

REGULAR MEETING
MONDAY AUGUST 16, 2021

AGENDA

1. Minutes of July 19 and July 20, 2021
2. Business Arising
3. Request to Speak- Ms. Janet Hamilton regarding condition of laneway behind 10B Main Road, Petty Harbour.
4. Request to Speak- Mr. Jerry Hearn regarding Public Right of Way and Conflict of Interest.
5. The Development Corporation/Cribbies Park Committee Presentation on Engineers Report.
6. Email from Resident regarding rodent issue at 33 Motion Bay Road.
7. Request for Donation from Jacob Stack- Travelling to New Brunswick with Softball.
8. Request for a speed bump to be installed at O'Brien's Lane.
9. Application for excavation at 25 Motion Bay Road (A2021-47)- Digging basement well for new basement door.
10. Request for Comment from Minister Re: The Town of Logy Bay-Middle Cove-Outer Cove proposed Municipal Plan & Development Regulations Amendment.
11. Request to have commercial property tax, commercial water & sewer tax and commercial garbage fee written off for 2-8 Main Road, Maddox Cove as it is no longer operating a business.
12. Motion Bay Road Extension
13. Payment for Returning Officer & Poll Clerk for Municipal Election and request to hire security to control Covid protocols.
14. Request to place armour stone on beach area at Old Maddox Cove Road.
15. Proclamation- FASD Awareness Week.
16. Application (A2021-48) Harbour Authority Request to Erect sign on North Side Waterfront.
17. Application (A2021-32) Request to operate a Vinegar Manufacturing Business at 35 Southside Road
18. Nomination Dates 2021 Municipal Election.
19. Request from Fishing For Success to leave posts from fence up as property line markers.
20. Foreperson's Report
21. Expense Claims
22. Bills
23. New Business
24. Adjourn

BILLS

Bennett's Home Hardware (Tools & Cleaning Supplies Expense)	\$191.75
CBCL (Professional Fees Expense)	\$317.40
Cassie Rideout (Office Cleaning Expense)	\$165.00
CIBC Mellon (Employee Pension Expense)	\$3314.12
Bidgood's (Office Expense)	\$8.42
Brenntag (Water Expense)	\$1197.98
Irving Oil Marketing (Gas Expense)	\$1591.06
Hiscock Rentals (Tools Expense)	\$13.80
Ginok Song Lee (Mural Expense)	\$2012.50
Emco (Water & Sewer Expense)	\$834.26
Kent (R&M Building & Signage Expense)	\$373.67
John Layden Trucking (Road Maintenance & Water Expense)	\$1357.00
MFB Trucking (Road Maintenance Expense)	\$4947.88
NF Power (Street Lighting Expense)	\$2528.71
Orkin (Pest Control Expense)	\$60.38
Stewart McKelvey (Professional Fees Expense)	\$448.50
SNC Lavalin (Professional Fees Expense)	\$2156.25
Xylem (Sewer Expense)	\$1127.00
CIBC Visa (Safety Supplies Expense)	\$45.00
Modern Paving (Road Maintenance Expense)	\$144.42
NF Power (Hydro Expense)	\$1247.91
City of St. John's (Garbage Expense)	\$2585.46
Bell Mobility (Cell Phone Expense)	\$327.00
S&S Supply (Road Maintenance Expense)	\$282.31
Impact Signs (Signage Expense)	\$56.93
John Layden Trucking (Road Maintenance Expense)	<u>\$517.50</u>
TOTAL	\$27,861.21

TOWN OF PETTY HARBOUR/MADDOX COVE

REGULAR MEETING

MONDAY AUGUST 16, 2021

PRESENT: Sam Lee, Sam Stack, Harry Chafe, Lynn Hearn, Rick Raymond and Stephanie Stack

ABSENT: Kim Orren and David Green

#	ITEM
1	Mayor Lee brought the meeting to order at 6:35pm.
2	Minutes of July 19, 2021 were tabled. Motion #217 Rick Raymond/ Harry Chafe Proposed minutes of July 19, 2021 be approved. All in favor, motion carried.
	BUSINESS ARISING
3	#3 Staff is still working on getting prices for wooden fence and guard rail at the parking area off Skinner's Hill.
4	#4 The sand underneath the guard rail by the Co-op is not completed yet. There are posts that need to be replaced.
5	#6 The "Special Needs Child in the Area" signs were too small. Staff will order larger signs.
6	#7 The paving should be finished this week. Deputy Mayor Stack noted that there are a couple of areas (potholes) on Cribbies Road (up by Catholic Cemetary) that were not completed. Motion #218 Sam Stack/Rick Raymond Proposed to add these few spots to paving scope if not already in the original scope. All in favor, motion carried.
7	#9 Deputy Mayor Stack noted that there has been some congestion of traffic over the last few weeks. He asked if council would like to bring in the Commissionaires for ticketing. Motion #219 Lynn Hearn/Rick Raymond Proposed to hire the Commissionaires for ticketing for Saturday August 21 and Sunday August 22, along with Saturday August 28 and Sunday August 29 for 4 hours each day in the afternoon. All in favor, motion carried.
8	#10 The shoulder of the road from 69 Main Road to 91 Main Road levelled to allow for people to walk on the shoulder has been completed. There has been positive feedback on the project.
9	#24 The repairs to the sewer overflow on the northside beach have yet to be completed.
10	#31 Councillor Chafe noted that the cleaning out of the river by Newfoundland Power was completed.
11	#42 There is an area on Cribbies Road that still need some brush cut back from the road. Staff will look into this.
12	#48 The CAO will check with office staff to see if there were any senior's grants available.
13	Minutes of July 20, 2021 were tabled. Motion #220 Rick Raymond/ Lynn Hearn Proposed minutes of July 20, 2021 be approved. All in favor, motion carried.
	BUSINESS ARISING
14	#2 Council was wondering if the applicant had received approval from the Department of Environment with regard to this application. It was also noted that the area was supposed to have a follow-up inspection before and after concrete was poured. Staff will check into this and get back to council.
	TONIGHT'S AGENDA
15	Request to speak- Ms. Janet Hamilton regarding condition of laneway behind 10B Main Road, Petty Harbour. Ms. Hamilton was unable to attend and asked this item to be placed on the agenda for the next meeting.

16		<p>Request to speak- Mr. Jerry Hearn regarding Public Right of Way and Conflict of Interest.</p> <p>Mr. Hearn noted that Section 7 of the Lands Act states that a reservation/right of way had to be kept for the shoreline. He stated that the town is overwriting the Land Act. He stated that the town should be enforcing this and that the town is in conflict of its own regulations. Mr. Hearn stated that public access to public shoreline is being denied and that Section 7 does not reference Crown Land. Mr. Hearn noted that there was a petition presented to council at a previous meeting and that the town should seek legal advise for the betterment of the community.</p>
17		<p>The PHMC Development Corporation/Cribbies Park Committee presented the revised Engineer's Report for Cribbies Park. Deputy Mayor Stack noted that he visited the site and had no problem with the new report. Mayor Lee stated that he also visited the site and he had some concern over where the water will go. Mayor Lee stated that if this will be looked after in this new report then he has no issues. Mr. Jeff Elliott was present in chambers to speak on behalf of the PHMC Development Corporation. Mr. Elliott stated that the only change in this new report was the removal of the french drain and to move the catch basin to the old well site which is close to the road.</p> <p>Motion #221 Sam Stack/ Lynn Hearn Proposed to approve the revised engineer's report and to move forward with the project. All in favor, motion carried.</p>
18		<p>Email from resident regarding rodent issue and debris at 33 Motion Bay Road. Council noted that this is the second time there has been an issue with rodents and garbage at this property.</p> <p>Motion #222 Rick Raymond/Harry Chafe Proposed to send an order to the owner of the property to have the area cleaned-up and to have pest control in the area. If this is not completed within 30 days, council will have the area cleaned up and pest control established and charge back to the owner. All in favor, motion carried.</p>
19		<p>Request for donation from Jacob Stack- Travelling to New Brunswick with Softball.</p> <p>Motion #223 Rick Raymond/Harry Chafe Proposed to approve a donation for Jacob Stack in the amount of \$100.00. All in favor, motion carried.</p>
20		<p>Request for a speed bump to be installed at O'Brien's Lane. Deputy Mayor Stack noted that the lane is not very long for a speed bump. Councillor Raymond noted that the speed bumps will soon be taken up for the winter so maybe council should hold off until next year. Council will be taking this under advisement for the next budget.</p>
21		<p>Application for excavation at 25 Motion Bay Road (A2021-47)- Digging basement well for new basement door. This has been inspected and signed off on by the Inspections and Development Committee. Councillor Chafe noted that the concrete had already been poured when they were there to inspect. It was noted that council should implement fines for residents who start projects/development without a permit. Staff will put a notice in the newsletter regarding this.</p> <p>Motion #224 Harry Chafe/Sam Stack Proposed to approve the application to excavate at 25 Motion Bay Road (A2021-47) which includes digging basement well for new basement door. All in favor, motion carried.</p>
22		<p>Request for comment from Minister Re: The Town of Logy Bay-Middle Cove-Outer Cove proposed Municipal Plan & Development Regulations Amendment. Council had no comment on this amendment.</p>
23		<p>Request to have commercial property tax, commercial water & sewer tax and commercial garbage fee written off for 2-8 Main Road, Maddox Cove for the second half of 2021 as it is no longer operating a business. Deputy Mayor Stack stated that this property was approved under the Town Plan because it was for commercial use, therefore, it should have been charged commercial taxes from the beginning. Mayor Lee noted that council could take out the commercial tax and just charge residential tax until such a time it is used for commercial purposes again. Deputy Mayor Stack stated he is not in favor of writing off the commercial taxes.</p> <p>Motion #225 Rick Raymond/Lynn Hearn Proposed not to write off commercial taxes (property, water & sewer and garbage) for 2-8 Main Road, Maddox Cove. Councillor Raymond, Councillor Hearn and Deputy Mayor Stack in favor. Mayor Lee and Councillor Chafe not in favor. Motion carried. It was also noted that in future this entire property will be charged commercial property tax.</p>

24		<p>Motion Bay Road Extension Deputy Mayor Stack noted that the town is waiting to hear back regarding the Capital Works Project for this road. He stated that it needs to be done to protect the towns water line. Deputy Mayor Stack noted that other municipalities have heard back from the department regarding their Capital Works Projects but the town was informed by the department that it may be late August or September before the town hears something. Deputy Mayor Stack stated that he would like to set up a meeting with the Minister to see if the town's Capital Works Project was approved. Deputy Mayor Stack noted that something needs to be done with the road whether or not the town receives this Capital Works funding or not. Mayor Lee stated that the town has used all of its Gas Tax funds to complete the repairs to Old Maddox Cove. Mayor Lee also noted that the town cannot financial complete this project without Capital Works funds. Staff will contact the Department of Environment and Climate Change to set up a meeting with the Minister.</p>
25		<p>Request for Returning Officer & Poll Clerk for Municipal Election and request to hire security guard to oversee Covid-19 protocols. Motion #226 Rick Raymond/Harry Chafe Proposed to pay the following rates for the election: Returning Officer \$320.00 Poll Clerk \$250.00 Security \$250 All in favor, motion carried. It was noted that the CAO will find someone to do the security but will check with the part time staff first.</p>
26		<p>Motion #227 Harry Chafe/Rick Raymond Proposed to make a change order to the Old Maddox Cove Road project in the amount of \$45,000.00 to cover the cost to place armour stone along the full length of beach area at the section of Old Maddox Cove Road by the new culvert. All in favor, motion carried. This decision was previously made by council via email and ratified tonight.</p>
27		<p>Proclamation for Fetal Alcohol Spectrum Disorder (FASD) Awareness Week. Motion #228 Rick Raymond/Lynn Hearn Proposed to proclaim September 6th – 10th as Fetal Alcohol Spectrum Disorder (FASD) Awareness Week and for the Mayor Lee to sign the proclamation on behalf of council. All in favor, motion carried.</p>
28		<p>Application (A2021-48) from the Harbour Authority to erect signs on North Side Waterfront. The CAO asked if council would require this to go to the Department of Environment and Climate Change for a permit. Council agreed that it did not have to go to the Department of Environment and Climate Change because it was just posts and signs. Motion #229 Harry Chafe/Rick Raymond Proposed to approve the application to erect signs on the North Side Waterfront as per application. All in favor, motion carried.</p>
29		<p>Application (A2021-32) to operate a Vinegar Manufacturing Business at 35 Southside Road. Councillor Chafe, Councillor Hearn and Mayor Lee declared conflict of interest on this matter. There was no longer a quorum to discuss this application. This application will be placed on the agenda for the next meeting.</p>
30		<p>Request to change the Nomination Dates for the 2021 Municipal Election to August 31, 2021 and September 1, 2021. Motion #230 Rick Raymond/Lynn Hearn Proposed to approve the change to the Nomination Dates to August 31, 2021 and September 1, 2021. All in favor, motion carried.</p>
31		<p>Request from Fishing For Success to leave posts from fence up as property line markers at 10D Main Road, Petty Harbour. Mayor Lee stated he spoke with a representative of Fishing for Success and they confirmed that they had taken down the chain link fence but they were requesting to keep up the posts. Councillor Chafe noted that the posts should come down as they are part of the fence. Councillor Raymond noted that there is rope that runs from each posts which is still a fence. Councillor Raymond also noted that the posts should come down. Mayor Lee stated that he had no issue with letting the applicant keep the posts up until such a time that the applicant re-applies for a fence. Mayor Lee stated that the town has to have grounds not to approve another fence. Deputy Mayor Stack stated he had no problem letting the applicant leave up the posts for 30 days to see if the applicant will be applying for a new fence. If the town does not receive a new application for a fence within 30 days then the posts would have to be removed. Motion #231 Harry Chafe/Rick Raymond</p>

		<p>Proposed that the post have to be removed as per the order and the timeframe of the order kept. Councillor Chafe and Councillor Raymond in favor. Mayor Lee, Deputy Mayor Stack and Councillor Hearn not in favor. Motion defeated.</p> <p>Motion #232 Lynn Hearn/Sam Stack Proposed to give an extension of 30 days (from the date of the original order) for the posts to be removed. If no new application before the 30day then posts would have to be removed. The rope that is currently on the post would have to be removed immediately. All in favor, motion carried.</p>
32		<p>Foreperson's Report The Foreperson's Report was tabled.</p> <p>Motion #233 Rick Raymond/Harry Chafe Proposed to accept the Foreperson's Report. All in favor, motion carried.</p>
33		<p>Expense Claims</p> <p>Motion #234 Rick Raymond/Lynn Hearn Proposed expense claim in the amount of \$40.24 for Matthew Chafe be approved. All in favor, motion carried.</p> <p>Motion #235 Harry Chafe/Rick Raymond Proposed expense claim in the amount of \$20.00 for Stephanie Stack be approved. All in favor, motion carried.</p> <p>Motion #236 Harry Chafe/Rick Raymond Proposed expense claim in the amount of \$66.90 for Mandy Dinn be approved. All in favor, motion approved.</p>
34		<p>Bills in the amount of \$27,861.21 were tabled.</p> <p>Motion #237 Rick Raymond/Harry Chafe Proposed to pay bills in the amount of \$27,861.21. All in favor, motion carried.</p>
	NEW BUSINESS	
35		<p>Deputy Mayor Stack requested that the meeting schedule go back to every two weeks and for the next meeting to be scheduled for August 30. Council agreed to the change.</p>
36		<p>Deputy Mayor Stack noted that now that the drains have been cleaned out, the gravel/crush stone needs to be shoveled out of the culverts. Staff will let the foreperson know.</p>
37		<p>Deputy Mayor Stack received an email from a resident with regard to some confusion over the civic addresses for Main Road Petty Harbour and Main Road Maddox Cove. It was noted that there is some confusion from couriers but it seems to be related to google maps.</p>
38		<p>It was noted that the fill that has been placed on the look out in Maddox Cove needs to be pushed off.</p>
39		<p>Mayor Lee noted that the culvert on Old Maddox Cove Road has been completed and it was a great job.</p>
40		<p>Mayor Lee noted that there was an area of new development in the town on Southside Road where the applicants were going to pave over town infrastructure such as curb stops. This was stopped by the foreperson. It was noted that a notice should be placed in the next newsletter to let residents know that they cannot cover over town infrastructure such as curb stops or water valves.</p>
41		<p>Mayor Lee noted that there is a new section on the town's website for lost and found articles.</p>
42		<p>The Museum Committee are planning on doing a deck that is connected to the town's deck for the Bark Pot display. The Museum Committee were wondering if the town was moving forward with any repairs to the current deck. Staff will check the deck to see what repairs need to be done.</p>
43		<p>The CAO noted that NL911 has completed all the civic address data for the Town of Petty Harbour/Maddox Cove.</p>
44		<p>Mayor Lee noted that the street sign for Hannaford's Lane needs to be moved to the opposite side as the sign is now obstructed.</p>
45		<p>A quote in the amount of \$2400.00 to have the section of road cut out and paved near civic address 66 Old Maddox Cove Road was tabled. Mayor Lee noted that the holes that were drilled in this section of road do not seem to be working.</p>

		Motion #238 Rick Raymond/Harry Chafe Proposed to have the section of road cut out and paved near civic address 66 Old Maddox Cove Road so that the road is level in the area. All in favor, motion carried.
46		Request to take out summer students to lunch. Motion #239 Rick Raymond/Lynn Hearn Proposed to approve for staff to take out the summer students to lunch. All in favor, motion carried.
47		Motion #240 Rick Raymond/Harry Chafe Proposed meeting be adjourned. All in favor, motion carried. Meeting adjourned at 8:33pm.

Sam Lee, Mayor _____

Stephanie Stack, Chief Administrative Officer _____