

REGULAR MEETING #20 December 15, 2015

A Regular Meeting of Council convened in the Council Chambers at 7:00 p.m. in the presence of Mayor Steve Tessier, Councillors, Chief Administrative Officer, Dan Noseworthy, Deputy Clerk Gail Pomroy, Director of Planning and Development, Elaine Mitchell, Director of Finance, Liz Davis, Director of Recreation and Leisure Services, David Tibbo, Director of Engineering and Public Works, Jennifer Manuel, and Director of Economic Development and Tourism, Jennifer Lake.

1. ADOPTION OF AGENDA AND MINUTES

a. Adoption of meeting agenda of December 15, 2015

Resolution #15-460
Councillor Connors/Councillor Tilley

Be it so resolved that the agenda of the meeting of December 15, 2015 be adopted as presented.

- carried unanimously

b. Adoption of minutes of meeting of December 1, 2015

Resolution #15-461
Councillor Tilley/Councillor Murphy

Be it so resolved that the minutes of the meeting of December 1, 2015 be adopted as presented.

- carried unanimously

Councillor Bent noted that his comments pertaining to the budget presentation were not included in the minutes of December 1, 2015. He was advised that commentary during the meetings are not recorded and that the minutes are not electronically recorded. Following a brief discussion it was the consensus of the Committee to defer this matter to the Administrative Services Committee for discussion.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

Nil

**4. RECOMMENDATIONS OF PLANNING & DEVELOPMENT COMMITTEE
(Chair, Councillor Beverley Rowe)**

Transferred from Privileged Meeting #23

1. Telecommunications Tower – Legion Road, Kelligrews

**Resolution #15-462
Councillor Rowe/Councillor Connors**

Be it so resolved that the Town enter into an agreement with Bell Mobility to lease land for a telecommunication tower in the Gateway.

- 7 yeas
- 1 nay (Tessier)
- motion carried

Presentation of recommendations of meeting held December 7, 2015

1. Honorary Naming - New Fire Hall

**Resolution #15-463
Councillor Rowe/Councillor Youden**

Be it so resolved that the day room in the new Fire Station be named in honour of Patrick J. Murphy.

- 7 yeas
- 1 abstention
(Murphy)
- motion carried

Councillor Murphy declared a conflict of interest with this item as Patrick J. Murphy was his brother. He vacated the Chamber at 7:06 p.m. and returned at 7:08 p.m.

2. Accessory Building – 12 Calvin Manor Road

Resolution #15-464
Councillor Rowe/Deputy Mayor George

Be it so resolved that Council exercise its discretion under section 4.6 of the Town's Development Regulations and refuse an application for use of a truck trailer as an accessory building as it is visually unappealing and its placement is contrary to Section 5.3.1(2) of the Town's Development Regulations.

- carried unanimously

3. Residential Application – Dicks Place/Pottles Lane

Resolution #15-465
Councillor Rowe/Councillor Murphy

Be it so resolved that the application to develop property at 299B Conception Bay Highway be refused as the lot does not front onto a street constructed to Town standards as required in section 5.15 of the Town's Development Regulations.

- carried unanimously

4. Proposed Residential Development – 6-22 Stage Head Road

Resolution #15-466
Councillor Rowe/Councillor Tilley

Be it so resolved that Council exercise its discretion under section 4.6 of the Town's Development Regulations and refuse an application to subdivide property at 6-22 Stage Head Road to accommodate a dwelling on an additional unserviced lot as it does not result in an orderly development pattern, and the subdivision of property, in this manner, is contrary to Section 5.14(2) of the Town's Development Regulations.

- 7 yeas
- 1 abstention
(Youden)
- motion carried

Councillor Youden declared a conflict of interest with this matter due to family who reside on this road. He vacated the Chamber at 7:13 p.m. and returned at 7:14 p.m.

5. Order – 45 Peacock Place

Resolution #15-467
Councillor Rowe/Councillor Murphy

Be it so resolved that the Town proceed to demolish 45 Peacock Place, Foxtrap, in accordance with the order issued on August 13, 2015, by abating any hazardous material, demolishing the building, and making the property safe, with all costs to be charged back to property tax account.

- carried unanimously

6. Planning and Development Committee Meeting Report

Resolution #15-468
Councillor Rowe/Councillor Tilley

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of December 7, 2015, be accepted as presented.

- 7 yeas
- 1 abstention
(Youden)
- motion carried

Councillor Youden declared a conflict of interest with this item as he resides on Hopewell Gardens. He vacated the Chamber at 7:16 p.m. and returned at 7:17 p.m.

The Planning and Development Committee Meeting Report of December 7, 2015, contains the following recommendations:

1. Proposed Street Name – Off Wintergreen Road, Chamberlains

Recommendation:

Be it so resolved that **Gardner Drive** be adopted as the new street name for the residential subdivision off Wintergreen Road, Chamberlains.

2. Sale of Town Owned Land – 14 Dannic Place, Foxtrap

Recommendation:

Be it so resolved that the Town retain the parcel of land on Dannic Place for future use.

3. Sale of Town Owned Land – 37 Legion Road, Kelligrews

Recommendation:

Be it so resolved that the Town retain the parcel of land on Legion Road for future use.

4. Crown Land – Fire Hill Crescent

Recommendation:

Be it so resolved that the Town not support an application to acquire Crown Land, adjacent to 22 Firehill Crescent, as the property is located in a Rural Zone which does not permit development for residential use.

5. Rescind Order – 43 Peacock Place, Foxtrap

Recommendation:

Be it so resolved that the Order issued at 43 Peacock Place, Foxtrap, be rescinded as compliance has been achieved.

**5. RECOMMENDATIONS OF ENGINEERING & PUBLIC WORKS COMMITTEE
(Chair, Councillor Richard Murphy)**

Presentation of recommendations of meeting held December 8, 2015

**1. Award of Tender 15-22 - Purchase of One (1) New 2015 or Newer
Ride-On Vibrating Roller Compactor**

Resolution #15-469
Councillor Murphy/Councillor Tilley

Be it so resolved that approval be given to award Tender 15-22 Purchase of One (1) 2015 or Newer Ride-On Vibrating Roller Compactor to Madsen Construction Equipment for the tender bid price of \$40,615.00 taxes included. Funds to be taken from account #01-301-5000-8025.

- carried unanimously

2. Ratification for PO # 2015-5029

Resolution #15-470
Councillor Murphy/Councillor Connors

Be it so resolved, that approval be given to Quality Truck and Trailer Repairs to ratify PO #2015-5029 in the amount of \$12,804.23, plus HST. Funds to be taken from account 01-301-1000-5415.

- carried unanimously

3. Engineering and Public Works Committee Meeting

Resolution #15-471
Councillor Murphy/Deputy Mayor George

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of December 8, 2015, be accepted as presented.

- 7 yeas
- 1 nay (Bent)
- motion carried

Councillor Bent expressed disappointment that the Town will not consider expanding the services of snow clearing for private lanes. Mayor Tessier

requested the matter be referred back to the Engineering and Public Works Committee.

Transferred from Privileged Meeting #23

1. Prime Consultant Agreement – Lawrence Pond Brook Stormwater Management Plan (2014-2017 MYCW)

Resolution #15-472

Councillor Murphy/Councillor Connors

Be it so resolved that subject to approval from the Department of Municipal and Intergovernmental Affairs, approval be given for the Town of Conception Bay South to enter into a Prime Consultant Agreement with Bae Newplan Group Ltd. for the Lawrence Pond Brook Stormwater Management Plan, funded through the 2014 – 2017 Multi Year Capital Works program.

- 7 yeas
- 1 abstention (Murphy)
- motion carried

Councillor Murphy declared a conflict of interest with this matter as he resides in the area affected. He vacated the Chamber at 7:23 p.m. and returned at 7:25 p.m.

6. RECOMMENDATIONS OF RECREATION & LEISURE SERVICES COMMITTEE (Chair, Councillor Paul Connors)

Transferred from Privileged Meeting #23

1. Tender 15-18 Purchase and Delivery of Three (3) New Softball/Baseball Scoreboards

Resolution #15-473

Councillor Connors/Councillor Youden

Be it so resolved that approval be given to award Tender 15-18 for Purchase and Delivery of Three (3) New Softball/Baseball Scoreboards to Clarke's Electronics Limited of Mount Pearl, Newfoundland and Labrador in the amount of \$30,502.35, plus HST. This amount falls within the

\$105,000 grant awarded to the Town of Conception Bay South by the Department of Seniors, Wellness and Social Development in aid of the 2016 Newfoundland and Labrador Summer Games. Funds are available in account number 01-700-5060-8055.

- carried unanimously

2. Tender 15-19 Purchase and Installation of Acoustic Paneling for Conception Bay South New Stadium

Resolution #15-474
Councillor Connors/Councillor Rowe

Be it so resolved that approval be given to award Tender 15-19 Purchase and Installation of Acoustic Paneling for the Conception Bay South New Stadium to Canadian AV Inc. (68327) of St. John's, Newfoundland and Labrador in the amount of \$85,523.12, plus HST. This amount is cost shared with Atlantic Canada Opportunities Agency, the Department of Business, Tourism, Culture and Recreation Department and the Town of Conception Bay South. The cost to the Town is \$32,413.26 plus HST and funds are available in the Arena Project funding.

- 7 yeas
- 1 abstention
(Youden)
- motion carried

Councillor Youden declared a conflict of interest with this item as he works with the Department of Business, Tourism, Culture and Recreation. He vacated the Chamber at 7:27 p.m. and returned at 7:30 p.m.

3. Tender 15-20 Purchase and Delivery of Pipe and Drapery for Conception Bay South New Stadium

Resolution #15-475
Councillor Connors/Councillor Tilley

Be it so resolved that approval be given to award Tender #15-20 for the Purchase and Delivery of Pipe and Drapery for Conception Bay South New Stadium to Short Atlantic Inc. of Mount Pearl, Newfoundland and Labrador in the amount of \$76,890, plus HST. This amount is cost shared with Atlantic Canada Opportunities Agency, the Department of Business, Tourism, Culture and Recreation Department and the Town of Conception

Bay South. The cost to the Town is \$29,141.31, plus HST and funds are available in the Arena Project funding.

- 7 yeas
- 1 abstention
(Youden)
- motion carried

Councillor Youden declared a conflict of interest with this item as he works with the Department of Business, Tourism, Culture and Recreation. He vacated the Chamber at 7:27 p.m. and returned at 7:30 p.m.

4. Tender 15-21 Purchase and Delivery of Portable Stage & Accessories for Conception Bay South New Stadium

Resolution #15-476
Councillor Connors/Councillor Rowe

Be it so resolved that approval be given to award Tender 15-21 Purchase and Delivery of Portable Stage & Accessories for Conception Bay South New Stadium to StageRight Corporation of Clare, Michigan, USA in the amount of \$75,990.12, plus HST. This amount is cost shared with Atlantic Canada Opportunities Agency, the Department of Business, Tourism, Culture and Recreation Department and the Town of Conception Bay South. The cost to the Town is \$28,800.26, plus HST and funds are available in the Arena Project funding.

- 7 yeas
- 1 abstention
(Youden)
- motion carried

Councillor Youden declared a conflict of interest with this item as he works with the Department of Business, Tourism, Culture and Recreation. He vacated the Chamber at 7:27 p.m. and returned at 7:30 p.m.

5. Tender 15-23 Purchase of One New Electronic Timing Equipment – CBS Recreation Complex

Resolution #15-477
Councillor Connors/Councillor Tilley

Be it so resolved that approval be given to award Tender 15-23 for the Purchase of One Electronic Timing System – CBS Recreation Complex to Team Aquatics Supplies Limited of North Vancouver British Columbia in the amount of \$35,890.30, plus HST. This amount falls within the \$105,000 grant awarded to the Town of Conception Bay South by the Department of Seniors, Wellness and Social Development in aid of the 2016 Newfoundland and Labrador Summer Games. Funds are available in account number 01-700-5061-8055.

- carried unanimously

Presentation of recommendations of meeting held December 8, 2015

1. Tender – Playground Equipment

Resolution #15-478
Councillor Connors/Councillor Bent

Be it so resolved that approval be granted for the Town of Conception Bay South to call tender for the supply of playground equipment for the various open space sites being developed/upgraded throughout the Town. Monies in trust for open space development will be used for this purchase.

- carried unanimously

2. Recreation and Leisure Services Committee

Resolution #15-479
Councillor Connors/Councillor Murphy

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of December 8, 2015 be accepted as presented.

- carried unanimously

7. RECOMMENDATIONS OF FINANCIAL & ADMINISTRATIVE SERVICES COMMITTEE (Chair, Ken George)

Transferred from Privileged Meeting #23

1. Approval to Pay – Councillor Remuneration – 2016 Fiscal Year

Resolution #15-480

Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given for the disbursement of Councillor Remuneration as per the Municipalities Act for the 2016 fiscal year as per the following schedule:

April 8, 2016	1 st Quarter Remuneration
July 15, 2016	2 nd Quarter Remuneration
October 7, 2016	3 rd Quarter Remuneration
December 2, 2016	4 th Quarter Remuneration

- carried unanimously

2. Non-Union Compensation

Resolution #15-481

Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given for a 4% increase to the non-union salary grid effective January 1, 2016.

- carried unanimously

3. Library

Resolution #15-482

Deputy Mayor George/Councillor Youden

Be it so resolved that approval be given to enter into a Lease Agreement with the NL Public Libraries Board for a library to be constructed at Remembrance Square.

- carried unanimously

**4. Payment of Invoice
Grand Concourse Authority – ATV Bypass Staging Area**

**Resolution #15-483
Deputy Mayor George/Councillor Connors**

Be it so resolved that approval be given to pay the Grand Concourse Authority for work completed on the ATV Bypass Staging Area in the amount of \$107,861.33, HST included. Funds are available in Capital Out of Revenue.

- carried unanimously

Presentation of recommendations of meeting held December 9, 2015

1. Accounts Payable Cheque Register

**Resolution #15-484
Deputy Mayor George/Councillor Rowe**

Be it so resolved that approval be given to pay cheques totaling \$1,102,433.40 as per the attached Accounts Payable Cheque Register Report.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

**Resolution #15-485
Deputy Mayor George/Councillor Murphy**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$830,905.64 as per the attached report.

- carried unanimously

3. Ratification of Direct Payments Previously Released

Resolution #15-486
Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to ratify direct payments previously released totaling \$133,887.25 as per the attached report.

- carried unanimously

4. Capital Invoices

Resolution #15-487
Deputy Mayor George/Councillor Tilley

Be it so resolved that approval be given to pay capital invoices totaling \$1,205,329.87 as listed in the Financial Services Minutes of December 9, 2015.

- carried unanimously

5. Tax and Other Receivables Adjustments

Resolution #15-488
Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to adjust tax and other receivables accounts as follows:

L&CDE001	\$843.34
PINNA002	\$1,008.07

- carried unanimously

6. West Fire Station Security Requirements

Resolution #15-489
Deputy Mayor George/Councillor Connors

Be it so resolved that approval be given to ratify the purchase of an Access Control and CCTV System for the new Fire Station from Babb

Security Systems at a cost of \$33,886.00 plus HST. Funds are available in the capital project account.

- carried unanimously

7. Rescind Seniors' Discount Policy

Resolution #15-490

Deputy Mayor George/Councillor Connors

Be it so resolved that Policy 014 – Seniors' Discount Policy be rescinded.

- carried unanimously

8. Amendment to Policy 074 – Senior Citizens Tax Reduction Policy

Resolution #15-491

Deputy Mayor George/Councillor Connors

Be it so resolved that the Senior Citizens Tax Reduction Policy be accepted as presented.

- carried unanimously

9. Aquatics Supervisor

Resolution #15-492

Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to confirm Aaron Noseworthy in the position of Aquatics Supervisor as per the terms and conditions outlined in the contract letter of October 27, 2014.

- carried unanimously

10. Donation Policy

Resolution #15-493
Deputy Mayor George/Councillor Connors

Be it so resolved that approval be given to adopt the Donation Policy as presented.

- carried unanimously

11. Acting Chief Administrative Officer

Resolution #15-494
Deputy Mayor George/Councillor Rowe

Be it so resolved that Gail Pomroy be appointed as Acting Chief Administrative Officer in the absence of the Chief Administrative Officer.

- carried unanimously

12. Town Clerk

Resolution #15-495
Deputy Mayor George/Councillor Connors

Be it so resolved that Gail Pomroy be appointed to the position of Town Clerk as per the terms and conditions of the employment contract.

- carried unanimously

13. Correspondence – Conception Bay Family Resource Program

Resolution #15-496

Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given for a \$1,300 in-kind donation to the Conception Bay Family Resource Program. Funds are available in account #01-101-1000-7705.

- carried unanimously

14. Financial and Administrative Services Committee Report

Resolution #15-497

Deputy Mayor George/Councillor Murphy

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of December 9, 2015 be accepted as presented.

- carried unanimously

The Financial and Administrative Services Committee Report of December 9, 2015 contains the following recommendations:

1. Approval to Release Cheques and Make Payments during Holiday Period

Recommendation:

Be it so resolved that approval be granted to issue cheques and make payments from December 16, 2015 to January 18, 2016. Cheques released during this period will be ratified at the Council meeting of January 19, 2016.

8. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE (Chair, Councillor Darrin Bent)

Presentation of recommendations of meeting held December 7, 2015

1. Invest Canada Community Initiatives Agreement Amendment

Resolution #15-498
Councillor Bent/Councillor Tilley

Be it so resolved that approval be given to amend the 2015 Contribution Agreement with the Department of Foreign Affairs and International Trade Canada to include an additional \$3,000 to develop promotional materials to support projects managed under the umbrella of Enterprise Conception Bay South.

- carried unanimously

2. Youth Business Tax Incentive Program - DanSing Performance Studio

Resolution #15-499
Councillor Bent/Councillor Connors

Be it so resolved that approval be given to include DanSing Performance Studio in the Town's Youth Business Tax Incentive Program.

- carried unanimously

3. Economic Development and Tourism Committee Report

Resolution #15-500
Councillor Bent/Councillor Murphy

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of December 7, 2015 be accepted as presented.

- carried unanimously

9. OTHER COMMITTEE REPORTS

a. NEAJC

Councillor Bent hosted the latest meeting here in Conception Bay South. They discussed the opportunities for municipalities within the New Building Canada fund.

b. Visions Employment

Councillor Youden stated he attended a meeting with Visions Employment on December 14, 2015.

c. Regional Water Services Committee

Councillor Murphy advised that he attended the most recent meeting held in St. John's. He noted that a three year forecast for water usage does not project any significant increase.

10. NEW BUSINESS

Councillor Murphy

attended the Atlantic Business Conference and Expo. The conference had many interesting and informative sessions. He acknowledged Program Supervisor, Carla Hodder, who had attended with him.

Councillor Tilley

congratulated most recent MHAs in the November 30, 2015 provincial election and thanked Premier Davis and other MHAs for their service.

Councillor Bent

stated that he had attended the Seniors' Christmas social. He congratulated staff and the Youth Advisory Committee for another successful event.

attended the 2nd Annual Riley Mercer Toy Drive. He noted that it was a big success with hundreds of donations.

Councillor Connors

reminded residents of the Tim Horton's New Years Skate and stated that the Youth Advisory Committee are collecting donations for their Christmas turkey drive.

Councillor Youden

noted that there have been many vehicle break ins and encouraged residents not to keep valuables in vehicles.

Mayor Tessier

thanked the Directors for their efforts this year. He noted the significant changes experienced and thanked staff for their patience and understanding. He also expressed appreciation to Acting Chief Administrative Officer, Gail Pomroy and welcomed Dan Noseworthy.

11. ADJOURNMENT

The meeting adjourned at 8:10 p.m.

Resolution #15-501
Councillor Tilley/Councillor Rowe

Be it so resolved that the meeting adjourn.

- carried unanimously

Steve Tessier
Mayor

Gail Pomroy
Town Clerk