

# **REGULAR MEETING #01**

## **January 19, 2016**

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, Director of Economic Development and Tourism, Jennifer Lake and Acting Fire Chief John Heffernan.

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### **1. ADOPTION OF AGENDA AND MINUTES**

#### **a. Adoption of meeting agenda of January 19, 2016**

##### **Resolution #16-001** **Councillor Youden/Councillor Rowe**

Be it so resolved that the agenda of the meeting of January 19, 2016 be adopted as presented.

- carried unanimously

#### **b. Adoption of minutes of meeting of December 15, 2015**

##### **Resolution #16-002** **Councillor Tilley/Councillor Murphy**

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

- carried unanimously

### **2. BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

**3. VISITORS, PRESENTATIONS AND PETITIONS**

**1. Council Travel – June – December 2015**

<b>Name</b>	<b>Reason for Travel</b>	<b>Amount</b>
Gerard Tilley	World Conference on Disaster Mgmt - Toronto, ON	\$2,258.74
Ken McDonald	MNL - UMC Meeting in Port Aux Basque, NL	\$1,484.43
Darrin Bent	MNL Annual Conference, Gander, NL	\$1,322.98
Gerard Tilley	MNL Annual Conference, Gander, NL	\$1,538.27
Richard Murphy	Athletic Business Conference & Expo, New Orleans, Louisiana	\$2,628.84

Councillor Bent noted that travel expenses include all costs such as registration fees.

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

Councillor Rowe reviewed the 2015 building statistics for the information of Council.

Presentation of recommendations of meeting held January 11, 2016

**1. Fence – 358 Dunns Hill Road, Foxtrap**

**Resolution #16-003  
Councillor Rowe/Councillor Murphy**

Be it so resolved that the application for a fence at 358 Dunns Hill Road, Foxtrap, be refused on the basis that the applicant is not the owner as required by section 4.7 of the Development Regulations.

- carried unanimously

**2. Correspondence – 632 Conception Bay Highway, Kelligrews**

**Resolution #16-004**  
**Councillor Rowe/Councillor Bent**

Be it so resolved that the an amendment to the Municipal Plan and Development Regulations redesignating and rezoning land at 632 Conception Bay Highway, Kelligrews, from Residential Medium Density (R-2) to Commercial General (C-2) be prepared and that the public consultation process be initiated.

- carried unanimously

**3. Planning and Development Committee Meeting Report**

**Resolution #16-005**  
**Councillor Rowe/Councillor Tilley**

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of January 11, 2016, be accepted as presented.

- carried unanimously

**The Planning and Development Committee Meeting Report of January 11, 2016, contains the following recommendation:**

**1. Discretionary Use – 4 Woodpath Road, Chamberlains**

**Recommendation:**

Be it so resolved that an application for a small engine repair shop at 4 Woodpath Road as a home occupation in an accessory building be permitted subject to:

- Compliance with the Town's Development Regulations; and
- Restriction of operating hours to Monday to Saturday from 8 am to 6 pm only.

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

Councillor Youden provided information pertaining to the Town's snow clearing operations.

Presentation of recommendations of meeting held January 12, 2016

**1. Engineering and Public Works Committee Meeting**

**Resolution #16-006**

**Councillor Youden/Deputy Mayor George**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of January 12, 2016, be accepted as presented.

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

**The Engineering and Public Works Committee Meeting of January 12, 2016, included the following recommendations:**

**1. Take into General Revenue – Water and Sewer Security Deposit**

**Recommendation:**

Be it so resolved that water and sewer security deposit in the amount of \$1,650.00 be taken into general revenue as per the owner's request.

Location	Receipt #	Date	Amount
422 Dunns Hill Road	155361	January 14, 2014	\$1,650.00

**2. Ratification for PO # 2016-0109**

**Recommendation:**

Be it so resolved, that approval be given to Toromont Cat to ratify PO #2016-0109 in the amount of \$8,747.05, plus HST. Funds to be taken from account 01-301-1000-5415.

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

Presentation of recommendations of meeting held January 12, 2016

**1. Tender Call – Purchase of New Infield Groomer**

**Resolution #16-007**

**Councillor Connors/Councillor Murphy**

Be it so resolved that approval be given for the Town of Conception Bay South to call tender for the purchase of a new Infield Groomer.

- carried unanimously

**2. Recreation and Leisure Services Committee**

**Resolution #16-008**

**Councillor Connors/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of January 12, 2016 be accepted as presented.

- carried unanimously

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

**Transferred from Privileged Meeting #01**

**1. Award of Tender 15-17 – Protective Clothing**

**Resolution #16-009**

**Deputy Mayor George/Councillor Rowe**

Be it so resolved that approval be given to award Tender 15-17, Protective Clothing, to the following companies:

BrenKir Industrial Supply - \$21,061.29  
McLoughlan Supplies Limited - \$16,315.62  
Factory Footwear - \$15,441.68  
Chandler - \$5,786.28  
Acklands Grainger - \$4,057.21  
RDM Industrial - \$2,056.60

Funds are available in account #01-205-1000-4110 and 01-205-1000-4115.

- carried unanimously

Presentation of recommendations of meeting held January 12, 2016

**1. Accounts Payable Cheque Register**

**Resolution #16-010**

**Deputy Mayor George/Councillor Connors**

Be it so resolved that approval be given to pay cheques totaling \$391,594.14 as per the attached Accounts Payable Cheque Register Report.

- carried unanimously

**2. Ratification of Manual Cheques Previously Released**

**Resolution #16-011**

**Deputy Mayor George/Councillor Rowe**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$1,487,000.81 as per the attached report.

- carried unanimously

**3. Ratification of Direct Payments Previously Released**

**Resolution #16-012**

**Deputy Mayor George/Councillor Tilley**

Be it so resolved that approval be given to ratify direct payments previously released totaling \$172,614.13 as per the attached report.

- carried unanimously

**4. Capital Invoices**

**Resolution #16-013**

**Deputy Mayor George/Councillor Connors**

Be it so resolved that approval be given to pay capital invoices totaling \$3,267,664.45 as listed in the Financial Services Minutes of January 12, 2016.

**AND FURTHER:**

Be it so resolved that approval be given to ratify capital invoices in the amount of \$778,742.30 as listed in the Financial Services Minutes of January 12, 2016.

- carried unanimously

**5. Tax and Other Receivables Adjustments**

**Recommendation:**

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

BSLAD001            Request Denied

-            DEFERRED

**6. Donation Request – Queen Elizabeth Regional High Underwater Robotics Team**

**Resolution #16-014**

**Deputy Mayor George/Councillor Youden**

Be it so resolved that approval be given for an in-kind donation in the amount of \$500 to the Queen Elizabeth Regional High School Underwater Robotics Team. Funds are available in account #01-101-1000-7705.

-            carried unanimously

**7. Municipalities Newfoundland and Labrador and Professional Municipal Administrators – Membership Fee**

**Resolution #16-015**

**Deputy Mayor George/Councillor Connors**

Be it so resolved that approval be given to pay membership fees for 2016 for Municipalities Newfoundland & Labrador and Professional Municipal Administrators in the amount of \$16,880.20. Funds are available in account 01-101-1000-7035.

-            carried unanimously



**8. FCM – Federation of Canadian Municipalities**

**Resolution #16-016**

**Deputy Mayor George/Councillor Tilley**

Be it so resolved that approval be given for payment of the 2016 membership fee of the Federation of Canadian Municipalities in the amount of \$3,880.84. Funds are available in account #01-101-1000-7035.

- carried unanimously

**9. Humane Services**

**Resolution #16-017**

**Deputy Mayor George/Councillor Rowe**

Be it so resolved that the Town renew its contact with Devonshire Pet Memorial Services. Funds are available in account number 01-202-1000-7205.

- carried unanimously

**10. Financial and Administrative Services Committee Report**

**Resolution #16-018**

**Deputy Mayor George/Councillor Rowe**

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of January 12, 2016 be accepted as presented.

- carried unanimously

**The Financial and Administrative Services Committee Report of January 12, 2016 contains the following recommendations:**

**1. Revise Town's Signing Authorities**

**Recommendation:**

Be it so resolved that

1. THAT **ROYAL BANK OF CANADA** ("Royal Bank") is appointed banker for the Customer.
2. THAT

**ANY ONE OF:** Steve Tessier (Mayor), Ken George (Deputy Mayor), Beverly Rowe (Councillor), Richard Murphy (Councillor)

**AND**

**ANY ONE OF:** Dan Noseworthy (Chief Administrative Officer), Gail Pomroy (Town Clerk), Liz Davis (Director of Finance)

are authorized on behalf of the Customer from time to time:

- (a) to withdraw or order transfers of funds from the Customer's accounts by any means including the making, drawing, accepting, endorsing or signing of cheques, promissory notes, bills of exchange, other orders for the payment of money or other instruments or the giving of other instructions;
- (b) to sign any agreements or other documents or instruments with or in favour of Royal Bank, including agreements and contracts relating to products or services provided by Royal Bank to the Customer; and
- (c) to do, or to authorize any person or persons to do, any one or more of the following:

- (i) to receive from Royal Bank any cash or any securities, instruments or other property of the Customer held by Royal Bank, whether for safekeeping or as security, or to give instructions to Royal Bank for the delivery or other transfer of any such cash, securities, instruments or other property to any person named in those instructions;
  - (ii) to deposit with or negotiate or transfer to Royal Bank, for the credit of the Customer, cash or any security, instrument or other property, and for those purposes to endorse (by rubber stamp or otherwise) the name of the Customer, or any other name under which the Customer carries on business, on any security or instrument;
  - (iii) to instruct Royal Bank, by any means, to debit the accounts of third parties for deposit to the credit of the Customer; and
  - (iv) to receive statements, instruments and other items (including paid cheques) and documents relating to the Customer's accounts with or any service of Royal Bank, and to settle and certify the Customer's accounts with Royal Bank.
3. That all instruments, instructions, agreements (including contracts relating to products or services provided by Royal Bank) and documents made, drawn, accepted, endorsed or signed (under the corporate seal or otherwise) as provided in this Resolution and delivered to Royal Bank by any person, shall be valid and binding on the Customer, and Royal Bank is hereby authorized to act on them and give effect to them.

4. That Royal Bank be furnished with:
  - (a) a copy of this Resolution; and
  - (b) a list of the names of the persons authorized by this Resolution to act on behalf of the Customer, and with written notice of any changes which may take place in such list from time to time, and with specimens of the signatures of all such persons;
  - (c) in writing, any authorization made under paragraph 2(c) of this Resolution.
5. That any document furnished to Royal Bank as provided for in paragraph 4 of this Resolution shall be binding upon the Customer until a new document repealing or replacing the previous one has been received and duly acknowledged in writing by the branch or agency of Royal Bank where the Customer has its account.

## **2. BORROWING RESOLUTION – FIRE STATION PROJECT**

### **Recommendation:**

BE IT THEREFORE RESOLVED by the Corporation as follows:

1. That the Mayor or Deputy Mayor with the Chief Administrative Officer or the Director of Administrative and Financial Services of the Corporation be and they are hereby authorized under the seal of the Corporation to borrow from the Bank the sum of \$1,951,548 plus interest at a rate of 3.61% (indication rate to a maximum indication rate of 3.75%) as the same is required to meet the capital expenditure of the Corporation when said expenditure has been duly authorized by the Council.
2. That the said Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services aforesaid, be and they are hereby authorized to sign all cheques drawn on the amount into which the funds are deposited.

3. That the said borrowing shall have an initial term period not exceeding 10 years and a total amortization period not exceeding 25 years from date of the initial drawdown.
4. That the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services of the Corporation be given from time to time as required, in security for the amounts borrowed under the provision of this resolution.
5. That the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness.

**3. BORROWING RESOLUTION – NEW TOWN HALL PROJECT**

**Recommendation:**

BE IT THEREFORE RESOLVED by the Corporation as follows:

1. That the Mayor or Deputy Mayor with the Chief Administrative Officer or the Director of Administrative and Financial Services of the Corporation be and they are hereby authorized under the seal of the Corporation to borrow from the Bank the sum of \$2,500,000 plus interest at a rate of 3.61% (indication rate to a maximum indication rate of 3.75% as the same is required to meet the capital expenditure of the Corporation when said expenditure has been duly authorized by the Council.
2. That the said Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services aforesaid, be and they are hereby authorized to sign all cheques drawn on the amount into which the funds are deposited.
3. That the said borrowing shall have an initial term period not exceeding 10 years and a total amortization period not exceeding 25 years from date of the initial drawdown.
4. That the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services of the Corporation be

given from time to time as required, in security for the amounts borrowed under the provision of this resolution.

5. That the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness.

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

Presentation of recommendations of meeting held January 11, 2016

**1. 2016 Conservation Corps Green Team Program**

**Resolution #16-019**  
**Councillor Bent/Councillor Youden**

Be it so resolved that approval be given for the Town to contribute \$6,000 for the purpose of hiring eight youth to comprise two Conception Bay South Parks Commission Green Teams for 2016, pending a partnership with Conservation Corps Newfoundland and Labrador. Funds are available in account number 01-503-1000-5099.

- carried unanimously

**2. National Trails Coalition – Additional Funding for T’Railway Phase III**

**Resolution #16-020**  
**Councillor Bent/Councillor Tilley**

Be it so resolved that approval be given to ratify the signing of a Revised Funding Agreement with the National Trails Coalition representing the allocation of an additional \$14,826.85 towards the development of the T’Railway Phase III, for total project funding of \$34,759.85.

- carried unanimously

**3. Economic Development and Tourism Committee Report**

**Resolution #16-021**  
**Councillor Bent/Councillor Connors**

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of January 11, 2016 be accepted as presented.

- carried unanimously

**9. RECOMMENDATIONS OF FIRE, ENFORCEMENT AND PUBLIC SAFETY COMMITTEE (Chair, Councillor Kirk Youden)**

**1. Approval to Call Tender – Fire Department Self Contained Breathing Apparatus (SCBA) Spare Cylinders**

**Resolution #16-022**  
**Councillor Youden/Councillor Murphy**

Be it so resolved that approval be given to call a tender for the supply and delivery of Self Contained Breathing Apparatus (SCBA) Spare Cylinders for the Conception Bay South Fire Department.

- carried unanimously

**2. Fire, Enforcement and Public Safety Committee Report**

**Resolution #16-023**  
**Councillor Youden/Councillor Murphy**

Be it so resolved that the recommendations/decisions made at the Fire, Enforcement and Public Safety Committee Meeting of January 12, 2016 be accepted as presented.

- carried unanimously

Councillor Youden reported on the first meeting of this new Committee. He provided an overview of agenda discussions.

Mayor Tessier welcomed Acting Fire Chief to the meeting.

**10. OTHER COMMITTEE REPORTS**

Nil

**11. NEW BUSINESS**

**Deputy Mayor George**

stated that the tax bills have been mailed and noted that he has received calls from residents pertaining to the discontinued Seniors' Discount. He advised that most were understanding when the options available to them were explained. He advised that Council are currently discussing this matter for the 2017 budget. He advised that the Town has a Low Income Policy that is available to all low income residents regardless of age.

**Councillor Youden**

agrees with moving to a needs based program and noted that Council will continue to look for an equitable system for all residents.

noted that discussions were held at the Fire, Enforcement and Public Safety Committee pertaining to residents who do not apply for permits when developing/building in Town.

**Councillor Murphy**

noted that he has also received calls pertaining to the former Seniors' Discount.

congratulated Shannon Duff with The Shoreline News for the recent article on the new Kelligrews Fire Station.

**Councillor Connors**

also commented on the former Seniors' Discount and supported the requirement of moving to the needs based system.

mentioned the upcoming Winterfest and noted that the schedule will be available on the



Town's website and will be advertised in local media.

**Councillor Bent**

commented on the Seniors' Discount and noted that the province has committed to reviewing the assessment system. He noted that the Town is committed to reviewing all expenditures in an effort to keep taxes lower in the future.

**Councillor Tilley**

also commented on the Seniors' Discount and stated that he feels that while the discontinuation of the discount was not happily accepted by the residents, it was necessary.

wished luck to the four candidates in the upcoming by-election.

**Councillor Rowe**

stated that she would like to increase assistance to feral cats in Town. She requested Councillor Youden address this matter at an upcoming Fire, Enforcement and Public Safety Committee.

reminded residents that there is a public hearing for the proposed amendments to the Town's Development Regulations on January 27, 2016. This amendment pertains to backlot development.

**Mayor Tessier**

congratulated the Public Works department for the snow clearing efforts today.

stated that he will continue to lobby the provincial government for different taxation methods so that municipalities do not have to rely on property tax.

stated that he will request the provincial government to review Peace Keepers Way as

there have been too many vehicle accidents on this road.

requested that residents treat the staff of the Town of Conception Bay South with respect. No resident has the right to abuse staff while they are trying to do their jobs. The Town of Conception Bay South will not tolerate this behavior.

## 12. ADJOURNMENT

The meeting adjourned at 7:57 p.m.

**Resolution #16-024**  
**Councillor Rowe/Councillor Tilley**

Be it so resolved that the meeting adjourn.

- carried unanimously

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Steve Tessier  
Mayor

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Gail Pomroy  
Town Clerk