	836901	gas	1,633.62			
045330	06/22/2017	Madsen Construction Equipment	<b>546.88</b>	A/P	OUT-STD	06/22/2017
	5006864	Set of teeth, Grease Nipples, Cutting Edge	546.88			
045331	06/22/2017	Mercer's Paving Inc.	<b>3,421.25</b>	A/P	OUT-STD	06/22/2017
	408	road patching-school rd,jenny lynn,portugal	3,421.25			
045332	06/22/2017	Michael Stone	<b>93.35</b>	A/P	OUT-STD	06/22/2017
	mileage mar-jun	Mileage claim mar9-jun16	93.35			
045333	06/22/2017	Micmac Fire & Safety Source Ltd.	<b>787.75</b>	A/P	OUT-STD	06/22/2017
	NL-00844028	foam-FD	787.75			
045334	06/22/2017	Neopost Canada	<b>173.99</b>	A/P	OUT-STD	06/22/2017
	6169337	postage meter lease-jul15-aug14	173.99			
045335	06/22/2017	Newfoundland Exchequer	<b>100.00</b>	A/P	OUT-STD	06/22/2017
	MunSanSewInfr	registry of easement - mun sanitary sewer ii	100.00			
045336	06/22/2017	NL Association of Fire Services	<b>500.00</b>	A/P	OUT-STD	06/22/2017
	5195	Convention sponsorship	500.00			
045337	06/22/2017	Princess Auto Ltd.	<b>22.99</b>	A/P	OUT-STD	06/22/2017
	109684	hose kit-field maint	22.99			
045338	06/22/2017	Protek Industries	<b>853.30</b>	A/P	OUT-STD	06/22/2017
	19716	cold patch	853.30			
045339	06/22/2017	Richard Murphy	<b>1,437.50</b>	A/P	OUT-STD	06/22/2017
	Jun12-18	Fd Consultations Jun12-18	1,437.50			
045340	06/22/2017	Rogers Payment Centre	<b>106.35</b>	A/P	OUT-STD	06/22/2017
	jun17	cable-fd jun17	106.35			
045341	06/22/2017	Rona	<b>27.83</b>	A/P	OUT-STD	06/22/2017
	2880971	metal sheeting	27.83			
045342	06/22/2017	Royal Freightliner	<b>365.91</b>	A/P	OUT-STD	06/22/2017
	149269F	Unit #32 - fender	365.91			
045343	06/22/2017	SaltWire Network	<b>919.20</b>	A/P	OUT-STD	06/22/2017
	TM00001817	job ad-waste water maint temp x2	756.70			
	TM00001818	public auction ad	162.50			

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**Town of Portugal Cove-St.Philips**  
**BNK1 - BNS CURRENT ACCT**  
 Cheques from 045252 to 045358 dated between 06/12/2017 and 06/27/2017

**CHEQUE REGISTER**

Printed: 8:58:45AM 06/27/2017

Page 5 of 5

Number	Issued	Amount	SC	Status	Status Date
045344	06/22/2017 Saunders Equipment Ltd. 0000067515 tailgate pins-unit#48	75.56 75.56	A/P	OUT-STD	06/22/2017
045345	06/22/2017 St. Jude Hotel 1706020001 7 Hotel rooms - ff school 1706020005 hotel-firefighter school 1706020006 hotel-firefighter school	2,873.85 957.95 957.95 957.95	A/P	OUT-STD	06/22/2017
045346	06/22/2017 Telus Going Mobile Wireless FRESHIN39955 phone upgrades - PW FRESHIN39956- cell phone cases FRESHIN41028 phone upgrades	919.98 264.50 114.98 540.50	A/P	OUT-STD	06/22/2017
045347	06/22/2017 The Hub 24911 100 books of 25 driver vehicle reports	425.39 425.39	A/P	OUT-STD	06/22/2017
045348	06/22/2017 Wally Fowler 1727232 reimb-twinrix vacc	62.03 62.03	A/P	OUT-STD	06/22/2017
045349	06/22/2017 Wennis Enterprises Inc. Regatta17 music for kids dance - regatta 2017	200.00 200.00	A/P	OUT-STD	06/22/2017
045350	06/22/2017 Windco Enterprises 20170938 4 flags-FD	156.20 156.20	A/P	OUT-STD	06/22/2017
045351	06/22/2017 City of St. John's 12296 Landfill use May17 RW 201705-4 Water consumption May	40,667.58 11,641.15 29,026.43	A/P	OUT-STD	06/22/2017
045352	06/22/2017 Fireworks FX Inc. 29417 CREDIT RE: CANADA DAY SHIPPING ERF 29465 GOODWILL CREDIT RE: CANADA DAY SH 30137 Fireworks Canada Day	5,941.52 -729.62 -575.00 7,246.14	A/P	OUT-STD	06/22/2017
045353	06/22/2017 GFL Environmental Inc. E60000031943 dump/replace garbage bin+tipping fees-truc	11,438.42 11,438.42	A/P	OUT-STD	06/22/2017
045354	06/22/2017 Grand Concourse Authority 17032 rainbow gully soccer field lighting & expansi	175,097.11 175,097.11	A/P	OUT-STD	06/22/2017
045355	06/22/2017 McElhanney Surveys (NL) Ltd. 3711 064110 survey-Nearys pond road	7,748.13 7,748.13	A/P	OUT-STD	06/22/2017
045356	06/22/2017 Vigilant Management Inc. 906 Dogberryhill rd sidewalks	14,310.33 14,310.33	A/P	OUT-STD	06/22/2017
045357	06/22/2017 Xylem Canada Compnay 3558274260 Beachy Cove Cafe Lift Stn Pump Repair 3558276229 parts returned	6,409.76 7,152.66 -742.90	A/P	OUT-STD	06/22/2017
<b>Cheque Totals Issued:</b>		<b>325,163.31</b>			
<b>Void:</b>		<b>0.00</b>			
<b>Total Cheques Generated:</b>		<b>325,163.31</b>			
<b>Total # of Cheques Listed:</b>		<b>96</b>			

\* - Partial payment was made on Invoice

\*\* - Name on Check was modified



June 21, 2017

Mr. Chris Milley, P. Eng  
Town of Portugal Cove – St. Phillips  
1119 Thorburn Road  
Portugal Cove-St. Phillips  
A1M 1T6

Reference: **Project # SJN-00238765-A0**  
**Portugal Cove Rd – Asphalt Sidewalks**

Dear Mr. Milley:

We have reviewed the bids received 2 PM June 19, 2017 and the results are as follows:

1. Pyramid Construction Ltd.	\$116,127.00
2. Weirs Construction Ltd.	\$122,147.25
3. Modern Paving Ltd.	\$132,370.75
4. Fairview Construction Ltd.	\$193,867.00

The low bid by Pyramid Construction Ltd. in the amount of \$116,127 (HST incl.) is approximately \$80,000 below our pretender estimate of \$196,000.

Based on the low tendered bid, the overall project budget may now be summarized as follows:

Construction	\$ 116,127
Engineering	<u>\$ 37,145</u>
<b>Total Project Cost</b>	<b>\$ 153,272</b>

We find the bid to be in order and recommend a contract be awarded to Pyramid Construction Ltd. Please advise if you wish to award this tender to Pyramid Construction Ltd.

If you have any questions, please contact the undersigned.

Yours very truly,

Rick Appleby, P.Eng.  
Lead – Municipal Infrastructure

c.c. Dennis Newhook - exp

NLIS 2  
**Municipal Affairs and Environment**  
June 22, 2017

## **Applications Available for Community Enhancement Employment Program**

The Provincial Government is now accepting applications from not-for-profit organizations and local governments that wish to sponsor projects funded by the Community Enhancement Employment Program.

The Community Enhancement Employment Program provides funding to eligible sponsors, including towns, Inuit Community Governments, regional municipalities, local service districts, community and economic development organizations, and other non-profit organizations. Individuals can be employed for up to 400 hours in order to become eligible for employment insurance benefits.

Applications for the 2017-18 Community Enhancement Employment Program are available on the Department of Municipal Affairs and Environment website at: [www.mae.gov.nl.ca/emp\\_support/ceep.html](http://www.mae.gov.nl.ca/emp_support/ceep.html). They can also be obtained by emailing [employmentsupport@gov.nl.ca](mailto:employmentsupport@gov.nl.ca) or by calling 1-866-508-5500. The deadline for receipt of applications is July 28, 2016.

### **Quote**

“Our government recognizes the importance of providing funding for work opportunities and enhancement projects for communities throughout Newfoundland and Labrador. The Community Enhancement Employment Program gives residents the opportunity to develop new skills by working on projects that improve their communities, and enhance tourism and economic development. This \$4.9 million investment will help individuals develop new skills by working on projects that improve their communities.”

Honourable Eddie Joyce  
Minister of Municipal Affairs and Environment

- 30-

### **Learn More**

CEEP Program: [www.mae.gov.nl.ca/emp\\_support/ceep.html](http://www.mae.gov.nl.ca/emp_support/ceep.html)

Follow us on Twitter: @GovNL and @MAE\_GovNL

### **Media contact**

Lynn Robinson  
Municipal Affairs and Environment  
709-729-5449, 691-9466  
[lynnrobinson@gov.nl.ca](mailto:lynnrobinson@gov.nl.ca)

2017 06 22

11:00 a.m.

FCM has been the national voice of municipal government.  
June 22, 2017 [www.fcm.ca](http://www.fcm.ca)

[View this email in your browser](#)



## New grant funding for climate change infrastructure projects

**Ottawa, June 22, 2017** – Whether rural, urban or remote, municipalities across Canada can now apply for grants of up to one million dollars for capital projects that will help them adapt to climate change impacts, such as flooding, extreme temperatures and drought, and reduce greenhouse gas emissions.

Municipalities have influence over roughly half of Canada's GHG emissions and they are already modelling some of the most innovative green initiatives in the country. This funding for capital projects will support municipal leadership on climate change for the benefit of Canadians and their communities.

This funding is offered by FCM through the Municipalities for Climate Innovation Program (MCIP), a five-year, \$75-million program funded by the Government of Canada and delivered by the Federation of Canadian Municipalities. It is available to municipalities of all sizes and their partners.

The types of projects eligible for funding include installing permeable surfaces to better manage runoff water; purchasing green vehicles; capturing and treating methane gas from landfill sites to produce clean energy; building bike and walking paths to encourage active transportation; upgrading a wastewater treatment plant to make it more energy efficient; and improving window protection and safety in buildings to better prepare for extreme wind events.

Applications for capital project funding will be accepted year-round. Details about the program and funding opportunities are available online: [FCM's Municipalities for Climate Innovation Program \(MCIP\)](#).

## Quotes

"The Government of Canada is committed to investing in green infrastructure that reduces greenhouse gas emissions, contributes to a clean growth economy and strengthens the middle class by ensuring communities are healthy and productive places to live. We are proud to work with the FCM, and to support local governments across Canada, in their efforts to adapt to the challenges posed by climate change and contribute to the protection of our communities now and for the future."

*The Honourable Amarjeet Sohi, Minister of Infrastructure and Communities*

"Municipalities are on the frontlines of climate change, and must cope with increasingly extreme weather – from floods to droughts. They are also at the forefront of climate solutions, reducing emissions and building more-resilient communities — in ways that can guide and inspire others across Canada. Funding announced today for capital projects will give them new tools to drive local solutions and support national results."

*Jenny Gerbasi, President of the Federation of Canadian Municipalities*

## Quick facts

- ? Grants of up to \$1 million are available for MCIP capital projects
- ? Grants of up to \$175,000 are available for [MCIP plans and studies](#)
- ? Under MCIP, funding for staff support and peer-learning opportunities will be coming later in 2017

- ? [MCIP regional climate advisors](#) are available locally to provide direct, on the ground support tailored specifically to the needs of municipalities
- ? Loans of up to \$5 million, combined with grants, are also available for Canadian municipalities for innovative environmental capital projects under FCM's Green Municipal Fund

## **Associated links**

[Government of Canada's \\$180-billion+ infrastructure plan](#)

[Municipalities for Climate Innovation Program](#)

[FCM Programs](#)

[FCM Funding](#)

## **Contacts**

### **[Federation of Canadian Municipalities](#)**

Francine Pressault

Media Relations Advisor, Programs

T. 613-907-6399

[fpressault@fcm.ca](mailto:fpressault@fcm.ca)

### **Brook Simpson**

Press Secretary

Office of the Minister of Infrastructure and Communities

T. 613-219-0149

[brook.simpson@canada.ca](mailto:brook.simpson@canada.ca)

### **Infrastructure Canada**

T. 613-960-9251

Toll free: 1-877-250-7154



[media@infc.gc.ca](mailto:media@infc.gc.ca)

Twitter: [@INFC\\_eng](#)

Web: [Infrastructure Canada](#)



[FCM Facebook](#)



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FCM Release: New grant funding for climate change infrastructure projects

**MNL contact information:**

460 Torbay Road, St. John's, NL A1A 5J3

**Gail Woodfine:** [gwoodfine@municipalnl.ca](mailto:gwoodfine@municipalnl.ca)

**General inquiries:** [info@municipalnl.ca](mailto:info@municipalnl.ca) | **Website:** [www.municipalnl.ca](http://www.municipalnl.ca)

**Tel:** 709-753-6820 | **Toll Free:** 1-800-440-6536 | **Fax:** 709-738-0071

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FCM Green | June 22, 2017

f in t y

## FCM Green Update

New grants for climate change  
capital projects for #CDNmuni.

APPLY TODAY

### Apply for new climate change capital project grants

We are proud to announce that the Federation of Canadian Municipalities now offers [grants of up to \\$1 million for climate change capital projects](#). This new funding will help municipalities like yours reduce greenhouse gas emissions and adapt to climate change impacts, such as flooding, extreme temperatures and drought.

Canadian cities and communities of all sizes are eligible to apply. Examples of eligible capital projects include:

- Installing permeable surfaces to manage water runoff
- Switching to cleaner fuel or purchasing green vehicles
- Producing clean energy from landfill gas capture

A streamlined application process will help your municipality begin work quickly. Larger grants may also be available.

Projects that are already underway may be eligible. All applications must be submitted by January 2020.

**Apply for climate change capital project grants today**



Find information about the types of [climate change capital projects that are eligible for funding](#) and access application forms online. Contact an FCM advisor at **1-877-997-9926** or by [email](#) to discuss your project and find out if it qualifies.

### Grants for climate change plans and studies also available

Grants for climate change [plans and studies](#) are currently available. Stay tuned for news on our staff grants this fall.

The [Municipalities for Climate Innovation Program](#) is delivered by FCM and funded by the Government of Canada.

APPLY TODAY

Find us: [f](#) [in](#) [t](#) [v](#)

FCM

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24 Clarence Street, Ottawa, Ontario K1N 5P3 | T. 613-241-5221 | F. 613-241-7440

This newsletter was sent to [kellis@fcm.ca](mailto:kellis@fcm.ca).  
To opt-out, follow this link: [Unsubscribe](#) | [Privacy Policy](#)  
[View email in your browser](#)

**From:** MARY [<mailto:burts@akbsurveyors.nf.net>]

**Sent:** June-16-17 10:20 AM

**To:** Joe Donkers <[joe.donkers@pcsp.ca](mailto:joe.donkers@pcsp.ca)>

**Subject:** Royal Canadian Legion, Branch 10

Hi Joe

On behalf of the Royal Canadian Legion, Branch 10, Portugal Cove/St. Philips

For Consideration of Business/Property Tax Exemption regarding Account No. ROYAL 001 for 2017  
Property Location - 5 Legion Road

Commercial Property Tax --- \$1595.97

Business Tax -Not for Profit -- \$1966.05

Cheque has been issued for Water/Sewer Tax for 2017

Regards,  
Mary Burt, Treasurer  
RCL. Branch 10

(709) 437-1356

(709) 765-9015

**From:** Heather Budden [<mailto:ballicatterasp@gmail.com>]  
**Sent:** June-23-17 10:21 AM  
**To:** Joe Donkers <[joe.donkers@pcsp.ca](mailto:joe.donkers@pcsp.ca)>  
**Cc:** Shannon Hanlon <[shannonlalocke@hotmail.com](mailto:shannonlalocke@hotmail.com)>  
**Subject:** Fwd: Please review: Letter to PCSP for Exemption from Property Taxes

Hello Joe

Please find enclosed an electronic version of the letter that was delivered to the Town office shortly after May 15.

Heather

20 Coady's Road  
Portugal Cove – St. Philip's, NL  
A1M 1L1

May 15, 2017

1119 Thorburn Road  
Portugal Cove – St. Philip's, NL  
A1M 1M6

Re: Request to review Property Tax Assessment for Ballicatter After School Program

Dear Mayor Moses Tucker & Portugal Cove-St. Philip's Council Members,

An invoice for property taxes was received this week for Ballicatter After School Program for the amount of \$1270.29. Invoice # is 2017139291 and is based on a real property value as determined by the NL Municipal Assessment Agency (source document 4000-0179-0-0205). Based on the following sections of the NL Municipalities Act, 1999, we would like to request an exemption of property taxes for our non-profit organization. We will outline the impacts and our rationale below.

**111.** (1) A person may apply to a council for, and the council may, by a vote of 2/3 of the councillors in office, grant an exemption, remission or deferment of taxes and interest on the taxes, either in whole or in part, for those periods of time that the council decides and the council may determine the evidence which it shall require to warrant the exemption, remission or deferment.

**114.** A council may, by resolution, establish different minimum annual real property taxes in a municipality for

(b) commercial property;

**116.** (1) Where real property is exempt from the real property tax, a tenant who pays valuable consideration to rent that real property shall pay a tax equivalent to the real property tax that would have been payable by the owner of the real property if that property were subject to that tax.

**118.** The following real property is exempt from the real property tax:

- (d) churches and other places of worship together with the land
  - (i) on which they are situated, and
  - (ii) that in relation to the places of worship, is in active use

We fully understand that St. Philip's Anglican Church is tax exempt and since we are renting a space within the church, we are in a taxable situation per section 116(1) of the Act. However, it is clear that these taxes can be exempted per section 111(1) or changed per section 114. It also notes in Section 116(1) "who pays valuable consideration to rent", which does not apply to Ballicatter After School Program as we have paid minimal rent this year.

### ***Background of the Ballicatter After School Program***

In the winter of 2015, a community survey was completed and a large number of parents were seeking after school care for the children in the St. Philip's portion of Portugal Cove-St. Philip's. From that point, two parents sought out locations and began developing Program and budgetary Submissions to begin a non-profit venture under the guidance of a social worker leading the Childcare Capacity Initiative with the Department of Education and Early Childhood Education. As you are aware, there are very limited commercial spaces that could be used or rented on the St. Philip's side of the community. We met with Rev Keeping and began the work to start a non-profit, community based organization within St. Philip's Anglican Church. Ballicatter After School Program Inc. is a registered non-profit entity with the province of NL, with the Canada Revenue Agency and Workplace NL. In May 2016, we received a grant for \$44000 to develop the program space, pay salary for a developmental employee and purchase all of the required equipment. All of this grant was solely dedicated to the establishment of the program. We operated from Rainbow Gully Hut for the month of September 2016 while we waited for the outdoor playspace to be completed at the church. We finally became licensed at the beginning of October 2016. We started out with 8 children in September and have grown to 18 children now. We have enrollment of 30 children for September, which is our maximum capacity.

### ***Financial constraints under the Childcare Capacity Initiative***

The Childcare Capacity initiative was began in 2003 through the *Caring For Our Future: Provincial Strategy for Quality, Sufficient and Affordable Child Care in Newfoundland and Labrador*. The Child Care Capacity Initiative provides start-up and operating grants for non-profit community-based organizations to help increase the number of regulated child care spaces. There is a prescribed template for financial resource allocation under this program. As an after school program to qualify for the operating grants, we can only charge \$14/day per child. The operating grant offers an additional \$3/day per child. Since this year was our first year of operation, we have had very limited ability to pay any rent at all to the church. They have given us virtually free use of the space knowing that we would have full enrollment for September 2017 and be able to pay rent at that time. Based on our projections and actual expenditures to date, salaries for this year (Sept 2016 – June 2017) will cost \$34059. Revenue from parent fees is \$34489.

Many factors are out of our control and are mandated by the NL Child Care Services Act & Regulations for regulated, licensed childcare spaces.

1. We must have a 1:15 ratio for worker to children. We had 2 employees at the beginning of the year as we had one to meet the 1:15 ratio and one to work directly with a special needs child. The second employee salary is partially funded by the provincial government but not fully. In January when we exceeded 15 children, we had to hire a third staff member. This put much strain on our financial situation but we had to meet the ratio requirements in order to maintain our license.
2. We cannot hold the after school program in the church when there are funerals as we cannot have members of the public with access to the children due to the shared bathrooms. Safety and security of the children is tantamount of the operation of regulated space. This has meant that we have had to hire transportation and pay rent to use Rainbow Gully Hut on a number of occasions this winter in order to be able to continue to offer childcare service on these days.
3. We have to provide approved nutritional snacks based on the Canada Food Guide to the children on a daily basis as part of the program. We will have kept of our food expenditures under \$1000 for this school year but that budget will have to increase to over \$2000 next year in order to meet our legislative requirements.
4. We have received an operating grant as part of the program that will represent about \$12500 of our budget for this year. The majority of this grant has been taken up with transportation for September before the program was able to open in the church, food expenditures, insurance (mandatory), Workplace NL (Workers Comp – mandatory), installation of a community garden and a meager amount of rent for use of the space for 10 months.

This non-profit program is built on a break-even model developed by the provincial government that does not take into account property taxes. The \$1270 bill we received from the Town will directly impact the program. The impact of us having to pay this property tax will mean that we have to halt any further work on our community garden.

### ***Community Vision***

The vision of this program is truly community based. The program is operated by a Board of Directors that is represented by 3 members of the church, 3 parent volunteers and the program operator (employee of the program). Although there is a rental agreement in place with the Church, we have been unable to meet our commitment this school year. In September, we will be paying rent to the church; however, this is a joint parent-church venture that is mutually beneficial and virtually cost neutral for the church. The church sees more families coming through its doors and families in the Town are able to avail of much needed childcare spaces. This year our children have participated in a number of community events such as the Santa Claus parade and the Town Winter Festival Craft Fair. We have been featured in the Northeast Avalon Times newsletter and the PCSP Town newsletter.

The children are learning about agriculture in our community and about sustainability. The children collected worms behind the church in the fall and have been feeding them all winter with their fruit scraps. The worms will return to their community garden next month. They

have had visits from goats, baby chicks and rabbits. These farmers are teaching them about growing vegetables and will help with the establishment of our community garden this summer. We worked with Kevin Aucoin who applied for the TD Community Garden grant on behalf of the Town. He included a portion of our garden in his submission. Although funds have not been received from this grant to date, we are moving forward with the installation of raised beds and benches with planters since this garden is key to the program. All of the vegetables grown by the children will be donated back to the Church for their fall harvest supper in a spirit of giving back to the community, which is key to the vision of this project.

In conclusion, as Chair of the Board of Directors and as a parent who sought out quality, affordable childcare for a number of years before finally stepping completely outside my area of expertise to establish something that would not only benefit me and my family but also many other families in the community, I implore you to consider exempting our non-profit program from this property tax bill of \$1270.29. These taxes will negatively impact the overall operation of our program and many children within our community. St. Philip's Anglican Church is a beautiful location and has a large area for our use; however, there were no other options for locations on the St. Philip's side of the community. Our assessment by the Municipal Assessment Agency is based on the full area of space we have for use within the Church. According to the Service NL Inspection we have space for 93 children, yet the maximum capacity for an after school program license is 30 children. We exceed our space requirements by almost 70% yet we are being taxed on the full square footage of the space usage.

If you have any further questions or require any supporting documentation such as financial statements, please advise.

If you are unable to exempt us from our property taxes or even reduce them, it would be greatly appreciated if you could respond to this letter prior to June 30 so we are able to receive the 5% discount on the bill.

Kindest Regards,

Heather Budden  
Chair of the Ballicatter Board of Directors



June 1, 2017

Mayor, Town of Portugal Cove-St. Philip's and Council:

This is in response to your invitation DID YOU KNOW in the Tickle Newsletter (May-June, 2017) inviting resident input. As a resident, I appreciate the invitation to respond and sincerely hope my points will be taken seriously.

I wish to point out that a lack of response does not always mean that there is no issue. In the case of drinking water, all those with water don't have an issue. It is those who need town water who have an issue. Residents from 4 roads have been shut out of clean water by the Town and so have no hopes or expectations and may not respond. Service stubs are now being provided for other roads so these residents won't have an issue of clean water.

This is unfortunate as the minority fall through the cracks.

No voice is often a discouraged voice!

Resident

May 8, 2017

Response to: **DID YOU KNOW?** The Tickle Newsletter. May-June, 2017

This is encouraging in that residents are invited to provide input. The question is how civic minded or optimistic are our residents in expecting that input will lead to some positive action!

Yes, I knew about the Sewage Treatments Plants working at less than full capacity! This was mentioned in an earlier Newsletter (think January)

There are two alternatives: (1) provide more water/sewage treatment service for residents, (2) reduce the number of operating staff.

In the case of (1) there is decision making at the Town Hall that is not making sense! The Town is asking for more sewage for its under-capacity treatment plants yet funding for water/sewer for Franklin Place, Drovers Heights, and part of Indian Meal Line was taken away! If the estimates were off base (whose responsibility was this?), then the residents should have been told by how much and which of the designated roads could be serviced for \$2,763,119.00? Certainly, an additional \$2,763,119 could be directing sewage to the under-capacity plants!

The following is from the May 23, 2017 Minutes

4. Wastewater Maintenance (Seasonal) Positions – two seasonal positions were approved in the 2017 budget, which will focus on providing support to the water and wastewater division. Position descriptions have been completed and the positions will be attached to an existing pay scale classification. Correspondence is being sent to the bargaining unit representative as per the requirements of the collective agreement. The anticipated start date for these positions is early in June 2017.

If the wastewater treatment plant is operating less than capacity, why are more positions necessary?

DID YOU KNOW seems to separate sewer from water – actually not addressing water (just a mention in passing)? Water is necessary to flush the sewage; furthermore, residents should have access to a right (clean water) affirmed by the United General Assembly, 2010 (Resolution 64/292).

**FROM THE LEVEL OF SERVICE PLAN** – Tabled Council Minutes/February 16, 2017  
“A key priority for the Town of Portugal Cove-St. Philip’s is to be recognized as a leader of governance and service delivery.

Resident satisfaction is a main driver in attachment to place and attractiveness of a community.

The services we provide and the quality of life at which we deliver them is integral in the way residents asses (sic) our effectiveness as a Town Hall and municipal government.”



### **-LEADER IN GOVERNANCE AND SERVICE DELIVERY**

I doubt if the residents of Skinners Road, Franklin Place, Drovers Heights, and Indian Meal Line who were told in 2014 they would be receiving water or water/sewer and at the same cost as their neighbours on Neary's Pond Road (previously serviced) would consider the current Town Hall a LEADER IN GOVERNANCE AND SERVICE DELIVERY.

### **-RESIDENT SATISFACTION -ATTACHMENT TO PLACE AND ATTRACTIVENESS OF A COMMUNITY**

Following from above, the residents of the 4 roads from which water or w/s was taken away, have little satisfaction and it would follow, little attachment to place and the attractiveness of the community. This is a pity that lack of attachment to place and attractiveness to place is due to the decision to the Town Hall to deny them water or water/sewer AFTER the funding was approved.

### **-SERVICES PROVIDED/QUALITY OF LIFE/OUR EFFECTIVENESS AS A MUNICIPAL GOVERNMENT.**

The Municipal Government gets a failing grade. How can a person have quality of life without clean drinking water?

The Town Hall should get rid of esoteric terms such as "attachment to place", attractiveness to community" (more than likely from a speaker at a seminar/conference) and think of the necessities of life - water, food, shelter. Some people might be fooled by big words, but not all!

### **A CONTRACT IS A CONTRACT**

The Town entered into a contract with the Provincial Government to obtain and spend \$2,763,119 on water or water sewer for residents of 4 roads. This was announced to the residents of these roads and therefore is a contract between the Town of PCSP and the residents of these roads. There was no discussion/input with/from these residents in the Town changing this contract - this was done unilaterally at the Town Hall! Residents of these roads should not be second class citizens in the Town. All water/sewer installation/costs by the Town up to this time are governed by the Water/Sewer Regulations posted on the Town's website and the Town should honour them. Alternate excuses should not be sprung on the residents of these roads when residents of other roads receiving water/sewer in the past few years were governed by the Town Regulations posted on the website.

### **TOO LATE FOR MEANINGFUL INPUT - UNLESS?**

The Flyer DID YOU KNOW states: "Installation of Water & Sewer are cost shared between the Town (30%) and the Provincial/Federal Governments (70%).

But this is not what residents have been told. They are confused! Is the Town confused? Who are they to believe now?

a) In a letter to a resident of Franklin Place from the Town on May, 17, 2016, the letter states: "...the Council heard from a significant number of residents that they were not willing to pay for water and sewer service (through general taxes) to a few areas that

would benefit from it." (The meaning of "significant" and the source of these residents' input re water service was never provided when requested under the ATIPP).

(b) An e-mail from the Deputy Mayor of December 7, 2016 states: "Roads are a "common property" asset & upgrades/repairs are paid for by all taxpayers. Water and sewer services benefit only those residents who receive them; therefore those taxpayers who do not benefit from these services are exempt from paying for them.

Note: I have found no list of common property assets.

Under ATIPP (157) 2017, \$279,265 for lighting a ballfield is "financed by the town-no other funding sources." Why is lighting a ballfield, a common property asset?

(c) A very recent response from the Town to ATIPP/90, stated: "Council decided that all projects (water/sewer?) were to be evaluated and based on a cost recovery basis for all future infrastructure via the levy or local improvement assessment process – hence the towns (sic) portion of any projects would be billed to the beneficiaries of the service. The 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."

So what should residents believe now? Is it 70-30% or is it "significant number of residents against", or "common property assets" or "cost recovery", or "charge back", or "beneficiaries pay"?

Council appears confused in its messages to the residents, and residents are questioning the credibility of the town's policy/statements on providing clean water!

In the meantime:

(d) All property tax payers are expected to help pay the cost of purchasing Maggies Place at \$887,400.211. Why is this a common property asset? Who are the beneficiaries?

(e) 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) Where are "common property assets" or "cost recovery", or "charge back", or "beneficiaries" in this case?

This is confusing and if the Town is to get any meaningful input on its DID YOU KNOW below-capacity septic disposal issue, it must clarify for the residents what the real situation is and must assure them of this.

I have reservations about agreeing to water/sewer if I must pay the total cost in light of others not having to do so. Also this is contrary to what is happening in neighbouring towns – eg. Pouch Cove, and Conception Bay South where residents and clean water are put first!

I refuse to be a second class citizen in my town. The Town government was instituted to serve the people! Residents should not be treated differently in similar situations.

\*\*\*\*\*

## **PRESENT THE FACTS: WATER-SEWER REGULATIONS**

IS IT 70-30% – TOWN PAYS SHARE FROM GENERAL REVENUE, OR USER PAYS, OR COMMON PROPERTY ASSETS, or CHARGE BACK, OR COST RECOVERY OR BENEFICIARIES PAY?

The Town Regulations on Water/Sewer (attached) state clearly how much homeowners pay. This is what has been charged to residents of Neary's Pond Road, and will be for Meadow Heights!

This is what residents of the 4 roads from which water was taken away should pay. This is what should be presented for home owners with DID YOU KNOW?

The Town Hall cannot be selective in governing. It was elected to represent all residents. All must be treated similarly in providing services.

\*\*\*\*\*

## **CONFIDENCE IN THE TOWN COUNCIL**

I was told in the early 2000's that Drovers Heights would be water/sewer serviced, then again when Neary's Pond Road was serviced I was told Drovers Heights was next, and more recently (2014) there actually was a Provincial-Municipal Agreement for \$2,763,119.00 directed to Drovers Heights and other roads. This agreement was broken by the Town. Once a municipal government breaks its contract/goes back on its word to residents, then residents lose confidence in the Government/Council.

Is DID YOU KNOW just a meaningless exercise just for election year?

Water/sewer was taken away from Drovers Heights by the Town.

I wrote a majority of Council on many occasions, outlining detail and logic on why this should not have happened and should have been reversed and assumed they addressed it in Committee/Council, – I got no satisfaction – mostly no responses. Recently, April 17, I wrote all Council and outlined all the issues of this promised/un-promised water/sewer with 32 questions. I have not had a reply to these.

Now the Town is putting in water stubs along other roads. Why are these roads given preference over Skinners Road, Franklin Place, Drovers Heights, and Indian Meal Line? Who made this decision? Is this good governance?

\*\*\*\*\*

## **TOO COSTLY?**

A letter from the Town stated it was "too costly" to put water or water/sewer along Skinners Road, Franklin Place, Drovers Heights, and Indian Meal Line.

This raises the question of where the taxpayers' money is going? Just to raise a few:

- i) Bottled water for the Town Hall (on town water) in 2016 - \$661.00 (Note some residents have boilers of water on the stove or in the back porch.)
- ii) Recruit a Deputy Clerk - \$4,049.09



iii) Provide a Succession Plan for Town Clerk - \$2875.00  
 (iv) Removing Christmas lights from outside tree - \$109.25  
 (v) Filming Winter Carnival \$1500.00  
 (vi) Staff Christmas Function - \$7201.00  
 (vii) Technical support for new Website (no evidence a new Website was needed – no input noted from users) - \$7140 per year  
 (ix) Travel allowance for 2 employees per month even if no travel - \$400.00  
 (x) (2015) Use of cell phones by 5 members of Council and staff \$21237.00  
 (xi) (Cost of Consultants \$393,805.31  
 (xii) Cost of renovations to the Town Hall (to April, 2017) \$577,845.00.  
 (xiii) Cost of purchasing land at Maggies Place \$887,400.21  
 Number of employees – 51  
 Employee salary range – to \$133,552.00  
 (xvii) Amount of money spent to May 1, 2017 promoting Maggies Place Development, not including time/cost of staff - \$8053.81  
 (xviii) Amount of money spent on survey work for the water/sewer project on Drovers Heights and other 3 roads that did not happen - \$130,000.00  
 Approximately \$300,000 for extending a soccer field  
 Approximately \$300,000 for lighting a ball field  
 Amount of property taxes assessed for Drovers Heights residents for 2016 – \$33,226.31

## **LEVIES/LOCAL IMPROVEMENT ASSESSMENT**

Is the language of the Municipalities Act clear on what these mean for extending water or water/sewer to a residence for basic necessities, for ordinary, everyday living? Are the conditions and “connectives” between clauses of the Act clear? The significance of language, including punctuation is highlighted by the following from the Internet: “A Missing Oxford Comma Just Changed the Course of a Court Case”

\*\*\*\*\*

## **MAKING DECISIONS**

Any decisions involving quality of life of residents or controversial issues should be the responsibility (proposing and endorsing) of Council. Councilors live in the town and were elected by residents to represent them and provide quality of life. Often staff do not live in the Town. Councilors, as residents of the Town represent the people. Councilors by living in the town, interact with residents in many venues in the town, and should be aware of what is happening in the town (boiling water for potable use, carrying water by hand for all uses) and are answerable to the residents.

## **RECAP**

If funding had not been diverted from 3 roads, that would have meant sewage from these roads would now be flowing into the waste treatment plants reducing the capacity a little more.

Set priorities, and I cannot imagine any Councilor not prioritizing clean drinking water and water for personal use.

Providing water or water/sewer for residents of 4 roads was a contract between the Town and the Government, and between the Town and the residents of the 4 roads. No residents should be treated as second class citizens! The contract for \$2,763,119 was in place in 2014, before any plan for a new town depot (in fact under ATIPP there is no record of a need for a new town depot). Water or water/sewer should be provided for the 4 roads in the 2014 contract before being provided for any other roads. First come! First serve! Is always a good principle!

Maggies Place Development seems to be driving the removal of funding for water/sewer for the four roads. This is not fair – a proposal for providing water or water/sewer for the 4 roads came first and should be honoured first.

### **SENIORS**

I am not going to address the second point re seniors in DID YOU KNOW, but doesn't it make sense to allow seniors to remain in their homes as long as they can and clean drinking water is essential for this.

Also, raising this issue of seniors' housing now is like closing the barn door after the horse is gone. I was told some time ago this was a rationale for Maggies Place Development! Shouldn't a rationale for projects be provided first before expenditures on land/infrastructure? Projects should not ask for endorsement after the fact – this suggests poor planning.

\*\*\*\*\*

### **WATER AND SEWER REGULATIONS (2017)**

(c) The works of connecting a building or other premises to the system will be performed as follows:

1. The connection of sewage and water supply pipes to the system shall be done by employees of the Town, or by a contractor or person engaged by the Town for that purpose.
2. Service stubs will be installed by the above representatives of the Town from the mains to the boundary line of the property for a fee of \$500.00. Under special circumstances when approval from the Department of Municipal Affairs is granted, the Town may extend the service line beyond the boundary up to 1.5 meters of the property owners residence to a maximum length of 40 meters from the main water line, provided that the said owner agrees to the following conditions and a fee of \$2000.00 is paid.
  1. (a) Services will be brought within 1.5 meters of the nearest point of the residence or a maximum length of 40 meters from the main lines as determined by the Town's Engineer.
  2. (b) Upon completion of the service(s) installation the contractor shall backfill the excavated trench, rough grade and remove from the property all debris and surplus material resulting from the installation.
  3. (c) The contractor shall restore the property to its original condition all areas outside the 6-meter wide work area. The 6-meter width will be

established with a consistent dimension reference to the trench centerline, but the dimensions may vary from one side of the trench to the other.

4. (d) The property owner shall be responsible for the reinstatement and all other restoration necessary to return the property within the 6-meter wide work area to its original condition. Such reinstatement shall include but not be limited to the following.

3. `Fencing `Driveway Repair `Ditching, Landscaping `Storm Culverts ,Septic System, `Walls `Others `Bridges, `Trees

5. (e) Should installation of the service lines to 1.5 meters cause the loss of an existing well the Town will not be responsible for the replacement of the said well but shall provide temporary water service until such time as the property owner is approved to hook up to the Town's water supply.
6. (f) The terms and conditions of this agreement must be agreed to prior to the completion of the service line to the edge of the road right of way or the property boundary.





Municipal  
Assessment  
Agency Inc.

Headquarters  
75 O'Leary Avenue, St. John's, NF A1B 2C9  
Tel: 709-724-1532 Fax: 709-724-1531

Item #7b

TOWN OF PORTUGAL COVE-ST-PHILIP'S

JUN 20 2017

RECEIVED

## MEMORANDUM

TO: Mayor and Councillors

FROM: Ms. Peggy Roche, Urban Director  
Ms. Elizabeth Moore, Avalon Director

DATE: June 19, 2017

RE: Update on the Board

The Board of Directors for the Municipal Assessment Agency met in Labrador City on June 9, 2017. Immediately prior to the board meeting, representatives of Labrador City and Wabush met with the Board. There was a good discussion of the challenges in valuing and taxing property in Labrador West. Committee meetings were held on June 8, 2017.

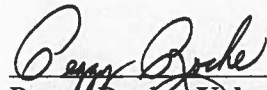
Some of the issues addressed by the Board, included:

- The audited financial statements were approved by the Board.
- The Board reviewed the average sales prices for the province from 2000 to the present. Staff are continuing to work on the next valuation, scheduled for tax year 2019.
- The Board reviewed the feedback from municipalities on the proposed changes to the assessment roll.
- Mayor Bob Hobbs, Bishop Falls, will chair the Nominating Committee for the upcoming Board elections. Nominations will open immediately following the municipal elections in September.
- Additional items considered by the Board:
  - The 2017 Clar Simmons Scholarship
  - Business Plan 2017-2020
  - Human resources, in particular the impact of retirements were reviewed

.../2

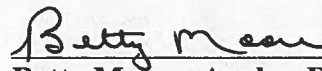
I would like to take this opportunity, on behalf of the board, to wish your municipality every best wish and success with your summer programs, festivities, and celebrations.

Sincerely,



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**Peggy Roche, Urban Director**  
Municipal Assessment Agency  
Tele: 709-437-6193  
Email: [pegasus@nl.rogers.com](mailto:pegasus@nl.rogers.com)



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**Betty Moore, Avalon Representative**  
Municipal Assessment Agency  
Tele: 709-786-3993  
Email: [elizabeth.moore@nf.aibn.com](mailto:elizabeth.moore@nf.aibn.com)



# Municipal Assessment Agency

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## Board of Directors 2017

**Avalon Director**

**Mayor Elizabeth Moore**  
Clarke's Beach

**Central Director**

**Mayor Robert Hobbs**  
Bishop's Falls

**Eastern Director**

**Mayor Paul Pike**  
St. Lawrence

**Labrador Director**

**Councillor Deb Barney**  
L'Anse au Loup

**Urban Director**

**Councillor Peggy Roche**  
Torbay

**Western Director**

**Mayor Dean Ball**  
Deer Lake

**Taxpayer Representative**

**Mr. David Denine**  
Mount Pearl

**Taxpayer Representative**

**Mr. David Blundon**  
Gander

**Representative of the Professional  
Municipal Administrators (PMA)**

**Ms. Vida Greening**, Eastern Director (PMA)  
Port Blandford

**Representative of Municipalities  
Newfoundland Labrador (MNL)**

**Mayor Roger Barrett**, Western Director (MNL)  
Reidville



Government of Newfoundland and Labrador  
Department of Municipal Affairs and Environment

June 19, 2017

Moses Tucker, Mayor  
Town of Portugal Cove - St. Philip's  
1119 Thorburn Road  
Portugal Cove - St. Philip's, NL A1M 1T6

TOWN OF PORTUGAL-COVE-ST-PHILIP'S

JUN 20 2017

RECEIVED

Dear Mayor:

**Re: Capital Investment Plan Approval and Amendments**

Please be advised that the Gas Tax Committee has accepted the project listed on the Town's Capital Investment Plan as Portugal Cove Road Pedestrian Walkway. The following table outlines the funding approval details:

Project Number	Project Category	Project Title	Approved Gas Tax Funding
205-2017-6291	Local Roads and Bridges	Portugal Cove Road Pedestrian Walkway	\$211,292.50

Please be advised that the Gas Tax Committee has accepted your request to:

- Increase the approval amount of Project #: 205-2015 -5466 – Western Point Culvert Replacement by \$35,081.81, for a revised approval amount of \$183,603.41.
- cancel Project #: 205-2015-5414: Bridge Upgrades – Spurrell's Bridge in the amount of \$283,996.80.

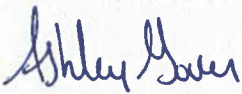
If the scope or costs of the project change, the funding approved for the project cannot be spent until the town is provided with subsequent approval to do so, based on submission and approval of a revised Capital Investment Plan Application. All funding approvals are subject to receipt of funds from Infrastructure Canada.

The above project requires the installation of an Infrastructure Project Sign. For more information, please refer to the Infrastructure Project Sign Design and Installation Guidelines that is posted on our website at <http://www.mae.gov.nl.ca/for/gta.html>.

All approved projects must be completed in accordance to all applicable legislation, rules, and regulations, relevant policies and procedures. As part of the Ultimate Recipient Annual Report, the Town's auditor will express an opinion on its compliance with the Agreement.

The Town has \$465,444.26 remaining in gas tax funds to March 31, 2019 to be allocated towards a project(s). To access these funds, please submit a Capital Investment Plan Application, resolution of council, and a quote for the proposed cost of the eligible project(s). Should the Town have any questions please contact the Gas Tax Secretariat by phone at 1-877-729-4393 or by email: [ashleygover@gov.nl.ca](mailto:ashleygover@gov.nl.ca).

Sincerely,



**Ashley Gover**

Manager, Gas Tax Administration

cc: David Brazil, MHA, Conception Bay East - Bell Island

cc: Inayat Rehman, Regional Engineer



TOWN OF PORTUGAL COVE-ST-PHILIP'S

JUN 21 2017

JUN 23 2017

COR/2016/05122-04

RECEIVED

[REDACTED]  
Portugal Cove-St. Philip's, NL [REDACTED]

Dear [REDACTED]:

Thank you for your letter concerning the proposed development of Maggie's Place, Portugal Cove-St. Philip's. Officials with the Department of Municipal Affairs and Environment have been in contact with the Town on this issue. In addition, I and other officials met with the Town to discuss the proposed development.

As referenced in your letter, section 201 of the *Municipalities Act, 1999* requires a Town to obtain the written approval of the Minister before acquiring property that is not necessary for the operations of the council. Section 201 provides as follows:

**201.** (1) *A council may acquire and hold real and personal property which is not necessary for the operations of the council under this Act.*

(2) *Notwithstanding subsection (1), a council shall not acquire and hold real and personal property under that subsection without the prior written approval of the minister.*

Council has advised that it intends to use the property for a municipal depot, an activity that is necessary for the operations of council. Council has further advised that it has obtained legal advice in this regard and is comfortable with its approach to the land in question.

Another concern raised is with respect to section 221 of the *Municipalities Act, 1999*, which provides:

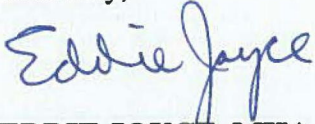
**221.** *A council may contract to do work, supply goods or provide a service not authorized for the council under this Act where it has equipment, staff or goods surplus to its needs and charges normal commercial rates for the work, goods or service, as long as that work, supply or service is not in competition with a non-council entity that is located in the municipality.*

As per section 221, municipalities in this province are permitted to engage in activities, not otherwise authorized by the legislation, provided that activity is not in competition with a local private sector entity. Any individual or organization that has been adversely affected by an action of the Town that they feel may be contrary to section 221, may pursue legal action against the Town.

I have copied the Town of Portugal Cove-St. Philip's and in so doing I would ask that the Town table this correspondence at an upcoming Council meeting and discuss the application of section 221 and, in particular, whether or not any of the actions contemplated by the Town may be in contravention of this provision.

I encourage you to continue your discussions with officials of the Town in an attempt to identify a resolution to any further concerns you may have.

Sincerely,

A handwritten signature in blue ink that reads "Eddie Joyce". The signature is fluid and cursive, with the first name "Eddie" and last name "Joyce" clearly distinguishable.

**EDDIE JOYCE, MHA**

District of Humber-Bay of Islands

Minister of Municipal Affairs and Environment

Cc Mr. Sandy Hounsell, Director of Municipal Support  
Town of Portugal Cove-St. Philip's



## 2017 Municipal Long Service Awards - Elected Officials

The Department of Municipal Affairs and Environment has been presenting Municipal Long Service Awards to mayors, deputy mayors, and councillors since 1983.

**Municipal Long Service Award certificates** are presented to individuals who have served on municipal councils for a cumulative period of **12, 16, 20, 25, 30 or 35 years**.

To further recognize **35 years of service**, the department also provides a **\$500.<sup>00</sup> grant** to help defray costs of a celebratory event for the individual, hosted by the municipality.

Please help recognize eligible individuals for their contributions to municipal government by completing and submitting the attached form. Eligible applicants will be recognized at an appreciation banquet on November 4, 2017, in Corner Brook, as part of Municipalities Newfoundland and Labrador's Annual Convention.

### Completing the Application Form:

- Use one form per applicant.
- Print name of applicant and name of municipality.
- Indicate the periods of service as Mayor, Deputy Mayor, or Councillor.
- Provide all information required regarding service dates.
- Years of service do not need to be continuous.
- Service of applicant is eligible up to September 26, 2017.
- The completed application form must be received by **August 20, 2017**.

### Send completed application forms to:

Carol Hanlon  
Local Governance and Planning Division  
Department of Municipal Affairs and Environment  
PO Box 8700  
St. John's, NL A1B 4J6  
**Email:** [carolhanlon@gov.nl.ca](mailto:carolhanlon@gov.nl.ca)  
**Phone:** 709-729-3090  
**Fax:** 709-729-3221

**It is the responsibility of each town/applicant to confirm receipt of the application with Carol Hanlon once the application has been sent.**

**Applications sent by email are preferred.**

The personal information in this form is collected in accordance to section 61(c) of the Access to Information and Protection of Privacy Act and will be used for assessing eligibility for the 2017 Municipal Long Service Awards.



Municipal Affairs and Environment

## 2017 Municipal Long Service Award Application Form for Elected Officials

Print Name of Municipality: \_\_\_\_\_

Print Name of Municipal Official: \_\_\_\_\_

Elected Term	Served as	From			To		
		Year	Month	Day	Year	Month	Day
1	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
2	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
3	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
4	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
5	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
6	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
7	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
8	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
9	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						
10	<input type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input type="checkbox"/> Councillor						

This application is for \_\_\_\_\_ years of service (12, 16, 20, 25, 30 or 35.)

Name/Signature of Town Clerk/Manager: \_\_\_\_\_

Email and Phone of Town Clerk/Manager: \_\_\_\_\_