



# The Town of Fortune

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

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Minutes of a regular meeting of council  
of the Town of Fortune, held in the  
Town Hall, September 26, 2011 at 6:30 p.m.

*Members Present*

Mayor	Charles Penwell
Deputy Mayor	James Dunne
Councillors:	Levi Curtis
	Joann Johnson
	Patrick Parsons
	Frazer Smith

*Also Present*

Town Manager	Norma Stacey
Town Clerk	Debbie Hillier

**Additions to the Agenda:**

General Business:	8.(B) Canteen
	19. Crown Land Permits
	20. Proclamation - Culture Days
	21. Compost Proposal
	22. ATV Association
	23. Donation - Children's Wish Foundation
	24. Town Plan
	25. St. Pierre Interpreter's Pay
	26. Appreciation for Fay Herridge

*Agenda Additions:  
Regular Meeting  
September 26, 2011*

**Additions to Agenda of September 26, 2011**

Mayor Penwell asked for approval of the additions to the agenda of the September 26, 2011 regular meeting.

Motion 2011-09-26-01          Curtis/Parsons

Resolved that the additions of the September 26, 2011 regular meeting of council be adopted as presented.

In favour:      Mayor C. Penwell  
                    Deputy Mayor J. Dunne  
                    Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
                    Parsons & F. Smith

Opposed:      0  
Motion carried.



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*Minutes:  
Regular Meeting  
September 12, 2011*

## **Regular Meeting of September 12, 2011**

Mayor Penwell asked if there were any errors or omissions to the minutes of the regular meeting of September 12, 2011 as presented.

Motion 2011-09-26-02      Smith/Dunne

Resolved that the minutes of the September 12, 2011 regular meeting of council be adopted as circulated with the correction that Councillor Parsons was not at the meeting.

In favour:      Mayor C. Penwell  
                 Deputy Mayor J. Dunne  
                 Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
                 Parsons & F. Smith

Opposed:      0  
Motion carried.

### *Action List*

**Action List** from the September 12, 2011 meeting was reviewed.

### *Delegation/Guests*

**7:00 p.m. Targa Representatives Robert Giannou & Colin Roy Haynes**

Mayor Penwell welcomed Mr. Giannou & Mr. Haynes to the meeting.

Mr. Giannou wanted to speak to council about the accident that occurred during the TARGA rally on Thursday, September 15, 2011. Mr. Giannou informed council that TARGA representatives have been involved from the beginning when the accident occurred.

Their Emergency Response Team was contacted immediately and the accident has been investigated. Footage of the accident has been reviewed. It appears that the driver of the vehicle did not see Mrs. Witherall and didn't realize that she was hit and injured during the rally.



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Targa representatives have been in contact with Mrs. Witherall's family right from the beginning after the accident occurred. Targa is doing what they can to help the family and keeps in constant touch of Mrs. Witherall's condition. The drivers of the vehicle have visited the family at the Health Sciences Center where Mrs. Witherall is receiving her medical care.

There is expected to be a series of recommendations made once the accident review is completed.

Mr. Giannou & Mr. Haynes have a meeting scheduled for tomorrow morning to see Sergeant Edgecombe of the RCMP in Marystown about the accident.

Mr. Giannou will contact Town Clerk Hillier when they have a copy of the final report from the accident.

Mr. Giannou also informed council that they are meeting with other towns on the Burin Peninsula who are involved with the TARGA rally to discuss the continuation of the rally in the future.

Mayor Penwell informed Mr. Giannou & Mr. Haynes that at this time it is too early for council to make a decision on the TARGA rally for another year. He explained to them that the community is really upset on what happened this year and if we had to poll the community now it would probably be a lot of negative feedback.

Mayor Penwell thanked Mr. Giannou and Mr. Haynes for attending the meeting and giving a council an update on the accident and the status of Mrs. Witherall's condition. Also that the town will review their request at a later time for TARGA to come again next year and inform them of the town's decision at that time.

## **7:50 p.m. RCMP - Mark Jenkins - Noise By-Law**

Mayor Penwell welcomed Constable Mark Jenkins to the meeting.

Constable Jenkins attended the meeting to discuss the issue of noise complaints received from residents of the town.



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Most of the noise complaints are from 2 specific addresses in Fortune. When the RCMP receives a noise complaint they will go the residence where the noise is and inform the property owner that a complaint(s) has been received and ask them to keep it quiet.

Most of the complaints that come in are anonymous. The RCMP ask the complainant to sign the complaint but most people will not sign them. They don't want to be identified for some residents fear retaliation.

The town will need to review their Noise By-Laws and see if any amendments are necessary. Need to contact the Dept. of Municipal Affairs about the procedure for amendments.

It was suggested to post in the next Fortune Teller a copy of the Town's Noise By-Laws.

Mayor Penwell thanks Constable Jenkins for attending the meeting.

## *New Business*

### **1. Capital Works Program 2011-2012**

Town Manager Stacey informed council that the applications for the town's capital works program for 2011-2012 have to submitted by November 4, 2011. Priorities for the capital works program are as follows: (1.a) Spillway

(1.b) Lake St./Elford St.

(2) Loggerhead Brook

(3) Snook's Road Ext.

(4) Legion Rd., Forsey Rd., Collier Pl., Lower Temple St., Lower Springhill Rd., & Lafosse Lane (Paving)

(5) Bunkerhill Rd./Gaultois Pl.

Motion 2011-09-26-03

Johnson/Curtis

Resolved that the Capital Works Program for 2011-2012 be submitted and prioritized as follows: (1.a) Spillway., (1.b) Lake St./Elford St., (2) Loggerhead Brook, (3) Snook's Road Ext., (4) Legion Rd./Forsey Rd./Collier Pl./Lower Temple St./Lower Springhill Rd./Lafosse Lane & (5) Bunkerhill Rd./Gaultois Pl.



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In favour: Mayor C. Penwell  
Deputy Mayor J. Dunne  
Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
Parsons & F. Smith

Opposed: 0  
Motion carried.

## 2. Request for 2<sup>nd</sup> Pump (3") - Public Works Dept.

Town Manager Stacey informed council that the Public Works Dept. needs another ditch pump. Approximate cost is \$2500.00.

Motion 2011-09-26-04 Curtis/Parsons

Resolved that the request to purchase another ditch pump be approved in the 2012 budget and purchased in the new year.

In favour: Mayor C. Penwell  
Deputy Mayor J. Dunne  
Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
Parsons & F. Smith

Opposed: 0  
Motion carried.

## 3. Old Line - Bayview Street

Town Manager Stacey informed council that there are a few houses still connected to the old Bayview Street line and need to be put on the newer line.

Motion 2011-09-26-05 Johnson/Dunne

Resolved that the cost to disconnect these houses on Bayview Street from the old line and connect to the new line be approved in the 2012 budget.



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In favour: Mayor C. Penwell  
Deputy Mayor J. Dunne  
Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
Parsons & F. Smith

Opposed: 0  
Motion carried.

#### 4. Selection Committee

Mayor Penwell, Councillor Keeping & Councillor Smith will be on the selection committee for the Part-time Arena Operator position.

#### 5. Resident Concern re: Mice

There are concerns about mice on a property on Bayview Street due to neglect by the owner not keeping the property mowed.

Town Manager Stacey to write the property owner and ask to cut down the grass and remove from their property.

Councillor Curtis informed council that there is a property on Pinchmarsh Road that is neglected and there is concern about mice as well.

Town Manager Stacey informed that this property can go up for a Tax Sale.

Motion 2011-09-26-06 Johnson/Dunne

Resolved that the property on Pinchmarsh Road re: Account #REMOB0001 be put up for a Tax Sale.

In favour: Mayor C. Penwell  
Deputy Mayor J. Dunne  
Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
Parsons & F. Smith



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Opposed: 0  
Motion carried.

## 6. Occasions Magazine

Will not be advertising in the magazine.

## 7. National Seniors Day - October 1, 2011

Get promotional material.

## 8(A) Arena Compressor's Parts Costs

Town Manager Stacey informed council that the arena compressor needs to be taken down and redone. There are 3 price quotes received and they are as follows:

- (1) Cimco - \$1988.35 + HST
- (2) Keep Cool - \$2147.35 + HST
- (3) Young's - \$2172.86 + HST

Motion 2011-09-26-07 Johnson/Keeping

Resolved that the compressor parts be purchased from the lowest tenderer, CIMCO, in the amount of \$1,988.35 + HST.

In favour: Mayor C. Penwell  
Deputy Mayor J. Dunne  
Councillors: L. Curtis, J. Johnson, J. Keeping, P. Parsons & F. Smith

Opposed: 0  
Motion carried.

## 8(B) Canteen

It was the general consensus of council that the town operate the arena canteen this season.

Motion 2011-09-26-08 Keeping/Smith



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Resolved that the town apply for a Targeted Wage Subsidy program for the arena canteen operations this season.

In favour: Mayor C. Penwell  
Deputy Mayor J. Dunne  
Councillors: L. Curtis, J. Johnson, J. Keeping, P. Parsons & F. Smith

Opposed: 0  
Motion carried.

## 9. Schooner Regional Development - AGM

Councillors to review the Proposed By-Law Amendments & let office staff know if they plan to attend the AGM on October 19, 2011.

## 10. Granny's Motor Inn

Town Manager Stacey to write Mr. Smith of Granny's Motor Inn and inform him when any inquiries come to the town office about accommodations the person is given a list of names and phone numbers for all the B&B's in Fortune.

## 11. Elliston Heritage Foundation

Motion 2011-09-26-09 Smith/Parsons

Resolved that the town send a letter of support to the Elliston Heritage Foundation for the Sealers Memorial project.

In favour: Deputy Mayor J. Dunne  
Councillors: J. Keeping, P. Parsons & F. Smith

Opposed: Mayor C. Penwell  
Councillors: L. Curtis & J. Johnson

Motion carried.





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## 12. Rural Development Conference

No one available to attend the Rural Development Conference due to other commitments.

## 13. CPA Conference - October 19, 20 & 21 - St. John's

No one available to attend the CPA Conference due to other commitments.

## 14. Proclamation Breast Feeding Week

Motion 2011-09-26-10 Johnson/Curtis

Resolved that the town support Eastern Health & the local Regional Breastfeeding Committees proclaim the week of October 1 - 7, 2011 as World Breastfeeding Week.

In favour: Mayor C. Penwell  
Deputy Mayor J. Dunne  
Councillors: L. Curtis, J. Johnson, J. Keeping, P. Parsons & F. Smith

Opposed: 0  
Motion carried.

## 15. Independent Community Pharmacy Owners - Request for Support

The town will not be participating in this request.

## 16. Business Development Corporation - Recruitment of Board Members

Councillors will not be submitting their names for board members.



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17. **Email - Join National Geographic in Telling the Story of Newfoundland - October 12, 2011**

Pass information on to the Fortune Eco Friends to check out.

18. **WWF - Celebrating 10 Years of Marine Conservation in Canada - October 12, 2011 - St. John's**

No one available to attend due to other commitments.

19. **Crown Land Permits**

- |    |                |                  |               |
|----|----------------|------------------|---------------|
| 1. | Todd Stacey    | Remote Cottage   | Nor West Pond |
| 2. | Howard Cousins | Seasonal Cottage | Lamaline Hgwy |

Motion 2011-09-26-11      Parsons/Smith

Resolved that the Crown Land Permits for Mr. Todd Stacey and Mr. Howard Cousins be approved pending approval from all other regulatory departments.

In favour:      Mayor C. Penwell  
                 Deputy Mayor J. Dunne  
                 Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
                 Parsons & F. Smith

Opposed:      0  
Motion carried.

20. **Proclamation - Culture Days**

Will not be participating in this proclamation.

21. **Compost Proposal**

Town Manager Stacey informed council that the town has received a request to participate in a compost pilot project of 300 households.

To be discussed at the Waste Disposal Site Meeting on Tuesday.



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## 22. **ATV Association**

Definition of Class IV Road - check with Municipal Affairs about this definition.

Discuss at next council meeting.

## 23. **Donation - Children's Wish Foundation**

Motion 2011-09-26-12      Smith/Johnson

Resolved that a donation in the amount of \$75.00 be approved for the Children's Wish Foundation.

In favour:      Mayor C. Penwell  
                 Deputy Mayor J. Dunne  
                 Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
                 Parsons & F. Smith

Opposed:      0  
Motion carried.

## 24. **Town Plan**

Town Manager Stacey informed council that there have been inquiries for amending the Town Plan.

Town Plan needs to be reviewed.

## 26. **Appreciation - Fay Herridge**

Ask Ms. Herridge to attend our next council meeting.

*Bills*

To be reviewed at next council meeting.



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## *Adjournment*

Next regular Council meeting scheduled for October 3, 2011 at 5:30 p.m.

Motion 2011-09-26-14      Smith/Curtis


Resolved that council do now adjourn.

In favour:      Mayor C. Penwell  
                 Deputy Mayor J. Dunne  
                 Councillors: L. Curtis, J. Johnson, J. Keeping, P.  
                 Parsons & F. Smith

Opposed:      0  
Motion carried

The regular meeting adjourned at 8:40 p.m.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Town Clerk



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## AGENDA Council Meeting Monday, September 26, 2011

### Additions to Agenda

**Adoption of Minutes:** September 12, 2011

### Action List

**Delegation/Guests:** 6:30 p.m. Targa Representatives  
7:30 p.m. RCMP - Mark Jenkins

### NEW BUSINESS:

1. Capital Works Program 2011-2012
2. Request for 2<sup>nd</sup> Pump ( 3" ) - Public Works Dept.
3. Old Line - Bayview Street
4. Selection Committee
5. Resident Concern re: Mice
6. Occasions Magazine
7. National Seniors Day - October 1/11
8. Arena Compressor's Parts Costs
9. Schooner Regional Development - AGM
10. Granny's Motor Inn
11. Elliston Heritage Foundation
12. Rural Development Conference
13. CPA Conference - October 19, 20, & 21 - St. John's
14. Proclamation Breast Feeding Week



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## **NEW BUSINESS (cont'd):**

15. Independent Community Pharmacy Owners - Request for Support
16. Business Development Corporation - Recruitment of Board Members
17. Email: Join National Geographic in Telling the Story of Newfoundland - October 12/11
18. WWF - Celebrating 10 Years of Marine Conservation in Canada - October 12/11 - St. John's

## **BILLS**