

REGULAR MEETING
MONDAY SEPTEMBER 12, 2022

AGENDA

1. Minutes of August 29, 2022
2. Business Arising
3. Application to excavate property due to flooding at 74 Old Maddox Cove (A2022-51)
4. Application to construct a deck at 47 Cribbies Road (A2022-47)
5. Application to pave driveway at 47 Cribbies Road(A2022-46)
6. Application to build an extension to shed at 114 Motion Bay Road (A2022-48)
7. Application to build an extension to house at 1-5 Hannaford's Land (A2022-44)
8. Application to build extension to 11 Main Road - Chafe's Landing (Kitchen) A2022-49
9. Application to build extension to house at 53 Long Run Road (A2022-50)
10. Request to speak - letter regarding debris at 46-48 Main Road Petty Harbour
11. Request to speak with regard to fencing regulations
12. Snow Clearing Contract
13. Union Negotiations – JW Consulting
14. New Government Legislation for Code of Conduct & Access to Information Privacy and Conflict of Interest.
15. Email and pictures of debris at 10C Main Road
16. Capital Works Project – Motion Bay Road Extension – Preliminary Site Plan from Dynamic Engineering
17. 50 years on Incorporation for the town
18. Foreperson's Report
19. Expense Claims
20. Bills
21. New Business
22. Adjourn

BILLS

City of St. John's (Garbage Expense)	\$2,367.68
CIBC (Office, Tools, Come Home Year Expense)	\$342.15
Bell Mobility (Cell Phone Expense)	\$403.07
Bennett's Home Hardware (Water Expense)	\$123.03
Brenntag (Water Expense)	\$1,515.21
Commissionaires (Traffic Control Expense)	\$1,656.00
EMCO (Water Expense)	\$5,098.18
Formac (Cribbies Park Paving Expense)	\$16,772.75
Irving Oil Marketing (Gas Expense)	\$2,101.11
Impact Signs (Road Maintenance Expense)	\$516.58
John Denine Towing (Water Expense)	\$350.00
John Layden Trucking (Water Expense)	\$2,990.00
MFB Trucking (Road Maintenance, Water and R&M Building Expense)	\$2,052.75
Stewart McKelvey (Professional Fees Expense)	\$426.65
NF Power (Hydro & Street Lighting Expense)	<u>\$4,188.77</u>
TOTAL	\$40,780.90

TOWN OF PETTY HARBOUR/MADDOX COVE

REGULAR MEETING

MONDAY September 12, 2022

PRESENT: Rick Raymond, Ed Dyke, Beatrice Burry, Agatha Stack-Balsom Daphne Chafe and Melissa Pardy and Stephanie Stack

ABSENT: Ron Doyle

#	ITEM
1	Deputy Mayor Raymond brought the meeting to order at 6:30pm.
	Motion #233 Ed Dyke/Beatrice Burry Proposed to change agenda, adding an emergency application to excavate due to flooding (#3 on the agenda) and removing CBDC's presentation #1 on the agenda. All in favor, motion carried.
2	Minutes of August 29, 2022 were tabled. Motion #234 Melissa Pardy/Ed Dyke Proposed to accept minutes of August 29, 2022. All in favor, motion carried.
	BUSINESS ARISING
3	#15 Councillor Dyke, Deputy Mayor Raymond and staff met with the owner of "The Stand General Store" regarding the noise complaint from their refrigerator unit. The Store owner informed the town that he will contact the manufacturer to see if he can place an insulated plywood box around the unit to muffle the noise as long as it does not cause any damage to the unit by doing this.
4	#16 Councillor Dyke and staff spoke to the homeowner with regard to the rocks piled up at the bottom of Oceanview Boulevard. The homeowners will have these rocks removed.
5	#22 Condition of 6A Long Run Road – Staff spoke to the property owner and he noted that he will be back in the province in November to have this issue addressed.
	TONIGHT'S AGENDA
6	Application to excavate at 74 Old Maddox Cove Road (A2022-51). The Inspections and Development Committee have inspected the area and signed off on the application. Motion #235 Ed Dyke/Melissa Pardy Proposed to approve the application to excavate at 74 Old Maddox Cove Road (A2022-51). All in favor, motion carried.
7	Application to build a deck/patio at 47 Cribbies Road (A2022-47). The Inspections and Development Committee inspected the area and signed off on the application. Motion # 236 Ed Dyke/Agatha Stack-Balsom Proposed to approve the application to build a deck/patio at 47 Cribbies Road (A2022-47). All in favor, motion carried.
8	Application to pave a driveway at 47 Cribbies Road (A2022-46). The Inspections and Development Committee inspected the area and signed off on the application with the stipulation that the curb stop is extended and accessible. Motion # 237 Ed Dyke/Beatrice Burry Proposed to approve the application with the condition that the curb stop is extended and accessible. All in favor, motion carried.
9	Application to build an extension to a shed at 114 Motion Bay Road (A2022-48). The extension meets the requirements for an accessory building in the Residential Zone. The Inspections and Development Committee inspected the area and signed off on the application. Motion # 238 Ed Dyke/Agatha Stack-Balsom Proposed to approve the application to build an extension to a shed at 114 Motion Bay Road (A2022-48). All in favor, motion carried.
10	Application to build an extension (porch) to house at 1-5 Hannaford's Lane (2022-44). The Inspections and Development Committee inspected the area and signed off on the application. Motion # 239 Ed Dyke/Melissa Pardy Proposed to approve the application to build an extension to a house at 1-5

		Hannaford's Lane (A2022-44). All in favor, motion carried
11		<p>Application to build extension (kitchen) to Chafe's Landing at 11 Main Road, Petty Harbour (A2022-49). The Inspections and Development Committee inspected the area and signed off on the application. As this property is on the Flood Risk Area, it would have to be approved by the Department of Environment & Climate Change.</p> <p>Motion # 240 Ed Dyke/Agatha Stack-Balsom</p> <p>Proposed to approve the application in principle with the condition that it is approved by the Department of Environment & Climate Change. All in favor, motion carried.</p>
12		<p>Application to build an extension to house at 53 Long Run Road (A2022-50). The Inspections and Development Committee inspected the area and signed off on the application but noted that the overhead wires in the area would have to be removed.</p> <p>Motion # 241 Ed Dyke/Agatha Stack-Balsom</p> <p>Proposed to approve the application in principle with the condition that the overhead wires are removed or the owner has approval from the service company that he can construct the extension. All in favor, motion carried.</p>
13		<p>Request to speak with regard to a letter sent to the property owner of 46-48 Main Road, Petty Harbour. Mr. Jerry Hearn was present in chambers to speak. Mr. Hearn noted that the skidoo that is on his property was not placed there by him. He stated that this skidoo was originally placed on the property of the Island Rooms. He noted that a third party placed the skidoo in its current location. He stated that he does not think it is his responsibility to remove it. Mr. Hearn requested that the town send a letter to the people that placed it on his property to move it back to where it was. Councillor Dyke stated that the skidoo is on Mr. Hearn's property so it would be his responsibility to move it. Mr. Hearn stated that he would move the skidoo and put in a proper location. Mr. Hearn asked if the town could send a letter to the third party telling them not to be placing things on other people's property. Deputy Mayor Raymond stated that the town could not send that letter.</p>
14		<p>Request to speak with regarding fencing regulations. Mr. Jerry Hearn was present in chambers to speak on this. Mr. Hearn asked does a building have to be 5ft from its boundary. He stated that as per the town plan building have to be 5ft from their boundary. The CAO clarified that certain zones have this regulation. She stated that the area that Mr. Hearn sent pictures of is in the Harbourfront Zone. This zone does not have specific regulations but council has a policy that any new buildings in this area have a 1.5m distance from their boundary line. Mr. Hearn stated that he would like council to check this for the buildings at 10D Man Road, Petty Harbour.</p>
15		<p>Snow Clearing Contract</p> <p>The CAO noted that the Snow Clearing Contract is due to go out to tender soon. Council was asked if there were any changes that they would like to make to the contract before it went out to tender. It was noted that the parking lot at the Community Centre and St. Joseph's parking lot should be removed from the contract as these properties were sold. Councillor Pardy asked for some clarification on the "Instructions to bidders"(Page 3 – 7B)- This sections states that "the Town does not bind itself to accept the lowest or any tender". The CAO noted that if the town received 3 bids and they were all well over the reasonable cost for snow clearing then the town does not have to accept the lowest bid. They can go out to retender.</p> <p>Motion # 242 Daphne Chafe/Beatrice Burry</p> <p>Proposed to remove the clearing of the Community Centre parking lot and St. Joseph's Church parking area from the list of roadways (Appendix A) and for the town to go to tender for the snow clearing contract. All in favor, motion carried.</p>
16		<p>Union Negotiations</p> <p>The Nape union contract expires on December 31, 2022. The town can start negotiations anytime within 120 days of the contract expiring. The town received a quote from JW Consulting to facilitate the union negotiations in the amount of \$6,500.00 plus HST. Councillor Dyke asked if a member from council can sit in on the Union Negotiations. The CAO noted that a member of council can sit on the negotiations if they wish. The CAO noted that JW Consulting will be informing council of the progress and getting approval before the negotiations are finalized.</p> <p>Motion # 243 Melissa Pardy/Daphne Chafe</p> <p>Proposed to accept the quote to facilitate the union negotiations from JW Consulting in the amount of \$6,500.00. All in favor, motion carried.</p>
17		<p>New Provincial Legislation for Code of Conduct</p> <p>The Provincial Government just recently introduced a new Municipal Code of Conduct Legislation that came into effect on September 1, 2022. The government is giving municipalities until March 2023 to adopt a new Code of Conduct. The town received a quote from JW Consulting to develop this policy in the amount of</p>

		<p>\$1,700.00 plus HST.</p> <p>Motion # 244 Ed Dyke/Agatha Stack-Balsom Proposed to accept the quote from JW Consulting to develop this policy. All in favor, motion carried.</p>
18		<p>Email with regard to debris dumped 10C Main Road, Petty Harbour. Councillor Dyke and staff visited the area and it looks like some sort of decking was demolished and then piled up at the back. It is unclear who placed the debris there but the email notes that it was the person living at 10C Main Road.</p> <p>Motion # 245 Melissa Pardy/Beatrice Burry Proposed to send a letter to the owner of 10C Main Road to ask if they were responsible for placing this material/debris in the area and if so, can they have it removed. All in favor, motion carried.</p>
19		<p>Capital Works Project – Motion Bay Road Extension Danny Madden with Dynamic Engineering sent the town a preliminary partial site plan which notes the re-location of the drain that will be directed to Oceanview Boulevard. The original plan had the drain going through private property and this is why the drain had to be re-located. Mr. Madden noted that the creation of the new ditch will add costs to the project. He stated that relocating this drain would cost approximately \$20,000. He stated the intention would be to accommodate this extra cost into the existing funding amount by tweaking the scope of work/design to come up with the savings. Councillor Dyke noted some concern over tweaking the project. He stated he did not want to see the projects scope of work reduced to accommodate this relocation of the drain. Councillor Dyke stated that the town could possibly use the 2023/2024 Gas Tax for the extra cost of relocating the drain. Councillor Dyke stated that he would like Dynamic engineering to inform the town before any changes are made to the scope of work. Deputy Mayor Raymond stated that he had some concern over the drain location by Oceanview Boulevard. He asked if this would be private property. The CAO noted that she will check with the engineer on this. It was also noted that council would like to see the final scope of work before going to tender.</p> <p>Motion # 246 Ed Dyke/Beatrice Burry Proposed to approve the location of the new drain in principle with the condition that there is no issue with the drain location at Oceanview Boulevard. All in favor, motion carried.</p>
20		<p>50 Years of Incorporation - Mayor Doyle wanted this added to the agenda. This year the town will commemorate 50 years of incorporation. Mayor Doyle wanted to know if council was interested in having a small celebration for this milestone. This could be a meet and greet with refreshments. Council could also include the fireworks from Come Home Year in this event.</p> <p>Motion # 247 Ed Dyke/Melissa Pardy Proposed to approve a budget of \$1,000.00 for the 50 Years of Incorporation celebration. All in favor, motion carried. Councillor Chafe and Councillor Pardy stated they would sit on the committee to help out with this</p>
21		<p>Foreperson's Report The Foreperson's Report was tabled.</p> <p>Motion #248 Agatha Stack-Balsom/Beatrice Burry Proposed to accept the Foreperson's Report. All in favor, motion carried.</p>
22		<p>Expense claim for Matthew Chafe in the amount of \$143.75 was tabled.</p> <p>Motion # 249 Agatha Stack-Balsom/Melissa Pardy Proposed to pay expense claim for Matthew Chafe in the amount of \$143.75. All in favor, motion carried.</p> <p>Expense claim for Stephanie Stack in the amount of \$30.00 was tabled.</p> <p>Motion # 250 Ed Dyke/Agatha Stack-Balsom Proposed to pay expense claim for Stephanie Stack in the amount of \$30.00. All in favor, motion carried.</p> <p>Expense claim for Mandy Dinn in the amount of \$20.00 was tabled. Councillor Pardy was in a conflict of interest and left chambers at 7:28pm.</p> <p>Motion # 260 Ed Dyke/Agatha Stack-Balsom Proposed to pay expense claim for Mandy Dinn in the amount of \$30.00. All in favor, motion carried. Councillor Pardy returned at 7:29pm.</p>
23		<p>Bills in the amount of \$40,780.90 were tabled.</p> <p>Motion #261 Ed Dyke/Agatha Stack-Balsom Proposed to pay bills in the amount of \$40,780.90. All in favor, motion carried.</p>

	NEW BUSINESS	
24		Councillor Stack-Balsom asked if the town could put a three way stop at the intersection by "The Stand General Store". Deputy Mayor Raymond stated that the town could not do this as Long Run Road and the Main Road are the property of the Department of Transportation and Infrastructure.
25		Councillor Dyke noted that there are some washouts on the Main Road. Staff will contact the Department of Transportation and Infrastructure.
26		Deputy Mayor Raymond stated that he would like the town to add development regulations such as lot requirements for the Harbourfront Zone in the Town Plan. The current town plan was developed in 2014 and in the next year or so will be due to be reviewed. The CAO noted that council could do an amendment now or wait to make these changes during a review of the town plan in the next year or so. Councillor Dyke stated that he would like to start the process to add these regulations now. Motion #262 Ed Dyke/Agatha Stack-Balsom Proposed to set up a meeting to start the process to amend the town plan. All in favor, motion carried.
27		Shore Lane The town received costing from Dynamic Engineering to have drainage work completed on Watt's Lane- off Shore Lane. There were two options: <u>Option 1</u> Reinstate the existing Right-of-Way to remediate from past erosion and runoff damage and install a storm collection system to convey future runoff. Cost is estimated to be \$118,000 plus engineering fees and HST. <u>Option 2</u> Utilize the existing Right-of-Way to create a new ditch for the conveyance of runoff and discharge to a new larger culvert crossing Shore Lane into the existing ditch (upgraded) to the ocean. Cost is estimated to be \$70,000 plus engineering fees and HST. Councillor Dyke asked why the town needs to fix a right of way (Watt's Lane). He asked why can't the town leave the right of way the way it is (open drain) and just go with the cheaper option 2 and capture the water at the bottom of the lane and across to the ocean. Councillor Dyke asked if the town would be setting a precedent in fixing a right of way. It was noted that the property owner next to this drain has been complaining that her property is eroding because of the water issue and the drain that has been formed in this lane. Council will look at this project again when they discuss their Capital Works Projects for 2023/2024.
28		Motion #263 Ed Dyke/Agatha Stack-Balsom Proposed meeting be adjourned. All in favor, motion carried. Meeting adjourned at 7:55pm.

Rick Raymond, Deputy Mayor _____

Stephanie Stack, Chief Administrative Officer _____