



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

August 15, 2017

Regular Public Council Meeting 5:00 p.m.

<b>IN ATTENDANCE:</b>	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Acting Deputy Town Clerk	Heather Coughlan
	Town Manager / Engineer	Chris Milley
	Director of Financial Operations	Tony Pollard
	Director of Recreation/Community Ser.	Dawn Sharpe

Director of Economic Development, Marketing and Communications	Jeff Lawlor
Public Works Coordinator	Linda Newhook

Mayor Tucker called the meeting to order and welcomed the gallery of 27 persons in attendance, as well as the special guests in attendance including the Canada Games athletes and MHA David Brazil.

**APPOINTMENT OF ACTING DEPUTY TOWN CLERK**

Motion: Will/Hanlon  
2017-376 Resolved that Heather Coughlan be appointed the Acting Deputy Town Clerk for the meeting of August 15, 2017.  
Carried Unanimously

**ADOPTION OF AGENDA**

Motion: Bartlett/Facey  
2017-377 Resolved that the Agenda dated **August 15, 2017**, be adopted as circulated.  
Carried Unanimously

**DELEGATIONS/PRESENTATIONS**

The Mayor and MHA David Brazil presented the athletes from Portugal Cove-St. Philip's who participated in the 2017 Canada Games with certificates of congratulations from both the Town and the Province. MHA Brazil offered a speech of encouragement and congratulations as did the Director of Recreation and Community Services.

**ADOPTION OF MINUTES**

Motion: Hanlon/Bartlett  
2017-378 Resolved that the minutes of **August 1, 2017** be adopted as circulated.  
Carried Unanimously

**BUSINESS ARISING**

There is no Town Manager’s report for this meeting as the Town Manager has very recently returned from Annual Leave.

**COMMITTEE REPORTS**

**Planning & Development Report of August 8, 2017– presented by Councillor Collins**

**1. 32 Franklyn Place – Single Dwelling**

Motion: Collins/Butler  
2017-379 Resolved that the application to construct a single dwelling at Civic # 32 Franklyn Place be rejected as per Appendix A: Tabled Report.  
Carried Unanimously

**2. 5 Rosemary Rise – Accessory Building**

Motion: Collins/Butler  
2017-380 Resolved that the application to construct an accessory building at Civic # 5 Rosemary Rise be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**3. 717-719 Indian Meal Line – Communications Tower**

Motion: Collins/Bartlett  
2017-381 Resolved that the application to construct a communications tower at Civic # 717-719 Indian Meal Line be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**4. 1543-1549 Thorburn Road – Patio Deck**

Motion: Collins/Will  
2017-382 Resolved that the application to demolish and construct a patio/deck at Civic # 1543-1549 Thorburn Road be granted approval in principle as per Appendix A: Tabled Report.  
Carried Unanimously

**5. There were seventeen (17) permits issued from July 21<sup>st</sup> to August 3<sup>rd</sup>, 2016 as per Appendix A: Tabled Report.**

**Recreation & Community Services Committee – no meeting held**

**Killick Coast Games Information**

Councillor Facey provided information on the Killick Coast Games which will hold opening ceremonies on Monday August 21<sup>st</sup> in Pouch Cove. The games run from Monday through Friday and Councillor Facey invited all of Council and residents to attend and enjoy the games. The Director of Recreation and Community Services noted that the PCSP Honourary Patron, Softball Newfoundland and Labrador inductee Valerie Abbott, will also be in attendance.

**Public Works Committee Report for August 10, 2017 - presented by Councillor Bartlett**

**1. Compact Diesel Tractor – Tender PCSP-2017-003**

Staff advised that Tender PCSP-2017-003 for a compact diesel tractor has been cancelled and the bidder has been advised. Staff is preparing a tender for a dual purpose piece of equipment to be used in the Facilities and Streets Division, with a specific focus to sidewalk snow clearing and ice control on the latter.

**2. Portugal Cove Sidewalk Project**

A change order was presented to apply a coloured coating to the pedestrian pathway (1230 metres) being implemented on Portugal Cove Road. The cost is \$55,770.00 +HST.

Motion: Bartlett/Will

2017-383 Resolved that the change order for the coloured coating to the pedestrian pathway on Portugal Cove Road at a cost of \$55,770 +HST be approved.

Carried Unanimously

Councillor Bartlett noted that this work is already in progress. Deputy Mayor Will asked for confirmation that funding is through the Gas Tax and this was confirmed.

**3. Thorburn Road / Dogberry Hill Road Sidewalk Project Update**

Committee was advised that the work is near completion on this project. Minor sodding and landscaping work remained as the Contractor is waiting until the end of August/early September to complete due to the dryer weather conditions.

With respect to the school entrance connection, a meeting was held with representatives from the provincial Department of Transportation and Works and it was confirmed that work at the school's entrance is complete. Any further discussions with respect to the school entrance are to be dealt with through the School Board as the property will be turned over to this organization in the very near future. Committee's recommendation was to seek approval from the provincial Department of Transportation and Works for the placement of a crosswalk (asphalt markings) across Thorburn Road for students travelling from the Tolt Road area.

**4. Water Loss Control Program Request for Proposals (RFP)**

One bid was received in response to the Town's RFP for a Water Loss Control Program. The scope of work for the RFP addresses the first phase of this project which includes:

- Review of existing water distribution and wastewater collection systems;
- Mapping of the water distribution and wastewater collection systems; and
- Development of a Water Loss Management Program with recommendations on water use tracking and annual water balances, zone/district metering, leak detection, pressure management, bulk water management and future expansion;

The consultant's work will entail the identification of district meter areas for the municipality. The recommendations/specifications will ensure compatibility with the new residential metering program being implemented by the Town. This phase of the project does not include the actual acquisition and implementation of the zone/district meters; that will be a Phase 2 work which will be tendered once Phase 1 work is complete.

Motion: Bartlett/Will  
2017-384 Resolved that approval be given to award the contract for the Water Loss Control Program to Hatch Engineering at a cost of \$52,282 +HST.  
Carried Unanimously

Councillor Hanlon noted that this Water Loss Control Program was in no way linked to the Water Metering Project.

**5. Town Depot, Concept Design & Delivery Model - Update**

Staff met with representatives of Vigilant Management to begin the space planning requirements for the proposed new Town Depot. Vigilant is preparing a project charter for Council approval.

**6. Lift Station Maintenance – Beachy Cove Café Lift Station**

As part of the Water and Wastewater Division's preventative maintenance work for 2017, cleaning of the lift station at Beachy Cove Café is required. The quote is based on a per hour amount for equipment and disposal. It is expected the total cost will be in the vicinity of \$12,000 based on a similar scope of work completed in 2016.

Motion: Bartlett/Facey  
2017-385 Resolved that the quote from Parady's for lift station maintenance at a cost of \$6,602.27 HST included, plus septic (\$0.11/litre) and grease (\$1.00/litre) disposal costs be approved.  
Carried Unanimously

Mayor Tucker noted that despite the description, the Lift Station is not owned by Beachy Cove Café, it is simply located next to the building. He also suggested an alternate description for its location be used.

7. **Discussion Items**

- a) **Traffic Study Request** – Referred from the Planning & Development Committee, staff were asked to consult with the Town’s traffic consultants on traffic volumes in the Dogberry Hill Road area. Information will be brought back to the Public Works Committee once obtained.
- b) **Speed Sign Information** – Staff confirmed that data from the driver feedback speed signs is shared with the RNC for enforcement purposes.
- c) **Town Vehicle Speeds** – Driving speeds of the Town vehicles was discussed. Driving at safe speeds is regularly discussed as part of the Public Works staff meetings. AVL equipment installation has just been completed and will assist with monitoring of speeds in Town fleet.
- d) **Bennetts Road Boat Launching** – Safety concerns regarding the launching of boats from Bennetts Road to Mitchells Pond was raised. Boats are being launched in an area where there is inadequate space to do so resulting in vehicles being stopped in the roadway. Staff were asked to contact the Department of Transportation & Works to report these concerns and inquire whether the Department will take any action on this.

Councillor Facey inquired as to the possibility of a policy for repetitive infractions with the installation of AVL equipment in the Town fleet. Discussions are in progress.

Deputy Mayor Will suggested that the Town seek permission from the Dept. of Transportation Works to use the leftover jersey barriers to place on Bennetts Road to mitigate the traffic issues around the boat launch. Councillor Hanlon noted that TW had responded today and would be sending a supervisor out to the location for assessment in terms of a safe plan to fix the issue. The location is on a turn with limited site distances and there are frequent instances of trucks parked across the road to facilitate launching their boats into the pond and this is a larger safety concern.

Deputy Mayor Will noted his disappointment in the decision of Transportation Works regarding the school access road and inquired as to any option to return to the School Board for potential solutions. Councillor Facey encouraged residents to put their concerns in writing to the Department of Transportation Works.

**Economic Development, Marketing & Communications Report for August 14, 2017 – presented by Councillor Butler**

1. **Chamber of Commerce**

The financial request was made by the steering committee of the PCSP Chamber of Commerce. As the Chamber is not yet operational or receiving proceeds from members they are requesting \$2,300 for start-up costs including a meet and greet in September, a meet the candidate event and a variety of advertisements and promotional activities.

Motion: Butler/Facey  
2017-386 Resolved that the Town provide the steering committee of the PCSP Chamber of Commerce \$2,300 based on their request for support.  
Carried Unanimously

Councillor Hanlon asked for clarification around providing monetary support given one of the events is a meet the candidate event, and it is election time. The Director of Financial Operations noted that these are start-up costs and the Town has hosted candidate events around previous elections.

**2. Tickle Swim for Mental Health**

The swim will take place on Saturday, August 19<sup>th</sup>. The location of the start and the time will be confirmed by the end of the week. We will be hosting the reception at the conclusion of the race with snacks and refreshments, whether or not it ends in Portugal Cove marina.

**3. Advisory Committee on the Environment**

A strategic planning session was completed on Monday August 7<sup>th</sup>. The summary is attached to the report. ACE is requesting that the overall themes be considered by Council and to provide feedback if any changes are needed. Following the feedback they will develop a 5-year plan creating the strategy to execute the main themes. In addition ACE is requesting that the Town consider “No Feeding Ducks” signs in some locations in the Town. That request will be submitted to the Public Works Committee. The Committee would like to thank Julia Morrissey and Paula Courage for their time on the committee. They have both stepped down over the summer due to other commitments.

**4. Service Level Review**

An update was provided to the committee on the survey findings and status of the service level review project. All information from residents, businesses, staff and council will be completed within the next two weeks. The draft report for part 1 of the project (the identification of the six key service areas) will be completed by early September for Council’s review and approval.

**5. Maggies Place Development Plan Update**

The draft plan for work package II of Maggies Place development plan will be presented to Council by Tract within the next two weeks. This plan has had input by the landowners of the area and upon approval by Council we will engage the landowners again to discuss the final draft plan. The rezoning and zoning amendments as a part of work package I are being finalized for submission with the Planning and Development Department.

**6. Radio Bell Island Report**

The committee reviewed the Commissioners report on Radio Bell Island. There is no action required by the Town of Portugal Cove – St. Philip’s at this time.

**7. Canada Games Athletes Event**

The Canada Games athletes from Portugal Cove – St. Philip’s will be invited to the August 15<sup>th</sup> Council meeting. Mayor, Council and MHA David Brazil will be presenting certificates of recognition. They will also be featured in the Tickle Newsletter.

Further to item # 5 – Maggies Place Development Plan Update, the Town Manager noted that he and the Planning and Development Coordinator met with Tract Consulting today to finalize amendments regarding the Maggies Place Development Plan. As much work as possible will be completed prior to the next Council meeting when the motion will be brought forward.

Further to item #6 – Radio Bell Island Report, the Mayor noted his involvement with changes in the constitution for Radio Bell Island as per the letter attached. His involvement was not in his role as Mayor.

### **Protective Services Committee Report for August 8, 2017 – presented by Councillor Hanlon**

#### **1. Meeting with Resident**

Resident Pat Pender brought a proposal to the Committee with respect to ongoing speeding concerns throughout the community. Mr. Pender proposed a ‘pace car’ policy or campaign for all Town Council and staff to lead by example and obey the posted speed limit in fleet vehicles as well as their personal vehicles.

Councillor Hanlon clarified that the pace car idea was originally brought forward by the SafePCSP community group and this is where Mr. Pender heard the idea originally as well. Councillor Hanlon noted Mr. Pender’s commitment to safety in our community.

#### **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**

- Communications issue on August 4<sup>th</sup>, the cell phone and 911 connectivity issue, was monitored and our connection was maintained. Communication was sent out timely.
- Fire Prevention activities are planned with the school and the camps.
- The NEA training initiative is going ahead.
- There is a potential of an auxiliary to be formed for the purposes of social support for the department and its members.
- NLAFS conference went well and was educational.

#### **4. Red Cross Community Preparedness**

The Committee discussed the correspondence from the Canadian Red Cross on Community Preparedness and will respond with an offer of assistance in hosting a preparedness and volunteer recruitment session. The session will be promoted through the Town’s social media pages, website and town signs.

**5. Jake Brakes on Thorburn Road**

The Committee discussed the potential noise vs. safety aspects of large vehicles using Jake brakes throughout the community. Staff will research any information and / or decisions made by previous Councils and bring the information back to the Committee.

**6. First Responders Assistance Program**

The Town had been contacted earlier this year for an expression of interest in enrolment of the fire department members in a First Responder Assistance Program. The Committee responded positively and have now been presented with the program plan and the cost per member. The Committee discussed the plan and feel this is a critical and necessary service to offer our firefighters and therefore puts forward the following motion:

Motion: Hanlon/Facey  
2017-387 Resolved that Council approve the enrolment of all members of the Volunteer Fire Department in the First Responder Assistance Program administered by Trio Benefits at a monthly cost per member of \$4.00.  
Carried Unanimously

Councillor Facey noted that as a passionate firefighter he appreciated this positive and important service. Councillor Hanlon offered further information on the service and agreed that this is a positive step for our firefighters.

**Admin. and Finance Committee Report of August 8, 2017 - presented by Deputy Mayor Will**

**1. Accounts for Payment**

Motion: Will/Butler  
2017-388 Resolved that Council approve payment of regular accounts in the amount of \$45,050.01 and capital accounts in the amount of \$561,414.65 for a total of \$606,464.66 as tabled.  
Carried Unanimously

**2. Opened Tenders Disclosure**

The Committee discussed the practice of posting opened tenders on our website and will continue to proactively disclose the tender form and unit price contracts but will redact the signing officers names, the quantity and unit price, and the bid bond from all future postings. This is comparable to Government of NL tender posting practices.

**3. Access to Information Updates**

Requests for information received through the Access to Information and Protection of Privacy Act, 2015 (ATIPPA) and complaints received through the Office of the Information and Privacy Commissioner (OIPC) office will be posted on the PCSP's Access to Information webpage. As those files are closed, the request/complaint and response will be uploaded. This new practice applies to requests and complaints received July 1st or later. The Town will continue to maintain the list of ATIPPA requests, also found on the same webpage.



#### **4. Water Metering Project**

The Committee reviewed the one proposal received for the RFP to install household water meters.

Motion: Will/Facey

2017-389 Resolved that Town own seek approval from the Department of Municipal Affairs and Environment to award the contract for engineering services for project # 17-CWWF-17-00034, Household Water Meter Installation project, to Neptune Technology Group (Canada) Ltd., at an estimated cost of \$860,000, plus HST.

Carried For: Bartlett/Butler/Collins/Facey/Tucker/Will  
Against: Hanlon

Councillor Hanlon went on record that he is against this project and feels that the estimated costs will not reflect the real costs.

Deputy Mayor Will noted that the process has been lengthy, the estimates given by consultants matched the bids received exactly. The costs are for the complete system including installation, communications package, and the technology to read and record as well as provide information to residents. This project will place the Town in the forefront and provide benefits to residents.

Councillor Facey added that the funding is 70/30 with the Infrastructure Canada Clean Water and Wastewater Fund and the project met all the requirements. Significant background work has been done and he believes this to be an asset to the Town.

Mayor Tucker noted the benefits are being reaped across Canada and with Newfoundland being the worst province for wasting water. Water metering has proven benefits and other municipalities that have installed them have never removed them.

Councillor Butler noted that he has spoken with many residents and councils who have installed water meters across the country and not one has regretted the decision. These meters have a 20 year life span.

#### **5. Risk Management and Floodwater Studies**

Federation of Canadian Municipalities National Disaster Mitigation Program has funding opportunities for risk management, flood mapping and other mitigation projects that this committee is interested in investigating further. Town Manager will bring further information back to a future committee meeting.

#### **6. Request from Charity**

Ronald McDonald houses' Red Shoe Crew Walk for Families campaign request was received. The July 26, 2017 correspondence included a request for donation which is not in line with the Town's policy.

**7. Water and Sewer Communication**

A letter was sent out August 10th, 2017, to residents of Meadow Heights explaining the Portugal Cove-St. Philip's Water & Sewer Capital Works Cost Recovery process. Work on the project is expected to begin Monday August 14th, 2017.

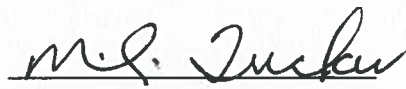
**CORRESPONDENCE**

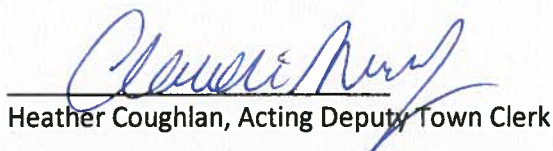
RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
August 3, 2017	Concerned Citizens of Bell Island	"Report of the Mediator" Regarding hostile takeover of the community radio station on Radio Bell Island	Sent to EDMC Cmte
August 9, 2017	Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre (NLSACPC)	September 2017 Sexual Violence Awareness Week	Sent to RecComm Cmte

Councillor Norm Collins announced that he will not be seeking re-election this term and thanked the Town for the last twenty years he has been in public service.

**ADJOURNMENT**

Motion: Will/Collins  
 2017-390 Resolved that this meeting be adjourned. Time is 6:07pm.  
 Carried Unanimously

  
 Moses Tucker, Mayor

for   
 Heather Coughlan, Acting Deputy Town Clerk

**Appendix A: Tabled Report  
August 8<sup>th</sup>, 2017**

**Applications:**

Item # 1:

**Civic # 32 Franklyn Place**

**Single Dwelling**

**Zoning: Residential Medium Density & Residential Development Scheme Area (RMD & RDSA) –  
Unserviced**

**The Committee recommends that the application to construct a single dwelling at Civic # 32 Franklyn Place be rejected as the property does not meet the minimum frontage requirement which does not comply with the Town’s Municipal Plan and Development Regulations 2014-2024, specifically Development Regulation 48 (b) (Existing Lot Area and Size Exceptions) and Schedule C: Residential Medium Density, the proposed dwelling will be located beyond the maximum front yard which does not comply with Schedule C: Residential Medium Density, and the area proposed to be developed is identified as a steep slope area within Schedule E: Environmental Protection Overlay Map.**

The Administrator recommended that this application be rejected.

Item # 2:

**Civic # 5 Rosemary Rise**

**Accessory Building**

**Zoning: Residential Medium Density (RMD) - Unserviced**

**The Committee recommends that the application for Civic # 5 Rosemary Rise 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 Medium Density.**

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

Item # 3:

**Civic # 717-719 Indian Meal Line**

**Communications Tower**

**Zoning: Agriculture (AG)**

**The Committee recommends that the application for Civic # 717-719 Indian Meal Line be granted approval in principle, permitting the installation of a communications tower. Approval in principle is subject to approval from the Department of Fisheries & Land Resources. Approval in principle shall be in full compliance with the Town’s Municipal Plan &**

**Development Regulations and all other regulatory bodies of government, specifically Development Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), and Schedule C: Agriculture.**

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

Item # 4:

**Civic # 1543-1549 Thorburn Road**

**Patio/Deck**

**Zoning: Traditional Community (RMD) – Serviced**

**The Committee recommends that the application for Civic # 1543-1549 Thorburn Road be granted approval in principle, permitting the demolition and construction of a patio/deck.**

The Administrator recommended that this application be rejected as the proposed development is located within 10 m of an identified steep slope area which does not comply with Schedule E: Environmental Protection Overlay Condition # 4 (Steep Slopes) which states that no buildings, structures or placement or removal of fill will be permitted on any lands designated as Restricted by the St. John's Urban Region Regional Plan, or within ten (10.0) metres of the top or bottom of slopes that exceed twenty-five percent (25) over a distance of five (5.0) or more metres.

**Permits Issued:**

Item # 5:

#	Permit	Issued Date	Civic #	Street Name	Permit Type
1	17-214	07/21/2017	28-30	Jera Street	Occupancy
2	17-215	07/21/2017	26	Ursula Crescent	Patio/Deck
3	17-216	07/24/2017	1158-1160	Thorburn Road	Connection to Sewer
4	17-217	07/24/2017	304-308	Dogberry Hill Road	Artesian Well
5	17-218	07/24/2017	2	Conatti Place	Occupancy
6	17-219	07/25/2017	19-21	Knapps Road	Test Holes
7	17-220	07/25/2017	19-21	Knapps Road	Site Preparation
8	17-221	07/27/2017	7	Dogberry Hill Road	Patio/Deck & Walkway

9	17-222	07/28/2017	2	Sparta Place	Site Preparation
10	17-223	07/28/2017	45	Peggy Deane Drive	Occupancy
11	17-224	07/31/2017	13	Oak Terrace	Business
12	17-225	07/31/2017	11	Blue Sky Drive	Accessory Building
13	17-226	08/01/2017	9	Oceans Edge	Single Dwelling
14	17-226	07/31/2017	240-242	Bauline Line Extension	Replace Septic Tank
15	17-227	08/01/2017	1476-1490	Portugal Cove Road	Splash Pad
16	17-228	08/03/2017	1465	Thorburn Road	Site Preparation
17	17-229	08/03/2017	211-225	Nearys Pond Road	Subsidiary Apartment