



**Minutes of a Regular Meeting
of The Town Council of Pouch Cove held
Monday, January 7, 2013**

Present: Mayor Sarah Patten
Deputy Mayor Kevin Connors

Councillors:

J. Mulley
W. Butt
R. Furlong
J. Sainsbury

Regrets: Councillor A. Murrin

Also present: Barbara Tilley – Town Manager
Jacqueline Berkshire - Town Clerk

1. CALLED TO ORDER

Mayor Patten called the meeting to order at 6:30 p.m.

2. ADOPTION OF THE AGENDA

13-001 Motion: W. Butt/K. Connors

Motion to approve the Agenda as presented with the following changes.

Items L-O moved to A-D

Motion Carried Unanimously

3. ADOPTION OF THE MINUTES

Regular Meeting of Council Monday, December 10, 2012.

13-002 Motion: J. Mulley/K. Connors

Motion to approve the minutes of Regular meeting of council held on Monday, December 10, 2012 as presented with the following errors and omissions.

- Motion *12-394* on page 3 - incorrectly noted as 12-393
- Page 4 “K” – Correspondence from Anglican Parish of Pouch Cove/Torbay regarding cleaning of the parish Hall – *For information*
- Page 4 “L” – Email from Matthew Cooper regarding Councils recent decision regarding the cleaning of the Parish Hall – *For information*
- Page 5 – *“Deputy Mayor Connors spoke to Mr. Kavanagh’s Quote in the amount of \$194,970.00 which includes \$50,000.00 as open space provided was only 0.442 of an acre and this is cash in lieu of area deficiency 0.558 of an acre.”*

Motion Carried Unanimously.

4. BUSINESS ARISING

No New Business

5. DEVELOPMENT APPLICATIONS

(1) Jason Biddiscombe – Development Application Single Family Dwelling.

13-003 Motion: J. Sainsbury/J. Mulley

Motion to defer to Town Planner, Reg Garland for review and comment due to building line setbacks. Application will be placed on the agenda of the next Public Council Meeting on January 28, 2013 with Mr. Garland’s comments.

Motion Carried Unanimously.

(2) Todd LeGrow – Development Application Accessory Building

13-004 Motion: K. Connors/J. Mulley

Motion to approve Development Application as presented to erect a 12’ x 16’ Accessory Building at 9 Welch’s Road.

Motion Carried Unanimously.

(3) Jeremy Whey – Development Application Accessory Building

13-005 Motion: J. Mulley/K. Connors

Motion to approve Development Application to erect an 8’ x 8’ Accessory Building at 66 Main Road as presented.

Motion Carried Unanimously.

(4) Darryl Stacey – Development Application Accessory Building

13-006 Motion: J. Mulley/K. Connors

Motion to approve in principal Development Application to erect a 30' x 35' Accessory Building at 920 Pouch Cove Line subject to the Town's height regulations regarding Accessory Buildings being adhered to by Mr. Stacey.

Motion Carried Unanimously.

(5) L. R. Markus/Genova – Request to extend Permit

13-007 Motion: J. Mulley/K. Connors

Motion to extend permit to construct a single family dwelling at 19 Sullivan's Loop Permit No. 036788.

Motion Defeated.

Against – Mayor Patten, D/M Connors, Councillors Furlong, Butt, Mulley, Sainsbury
Absent – Councillor Murrin

6. NEW CORRESPONDENCE

(A – D) 2013 Budget.

13-008 Motion: J. Mulley/K. Connors

Discussion took place on the reduction of business and commercial tax by more than double the reduction of the residential tax.

Motion to approve 2013 Budget as presented.

Motion Defeated.

For – Deputy Mayor Connors and Councillor Mulley
Against – Mayor Patten, Councillors Furlong, Sainsbury and Butt
Absent – Councillor Murrin

(E) DBI Contract Extension for 2013.

13-009 Motion: J. Mulley/R. Furlong

Motion to approve the extension of the DBI Contract for the Town's Garbage Collection at the same cost for 2013.

Motion Carried unanimously.

(F) Invoice from Kavanagh Associates – Dated October 31, 2012

13-010 Motion: J. Mulley/W. Butt

Motion to approve for payment engineering services for Capital Works overrun in connection to Mundy's Road in the amount of \$6,839.37 HST included.

Motion Carried Unanimously.

(G)Correspondence from Chris and Dianne Sullivan – Rodrigues Estate Development at 850 Main Road.

13-011 Motion: J. Mulley/W. Butt

Motion to write Mr. Rodrigues suggesting that he erect a fence around the ten (10) senior's complex being constructed at 850 Main Road.

Motion approved unanimously.

(H) Correspondence from Dan Rubin regarding property assessments and Mil rate – For Information.

(I)Cheque regarding Pouch Cove Heritage Association donation from Royal Bank. – Dan Rubin who was in attendance advised Council that the Committee had a meeting prior to Christmas and it was decided to change their status to a Society. Council felt this would prevent the Town from assisting in applications and transfers of money, etc. in the future. As a Committee they are a part of Council – as a Society they are on their own.

13-012 Motion: J. Mulley/R. Furlong

Motion to deposit cheque from the Royal Bank to the Pouch Cove Heritage Committee (Society) in the amount of \$500.00 and issue back to the Heritage Society.

Motion approved unanimously.

(J) Quotes for painting of old rescue vehicle for use by Public Works as a Water/Sewer Unit.

13-013 Motion: J. Mulley/K. Connors

Motion to accept the lowest quote from Heritage Rod & Custom to paint the old rescue, which will be used as a Public Works Water/Sewer unit, in the amount of \$4,520.00 tax included.

Motion approved unanimously.

(K)Town of Pouch Cove – Occupational Health & Safety & Return-to-Work Statement

13-014 Motion: W. Butt/K. Connors

Motion to adopt Occupational Health & Safety & Return-to-Work Statement and place in both the Town office and the Public Works Department.

Motion approved unanimously.

(L)Email from Kevin Morden regarding Boulder on Gully Road

13-015 Motion: W. Butt/J. Mulley

Motion to send a letter to Mr. Leroy Nichols to move the boulder, placed at the edge of his property at Gully Road, 16' from the centre of the road.

Motion Carried Unanimously.

(M)Correspondence from Municipal Affairs regarding January 31, 2013 deadline for all capital Investment Plans for Gas Tax Recipients.

13-016 Motion: K. Connors/R. Furlong

Motion to submit the Town's 2013 Capital Investment Plans for Gas Tax due January 31, 2013.

Motion Carried Unanimously.

(N)Correspondence from Hospitality NL re: 2013 Conference & Trade Show – For Information.

7. ACCOUNTS PAYABLE

13-017 Motion: R. Furlong/K. Connors

Motion to approve Accounts Payable dated January 7, 2013 in the amount of \$48,457.66.

Motion Carried Unanimously.

8. FOREMAN'S REPORT

13-018 Motion: J. Mulley/K. Connors

Motion to approve the Foreman's Report dated January 2, 2013 as presented (*copy attached*).

Motion Carried Unanimously.

9. LIAISON REPORT

No Liaison Reports.

10. **COMMITTEE REPORTS**

No Committee Reports.

11. **NEW BUSINESS**

(1) **Email from Dennis Ryan – The Vales**

Councillor Mulley excused himself from Council Chambers at 7:15 p.m. as he declared conflict.

13-019 Motion: K. Connors/W. Butt

Motion to have Mr. Ryan contact Ms. Van Driel that all deficiencies and the trail be completed by August 31, 2013. In the event the work is not completed by that date all monies held in trust will revert back to the Town.

Motion Carried Unanimously.

Councillor Mulley returned to Council Chambers at 7:20 p.m.

(2) Mayor Patten brought forward an invoice from her lawyer regarding legal fees to deal with the Conflict of Interest issue in the amount of \$2,682.63 as of January 7, 2013. She asked that Council take care of the invoice as she feels that this is in relation to her position of Mayor.

13-020 Motion: W. Butt/K. Connors

Motion to approve payment of Mayor Patten's Legal Fees incurred to date regarding the Conflict of Interest issue in the amount of \$2,682.63.

Motion Defeated. Councillors Butt and Connors for
Councillors Mulley, Sainsbury and Furlong Against.
Councillor Murrin Absent.

12. **ADJOURNMENT**

13-021 Motion: W. Butt/J. Sainsbury

Motion to Adjourn.

Motion Carried Unanimously.

There being no further business the meeting adjourned at 7:28 p.m.


Jacqueline Berkshire, Town Clerk


Sarah Patten, Mayor