

REGULAR MEETING
MONDAY SEPTEMBER 14, 2020
AGENDA

1. Minutes of August 31, 2020
2. Business Arising
3. Application for an approval in principle to build an extension to shed at 62C Main Road, Petty Harbour (A2020-101)
4. Application to build a garbage at 6 Hannaford's Lane (A2020-98)
5. Old pick-up truck
6. Motion Bay Road Extension – Dynamic Engineering
7. Capital Works Projects – Call for application 2021-2022
8. Application for excavation 23 Shore Lane
9. Skinner's Hill – One-way pilot project
10. Survey - Maddox Cove Ballfield
11. Letter from business owner Re: write-off of business tax from June – Dec.
12. Vacant Land – Water & Sewer Charge
13. Snow Clearing Contract
14. Request to have interest wrote off – 39 Motion Bay Road
15. Foreman's Report
16. Expense Claims
17. Cheque Log
18. Bills
19. New Business
20. Adjourn

BILLS

Bell Mobility (Cell Phone Expense)	\$207.58
CBS Rentals (Parks & Playgrounds Expense)	\$726.70
Atlantis Business Forms (Office Expense)	\$339.25
Commissionaires (Traffic Control Expense)	\$828.00
CBCL (Professional Fees Expense)	\$593.17
Irving Oil Marketing (Gas Expense)	\$1,206.83
Kent (Parks & Playgrounds Expense)	\$132.48
NF Power (Hydro & Street Lighting Expense)	\$3,503.48
McDonald's Home Hardware (Parks & Playgrounds Expense)	\$10.91
Printer Tech Solutions (Office Expense)	\$112.70
Atlantic Home Furnishings (Cleaning Expense)	\$1,619.20
S&S Supply (Parks & Playgrounds Expense)	\$58.65
Canada Post (Postage Exp.)	\$529.00
City of St. John's (Garbage Exp.)	\$2,161.86
Hiscock Rentals (Parks & Playgrounds)	\$46.87
Stewart McKelvey (Professional Fees Expense)	<u>\$1,762.95</u>
TOTAL	\$13,839.63

TOWN OF PETTY HARBOUR/MADDOX COVE

REGULAR MEETING

MONDAY SEPTEMBER 14, 2020

This meeting took place at the community centre and all Covid protocols were in place. (The meeting was open to the public)

PRESENT: Sam Lee, Kimberly Orren, Sam Stack, Harry Chafe, Rick Raymond, Linda Hearn and Stephanie Stack

ABSENT: David Green

#		ITEM
1		Mayor Lee brought the meeting to order at 6:34 pm.
2		Minutes of August 31, 2020 were read. Motion #269 Harry Chafe/Sam Stack Proposed minutes of August 31, 2020 be approved. All in favor, motion carried.
	BUSINESS ARISING	
3		#4 Capital Works Project – Lift Stations The engineer is working on this project. It should go out to tender in the coming weeks.
4		#5 Old Maddox Cove Road Repairs The engineer is working on this project. It should go out to tender in the coming weeks.
5		#24 Staff checked on the streetlight by the stand on Long Run Road. The light is working.
6		#27 The work on the shoulders of the road were completed on August 13 th . The \$5,000.00 grant from the Department of Transportation and Works has been spent. There is a new section on the Main Road as you enter Maddox Cove that needs to be repaired. Staff will have this work completed this week.
7		#29 Staff sent an email to the Department of Transportation and Works regarding the guard rail on the Main Road close to 15-19 Main Road. No response to date. Staff will follow up with this request.
	TONIGHT'S AGENDA	
8		Application for an approval in principle to build a 12 x 20 x 12 extension to shed at 62C Main Road, Petty Harbour (App # A2020-101). The Inspections and Development Committee and staff have inspected the area and signed off on the application. The Harbour Authority have signed off on the application also. Councillor Chafe and Councillor Hearn noted that they are in a conflict of interest and abstained from comment or voting on the matter. Motion #270 Sam Stack/Kim Orren Proposed to approve the application for an approval in principle to build a 12 x 20 x 12 extension to shed at 62C Main Road, Petty Harbour (App # A2020-101) with the stipulation that it is approved by the Department of Environment. All in favor, motion carried.
9		Application to build a garage at 18 Hannaford's Lane (App #A2020-98). The Inspections and Development Committee and staff have inspected the area and signed off on the application. The application meets the regulation in the Residential Zone. Motion #271 Kim Orren/Harry Chafe Proposed to approve the application to build a garage at 18 Hannaford's Lane (App #A2020-98). All in favor, motion carried.
10		The old pick-up truck is currently in good running condition. Council agreed to keep the truck and use this winter. In the future, if the truck breaks down then council will decide if they will put any more money into it.

11		<p>Motion Bay Road Extension – Dynamic Engineering Council is looking into getting a second opinion from Dynamic Engineering on the scope of work and cost of repairs/drainage to Motion Bay Road Extension. Mayor Lee noted that Dynamic Engineering may have some different ideas or a more economical way to complete this project. Councillor Chafe asked why the town was pumping money into this road when there is no problem. He stated that the town should leave it as is because if the town does anything then they are liable. Mayor Lee noted that the cover over the town’s water line is eroding and the area needs to be ditched. Deputy Mayor Stack noted that council received a quote from a contractor about 3 years ago for approximately \$40,000 to have the road ditched. He stated that council now has a quote for approximately \$700,000. Deputy Mayor Stack stated that a second opinion is warranted. Deputy Mayor Stack also stated that council agreed at a previous meeting that council would apply for the road repairs on Motion Bay Road Extension in their next round of Capital Works applications. Councillor Chafe noted that the sewer extension on the Main Road in Maddox Cove has been a priority for Capital Works Projects for the past number of years and this is the project that should be applied for first. Mayor Lee noted that the town has been applying for the sewer extension on the Main Road in Maddox Cove but have not been successful. The CAO Stephanie Stack noted that each project must meet certain criteria. She noted that just because the town applies for these project does not mean they will be successfully. Criteria such as the number of residents that the project will affect and revenue it can generate. Mayor Lee noted that the cost breakdown for capital works is 50/50 for roads and 70/30 for water infrastructure. The CAO Stephanie Stack noted that the Motion Bay Road Extension upgrades may fall under roads and the town would have to prove that they can afford their share. It was noted that the town will meet with Dynamic Engineering and get their opinion on the project. If a report or further work is warranted, then it will be brought back to council for review.</p> <p>Motion #272 Sam Stack/Lynn Hearn Proposed to set up a meeting with Dynamic Engineering to get an opinion on Motion Bay Road Extension repairs. All in favor, motion carried.</p>
12		<p>Capital Works Projects – Application The 2021-2022 Capital Works Projects applications deadline is November 30. The CAO noted that there is a lot of behind the scenes work that needs to be completed to meet this deadline. Council may have to meet more frequently to meet this deadline.</p>
13		<p>Request to build a home at 23 Shore Lane There is currently no application put forward to council but the owner of the property has asked council if they see any issue with the property. There was some concern over the property not having direct access to Shore Lane and sharing a driveway. This was discussed at the last public meeting of council and it was noted that council has no issue with the shared driveway if the parties enter into a legally-binding driveway agreement with the new owners which would set out the terms of the use of the driveway and the sharing of costs associated with clearing and maintenance of it. The Driveway Agreement would be registered with the Registry of Deeds as part of the conveyance of the property. Deputy Mayor Stack noted that at the last meeting council did discuss the shared driveway but did not discuss the property fronting on Shore Lane. Deputy Mayor Stack noted that it was in the briefing notes from staff but council didn’t discuss. It was noted that the property does front on Shore Lane but does not have direct access to Shore Lane. Mayor Lee noted that 8.6.6 of the town regulations states that no more than one dwelling shall be permitted to share an access and driveway. He stated that the town plan also states an access is proposed to be shared, the Authority will require a signed agreement to be in place among those sharing the access prior to any approval. The owner of the property was present in chambers and stated she is requesting an approval prior to the agreement being in place as her other property has not been sold yet. It was noted that council would put a note on the property at 15-23 Shore Lane that no compliance letter will be issued until a driveway agreement was in place between the two properties. Council stated that the owner would have to put forward an application before they could approve a home to be built on the property.</p>
14		<p>Skinner’s Hill – One Way Deputy Mayor Stack noted that this pilot project worked very well this summer.</p> <p>Motion #273 Lynn Hearn/Rick Raymond Proposed to change back Skinner’s Hill to regular two-way traffic effective the end of September. All in favor, motion carried.</p>

15		<p>Ron Weir Memorial Ball Park and Sarah Chafe Memorial Playground – Survey This property is the only town property that has not been surveyed. It was noted that there was an issue last week where the town cut down some alders and a tree on the property adjacent to the park and playground (88 Motion Bay Road). Councillor Chafe noted that the town should replace the trees that were cut down in error. Mayor Lee noted that he did not know it was private property when he told the town’s foreperson to cut down the trees. The property owner, Dean Bidgood was present in chambers and stated that there was a red maple cut down along with some alders. Councillor Orren noted that she had no issue with council replacing the trees as council was in error cutting down the trees. Mr. Bidgood noted that he just wants the area back to the way it was with mature trees replanted. Councillor Hearn noted that the town can dig up alders in other areas on the town property and replant them on Mr. Bidgood’s property. Mayor Lee noted that this should be done as soon as possible.</p> <p>Motion #274 Kim Orren/Harry Chafe Proposed to get a survey completed on the Ron Weir Memorial Ball Park and Sarah Chafe Memorial Playground. All in favor, motion carried.</p>
16		<p>Letter from business owner Re: write-off of business tax from June – Dec. Staff contacted several communities in the area to see if they were giving businesses in their area any type of discount. None of the municipalities contacted were not writing off business taxes. Some municipalities were deferring interest for later in the year but not writing off taxes. Councillor Hearn noted that council cannot do this for one and not another. Councillor Orren noted that there are some government relief programs available to businesses. Councillor Orren also noted that municipalities are not in a position to write off business tax. Councillor Hearn noted that council could defer the interest on business tax until the new year. Councillor Orren noted that Covid-19 may be around for a long time yet and council cannot decide if a business stays open or not. Mayor Lee noted that if interest is not charged then residents will not pay. This could make it very difficult for the town to provide all the services to the community.</p> <p>Motion #275 Lynn Hearn/Sam Stack Proposed not to write off taxes as per request for the second half 2020. All in favor, motion carried.</p>
17		<p>Vacant Land water and/or Sewer Tax Deputy Mayor Stack noted that he has vacant land in the town and he would like council to vote if he is in a conflict of interest.</p> <p>Motion #276 Kim Orren/Harry Chafe Proposed Deputy Mayor Stack was in a conflict of interest when discussing or voting on this topic. No one was in favor. Motion defeated.</p> <p>Mayor Lee stated that there are a number of properties in the town that have water and/or sewer running past them that are not paying water and/or sewer tax. He stated that as per the Municipalities Act council has to charge water and/or sewer if water and/or sewer is accessible to the property. Deputy Mayor Stack noted that he is not in favor of this as most vacant land is owned by residents in the town that are already paying enough property tax. There was a long discussion on how council would be able to administer this and which vacant land would be charged.</p> <p>Deputy Mayor stated he agreed to charging vacant landowners’ water and/or sewer tax if they have no other property in the town. Councillor Orren noted that she had some concern over serviced/approved lots not being charged water and/or sewer tax.</p> <p>Motion #277 Harry Chafe/Kim Orren Proposed that any serviced lots or lots that are large enough to build a house be charged water and/or sewer tax. Mayor Lee, Councillor Chafe and Councillor Raymond in favor. Councillor Orren, Councillor Hearn and Deputy Mayor Stack not in favor. Motion defeated.</p> <p>After the vote there was a brief discussion on charging approved/serviced building lots water and/or sewer tax. The CAO noted that this would be easy to administer as these types of lots were easy to identify. Mayor Lee asked if anyone wanted to make a motion regarding serviced/approved building lots. No motion was made.</p>

18		<p>2020-2022 Snow Clearing Contract Council agreed that the upcoming contract will be for a two-year term. Council reviewed the contract and made the following changes to the contract:</p> <ul style="list-style-type: none"> - All dates to be changed throughout document - Schedule "A" Page 15 #5 to be changed to read "Upon the Town's request, Contractor shall remove any excessive snow by truck at the contractor's expense". - Schedule "A" Page 16 #10 to be changed to read "Contractor agrees that snow clearing and ice control in the Town of Petty Harbour/Maddox Cove will also include the following....." - Schedule "A" Page 16 #16 to be changed to read "Town will provide payment to Contractor once monthly upon receipt and acceptance of the monthly invoice at a time not later than the 15th of the month". - Schedule "A" Page 17 #18 to be change to two million dollars (\$2,000,000) public liability coverage. - Schedule "A" Page 17 "General Instructions" – "Old Road (formally known as Cove Hill)" changed to "Old Maddox Cove Road". - Schedule "A" Page 17 – "Specific Roadways: Appendix A" - Heading to be changed to "Specific Roadways/Areas: Appendix A" - Schedule "A" Page 17 "Specific Roadways: Appendix A" – change "The following is a list of roads to be snow cleared and salted and sanded:" to "The following is a list of roads and areas to be snow cleared and salted and sanded." - Schedule "A" Page 18 "Specific Roadways: Appendix A" – Add to end of the list of roads and areas "***Upon request by the town, Contractor shall remove any excessive snow on the community centre parking lot by truck at the contractor's expense". <p>Motion #278 Kim Orren/Rick Raymond Proposed to approve the 2020-2022 contract with changes as noted above and to go to tender. All in favor, motion carried.</p>
19		<p>Request to have interest wrote off – 39 Motion Bay Road Motion #279 Rick Raymond/Sam Stack Proposed to write off interest in the amount of \$23.04. Deputy Mayor Stack, Councillor Hearn, Councillor Chafe and Councillor Raymond in favor. Mayor Lee and Councillor Orren not in favor. Motion carried</p>
20		<p>The Foreperson's Report was tabled. Deputy Mayor Stack asked if council needs to move the parking shed to the depot as it may cause damage to it. Mayor Lee noted that there is concern that if it is left in the location it is that it may be damaged due to snow clearing and/or vandalism. Motion #280 Rick Raymond/Kim Orren Proposed to accept the Foreperson's Report. All in favor, motion carried.</p>
21		<p>Expense claim for Stephanie Stack in the amount of \$40.00 was tabled. Motion #281 Rick Raymond/Kim Orren Proposed expense claim for Stephanie Stack in the amount of \$40.00 be approved. All in favor, motion carried.</p>
22		<p>Expense claim for Matthew Chafe in the amount of \$157.14 was tabled. Motion #282 Sam Stack/Kim Orren Proposed expense claim for Matthew Chafe in the amount of \$157.14 be approved. All in favor, motion carried.</p>
23		<p>The cheque log was tabled. Motion #283 Harry Chafe/Rick Raymond Proposed the cheque log be accepted. All in favor, motion carried.</p>
24		<p>Bills in the amount of \$13,839.63 were tabled. Motion #284 Rick Raymond/Sam Stack Proposed to pay bills in the amount of \$13,839.63. All in favor, motion carried.</p>
	<p>NEW BUSINESS</p>	
25		<p>Councillor Hearn requested for recreation to start having their meeting at the community centre. It was noted that if council opens the centre for Recreation then it would have to be opened for other town committees. Councillor Hearn noted that if there is no one in the building 72 hours after their meeting then it would not have to be cleaned. Council agreed that Recreation could use the community centre for meetings only if they abide by all the Covid protocols.</p>

26		Councillor Hearn stated that it was brought to her attention that a resident was indicating that her driveway was being cleared before the main roads. Councillor Hearn wanted to make council aware that her driveway was not being done first.
27		New Bridge – resurfacing. Staff will check into this.
28		Shouldering of the road by 15-19 Main Road will be completed this week. Staff will contact the Department of Transportation and Works with regard to the shoulder of the road by Tinker’s Ice Cream Shop.
29		Deputy Mayor Stack asked if council should be asking for the minutes from a meeting of the Harbour Authority that reference their approval on buildings on the waterfront. Mayor Lee noted that the employee of the Harbour Authority is giving the town an email confirmation. He stated that the Harbour Authority does not meet regularly and approvals would be delayed.
30		Councillor Hearn asked when the town would be opening the community centre. It was noted that council will revisit this at the end of the month. Mayor Lee noted that if Recreation is not willing to take over the responsibility to oversee functions/rentals then it cannot happen as the town does not have the means to do so.
31		A finance meeting is scheduled for Wednesday September 23, 2020 at 7:00pm.
32		Members of council met with representatives from Newfoundland Power with regard to the issue of the river. There was some discussion on the berm by the town depot. It was noted that the lower side of the berm may not be owned by Newfoundland Power. Newfoundland Power will check on this and get back to the town.
33		Motion #285 Rick Raymond/Kim Orren Proposed meeting be adjourned. All in favor, motion carried. Meeting adjourned at 9:02pm.

Sam Lee, Mayor _____

Stephanie Stack, Chief Administrative Officer _____