

Town of North River Meeting Minutes February 6, 2024
Town Council Chambers 43 North River Road, North River, NL

In Person Attendance: Mayor Hurley, DM Blair Hurley, Councilors' Joanne Morrissey, Kelly Hall, Dwight Snow, Elsie Morrissey, and John Newell
Absent:

Also Present: Katie O'Flaherty - Town Clerk/Administrator, James Cummings, Clarence Mahoney, Brian Cummings, Dave Wicks, Noel Hurley, Cathy Mahoney and Cheryl Edmunds

Agenda and Minutes:

Motion 2023 – 2281– DM Hurley/Councilor Snow

Resolved that the agenda for the February 6, 2024, meeting be adopted with the following additions.

Development application for 295-297 North River Road

Enforcement officer

Lane sign

International Women's Day

All in Favor, Motion Carried

Motion 2023-2282 – Councilor Hall/DM Hurley

Resolved that the minutes of the January 9, 2024, meeting of council be adopted as circulated.

All in Favor, Motion Carried

The council met on January 23, 2024, with Cathy Mahoney to discuss the Recreation & Events committee.

Motion 2023-2283 – DM Hurley/Councilor Hall

Resolved that the minutes of the January 23, 2024, meeting of council be adopted as circulated.

All in Favor, Motion Carried

On January 30, 2024, the council met to review the decision of the Appeal Board as requested by resident of 44 North River Road.

Motion 2023-2284 – Councilors J. Morrissey/Snow

Resolved that the minutes of the January 23, 2024, meeting of council be adopted as circulated.

All in Favor, Motion Carried

Delegation:

James Cummings spoke on the permit issued to 6-12 Riverside Road – shed extension. Mr. Cummings presented pictures of the shed that was once on the property, the property with the shed removed, and a picture of the shed, now located on property on North River Road. He noted that the shed which was to be extended was removed from the property before the permit was granted. Due to the council's negligence in reviewing the application, they passed the application with false information. Mr. Cummings feels a permit should not have been issued to erect a new shed based on the application approved by council.

Mr. Cummings said he asked the same questions at the December 5, 2023, meeting of council and advised that to date he had not received a written response from council. He said that his questions should be addressed during the council meeting, not in private.

Next, Noel Hurley presented documents to Mayor Hurley to be witnessed and stamped. The Clerk left the meeting briefly to obtain stamp in office at Mayor Hurleys request. Mayor Hurley signed documents and Mr. Noel Hurley proceeded with his presentation to council. A copy was provided to everyone.

Mr. Hurley addressed council this evening regarding the orders and appeal relating to 44 north River Road and to ensure residents of North River were aware that he had tried to settle the dispute with council outside of court. Mr. Hurley spoke on actions he believed to have been taken by the Clerk, making the town's motto "Let's build a better community together, laughable". While it is the third house Mr. Hurley has built in the town it is the first where he has been met with such resistance, mistrust, and a bureaucratic attitude. He advised that they intend to challenge the decision in Supreme Court, and it will likely take many months or even years to be heard, noting the legal costs would likely exceed those from engaging an engineer and upgrades. Mr. Hurley spoke on ownership of school property and the money owed to various denominations by the province. He stated that in 2020, the council trespassed into their

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property, removing aggregate, trees thus depreciating the value of their property which they intend to prove in court as well. Mr. Hurley stated the council's recent email differed from the appeal and order. He advised the council that they have a choice to make. Continue to harass and make life miserable for him and his wife or seek a mediated settlement to end the dispute. He notes that in the interest of saving the taxpayers of North River thousands of dollars, he urged council to cancel the remove and destroy order. In exchange, Mr. Hurley would withdraw legal appeal and agree to work collaboratively to seek a solution acceptable to both him and the town.

Business Arising:

New Business:

Councilor Newell believes that development in the town is limited with the town's $\frac{3}{4}$ of an acre building lot requirements. Councilor Newell made a motion to reduce the building lot requirements for a single-family home to $\frac{1}{2}$ acre and $\frac{3}{4}$ of an acre for duplex and apartments.

The council was unsure if a conflict exists among those who own land and asked the clerk to check before voting. Deferred.

Councilor E. Morrissey noted her concerns with the money to be spent to reestablish the road on Riverside Road and asked if the council could consider asking the property owner to move the rock retaining wall back.

Councilor E. Morrissey also questioned the paving on Riverside Road. While she was aware that the council did vote to have the area paved some time ago, she questioned who made the decision to go ahead with the paving in November, when there was additional work to be completed in the area.

Mayor Hurley said that the motion to pave Riverside Road was made by the council and agreed to wait until construction was finished on the new home. The upgrades to Riverside Road will provide residents with access to their property as the road has eroded over the years.

The clerk advised that 4 names were submitted for the Recreation Committee.

Motion 2023-2285 – Councilors E. Morrissey/Hall

Resolved that council establish a recreation & events committee. Cathy Mahoney, Candace Snow, Katherine Rideout and Peter Rideout be accepted to the Recreation and Events Committee pending court check.

All in Favor, Motion Carried

The council agreed that Councilor Hall will sit on the committee on behalf of the council.

The council discussed the confusion with North River Recreation Inc. Council instructed clerk to respectfully write a letter to North River Recreation Inc. and request a name change to avoid confusion as the organization is not associated with the Town.

Mayor Hurley proposed the installation of a road sign to mark town road.

Motion 2023-2286 – Councilors E. Morrissey/Snow

Resolved that a road sign be installed naming the lane "Kennedys Lane"

All in Favor, Motion Carried

Mayor Hurley spoke on the Community Collaboration Grant, recently approved. This approval will provide a Municipal Enforcement office as a shared service between the Towns of North River, Bay Roberts, Spaniards Bay and Harbor Grace. Plans to roll out will be overseen by the Town of Bay Roberts and will likely take a couple of months to have in place.

Councilor J. Morrissey announced 2024 International Women's Day, March 8, 2024. Celebration to take place at All Hallows Elementary.

Motion 2023-2287 – DM Hurley/Snow

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Resolved that council pay for the women of council, staff, and wives of councilors to attend the International Women's Day celebration.

All in Favor, Motion Carried

In response to Mr. Cummings, the clerk was directed to obtain an updated development application from 6-12 Riverside Road to reflect the newly constructed shed. Town Employee has already confirmed boundary measurements. Clerk also to advise owner that a separate application is required for the new location of old shed on property located 149-151 North River Road. Once received boundary measurements to be confirmed by town employee.

Development Applications:

295-297 North River Road – 2 proposals were submitted for review.

Proposal one; construct 2 5plex apartment buildings or proposal two; construct 5 duplex apartments.

After reviewing the applications council agreed each duplex would require that $\frac{3}{4}$ of an acre lot, therefore only enough room for 3 duplexes.

Motion 2023-2288 – Councilors Newell/DM Hurley

Resolved that council approve in principle, proposal one, to construct 2, 5 plex apartments pending approval from Service NL.

All in Favor, Motion Carried

Correspondence for Information:

Epilepsy NL	Purple Day 2024	Motion
MNL	Info Note – Regional Meetings	File
CBN Volunteer Parents Committee	Fundraising	File
Joint Council	Provincial Grants	Clerk to apply (2)
Dept. of Fisheries, Forestry and Agriculture	Geographical Names Database	File
NL 211	Proclamation	Motion
Municipal Affairs	Accessible Communities Grant	Clerk to apply
Heritage NL	Proclamation	Motion
Municipal Affairs	Community Collaboration Grant	File
North River Recreation Inc.	Request – Use of Basketball Court	Motion
Town of Hr. Grace	Resolution of Council	File
NL Federation of Agriculture	Agriculture in the Classroom – All Hallows School	File

Motion 2023-2289 – Councilor Snow/DM Hurley

Resolved that council do hereby proclaim March 26 as Purple Shirt Day in an effort to raise awareness and understanding of epilepsy, and to support all those who live with seizures each day.

All in Favor, Motion Carried

Motion 2023-2290 – Councilors Newell/DM Hurley

Resolved that the council hereby proclaim Sunday, February 11, as 211 Day in the Town of North River.

All in Favor, Motion Carried

Motion 2023-2291 – Councilors Newell/DM Hurley

Resolved that the council do hereby proclaim Monday, February 19, 2024, as Heritage Day and February 19-25, 2024, as Heritage Week, and call upon all citizens to celebrate the richness of our past and the promise of our future.

All in Favor, Motion Carried

Committee Reports

Bay de Grave – No meeting.

Joint Councils – Mayor Hurley attended virtual meeting. Discussion on mobile mental health unit & ERSB garbage collection.

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Animal Control – Enforcement officer to include animal control.

Occupational Health Safety – Nothing to report.

Bills

Motion 2023 –2292 –Councilors E Morrissey/Hall

Resolved that the bills be paid in the amount of \$27,013.66.

All in Favor Motion Carried

Mayor Hurley left at 8:30pm due to conflict of interest.

Discussion as to whether DM Hurley was in a conflict. It was decided that DM Hurley would remove himself from discussion as he was not involved in previous discussions on the matter.

Members of the gallery were excused.

The council entered a privileged meeting to discuss 44 North River Road at 8:47pm

The council returned to the public meeting at 9:03pm.

Motion 2023-2293 – Councilors Newell/Snow

Resolved that the council approved the installation of one culvert (20ft) in addition to the original 20ft culvert to provide reasonable and safe access to resident's double car garage, for a total of 40 feet.

All in Favor, Motion Carried

Adjournment

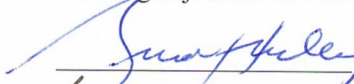
Motion 2023 –2294 – Councilors J Morrissey/Hall

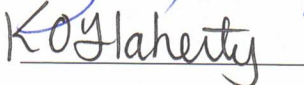
Resolved that this meeting of the council be adjourned until the next regular meeting March 5, 2024, at 7:00 p.m. at the Town Council Chambers, 43 North River Road.

All in Favor (Councilors' Joanne Morrissey, Kelly Hall, Dwight Snow, Elsie Morrissey, and John Newell)

Motion Carried

Meeting adjourned at 9:07 P.M.

 Mayor Brian Hurley

 Katie O'Flaherty - Town Clerk

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