

REGULAR MEETING
MONDAY SEPTEMBER 27, 2021

AGENDA

1. Minutes of September 13, 2021
2. Business Arising
3. Application to excavate area for parking area at 204 Main Road, Maddox Cove (A2021-64)
4. Application to build a 16 x 12 shed at 204 Main Road, Maddox Cove (A2021-63)
5. Application to build a greenhouse at 104 Motion Bay Road, Maddox Cove (A2021-62)
6. Application to operate a vinegar manufacturing business at 35B Southside Road (A2021-32)
7. Application to place fill at 27 Southside Road, Petty Harbour(A2021-66)
8. Application to operate a tourist accommodation at 94 Southside Road (A2021-60)
9. Application to build a 26 x 18 x 12.5 garage at 23 Hamlyn Heights (A2021-67)
10. Tax Collection Policy change
11. Email with regard to a new policy for providing personal information as per recommendation from the Privacy Commissioner's Officer
12. Letter requesting the town to recognize September 30 as National Day of Truth and Reconciliation.
13. Proposed amendment from the Town of Paradise to the St. John's Urban Region Regional Plan
14. Foreperson's Report
15. Expense Claims
16. Bills
17. New Business
18. Adjourn

BILLS

CBCL (Professional Fees Expense)	\$162.15
Bidgood's (Office Expense)	\$7.84
Bell Aliant (Telephone Expense)	\$589.66
Brenntag (Water Expense)	\$1,197.98
Bennett's Home Hardware (Cleaning & R&M Building Expense)	\$67.18
All Rock (Professional Services Expense)	\$4,355.07
Babb Security (R&M Building Expense)	\$41.40
Formac 2002 (Road Maintenance Expense)	\$4,715.00
Kent (Sewer Expense)	\$95.42
Impact Signs (Election Expense)	\$74.75
Modern Printing (Election Expense)	\$263.35
Stewart McKelvey (Professional Fees Expense)	\$12,958.61
The Business Post (Election Expense)	\$103.40
Town of Conception Bay South (Project Partnership Expense)	\$1,074.97
SNC Lavalin (Professional Fees Expense)	\$2,252.56
Rogers (Office Expense)	\$194.66
Modern Paving (Road Maintenance)	\$150.96
Bennett's Home Hardware (R & M Building)	\$43.77
Printer Tech Solutions (Office Exp.)	\$169.05
Chandler (Cleaning Supplies)	\$464.06
Babb Security (R & M Building)	<u>\$138.00</u>
TOTAL	\$29,119.84

TOWN OF PETTY HARBOUR/MADDOX COVE

REGULAR MEETING

MONDAY SEPTEMBER 27, 2021

PRESENT: Sam Lee, Sam Stack, David Green, Kim Orren, Lynn Hearn and Stephanie Stack

ABSENT: Harry Chafe and Rick Raymond

#	ITEM
1	Mayor Lee brought the meeting to order at 6:37pm.
2	Minutes of September 13, 2021 were tabled. Motion #274 Kim Orren/Lynn Hearn Proposed minutes of September 13, 2021 be approved. All in favor, motion carried.
	BUSINESS ARISING
3	#5 The paving is complete.
4	#7 The sewer overflow will be completed in the next week or so.
5	#8 The owner of the property at 33 Motion Bay Road was notified with regard to the persistent rodent issue at the property. The property owner stated they would address the issue.
6	#12 The property at 36B Long Run Road has been cleaned up. There is a little debris left on the property but the owner has informed the town that it will be removed today (Sept.27). There was some discussion with regard to the concrete footprint that remains on the property. Staff will send a letter to the resident asking what he will be doing with the footprint.
7	#21 The town has not heard back from the property owner of 54-56 Cribbies Road with regard to deeding and registering the new right of way and clearing the right of way/footpath.
8	#29 Staff sent two emails to Dynamic Engineering to see if the information for the Climate Lens has been forwarded.
9	#30 Council agreed that the Tidy Towns sign that blew down during the storm would not be put back up as this government program has been discontinued and the sign is old.
10	<p>#34 Follow up on Gas Tax allocation \$201,504.00 Allocation up to 2024 \$231,331.94 Amount currently in bank account \$99,899.00 Loan Amount transferred from regular acct \$532,734.94 Total -\$99,899.00 Less loan amount to be paid back to our regular account \$432,835.94 -\$334,761.00 Cost for repairs to Old Maddox Cove Road (Less HST Rebate) \$98,074.94 Left to use up to 2024 (allocated but will only be issued once the town has an approved Gas Tax Project) Councillor Orren noted that the town should have another road as there is currently only one road throughout the community. Motion #275 Sam Stack/Kim Orren Proposed that the town apply to the Gas Tax Secretariat to use the \$98,074.94 to replace most of the \$100,000.00 council took from Motion Bay Road Extension to address the culvert and road issues on Old Maddox Cove Road. The \$100,000 was originally allocated by the town to upgrade and ditch Motion Bay Road Extension, to ensure that the main water line leading to Maddox Cove is properly safeguarded. This was to protect the main water line leading to Maddox Cove from freezing during extreme cold weather conditions which could potentially leave the Maddox Cove portion of the community without water.</p> <p>Councillor Orren noted that it would be difficult to bind a new council to this. Mayor Lee noted that the drainage issue must be fixed first. Mayor Lee stated that the current application for the Gas Tax is for drainage and the town needs to hear back from this first to see if they will be approved for this project.</p> <p>Councillor Hearn and Deputy Mayor Stack in favor. Mayor Lee, Councillor Green and Councillor Orren not in favor. Motion defeated.</p>

	TONIGHT'S AGENDA	
11		<p>Application to excavate area for parking area at 204 Main Road, Maddox Cove (A2021-64). This application was inspected and approved by the Inspections and Development Committee. Councillor Chafe was the person who did the inspection with staff and was not present in chambers to answer any questions. The CAO called the town foreman to have a few questions answered. The foreman noted that there is a curb stop in this area that they have not located yet. The foreman also stated that the area was not pegged out when they inspected it. Councillor Green stated that the area should be pegged off and the curb stop identified before council votes on the application. Mayor Lee stated that if there is damage done to the curb stop that it would be at the applicant's expense. Mayor Lee noted that there is a stream in the area that needs to be considered when inspecting the property.</p> <p>Motion #276 David Green/Kim Orren Proposed to defer this application until the area is marked out and inspected again and the curb stop in the area is identified. All in favor, motion carried.</p>
12		<p>Application to build a 16' x 12' x 7' shed at 204 Main Road, Maddox Cove (A2021-63)</p> <p>This application was inspected and approved by the Inspections and Development Committee and meets the regulation for accessory buildings in the residential zone.</p> <p>Motion #277 Sam Stack/Lynn Hearn Proposed to approve the application to build a 16 x 12 shed at 204 Main Road, Maddox Cove (A2021-63). All in favor, motion carried.</p>
13		<p>Application to build a greenhouse and relocate fence at 104 Motion Bay Road, Maddox Cove(A2021-62). This application was inspected and approved by the Inspections and Development Committee and meets the regulation for accessory buildings in the residential zone. Councillor Orren noted that the plot plan on the application was not filled out. Councillor Orren noted that previous applications were deferred because the plot plan was not filled out correctly. Mayor Lee noted that the greenhouse is plotted on the survey.</p> <p>Motion #278 Sam Stack/Lynn Hearn Proposed to approve the application to build a greenhouse and relocate a fence at 104 Motion Bay Road, Maddox Cove(A2021-62). All in favor, motion carried.</p>
14		<p>Application to operate a vinegar manufacturing business at 35B Southside Road (A2021-32). This application was sent out to the public for comment. There were no comments received. Mayor Lee and Councillor Hearn were in a conflict of interest therefore there was no longer a quorum to vote on the application.</p>
15		<p>Application to place fill at 27 Southside Road, Petty Harbour (A2021-66). Mayor Lee left chambers at 7:35pm due to a conflict of interest. This application was inspected and approved by the Inspections and Development Committee. Councillor Orren asked if this filled in area would be used for a parking space. It was not noted on the application what the area would be used for. Councillor Orren asked if there was any concern over water going onto the neighbouring property. As Councillor Chafe inspected the area and was not present at the meeting, the CAO called the town foreman to ask some questions. Councillor Orren asked the foreman if he had any concerns with infilling causing water/drainage issues on the neighbouring property. The foreman noted that the application stated that the applicant will only be placing 2-3 loads of fill in the area so there should be no issue with water or drainage.</p> <p>Motion #279 Lynn Hearn/Kim Orren 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> <p>Mayor Lee returned to chambers at 7:47pm.</p>
16		<p>Application to operate a tourist accommodation at 94 Southside Road (A2021-60)</p> <p>Motion #280 Sam Stack/Kim Orren Proposed for the application to go out to the public for comment as it is a new business application. All in favor, motion carried.</p>
17		<p>Application to build a 26' x 18' x 12.5' garage at 23 Hamlyn Heights (A2021-67)</p> <p>This application was inspected and approved by the Inspections and Development Committee and meets the regulation for accessory buildings in the residential zone.</p> <p>Motion #281 Kim Orren/David Green Proposed to approve the application to build a 26' x 18' x 12.5' garage at 23 Hamlyn Heights (A2021-67). All in favor, motion carried.</p>
18		<p>Tax Collection Policy</p> <p>Motion #282 Kim Orren/Sam Stack</p>

		Proposed to change the tax fee for water disconnection and reconnection on evenings and weekends to match the tax schedule. All in favor, motion carried.
19		Email with regard to a new policy for providing personal information as per informal recommendation from the Privacy Commissioner's Officer. Councillor Green noted that if the town develops a policy, it should be called a transparency policy. Mayor Lee noted that council should have the names of persons making a complaint because councils needs this information to determine if they are in a conflict of interest or not when speaking and/or voting on a topic. Mayor Lee also stated that the town should have a policy in place with regard to this. Deputy Mayor Stack stated that staff should draft a policy for the next council. Motion #283 Sam Stack/Lynn Hearn Proposed for staff to draft a Policy stating that council will be privy to names of complainants in line with the recommendation of the Privacy Commissioner's Officer. All in favor, motion carried.
20		Letter requesting the town to recognize September 30 as National Day of Truth and Reconciliation. Motion #284 Kim Orren/David Green Proposed for the town to declare September 30 as National Day of Truth and Reconciliation and to order a flag. All in favor, motion carried.
21		Proposed amendment from the Town of Paradise for changes to the St. John's Urban Region Regional Plan. Council had no comment with regard to these changes.
23		Foreperson's Report The Foreperson's Report was tabled. Guardrail on Motion Bay Road – Defer until next meeting Request from Foreman to purchase 200' of fire hose in order for staff to be able to clean out culverts and the lift stations. Motion #285 David Green/Sam Stack Proposed to purchase 200' of fire hose at a cost not to exceed \$1,040.00 plus tax (Staff to get three quotes). All in favor, motion carried. There was some discussion with regard to the painting of the lines on the side roads throughout the community. Deputy Mayor Stack noted that it was a little late in the season to start this. The CAO noted that the reason it was late starting was because staff were waiting for the paving to be completed. It was agreed that the town would move forward with the line painting. Culvert on Cribbies Road to be removed. The foreman noted that the town should first investigate who owns the culvert and if it is on private property before it is removed. Staff will check into this with the property owner. Motion #286 Kim Orren/David Green Proposed the foreman's report be accepted. All in favor, motion carried,
24		Expense Claim Expense claim in the amount of \$159.38 for Stephanie Stack was tabled. Motion #287 Kim Orren/Lynn Hearn Proposed expense claim in the amount of \$159.38 for Stephanie Stack be approved. All in favor, motion carried.
25		Bills in the amount of \$29,119.84 were tabled. Motion #288 Sam Stack/ Kim Orren Proposed to pay bills in the amount of \$29,119.84. All in favor, motion carried.
	NEW BUSINESS	
26		Councillor Orren asked if the town should be requiring CORE Certification from the local contractor that do work in the town. It was noted that this is a requirement for projects that are government funded. The CAO noted that most smaller companies do not have this as the cost to have it implemented and to keep the certification is substantial. It was also noted that the cost of the projects usually increases when CORE Certification is required.
27		Councillor Orren -Regional Wayfinding Project. Staff sent around an email to council with an update on the Regional Wayfinding Project. Portugal Cove/St. Philip's is currently doing a pilot project. It was noted that the project was focusing more on non-profit attractions in the community instead of for profit. Councillor

		Orren noted that she would be happy to give the new council an update on this project.
28		Swale on Skinner's Hill The foreman informed council that he would like the engineer that was on the Skinner's Hill Project to have a look at the crack in the swale on Skinner's Hill as the foreman stated it may be a bigger problem than it appears. Council agreed to call the engineer to investigate the issue.
29		Removal Order for 10D Main Road, Petty Harbour. Councillor Orren left chambers at 8:53pm due to a conflict of interest. The CAO informed council that there is currently an appeal with regard to the refusal of the application to build a chain link fence at this property. The CAO asked council if they will be moving forward with the removal order as the extension to have the posts removed was up on September 20, 2021. Documentation from the appeal states that "Immediately upon notice of the registration of an appeal the appropriate authority shall ensure that any development upon the property that is the subject of the appeal ceases". Councillor Green stated that council should wait until the appeal is dealt with before having the posts removed as the regulations state that no further work can commence. Deputy Mayor Stack stated that council made a decision to have the posts removed and they should be removed now that the extension timeframe is up. Mayor Lee stated that if the applicant is successful with the appeal, then the posts have to stay so why not wait and see what happens with the appeal. Councillor Green noted that council should abide by the Provincial Regulations. Mayor Lee noted council should extend the extension to have the posts removed until after the appeal is dealt with. Motion #289 David Green/Lynn Hearn Proposed to extended the extension to have the post removed at 10D Main Road, Petty Harbour until there is a resolution from the appeal. Councillor Green and Mayor Lee in favor. Councillor Hearn and Deputy Mayor Stack not in favor. Motion defeated. Staff will check with Municipal Affairs to see if the town has the authority to have the posts taken down considering there is an appeal in process. Councillor Orren returned to chambers at 9:05pm.
30		The CAO thanked council for their service to the town and wished the nominees for this election good luck.
31		Mayor Lee and Councillor Green thanked all of council for their service and dedication to the town.
37		Motion #290 Sam Stack/Kim Orren Proposed meeting be adjourned. All in favor, motion carried. Meeting adjourned at 9:13pm.

Sam Lee, Mayor _____

Stephanie Stack, Chief Administrative Officer _____