



# The Town of Fortune

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

TELEPHONE: (709) 832-2810  
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Minutes of a regular meeting of council  
of the Town of Fortune, held in the  
Town Hall, March 21, 2011 at 6:30 p.m.

## *Members Present*

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

## *Also Present*

Town Clerk	Norma Stacey
Office Clerk	Debbie Hillier

## **Additions to the Agenda:**

- |                  |     |                                       |
|------------------|-----|---------------------------------------|
| General Business | 26. | Fire Dept. - Pager System             |
|                  | 27. | Solar Air Panel Quote                 |
|                  | 28. | Deed of Easement                      |
|                  | 29. | Rental - Interpretation Centre        |
|                  | 30. | Horsebrook - Igor Damage              |
|                  | 31. | Haddon Playground                     |
|                  | 32. | Regional Joint Council Update         |
|                  | 33. | Youngs Refrigeration                  |
|                  | 34. | Additions to Agenda                   |
|                  | 35. | Letter from Resident - Vehicle Damage |

## *Agenda Additions: Regular Meeting March 21, 2011*

### **Additions to Agenda of March 21, 2011**

Mayor Penwell asked for approval of the additions to the agenda of the March 21, 2011 regular meeting.

Motion 2011-03-21-01          Johnson/Curtis

Resolved that the additions of the March 21, 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  
February 28, 2011*

## **Regular Meeting of February 28, 2011**

Mayor Penwell asked if there were any errors or omissions to the minutes of the regular meeting of February 28, 2011 as presented.

Corrections to the February 28, 2011 minutes are as follows:

Item: Delegation/Guest

Replace words "carried on" with the word "had"

Replace the title "Mayor Penwell" with the title "Deputy Mayor Dunne"

Item #2: Hornhouse Road

Motion should read as follows: resolved to keep the motion made in previous meeting to make the fire lane cut to Clyde Hillier's property and after the town is done make a fire lane to the Light House.

Item #3: Incidentals for Travel Expense

Insert the words "at present" after the word "that"

Item #5: Retainer Fee - Picco & White

Replace the word "owned" with the word "owed"

Item #7: Drinking Water Report

Item should read as follows: Councillor Johnson has concerns of the results identified in the report and would like an explanation in writing or in person from Mr. Floyd Barnes.

Item #9: PMA Annual Convention

Replace in the motion the words after "Debbie" with the words "if available"



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## Item #10: Arena

Town Clerk Stacey wanted recorded her concern/objection to the cost of the expenditure at this time.

## Item #11: Disciplinary Action

Should read as follows: The incident at the arena was a member of the general public and not a town employee. A letter to be written to the individual about sportsman conduct and be asked to make a public apology to tournament coordinator in regard to his conduct.

Motion 2011-03-21-02          Dunne/Curtis

Resolved that the minutes of the February 28, 2011 regular meeting of council be adopted with the corrections.

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 February 28, 2011 meeting was reviewed.

### *New Business*

#### 1.      **Collective Agreement Signing**

Town Clerk Stacey to arrange date for signing. Unable to arrange for March 25, 2011.

#### 2.      **Loggerhead Brook**

Correspondence received from Brad Lush, Project Engineer, Dept. of Municipal Affairs which states that the damage to Loggerhead Brook is not eligible for funding under the Dept. of Municipal Affairs. Mr. Lush also advised that this work would have to be applied for under Municipal Capital Works funding.



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## 2. **Loggerhead Brook Cont'd**

Contact local MHA King to check into this matter.

Town Clerk Stacey filled out form for the Dept. of Municipal Affairs about the work that has not been done to Loggerhead Brook.

## 3. **Crown Land Application - Dennis Combden**

Town Clerk Stacey informed council that Mr. Combden is renewing his Crown Land application for agriculture.

Motion 2011-03-21-03          Johnson/Curtis

Resolved that Mr. Dennis Combden's Crown Land Application for agriculture be approved as presented subject to 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

## 4. **Correspondence - Mike & Cindy Stone**

Letter received from Mr. & Mrs. Stone concerning the damage done to their property from snowclearing over the years and particularly this year.

Council's policy regarding snowclearing is not to repair damage to land less than 10 feet from the boundary line.

Town Clerk Stacey to write Mr. & Mrs. Stone to inform them that council will not be paying for damages to their property.



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## 5. Sunset Crescent - Street Conditions

There has been several complaints received from residents on Sunset Crescent about the condition of their road. Our local MHA's office has received many complaints about this matter and informed the residents to redirect their complaints to the town office.

Town Clerk Stacey informed council that the road is in very poor condition and because of the wet winter is very soupy at times.

Town Clerk Stacey was in contact with our engineer earlier in the year and was informed that it would cost approximately \$6000.00 to do an area of 200m x 6m x 4" with Class "A". Town Clerk Stacey had our Work Foreman to measure the length of Sunset Crescent from the intersection of Harbour Drive to end of pavement. It measured approximately 0.2 Km.

Town Clerk Stacey to contact the town's engineer about Sunset Crescent to find out can some of the road be taken down and if so, how much and about putting crushed stone on the road.

Town Clerk Stacey to contact contractor about getting the road graded and when they would be in the area.

Town Clerk Stacey to check with Work Foreman to see what was put on the road before.

## 6. Employee Vacation Request

It was the consensus of council that the request received from Graduate employee Mullins to have a week's vacation in July is okay.

## 7. Minor Hockey Souvenir Booklet

Need to find out if there is one booklet or two and the motion on February 14<sup>th</sup> was to advertise in their booklet at a cost of \$150.00. If there are two booklets, then it would cost \$150.00 for each booklet.



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## 8. Roses Real Estate

Mr. Earl Rose contacted Town Clerk Stacey about the rate he is paying on water/sewer rates for his two apartments. Town Clerk Stacey checked the records and Mr. Rose is being charged the commercial water/sewer rate instead of the residential water/sewer rate.

Motion 2011-03-21-04          Curtis/Johnson

Resolved that Roses Real Estate be reimbursed the difference of the commercial water/sewer rates and the residential water/sewer rates.

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. B. P. Waste Management

Motion 2011-03-21-05          Johnson/Parsons

Resolved that the Town of Fortune supports the Burin Peninsula Waste Management Corporation in their plan to publish a tender for collection services.

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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## 10. Seniors Distinction Award

Nominations can be submitted by an individual, group or organization.

## 11. Matthew Barnes - Application for Employment - Skills Link - NL Works - Graduate Employment - Career Focus

Mr. Barnes submitted an application for employment to the town. He enclosed information on the above mentioned government programs to inform council that he qualifies under these programs.

Mr. Barnes's application will be kept on file.

## 12. Annual Fundraising Dinner - Mariners' Memorial, April 8, 2011 at 6:00 p.m.

Councillors to let the office staff know if they are interested in attending on or before April 2, 2011.

## 13. Burin Peninsula Drama Festival, April 7, 8 & 9, 2011 in St. Lawrence - Advertising in Commemorative Booklet

Councillor Curtis declared a conflict of interest and left the meeting.

Motion 2011-03-21-06          Johnson/Parsons

Resolved that the town advertise in the Burin Peninsula Drama Festival Commemorative Booklet. Advertisement amount to be the same as last year.

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

Opposed:          0  
Motion carried



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Councillor Curtis returned to the meeting.

#### 14. Pinchmarsh Road Ext. - Tender and Paving

Town Clerk Stacey informed council that an Easement Agreement has to be done up for the residents on Pinchmarsh Road Ext. to sign. This has to be done before the tender can be advertised in the paper. Hope to get the tender in the paper by next weekend.

Town Clerk Stacey informed council that paving is not included in the Pinchmarsh Road Ext. tender.

#### 15. Parkinson Society N.L. - Super Walk - September 18, 2011

Unable to commit to participating in this event at this time due to the event being scheduled so far ahead.

#### 16. Municipalities Newfoundland & Labrador Eastern Regional Meeting - March 30 & 31, 2011 at Port Blandford

There is no one available to attend this regional meeting due to other commitments.

#### 17. NL Environment Awards - Nominations

A person or group in the community that has demonstrated dedication and commitment to sustaining, protecting and enhancing the environment can be nominated.

#### 18. Wooden Boat Museum - Fundraising Gala, St. John's, May 6, 2011

There is no one available to attend this gala due to other commitments.





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19. **MNL Symposium - May 5 to 7, 2011, Gander**

Mayor Penwell to attend.

20. **W/D Site Minutes - February 15, 2011**

Motion 2011-03-21-07      Smith/Curtis

Resolved that Fortune/Grand Bank Waste Disposal Site minutes for the February 15, 2011 meeting be approved 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

21. **2<sup>nd</sup> Quote CO2 System & Hood - Arena**

The quote received from Jenkins Power Sheet Metal in the amount of \$13,800 + HST does not include the electrical, starter & cement board.

The general consensus of council is that the town cannot afford to purchase the CO2 System at this time.

Motion 2011-03-21-08      Johnson/Dunne

Resolved that the regular meeting be extended beyond 8:30 p.m. to no later than 8:45 p.m.

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

Opposed:      0  
Motion carried

*Request to Extend  
Meeting beyond  
8:30 p.m.*



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## 22. MNL Training Session Schedule

The MNL Training Session Schedule outlines training and development opportunities that will be offered by each of the Department of Municipal Affairs, Municipalities NL (MNL) and Professional Municipal Administrators (PMA) in 2011.

## 23. Destination St. John's - AGM - April 13, 2011

There is no one available to attend this AGM due to other commitments.

## 24. Info Session - April 5, 2011 - Prior to PMA Convention

Town Clerk Stacey and Office Clerk Hillier to attend.

## 25. ACASA - Hosting 2 Day Conference - March 23 & 24, 2011 - St. John's

There is no one available to attend this conference due to other commitments.

## 26. Fire Dept. - Pager System

Town Clerk Stacey informed council that the Fire Dept. is down 2 pagers and need a new pager system. Cost of new pager system is \$20,000.00 with HST included. Cost of financing the system over a 5 year period would be approximately \$7300.00. The fire departments budget allocation would need to be \$4000.00 per year for 5 years.

Town Clerk Stacey informed council that the bank would not provide her with a financing quote unless an application was submitted. Another option of financing would be for the town to loan the fire department the funding from the town's reserve account and the fire department pay the town back on a monthly basis.

Motion 2011-03-21-09

Johnson/Dunne

Resolved that the pager system be purchased for the fire department through the town's resources with the agreement that the fire department pay back the town on a monthly basis.



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## 26. Fire Dept. - Pager System Con'td

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

Opposed: 0  
Motion carried

## 27. Solar Air Panel Quote

The quote received for the solar air panel is \$2749.00 + Installation + Tax + Shipping. Another quote is \$3150.00 which included installation + Tax.

Will not be purchasing the solar panels.

## 28. Deed of Easment

This issue was discussed under item #14.

## 29. Rental - Interpretation Centre

Town Clerk Stacey informed council that the St. Pierre company renting the Interpretation Centre has not paid their rent since October 2010. It was thought that they paid their rent through electronic payment via our bank account, but it was determined that this was not the case.

Town Clerk Stacey to write a letter to the St. Pierre company informing them that they have 14 days to pay up their rent or an eviction notice will be issued.

## 30. Horsebrook - Igor Damage

Town Clerk Stacey informed council that she was in contact with Frank Langley from Fire Emergency Services about an application submitted by the Fortune ATV Trail Association for repairs to the Horsebrook Trail. The Fortune ATV Trail can't make the application because they don't own the land. The town could



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## 30. Horsebrook - Igor Damage

resubmit the application on behalf of the Fortune ATV Trail Association.

Clerk Stacey to contact the Fortune ATV Trail Association and get a copy of their application and resubmit on their behalf.

## 31. Haddon Playground

Town Clerk Stacey informed council that she had a request from a resident who is interested in setting up a committee for the Haddon Playground.

Motion 2011-03-21-010      Curtis/Johnson

Resolved that council approves the resident setting up a committee for the Haddon Playground.

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

Opposed:      0  
Motion carried

## 32. Regional Joint Council Update

Information letter sent to councils and local service districts around the Burin Peninsula.

## 33. Youngs Refrigeration

Town Clerk Stacey received correspondence from Youngs Refrigeration concerning the temporary condenser. They had changed the condition on the rental fee.



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### 33. Youngs Refrigeration Cont'd

Town Clerk Stacey was in contact with John Dawe from the Dept. of Municipal Affairs about the matter. The town is concerned who is going to pay the \$1500 monthly rental fee on the temporary condenser.

The town will have to wait and see who gets awarded the tender.

### 34. Additions to the Agenda

Councillor Smith addressed the issue of the number of additions to the agenda after the agenda has been prepared and sent out to councillors.

Resolved that the additions to the agenda will only be allowed if the item is of importance or urgent.

Motion 2011-03-21-11      Smith/Keeping.

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

Opposed:      0  
Motion carried

### 35. Letter from Resident - Vehicle Damage

Deputy Mayor Dunne declared a conflict of interest and left the meeting.

A letter was received from Mr. Carl Crews, Bunkerhill Road about damage sustained to his vehicle while driving on Bunkerhill Road.

The town's policy is that damages to vehicle from driving on the town streets is not covered by town.

Town Clerk Stacey to write Mr. Crews informing him that council will not be paying for the damage to his vehicle as per town policy.



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Deputy Mayor Dunne returned to the meeting.

### *Correspondence*

1. Infonotes: Feb. 18 & 25, 2011  
Mar. 5 & 11, 2011
2. MNL - Communications Focus Group
3. MHA King - SWASP Advisory

### *Adjournment*

Next regular Council meeting scheduled for March 28, 2011 at 5:30 p.m.

Motion 2011-03-21-12


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 8:45 p.m.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Office Clerk



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## **AGENDA COUNCIL MEETING MARCH 21, 2011 6:30 P.M.**

### **Employee Presentation to Council**

**7:00 p.m.**

### **Additions to Agenda**

**Adoption of Minutes: February 28, 2011**

### **Action List**

#### **General Business:**

1. Collective Agreement Signing.
2. Loggerhead Brook.
3. Crown Land Application Dennis Combden.
4. Corr. Mike Stone.
5. Sunset Crescent - Street Conditions.
6. Employer Vacation Request.
7. Minor Hockey Souvenir Booklet.
8. Roses Real Estate.
9. B. P. Waste Management.
10. Seniors Destination Award.
11. Matthew Barnes - application employment - skills link - NNL Works



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12. Annual Fundraising Dinner Mariners Memorial  
April 8, 2011 at 6:00 p.m.
13. Burin Peninsula Drama Festival  
April 7, 8 & 9 in St. Lawrence.
14. Pinchmarsh Road Ext. - Tender and Paving.
15. Parkension Society N.L.. Super Walk - Sept. 18, 2011.
16. Eastern Regional Meeting - March 30 & 31, 2011.
17. NL. Environment Awards - Nominations.
18. Wooden Boat Museum Fundraising Gala  
St. John's May 6, 2011.
19. MNL Syonposium  
May 5 - 7, 2011, Gander.
20. WDS Minutes Feb. 15, 2011.
21. 2<sup>nd</sup> Quote CO2 System & Hood - Arena.
22. MNL Training Session Schedule.
23. Destination St. John's AGM.
24. Info Session April 5 - prior to PMA Convention.
25. ACASA hosting two day conference  
March 23 & 24, 2011  
St. John's.





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## Correspondence:

1. Infonotes: Feb. 18, 2011  
Feb. 25, 2011  
March 5, 2011  
March 11, 2011
2. MNL - Communication Focus Groups.
3. MHA King - SWAP Advisory.

## Permits: