



The Town of Fortune

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

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AGENDA

Council Meeting
July 15, 2013
5:30 pm

Additions to Agenda

Adoption of Minutes: June 10, 2013

General Business:

1. Legends of Montreal
2. Brookfield Road & "Project" Lake/Elford Street
3. Tax Agreement – Hotel Fortune
4. Fencing Application
5. Pavement Resurfacing
6. Land purchase – Bradley Crescent & Confederation Street
7. Snow Clearing 2012-2013
8. New Business Application
9. Burin Peninsula Health Care Foundation
10. Salvation Army Mime Group
11. Changes to capital Works Project Policies and Procedures
12. Puddle Pond Resources Inc.
13. NL Power – Rate Changes



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14. 2012 Summer Drinking Water Quality Report
15. Dept. Municipal Affairs – National Bldg. Code and Carbon Calculator
16. Community Enhancement 2013-2014
17. Invoice for Playground
18. Poll Tax Exemptions
19. Sale of pickup truck
20. Legion re: mowing monument
21. Animal control
22. CHAM Tourism Ad.
23. ACOA – invoice re: Paul Dean
24. Water/Sewer hookup Brookfield Road
25. Employee matter

Correspondence

1. Infonotes June 14, 21, 28
2. MNL memo to members
3. MNL Benefits of Belonging 2013
4. Five local mayors not returning to municipal politics



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Permits

Permit Number	Permit Address	Work Required
63	Evergreen Avenue	Porch
70	Bayview Street	Wheelchair Ramp
72	Brookside Road	Step
87	Eldon Street	Shed
90	Piercey Street	Patio
95	Noseworthy Place	Step/Patio
	Forest Road	Extension to Home
	Lake Street	Patio



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Minutes of a regular meeting of council
Of the Town of Fortune, held in the
Town Hall, July 15, 2013 at 5:30 p.m.

Members Present

Mayor	Charles Penwell
Deputy Mayor	James Dunne
Councillors:	Jordan Keeping
	Patrick Parsons
	Joann Johnson
	Frazier Smith

Also Present

Town Manager	Norma Stacey
Town Clerk	Debbie Hillier
Office Clerk	Solonge Pierce

Additions to the Agenda:

- | | | |
|-------------------|-----|--|
| General Business: | 26. | Delegation 7:00
- Brian & Rick Rose |
| | 27. | Dunk Tank |
| | 28. | Property Pinchmarsh Road |
| | 29. | OHS |



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1. Legends of Montreal

Information about the Legends of Montreal coming to the town was relayed.

Motion 2013-07-15-03 Johnson/Keeping

It was resolved that the town would open up the arena earlier than normal to prepare for the event.

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

Opposed: 0
Motion carried.

Motion 2013-07-15-04 Smith/Dunne

It was resolved that the town would charge \$30.00 per ticket including HST for both children and adults.

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

Opposed: 0
Motion carried.

Motion 2013-07-15-05 Johnson/Parsons



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1. Legends of Montreal Continued

It was resolved that the town would form a committee consisting of Councillors Smith and Keeping, Deputy Mayor Dunne, as well as Arena Operator Barnes and part-time Arena Operator Tulk. The first meeting will be held on July 23, 2013 at 6:00.

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

Opposed: 0
Motion carried.

2. Brookfield Road

The water and sewer work will begin this week. The contractor will be starting with Noseworthy Place. There is an issue with a shed placed on a property on Brunette Avenue. It appears that it is built too close to a storm drain and the contractor said that it must be removed. A discussion ensued to remove the shed instead of tearing it down and council felt that this would be the better option.

Motion 2013-07-15-06

Johnson/Dunne

It was agreed that the town would get reasonable quotes on the cost of moving the shed which council would cover. As for the contents of the shed, Councillor Parsons offered the use of an enclosed 8X16 trailer for storage.



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2. Brookfield Road continued

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

Opposed: 0
Motion carried.

Councillor Smith Left the room at 6:20

Lake/Elford

Town Manager Stacey informed council of correspondence she had received regarding the project. It appears as though the town has been conditionally approved for a portion of this funding. However, to obtain this approval the town must submit RFP's. Council agreed that Town Manager Stacey will get this done ASAP.

Motion 2013-07-15-07

Smith/Dunne

It was agreed to proceed with project design for Water & Sewer Replacement for Lake Street & Elford Street Project # 17-MCW-14-14048 and to accept the cost shared ratio of 90/10 in the amount of \$40,620 (Municipal share less GST rebate).



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Lake/Elford continued

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

Opposed: 0
Motion carried.

3. Tax Agreement – Hotel Fortune

Town Clerk Hillier informed council that she has received legal correspondence from the owners stating that they do not agree with the new tax agreement.

Councillor Smith Returned to the room at 6:30

Town Clerk Hillier also informed council that she has forwarded all of the information along to Stewart McKelvey.

4. Fencing Application

Council decided to postpone discussion of this matter until after the Delegation.

5. Pavement Resurfacing

Town Clerk Hillier informed council that the tender for this work will close on July 26.

Council inquired as to where Loggerhead Brook stood with the paving issue. Town Manager will check with the department.



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6. Land Purchase

Bradley Crescent

Town Clerk Hillier informed council that a resident was looking to purchase a small portion of the land behind their property.

Motion 2013-07-15-08

Johnson/Smith

It was agreed that Town Clerk Hillier would find out how much land was there. The town would agree to sell this property in its entirety or not at all at a cost of \$0.50/square foot.

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

Opposed: 0
Motion carried.

Confederation Street

Town Clerk Hillier informed council that a resident was looking to purchase land on Confederation Street. However, there is no record of if the town owns this land.

Motion 2013-07-15-09

Johnson/Dunne

It was agreed that Town Clerk Hillier would find out from NLH if we own the land. We would follow up on the issue at the next meeting.



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6. Land Purchase continued

Confederation Street continued

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

Opposed: Mayor C. Penwell & Councillor Keeping
Motion carried.

7. Snow Clearing 2012-2013

Town Manager Stacey informed council that the outside workers were concerned that they have yet to be paid for the weekends they worked performing snow clearing. She informed them that she had not received a schedule and that was why they had not been paid. It was agreed that we would discuss this further along with item 25 on the agenda.

8. New Business Application

Town Clerk Hillier informed council that an application has been made for a "Hot Dog" cart.

Motion 2013-07-15-10

Dunne/Johnson

It was agreed approve the application when it is completed providing approval from all other regulatory bodies (Services NL) If the business is going to be in the youth's name and they are registered with Youth Ventures, the town would waive the permit cost. However, if it is not in the youth's name the permit would have to be paid.



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8. New Business Application continued

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

Opposed: 0
Motion carried.

Delegation Brian & Rick Rose

Brian and Rick Rose entered the meeting at 7:03.

They came to the meeting to discuss the status of their fencing application for the St. Pierre Ferry Office located on the corner of Church Street and Bayview Street. They informed council that they wanted to put a fence around their property to protect themselves as well as their staff and customers. They contend that their property is being used by patrons of other businesses in the area and this is causing an issue for their customers.

They propose to build a fence similar to the one surrounding the Memorial Park using 6x6 posts with chain at a height of approximately three feet. They would like to have the opening for traffic to be on Church Street. Mayor Penwell informed them that council's concern on this is that it will be a danger, not only to patrons of the business, but to any traffic coming down Church Street. It was suggested by council that the opening be put on Bayview Street. The Rose Delegation was not comfortable with this but agreed to have the opening on the far corner of their property (corner of Church Street and Bayview) by their business sign.



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Delegation continued Brian & Rick Rose

Council also informed them that the Department of Highways has to give their approval before council would give approval. To speed up the process, they can have the Department of Highways fax their approval to the town office.

Rick Rose stated that he was informed that Irving was being contacted and wanted to know the status of this correspondence. Town Clerk Hillier informed him that she did not receive a response from Irving.

Councillor Smith informed the Delegation that council would appreciate it if they would put some reflectors on the chain being used for the fencing to make the public aware that the fence is there.

The Delegation stated that they would be putting picnic tables on the premises in the future and inquired if a permit would be required to do so. Council informed them that they would not require a permit for this.

The Delegation left the meeting at 7:24



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Motion 2013-07-15-11

Johnson/Keeping

It was agreed to approve the application to erect the fencing provided that the opening for exit and entrance is on the corner of Church Street and Bayview Street on an angle. That the fence be no higher than 36" and posts be approximately 8 ft' apart. The posts will be connected with chain similar to that used at the Memorial Park with some sort of reflection attached for safety. This is all subject to approval from all other regulatory boards. i.e. Department of Highways (distance from highway).

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

Opposed: 0
Motion carried.

9. Burin Peninsula Health Care Foundation

A pamphlet was included with the council packages if anyone wished to donate. Council agreed to wait to see if there was something further council would do to donate.

10. Salvation Army Mime Group

Motion 2013-07-15-12

Johnson/Parsons

It was agreed to donate \$100



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10. Salvation Army Mime Group Continued

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

Opposed: 0
Motion carried

11. Changes to capital Works Project Policies and Procedures

RFP – as discussed in item #2

12. Puddle Pond Resources Inc.

Motion 2013-07-15-13 Johnson/Smith

Council resolved that there was no issue regarding this information and we will once again pass it along to the ATV Association.

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

Opposed: 0
Motion carried

13. NL Power – Rate Change

Information



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14. 2012 Summer Drinking Water Quality Report

Councillor Johnson stated that she felt that the HAA's were high. Mayor Penwell informed her that they were lower than in the past.

15. Dept. Municipal Affairs – National Bldg. Code and Carbon Calculator

Information.

16. Community Enhancement 2013-2014

Town Manager Stacey requested feedback from council as to their opinion on doing the shed roof and insulation for the project. Council felt that it was a good idea.

17. Invoice for Playground

Town Clerk Hillier informed council that an invoice for work performed at the playground was submitted. She was wondering if, in the future, council required any invoice submitted for the playground to be brought to council for approval or if she should go ahead and pay it.

Motion 2013-07-15-14

Smith/Keeping

Council resolved to pay the invoice. This should conclude the work performed by this worker and no other invoices should be submitted. However, if more invoices are submitted, they should be brought to council's attention.

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



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17. Invoice for Playground continued

Opposed: 0
Motion carried

18. Poll Tax Exemption

Motion 2013-07-15-15

Johnson/Dunne

Resolved to approve all of the following requests for Poll Tax Exemption:

WELLJ001
DODGM001
FORSP003
THORB002
ANTLR001

Resolved to approve partial exemption for Poll Tax for the following:

STACJ008

Resolved to deny application for Poll Tax Exemption for the entire year for the following account. Resident will pay Poll Tax for the duration of stay in Fortune and the office staff will notify Grand Bank that the resident is now living in their community.

KELLE002

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

Opposed: 0
Motion carried.



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19. Sale of pickup truck

Town Clerk Hillier will put the pickup on Tender ASAP.

20. Legion re: mowing monument

The Legion contacted the town asking if the town could provide mowing service for the area around the monument. Council agreed that they could not commit to doing this work. However, if we get project workers available we would help.

Deputy Mayor Dunne Left the room due to conflict of interest at 7:55

21. Animal Control

Town Manager Stacey will talk to Animal Control Officer on Tuesday to discuss concerns.

Deputy Mayor Dunne returned to the room at 8:00

22. CHCM Tourism Ad

Town Manager Stacey informed council that she had some correspondence with CHCM regarding the tourism ad for July and August.

Motion 2013-07-15-16

Johnson/Smith



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22. **CHCM Tourism Ad Continued**

Council resolved to share the ad with the Interpretation Center, Recreation Commission and the Town the same as in previous years.

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

Opposed: 0
Motion carried

23. **ACOA – invoice re: Paul Dean**

Town Manager Stacey informed council that Trevor Bungay requested something in writing that would state that the Town would be willing to pay for Mr. Dean's services if ACOA did not approve their contribution. Town Manager Stacey also informed council that the bill has already been paid in full. Council stated that this has already been approved and to go ahead and send the letter to Trevor as requested.

24. **Water/Sewer hookup Brookfield Road**

Darren Barnes has requested that a drop off for water and sewer be put on his property. Right now his sewer lines run through the property of Cameron Carroll.

Motion 2013-07-15-17

Smith/Johnson



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24. Water/Sewer hookup Brookfield Road continued

Council resolved to put the drop off on Mr. Barnes' property at no cost to Mr. Barnes since repairing the existing line would exceed the cost of a connecting new service.

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

Opposed: 0
Motion carried

25. Employee Matter

Deferred to end of meeting.

26. Dunk Tank

Councillor Smith informed council that the Fortune Lions will be having a Dunk Tank during the FFFIF to raise money for Come Home Year. They are asking if the councillors would be willing to sit in the tank. All councillors in attendance agreed to participate.

Councillor Keeping stepped out due to conflict of interest 8:10

27. Property on Pinchmarsh Road

This property has been put on auction once; however, there were no bidders. The property now has to go to a second round of bidding.



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27. Property on Pinchmarsh Road continued

Resolved that the council will make the first bid during the second auction.

Motion 2013-07-15-18

Johnson/Parsons

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

Opposed: 0
Motion carried

Councillor Keeping returned to the meeting at 8:22

28. Occupational Health and Safety

Councillor Keeping inquired about the Safety meetings and inspections. It appears that this has not been completed in the time allotted. Town Manager Stacey informed council that Business Officer Collier suggested that because of her work load that Office Clerk Pierce temporarily take over these duties. Council felt that, although Office Clerk Pierce would be more than capable of doing the job, she is only a temporary worker and Business Officer Collier would still be responsible to carry through with this objective. Town Manager Stacey will meet with Linda and Hughie (OHS rep) to discuss having this done ASAP.



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29. Windmills

Councillor Keeping informed council of information regarding the windmills in St. Lawrence. Mayor Penwell asked Town Manager Stacey to make contact with those needed regarding this matter.

Permits

Motion 2013-07-15-19

Parsons/Dunne

It was resolved to approve all of the following permits:

Permit #	Location	Work Performed
63	Evergreen Avenue	Porch
70	Bayview Street	Wheelchair Ramp
72	Brookside Road	Step
87	Eldon Street	Shed
90	Piercey Street	Patio
95	Noseworthy Place	Step/Patio
	Forest Road	Extension to Home
	Lake Street	Patio
94	Heritage House	Step

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

Opposed: 0
Motion carried



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30. Employee Matter

Regarding the issue previously discussed regarding the Snow Clearing Schedule:

Motion 2013-07-15-20 Keeping/Parsons

It was resolved that the council will pay two employees the amount due according to the contract for the number of weeks on call for snow clearing.

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

Opposed: 0
Motion carried

Motion 2013-07-15-21 Dunne/Johnson

Moved to extend the meeting an additional 15 minutes

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

Opposed: 0
Motion carried



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30. Employee Matter continued

Rate of Pay for employee

Part-time arena operator Tulk inquired as to his rate of pay when he was working outside of the arena. Councillors Smith and Johnson stated that when Mr. Tulk was interviewed for the position he was informed that any work that was performed outside of the arena would be paid at the casual rate and at the time Mr. Tulk agreed. Therefore, council will only pay him this rate.

31. Water Agreement

Town Clerk Hillier passed along the proposed amendments to the water agreement made by The Town of Grand Bank. Council agreed to send it back to the committee.

Correspondence

1. Infonotes June 14, 21, 28
2. MNL memo to members
3. MNL Benefits of Belonging 2013
4. Five local mayors not returning to municipal politics

