



# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NT  
A0E 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

Minutes of a Regular Meeting of Council  
Of the Town of Fortune via Conference Call  
On May 4, 2020 at 1:30 p.m.

*Members Present:*

Mayor	Charles Penwell
Deputy Mayor Smith	Frazer Smith
Councillors	Levi Curtis Terence Fleming Roy Kendell Patrick Parsons Matthew Woodland

*Also Present:*

CAO Collier	Linda Collier
Town Clerk	Lacey Symes

## Additions/Adoption to Agenda:

Mayor Penwell asked if there were any additions to the agenda of May 4, 2020.

### **8. Fortune Harbour Authority Letter of Permission**

Mayor Penwell asked for approval of the agenda for the May 4, 2020 Council Meeting.

**Motion 2020-05-04-01: COUNCILLOR KENDELL /DEPUTY MAYOR SMITH**

**Resolved that the Agenda along with the above noted addition for May 4, 2020 be adopted as presented.**

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

Opposed: 0  
Motion carried



# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NH  
A0E 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

Regular Council Meeting  
May 4, 2020  
Page 2

## Adoption of Minutes:

Mayor Penwell asked if there were any errors or omissions to the Minutes from the Regular Council meeting held on April 21, 2020 as presented.

**Motion 2020-05-04-02: DEPUTY MAYOR SMITH/COUNCILLOR WOODLAND**

**Resolved to adopt the Minutes of the Regular Council Meeting of April 21, 2020 as presented.**

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

Opposed: 0  
Motion carried

Mayor Penwell welcomed Public Works Supervisor Caines to the virtual Council Meeting.

Public Works Supervisor Caines attended the meeting to discuss the public works matters tabled on the agenda.

## GENERAL BUSINESS:

### **1. Public Works**

a) **Eldon Street Water Issue-** This matter was previously discussed at the last Council Meeting- resident on Eldon Street experiencing a large amount of flooding in their yard & was looking for the Town of Fortune to alleviate the issue. There were conflicting opinions whether the issue was the responsibility of the Town of Fortune or not. Public Works Supervisor Caines examined the area & advised that it is believed the issue is coming from the bog land located in the back of all residents within that area. Caines advised that there are many other residents in that area experiencing the same issue & it was his opinion that this issue is not the responsibility of the Town of Fortune.

b) **Miller Road & Sunset Crescent Water Issue-** Resident located on Miller Road has a similar issue as the previous issue on Eldon Street, experiencing a lot of water after rainfall under their dwelling & looking for the Town of Fortune to install a french drain. Public Supervisor Caines inspected the area & advised there is currently a french drain in that area going to Loggerhead Brook & the french drain is already placed at the lowest point. Caines pointed out that it's not certain another french drain would decrease the amount of water because there is a possibility it may create a new issue as well.



# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NJ  
AOE 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

Regular Council Meeting  
May 4, 2020  
Page 3

Public Works Supervisor Caines advised once we received a heavy rainfall again he will inspect under the resident's house but pointed out that the area is on bog land.

There was also an inquiry from a resident on Sunset Crescent with the same issue- excessive flooding. Resident is experiencing water in the corner of property; however, the water is coming from underneath the resident's footing. Resident is requesting the Town's consideration to install a french drain through his driveway to an existing drain that is already installed. It was of Public Works Supervisor Caines' opinion that the issue is not the responsibility of the Town of Fortune as the water is coming in under the resident's footing which is further down than what a french drain would be.

It was a consensus of Council to leave the Eldon Street, Miller Road & Sunset Crescent water issues as is for now.

c) Curb Removal- At the last Council Meeting a curb removal was approved for Centennial Street, the resident was inquiring whether they were able to complete the curb removal themselves or was it mandatory for the Public Works Staff to complete. Mayor Penwell advised that it is mandatory for the Public Works Staff to complete any curb removal within the Town of Fortune.

#### d) Old Truck

**Motion 2020-05-04-03: DEPUTY MAYOR SMITH /COUNCILLOR CURTIS**

**Resolved to advertise the 2008 dump truck for sale with a minimum of \$6000.**

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

Opposed: 0

Motion carried

**2. Garbage Bins (Bulk)-** CAO Collier advised Council that bulk garbage is tentatively postponed until June & was wondering the possibility of requesting garbage bins for bulk garbage in by the arena.

Mayor Penwell advised that the reason that the bulk garbage is postponed is because it is nearly impossible for the employees to social distancing while loading heavy items into the garbage truck & would be the same issue with garbage bins by the Fortune Area.

Public Works Supervisor Caines suggested that if residents were willing to load the bulk items onto the loader themselves it may be a possibility to have the garbage bins. CAO Collier to check out options further.



Regular Council Meeting  
May 4, 2020  
Page 4

## The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NJ  
A0E 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

**3. JCP 2020-** Received an email from Department of Municipal Affairs asking if the Town of Fortune would still be interested in JCP 2020. CAO Collier advised that she indicated the Town was still interested.

**4. Human Resources (Return date for staff)-**CAO Collier was looking for a start date for Municipal Clerk Mullins, Seasonal Groundskeeper & Data Input Clerk( Asset Management)Elford.

It was a consensus of Council to Municipal Clerk Mullins to start Monday, May 11th & to target Seasonal Groundkeeper Simms & Data Input Clerk (Asset Management) Elford for June 8th.

**5. Picco, White, McCarthy Correspondence (Right of Way)-** Received correspondence from Picco, White, McCarthy regarding the right-of- way matter on Haddock Road (Mavin's Lane) that was previously discussed at the April 6, 2020 Council Meeting.

At the April 6, 2020 Council Meeting it was discussed how concerns from residents on Haddock Road (known as Mavin's Lane) were addressed regarding a resident accessing their property on Brunette Avenue through Mavin's Lane & in times blocking the lane. The concerned residents stated that Mavin's Lane was private property; however, after research Office Staff have located documents showing this property is a public right-of-way. It was agreed at the April 6, 2020 Council Meeting for CAO Collier to send a letter to resident advising to not block the right-of-way & for the Public Works Employees to erect no parking signs at the right-of-way.

In the correspondence received from Picco, White, McCarthy dated April 24, 2020 they stated that the concerned residents do not agree with the Council's characterization of their driveway as a public right-of-way & are requesting Council to write a letter to resident utilizing 'Mavin's Lane' correcting the error in its characterization of the right-of-way immediately stating it is a private right-of-way and any use of it may only be with the permission of its owner. Picco, White, McCarthy are also requesting Council to remove the signage affixed to the property immediately.

After review of the correspondence received from Picco, White, McCarthy & review of the documents on file at the Town Office it was the agreement of Council for CAO Collier to respond to Mr. White advising that according to the documents at the Town Office 'Mavin's Lane' is consider a public right-of-way & unless the Town Office is provided documents stating otherwise it will remain considered a public right-of-way.

**6. Recreation NL- Eastern Regional Committee-** Recreation NL is in the process of forming a regional committee and are inviting members of the recreation commission to join the committee. CAO Collier forwarded correspondence to the Fortune Recreation Commission.

**7. Permits/Accounts in Arrears-** CAO Collier was looking for Council input on approving building permits for residents with accounts in severe arrears. CAO Collier to check with the Department of Municipal Affairs to see if the Town of Fortune can withhold a building permit with residents who have accounts in arrears.



# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NJ  
AOE 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

Regular Council Meeting  
May 4, 2020  
Page 5

**8. Fortune Harbour Authority Letter of Permission-** CAO Collier received a call from the Fortune Harbour Authority advising that they are in need of repairs on the floating docks & need to engage divers to do so, in order to move forward they will need a letter from the Town of Fortune to permit divers to complete the work.

**Motion 2020-05-04-04: COUNCILLOR WOODLAND /COUNCILLOR CURTIS**

**Resolved to write a letter to the Fortune Harbour Authority permitting divers to complete the work needed on the floating docks with the condition that there are no safety issues to the general public or the divers.**

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

Opposed: 0  
Motion carried

## **FINANCIAL TRANSACTIONS:**

**Motion 2020-05-04-05: COUNCILLOR KENDELL /COUNCILLOR PARSONS**

**Resolved to approve the financial transaction for April 18- May 1, 2020**

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

Opposed: 0  
Motion carried

## **PERMITS/EXEMPTIONS/ADJUSTMENTS:**

### **Exemptions:**

BRADC001 41 Haddock Road Additional Water/Sewer Rate

**Motion 2020-05-04-06: COUNCILLOR WOODLAND /COUNCILLOR KENDELL**

**Resolved to exempt 41 Haddock Road for the additional water/sewer rate invoiced for 2020 as the apartment is not rented out.**



# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NJ  
AOE 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

Regular Council Meeting  
May 4, 2020  
Page 6

## PERMITS/EXEMPTIONS/ADJUSTMENTS CONTINUED:

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

Opposed: 0  
Motion carried.

## CORRESPONDENCE:

**Department of Municipal Affairs- Circular to Municipalities:** For Councillors' Information

**Burin Peninsula SPCA- Donation Request:**

**Motion 2020-05-04-07: COUNCILLOR WOODLAND/DEPUTY MAYOR SMITH**

**Resolved to donate \$100 to the Burin Peninsula SPCA.**

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

Opposed: 0  
Motion carried.

## COUNCILLOR'S FORUM / COMMITTEE REPORTS:

**Mayor Penwell-** NIL

**Deputy Mayor Smith-** NIL

**Councillor Curtis-** Advised that the Grand Bank Regional Theatre will not be operating this summer.

**Councillor Fleming-** Advised that he had review the year to date income/expense accounts & after the possible tax relief for business taxes in the amount o \$100-\$300, the Town of Fortune will still be able to operate on the balanced budget. Also advised that the total percentage of taxes collected to date is 85%.

**Councillor Kendell-** Expressed concern of the amount of potholes around the Town of Fortune. CAO Collier advised the Public Works Employees are currently in the process of patch work.



# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NL  
A0E 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

Regular Council Meeting  
May 4, 2020  
Page 7

**Councillor Parsons – NIL**

**Councillor Woodland-** Advised that the Fortune Geology Center will not be opening for the 2020 season and the Fortune Head Eco Friends Committee was looking for the possibility of CAO Collier to pay the bills/finances outside of Council time. CAO Collier suggested between herself & office staff to pay the bills for Fortune Head Eco Friends & to be noted in the Fortune Head Eco Friends books as an in-kind donation from the Town of Fortune.

It was a consensus of Council for office staff at the Town of Fortune to pay the bills/finances for the Fortune Geology Center for the 2020 season.

**Delegation/Guest      Brian Rose      2:33 p.m.**

Mayor Penwell welcomed Mr. Brian to the virtual Council Meeting.

Mr. Rose indicated that he had previously sent CAO Collier an email regarding taxation relief for Hotel Fortune, Fortune Harbourview B & B and St. Pierre Ferry Office. Mr. Rose noted that he is aware that the Town of Fortune has started the process to assist businesses with some tax relief; however, his businesses have been dramatically affected due to Covid-19. The above stated businesses for Mr. Rose all have been temporarily closed and Mr. Rose was seeking any additional relief available regarding his business taxes (commercial, business, water/sewer, etc) within the Town of Fortune.

Mayor Penwell pointed out the current relief program the Town of Fortune is currently offering (\$100-\$300) and advised that the Town of Fortune currently has to see how this relief program unfolds and how many businesses are looking to avail of this tax break. Mr. Rose had asked Council what they would suggest for Mr. Rose as his businesses are severely affected and he currently has zero revenue in regards to these three businesses.

Mayor Penwell expressed that the Town of Fortune would not be able to provide an exemption on property or water/sewer taxes simply because all residents are required to pay those taxes as well. Mayor Penwell advised that he has been taking part in all of the conference calls offered by Municipalities Newfoundland and Labrador and at this time there aren't many municipalities offering much of a relief plan.

Mayor Penwell advised Mr. Rose that as he can understand how difficult this situation is however; unfortunately, at the moment the only option the Town of Fortune has is the business relief plan (\$100-\$300).



# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NJ  
AOE 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

Regular Council Meeting  
May 4, 2020  
Page 8

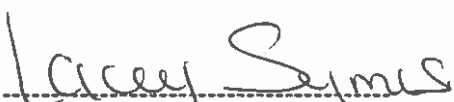
## ADJOURNMENT / Next Meeting

**Motion 2020-05-04-07: COUNCILLOR WOODLAND/DEPUTY MAYOR SMITH**

**Resolved to adjourn the regular Council Meeting at 2:53 p.m.**

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

  
\_\_\_\_\_  
Mayor Penwell

  
\_\_\_\_\_  
Lacey Symes- Town Clerk





# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NL  
A0E 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

## AGENDA - Council Meeting Conference Call May 4, 2020 @ 1:30 p.m.

**Delegation:** 1:30 p.m. Brian Rose

### Additions/Adoption to Agenda

**Adoption of Minutes:** April 21, 2020

### GENERAL BUSINESS

1. Public Works
  - a) Eldon Street Water Issue
  - b) Miller Road & Sunset Crescent Water Issue
  - c) Curb Removal (residents)
  - d) Old Truck
2. Garbage Bins (Bulk)
3. JCP 2020
4. Human Resources- Return date for staff
5. Picco, White, McCarthy Correspondence- Right of Way
6. Recreation NL- Eastern Regional Committee
7. Permits- Accounts in Arrears

**FINANCIAL TRANSACTIONS:** (April 18- May 1, 2020)

### PERMITS/EXEMPTIONS/ADJUSTMENTS:

#### **Exemptions:**

BRADC001 41 Haddock Road Additional Water/Sewer

### CORRESPONDENCE:

Dated	From	Particulars	Anticipated Action
	Dept of Municipal Affairs	Circular to Municipalities	For Councillor's Information
	Burin Peninsula SPCA	Monetary Donation	Donation Request

### COUNCILLOR'S FORUM / COMMITTEE REPORTS:

### CAO REPORT

### ADJOURNMENT / Next Meeting: