

TOWN OF BAULINE

MINUTES OF A REGULAR COUNCIL MEETING HELD AT 1311 BAULINE LINE 30 October 2013

PRESENT

M.H.A. Kevin Parsons
Mayor Christopher Dredge
Deputy Mayor Colin LeGrow
Councillor Craig LeGrow
Councillor Jason King
Town Manager Craig Drover

REGRETS

Councillor Carol King

PUBLIC IN ATTENDANCE

Mr. Darin Butler
Mr. Clarence Bindon

1.0 CALL TO ORDER

Mayor C. Dredge Welcomed M.H.A. Kevin Parsons to the meeting and called the meeting to order at 7:40 pm.

M.H.A. Parsons thanked Council for the opportunity to attend a Bauline Town Council Meeting and briefly elucidated to Council upcoming regional projects. There was a brief discussion on the New Town Hall Capital Works Project currently ongoing within Bauline, and the M.H.A praised Bauline on its accomplishments over the past six months.

2.0 ADOPT AGENDA

Councillor Craig LeGrow moved to **ADOPT** the agenda as presented.

Seconded by Councillor Jason King
All in favour.

Motion **CARRIED**

3.0 ADOPT the MINUTES

3.1 Minutes of **9 October 2013**

Deputy Mayor Colin LeGrow moved to **ADOPT** the minutes of 9 October 2013 as presented.

Seconded by Councillor Jason King
All in favour.

Motion **CARRIED**

As the minutes of **9 October 2013** have been adopted by Council, The Mayor and Town Manager signed the original copy of the minutes.

4.0 BUSINESS ARISING FROM MINUTES

There were no business items arising from previous minutes discussed.

In Accordance with item 4.0 of the 25 September 2013 Town Council Minutes, the Mayor Departed from the Order and sequence of the AGENDA and directed council to item 7.1

7.1 Town Hall / Memorial Park - Capital Works Project 11057

Council was informed that the Tender Documents for the construction of the New Town Hall were released to the public with an original close date of 4 November 2013. The Town was approached and requested to delay the close of tenders until 18 November 2013 in order that at least two additional companies could bid on the project. In an effort to secure maximum bids the Town did authorize the extension.

As Mr. Darin Butler and Mr. Clarence Bindon were present and had requested to address Council in previous correspondence, the Mayor then directed Council to item 5.2.1

5.2.1 Presentation by Darrin Butler and Clarence Bindon regarding fear of development across from their property contaminating their wells.

Mr. Butler addressed council with his concern that a recent development across the road from his and Mr. Bindon's property has the potential in contaminating their wells, and possibly the wells in the surrounding area. He stated that, although not a long term resident of Bauline, he was aware that the property adjacent to the current development used to contain old vehicle wrecks and that some were still visible. He was also informed that others were buried in the ground. He went on to state that he has been having his drilled well tested on a regular basis. For the first time in his six years as a residence of Bauline, he had to treat his well for an undetermined reason. He will re-test his well in the near future. His concerns surrounded the following;

- was council aware of the situation?
- what is being done to mediate the potential problem?
- who would be responsible if there was a contamination of the wells in the area and the subsequent de-valuing of the property?

The Mayor and Council informed Mr. Butler and Mr. Bindon that they have been aware of the situation for some time. The parcel of

property being developed was formally Crown Land that was adjacent to a known “wreck site”. The Mayor had contacted and discussed the situation with a Waste Management Consultant in the Service NL division of Municipal Affairs in July 2013. At that time the Town was informed that development of private property could not be stopped based on “potential” contamination. Service NL would not get involved unless there was physical evidence of contamination and that metal car parts did not constitute hazardous material. They recommended that the Town monitor the site and if any signs of contamination presented itself, then to notify Service NL and they would act. The Town Manager was directed, at that time, to periodically inspect the development site for signs of hazardous material. The Town Manager confirmed that he had inspected the site on numerous occasions but did not discover any physical hazardous material. Mr. Butler was requested to inform council of the results of his future well tests. Mr. Butler agreed.

Regarding the issue of responsibility, Council informed Mr. Butler and Mr. Bindon that in the worst case scenario, if it came to the contamination of the aquifer, then the burden of assigning responsibility would rest with the court system and insurance companies.

When requested to guarantee the security of the water source in that area, the Mayor responded that a 100% guarantee could not be provided, but he was confident that the Town of Bauline was exercising due diligence and doing what it could to mediate the situation.

The Mayor thanked Mr. Butler and Mr. Bindon for raising their concerns. Mr. Butler and Mr. Bindon thanked Council for the opportunity to voice their concerns directly to council and departed.

The Mayor Returned Council to the Order and sequence of AGENDA

5.0 APPLICATIONS AND CORRESPONDENCE

5.1 Applications

5.1.1 Business/Vendor – Mobile Take Out – Scott and Chester King –

Upon review of previous minutes, documentation and the letters and comments from the discretionary public notice which ended 18 October 2013:

Councillor Craig LeGrow moved to **APPROVE IN PRINCIPLE** the Business application for a Mobile Take Out to operate at the back of Chester Kings Property at 29 Main Street as presented by Chester and Scott King. This approval in principle is conditional upon:

- Receiving an approved Business/Vender permit from the Town of Bauline;
- Applicant meeting all provincial and health regulations and legislation regarding operating a food business;
- Vender Permit Fees being incorporated into the current schedule of taxes and fees and said fees being agreed upon and paid by the applicant;
- The mobile take out is to be located on Mr. Kings property and not public property;
- All business waste to be removed by owner and not discarded as part of household garbage;
- Hours of operation of the unit is to be confirmed and agreed upon by council;
- The Mobile Take Out is to remain “mobile” and not permanently established in one location.

Seconded by Councillor Jason King.
one in favour.

Mayor Christopher Dredge Opposed to the proposed location due to a response of the public consultation.

Motion **CARRIED**

5.1.2 Business – Dog Kennel – Lee-Ann Hillier

A review of previous minutes concerning this application was conducted. The presentation documentation and other correspondence between the applicant and the Town confirmed to council that their primary concerns of noise and roaming loose animals were satisfactorily addressed. With no written or verbal comments received from the discretionary letters to neighboring households which was dispatched 1 October 2013:

Deputy Mayor Colin LeGrow moved to **APPROVE IN PRINCIPLE** the Business application for a Kennel Service to operate at 1222 Bauline Line as presented by Lee-Ann Hillier. This approval in principle is conditional upon:

- Ms. Hillier meeting all provincial regulations and legislation regarding animal care and kennel services;

- Receiving an approved Development Application from the Town of Bauline to construct the accessory building and kennel at the rear of the property;
- The kennel must have a double gated enclosure;
- The kennel should have its own electrical panel and be insulated to maintain heat and reduce noise;
- An eight foot privacy fence is to be erected around the accessory building;
- No more than 12 animals will be on the premises at any given time;
- All animals on the premises are to be in good health;
- Animals must be supervised at all times when outside their kennel;
- All waste associated with the kennel business is to be disposed of by the business and not part of household waste.
- The measurements of accessory buildings must be verified by the Town Official for compliance with the town of Bauline's Municipal Plan and Development Regulations 2007-2017

Seconded by Councillor Craig LeGrow
All in favour

Motion **CARRIED**

5.1.3 Development – Justin Taylor – move accessory building onto newly purchased property.

Upon review of the Application.

Deputy Mayor Colin LeGrow moved to **APPROVE IN PRINCIPLE** the development application to place a pre-built 10 x 10 accessory building at 21 Bauline Line Extension as presented by Mr. Justin Taylor.

Seconded by Councillor Craig LeGrow
All in favour.

Motion **CARRIED**

5.2 Correspondence

5.2.1 Presentation by Darrin Butler and Clarence Bindon regarding fear of development across from their properties contaminating their wells.

This Item was previously addressed

- 5.2.2 Municipal Assessment Agency – Council reviewed correspondence concerning a one day workshop 3 Dec in St. John’s regarding improving the Property Assessment System was reviewed by Council. No nominations were put forward
- 5.2.3 Conception Bay South - This is a response to Bauline’s Municipal Plan and Development Regulations Amendment number 4. No issues or concerns were noted by the Town of Conception Bay South.
- 5.2.4 Town of Petty Harbour/Maddox Cove - This is a response to Bauline’s Municipal Plan and Development Regulations Amendment number 4. No issues or concerns were noted by the Town of Petty Harbour/Maddox Cove.
- 5.2.5 Memorial University – Correspondence listing courses regarding Public Sector Leadership and Management Development Program was reviewed by council. No nominations were put forward
- 5.2.6 Joyce MacKay – Correspondence from Mrs. MacKay requesting to develop land on the “Gully Path” was reviewed by Council. A discussion arose concerning future plans for the development of that area. Council decided to defer this matter to the Planning and Development Committee with the idea of developing a concept plan for that area.
- 5.2.7 Municipal Assessment Agency – Council reviewed this correspondence which reflects the 2014 assessment fee for Bauline at \$6748.00.
- 5.2.8 Department of Municipal Affairs – Council reviewed this Circular regarding proposed 2014/2015 Municipal Capital Works Program & multiyear program. It states that the deadline for 2014/2015 capital works projects is 13 December 2013. With a capital works project currently in progress council decided against applying for another project this year.
- 5.2.9 Holy Trinity Regional High School – This is an invitation for the Mayor to attend the annual graduation exercises and awards night ceremony for Thursday 14 November, commencing at 6:55 pm. The Mayor will confirm at a later date.
- 5.2.10 Department of Municipal Affairs – Council reviewed this circular number 2 regarding proposed 2014/2015 Municipal Capital Works Program & multiyear program. This provides Administrative details concerning Item 5.2.8 above.

- 5.2.11 City of Mount Pearl - This is a response to Bauline's Municipal Plan and Development Regulations Amendment number 4. No issues or concerns were noted by the City of Mount Pearl.
- 5.2.12 Town of Paradise – This is a response to Bauline's Municipal Plan and Development Regulations Amendment number 4. The Town of Paradise does not support this proposed amendment. The town Planner has been contacted and the letter reviewed. The process remains the same; all information will be passed to the Minister of Municipal affairs for adjudication.
- 5.2.13 Town of Portugal Cove-St. Phillip's – This is a response to Bauline's Municipal Plan and Development Regulations Amendment number 4. No issues or concerns were noted by the Town of Portugal Cove – St. Phillip's.
- 5.2.14 Institute of Municipal Assessors (IMA) / International Property Tax Institute (IPTI) – This invitation to take part in a two day seminar 20 & 21 Nov was reviewed by council. The objective of the seminar is to provide the attendee with a better understanding of the fundamentals and principles of the highest and best use analysis regarding appraisal process of property. No nominations were put forward.

6.0 NEW BUSINESS

6.1 Report from Town Manager

- 6.1.1 Town Signage - The Town Manager reported that the new "Welcome to Bauline" signs have been ordered and should be here in a couple of weeks. In preparation, brush cutting for the location of these signs as well as other town signs is under way. Once the welcome signs arrive digging will be done over a two day period to install signs that require individual posts.
- 6.1.2 Bauline Flags - Upon reviewing the quote for the purchase of Bauline Flags:

Deputy Mayor Colin LeGrow moved to **PURCHASE** 25 Bauline Flags size 27" x 54" and 25 Bauline Flags size 6" x 9" at a cost not to exceed \$1,312.00. Several flags will be held for special occasions and the remainder will be offered to residents of Bauline for purchase.

Seconded by Councillor Craig LeGrow
All in favour

Motion **CARRIED**

- 6.2 Water Update - Council was informed that the suspected leak has still not presented itself. Location efforts will have to commence in the near future.
- 6.3 Fall Clean Up - The Fall Clean-up Flyer has been dispatched. Around the Bay disposal will start collecting at 9:00 am 5 November 2013. Volunteers will go through the community Saturday 2 November 2013 and collect any wooden materials placed at the curb by residents.
- 6.4 Bonfire Night – Bonfire night is scheduled for 5 November 2013 at the Harbour Front Quarry commencing at 6:30 pm. The venue has changed from previous years due to the construction of the Town Hall at Memorial Park. Council reviewed the Main Events List for the event and noted concerns and challenges associated with holding the event at this location. Safety of all attendees is a primary focus of preparation for the event.
- 6.5 Remembrance Day – This event is scheduled for 11 November 2013 commencing at 10:45 am at the War Memorial outside the Bauline United Church. The Main Events List was reviewed by council.
- 6.6 Christmas Parade – The annual Bauline Christmas Parade is scheduled for 7 December 2013. Floats are to line up at the beginning of Bauline Line Extension at 2:00 pm and the Parade shall commence at 2:30 pm. The RNC Mounted division is scheduled to be there. A call for volunteers to assist in the planning, preparation, coordination and conducting the parade was sent to all residents.
- 6.7 Snow Clearing Contract – The 2013/2014 Snow Clearing Contract was reviewed by Council, as well as the quote provided by Kinsella's Landscaping. A few minor changes were made to the contract, after which:

Councillor Jason King moved to **AWARD IN PRICIPAL** the 2013/2014 Snow Clearing and Ice Control Contract to Kinsella Services based upon the quote provided. The Contract (15 Nov 13 – 15 Apr 14) will be in effect upon receiving all required documentation as detailed within the contract, and duly signed by the Town's Designate and the Contractor.

Seconded by Councillor Craig LeGrow
All In favour

Motion **CARRIED**

- 6.8 Waste Removal Contract – Council discussed the option of extension to the Waste Removal Contract currently held by Around the Bay Disposal. The current contract has a provisional option to extend the contract in one year increments for up to three years. The current contract will expire 31

December 2013. After discussion and given the service provided by Around the Bay, Council confirmed that it was not necessary to tender a new contract. The Town Manager was directed to provide the necessary staff work to extend the current contract with Around the Bay Disposal for an additional year.

- 6.9 Next Public Meeting – After a short discussion Council agreed that the next public meeting should be scheduled early in the new year.
- 6.10 Speed Limits and electronic data sign - A discussion arose concerning the speeds of vehicles on the Bauline Line. Councillor Craig LeGrow suggested that the electronic data collection signs be installed to gather usable data. A dialog continued as to the method of renting, buying etc. a data sign. M.H.A. Kevin Parsons informed council that the Town of Torbay possesses its own data collection sign and that perhaps they would loan it to the Town of Bauline. The Mayor thanked the M.H.A. for his input and requested the Town Manager look into the matter.
- 6.11 Hosting Neighboring Councils – Deputy Mayor Colin LeGrow recommended that the Town of Bauline host a meet and greet for the councils of Bauline, Flatrock and Pouch Cove. After a short discussion, all were in agreement. Details will be promulgated at a later date.

7.0 OLD BUSINESS

- 7.1 Previously addressed
- 7.2 Old Town Hall – The Town Manager presented council with quotes to have the roof shingles, floor tiles and light fixture heat shields containing asbestos abated in the old Town Hall. The town is still awaiting quotes to re-shingle the roof or place plywood over the old shingles followed by new shingles. Council reviewed the quotes provided but noted that before a decision can be made as to the future of the old Town Hall all proposed courses of action need to be researched.
- 7.3 Civic Address assignment on Bauline Line Extension – the civic numbering on Bauline Line continues to progress. Canada Post has been engaged. There will be an effort to coordinate civic address with house numbers once received from the Municipal Assessment Agency.
- 7.4 Wetland Stewardship – The flyer concerning the Wetland Stewardship was dispatched to Baulines residents. Council requested that the Town Manager liaise with Charmaine Barney to coordinate the next step in the process leading to a wetland stewardship agreement with the Provincial Government.

7.5 Municipal Plan and Development Regulation Amendment update

AMENDMENT # 2 – Council was informed that his amendment is currently with Municipal Affairs awaiting release of St. John’s Urban Region Regional Plan, after which a public hearing will be scheduled.

AMENDMENT # 3 – Council was informed that the signed copies of the adopted amendments have been dispatched to Planner. This will be sent to Minister to have the amendment registered and placed in the Gazette after which it will be in effect. It was noted that this amendment also allows the new zone Residential Rural (RR) for subdivisions.

AMENDMENT # 4 – Council was informed that a letter was received from the Town of Paradise (reviewed at item 5.2.12) that does not support this amendment. The public notice ad will run in the 2 November 2013 edition of the Telegram.

8.0 FINANCES

8.1 Financial Statement

After review of the Financial Statement by Council;

Deputy Mayor Colin LeGrow moved to **ACCEPT** the Financial Statement as presented

Seconded by Councillor Craig LeGrow
All in favour

Motion **CARRIED**

8.2 Outstanding Payables

After review of the Outstanding Payables by Council;

Deputy Mayor Colin LeGrow moved to **PAY** the Outstanding Payables as presented

Seconded by Councillor Craig LeGrow
All in favour

Motion **CARRIED**

9.0 COMMITTEE REPORTS

9.1 Planning and Development Committee

A Planning and Development report of 21 October 2013 was presented by its members. After which the Town Manager was directed to liaise with the Town Planner regarding amending the Town Plan and Development

Regulations 2007-2017 regarding the criteria of the current length of a cul-de-sac. Council is interested in expanding the maximum length of a cul-de-sac from 300 m to 490 m as well as eliminate the requirement for an emergency access route.

9.2 Recreation Committee

The recreation committee will schedule its initial meeting with the intent of coordinating the Christmas Parade.

9.3 Finance Committee

A Budget meeting will be scheduled after the next Council Meeting.

9.4 History & Heritage Committee

There was no committee report submitted.

9.5 Emergency Response Committee

There was no committee report submitted.

9.6 Integrated Community Sustainability Plan (ICSP)

Mayor Christopher Dredge reported on the ICSP meeting held 29 October 2013. The Mayor asked council if they supported the idea of the three towns of Bauline, Flatrock and Pouch Cove solicit bids for common professional services such as; a Lawyer, an Engineer and an Auditor. After a short discussion all were in agreement for the towns to research the proposal with an option to opt out of any agreement if deemed unsuitable for the town of Bauline. Deputy Mayor Colin LeGrow voiced his opinion that in all such financial matters we should strive to find a common financial formula by town and percentage of how much each will contribute. Mayor Dredge went on to ask if the minutes from the ICSP meetings should be tabled at Council Meetings. All were in agreement.

9.7 Northeast Avalon Joint Council Committee (NEAJC)

There was no committee report submitted.

10.0 NEXT GENERAL MEETING

The Mayor scheduled the Next General Meeting for **20 November 2013 at 7:30 pm**

11.0 ADJOURNMENT

Prior to Adjournment, the Mayor thanked M.H.A. Kevin Parsons for attending this Council Meeting. This was echoed by all council members.

M.H.A. Parsons, acknowledged and returned the sentiment.

Deputy Mayor Colin LeGrow moved to **ADJOURN** the meeting of 30 October 2013.

Seconded by Councillor Jason King
All in favour

Motion **CARRIED**

As there was no further business to discuss, Mayor C. Dredge adjourned the meeting at 11:05 pm.

Christopher Dredge
Mayor
Town of Bauline

Craig Drover
Town Manager
Town of Bauline