

**MINUTES OF THE REGULAR COUNCIL MEETING
HELD ON FEBRUARY 1, 2022**

Present were: Mayor Brian Keating
Deputy Mayor Andrew Walsh
Councillor Mike Brennan
Councillor Andy Edwards
Councillor Bridget Hodder
Councillor Ray Nolan

Also present: Alje Mitchell, Chief Administrative Officer
Randy Brockerville, Director of Operations & Public Works
Melanie Kilfoy, Director of Finance & Administration
Kayla Power, Director of Recreation & Community Services
Petrina Power, Town Clerk

1. Call to Order

Mayor Keating called the meeting to order at 7:00 p.m. and welcomed everyone to the meeting.

Prior to proceeding with the agenda, Mayor Keating advised he wished to again recognize past Councillors and/or members of the Marystown Volunteer Fire Department who passed away in 2021. Audio issues were experienced at the regular Council meeting of December 21, 2021, when Mayor Keating first did the recognitions, which meant those tuning in to the meeting were not able to hear what was said.

Mr. Pius Ducey, former Deputy Mayor, Councillor and Town employee, passed away on November 25, 2021. Mr. Ducey served as a Councillor from 1898 to 2000 and as Deputy Mayor from 2000 to 2001 and again as a Councillor from 2001 to 2005. Recently, Mr. Ducey was employed in the Recreation Department. Mayor Keating passed on Council and staff's condolences to his family and friends.

Mr. Dominic Miller, a past member of the Marystown Volunteer Fire Department, passed away on December 2, 2021. Mr. Miller was well liked in the community and very committed to the Fire department during his years of service. Mayor Keating passed on Council and staff's condolences to his family and friends.

Mr. John Drake was an honorary member of the Marystown Volunteer Fire Department who passed away on December 7, 2021. Mr. Drake was well-respected and he committed many hours to the Fire Department during his service. Mayor Keating passed on Council and staff's condolences to his family and friends.

Mr. Arch Spencer, honorary member of the Marystown Volunteer Fire Department, passed away on December 14, 2021. Mr. Spencer was a member of many community organizations and was an inspiration to everyone who knew him. Mr. Spencer volunteered tirelessly and did so much for others. Mayor Keating passed on Council and staff's condolences to his family and friends.

2. Adoption of Agenda

Motion

MMC 2022 02 01/001R

Moved by Councillor Nolan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED the agenda be adopted.”

Motion carried unanimously.

3. Adoption of Minutes

Regular Council Meeting

Motion

MMC 2022 02 01/002R

Moved by Councillor Nolan, seconded by Councillor Edwards

“BE IT RESOLVED the minutes of the regular Council meeting held on January 11, 2022, be adopted.”

Motion carried unanimously.

Special Council Meeting

Motion

MMC 2022 02 01/003R

Moved by Councillor Hodder, seconded by Deputy mayor Walsh

“BE IT RESOLVED the minutes of the special Council meeting held on January 10, 2022, be adopted.”

Motion carried unanimously.

The minutes of the meeting held with the Heritage Run Tourism Association on January 17, 2022 were tabled for information purposes.

It was noted that there was an error with Motion MMC 2021 08 10/018R from the regular Council meeting of August 10, 2021, wherein the cost to engage engineers to submit funding applications on the Town’s behalf was incorrectly recorded.

Motion

MMC 2022 02 01/004R

Moved by Councillor Brennan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to amend Motion MMC 2021 08 10/018R made at the regular Council meeting of August 10, 2021, to read as follows:

Motion

MMC 2021 08 10/018R

Moved by Councillor Edwards, seconded by Councillor Tremblett

“BE IT RESOLVED approval be given to engage Edwards and Associates Ltd. to complete and submit nine online Multi Year Capital Works applications to the Department of Municipal and Provincial Affairs through the MSIS system on behalf of the Town at a cost of \$3,105.00 including HST.”

Motion carried unanimously.”

Motion carried unanimously.

4. Business Arising from Regular and Special Council Meetings

There was no business to bring forward from the regular or special Council meetings.

5. Delegations

There were no scheduled delegations.

6. Committee Reports**Planning & Development Committee**

Councillor Brennan reviewed the minutes of the Planning & Development meeting held on January 20, 2022.

With the province at a modified COVID Alert Level 4, the Model Ship Gallery is currently closed and will remain closed until the alert level is upgraded. One new donation of a model ship was received last week and the gallery is negotiating for a second donation. Staff with The Rooms have referred a lady from St. John's to the gallery as she is looking for a new safe home for a 5-6 foot three-masted model ship that is over 100 years old and was part of a national exhibition in 1947. Councillor Brennan will have more information on this item at a later date.

Follow-up is pending on some sort of formal recognition for the late John Keith-King and his family, who donated the model ship collection to the Town.

Councillor Brennan advised a couple of letters will be sent to business owners who are operating quarries without the proper permits.

Proposals were invited for the purchase of a parcel of land located adjacent to 1 Thompson Street. One proposal was received.

Motion

MMC 2022 02 01/005R

Moved by Councillor Brennan, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to sell a parcel of land measuring 137 square meters located adjacent to 1 Thompson Street to the owner of property located at 1 Thompson Street at a cost of \$6.00 per square meter plus HST with the understanding that all legal, survey and other associated costs will be at the expense of the purchaser.”

Motion carried unanimously.

Motion

MMC 2022 02 01/006R

Moved by Councillor Brennan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from a resident for Crown Land measuring 45m x 90m on the Northwest Trail for the purpose of a seasonal residence be rejected due to the Department of Transportation & Infrastructure’s decision to suspend development in the area until the installation of a turning lane from the highway.”

Motion carried unanimously.

It was noted that the requirement for a turning lane from the highway to the Northwest Trail area is a decision of the Provincial Government and not the Town. As a result of that decision and until such time as a turning lane is installed, the Town is unable to approve further development for the area.

Motion

MMC 2022 02 01/007R

Moved by Councillor Brennan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from a resident for Crown Land measuring 45m x 90m in Jean de Baie for the purpose of a remote cottage be approved.”

Motion carried unanimously.

Motion

MMC 2022 02 01/008R

Moved by Councillor Brennan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from a resident for Crown Land measuring 45m x 90m in Jean de Baie for the purpose of a residential development be rejected as the area is zoned as a Resource Zone.”

Motion carried unanimously.

Councillor Brennan advised that in November/December 2021, Council made the decision to reorganize and as a result, the Director of Planning & Development Control position was

eliminated. The position was held by Mr. Craig Edwards for the last six months of 2021, who has since moved on. Councillor Brennan thanked Mr. Edwards for his service, noting he would be a valuable asset to any company. Mayor Keating also wished Mr. Edwards well on behalf of Council and staff.

Finance Committee

Prior to bringing forward his report, Councillor Edwards advised that it was his pleasure to table the 2021 Budget. Councillor Edwards thanked Mayor Keating, the CAO, the Director of Finance & Administration and all other Councillors and staff involved in the budget for their work and input.

Councillor Edwards noted the following budget highlights:

- No increase in taxes or fees for residents or businesses in 2022
 - o 2020 and 2021 have been challenging years financially for many as a result of the COVID-19 pandemic
 - o There was a tightening of all department budgets to prevent an increase in mil rates or fees
- Balanced budget for the 2022 Taxation Year with Revenues of \$8,240,726.14 and Expenditures of \$8,240,726.14
 - o Overall revenues and expenditures increased by \$226,976.61 (2.83%) compared to the 2021 budget
 - o Due to reallocations within departments, some departments will show an increase in their budgets while others will show a decrease
- The mil rate for residential property will remain at 7.0 mils and the mil rate for commercial properties will remain at 8.0 mils, with a \$350.00 minimum tax for both
- Water and sewer tax rates will remain the same, as will poll tax (exemption to remain at \$25,000) and fees for permits, licenses and development
- The YMCA Operating Grant will be set at \$290,000
- Continuance of the 10 month interest free equal payment plan for residents without arrears
 - o Anyone on the plan for 2021 to be automatically enrolled going forward
 - o The deadline to sign up is February 21, 2022
 - o Additional information on this preauthorized debit plan will be posted on the Town's social media sites and at the bottom of the 2022 invoices in February
- Rate for overdue accounts remaining the same at 12% annually, compounded monthly
- Continuance of acceptance of all major credit cards and email money transfers (EMT's)
- Continuance of the \$100 senior's reduction

At this point, Councillor Edwards tabled the 2022 budget.

Motion

MMC 2022 02 01/009R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED that in accordance with Section 77, 78 and 79 of the *Municipalities Act, 1999*, Council adopt the Budget for the Year 2022 showing Revenue of \$8,240,726.14 and Expenditures of \$8,240,726.14.”

Motion carried unanimously.

*Town Council of Marystown
Regular Council Meeting
February 1, 2022*

Motion

MMC 2022 02 01/010R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED that in accordance with Section 101 of the *Municipalities Act, 1999*, Council adopt the 2022 Tax Structure.”

Motion carried unanimously.

Motion

MMC 2022 02 01/011R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED that in accordance with Section 101 of the *Municipalities Act, 1999*, Council set the due date for payment of 2022 taxes at April 30, 2022.”

Motion carried unanimously.

Motion

MMC 2022 02 01/012R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED that in accordance with Section 106 of the *Municipalities Act, 1999*, Council set the interest rate for overdue taxes at 12% annually, compounded monthly.”

Motion carried unanimously.

Motion

MMC 2022 02 01/013R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED that in accordance with Section 109 of the *Municipalities Act, 1999*, the 2022 Tax Structure be published in The Telegram and by Public Notice in the Town.”

Motion carried unanimously.

Councillor Edwards reviewed the minutes of the Finance Committee meeting held on January 19, 2022.

Motion

MMC 2022 02 01/014R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to pay Interim Invoice No. CINV1528341 received from BDO Canada LLP dated December 31/21 in the amount of \$10,557.00 including HST for professional fees for the audit of the Town of Marystown’s financial statements for the year ended December 31, 2021.”

Motion carried unanimously.

Motion

MMC 2022 02 01/015R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to pay Invoice No. 0684 received from O’Flaherty Legal Services dated May 17/21 in the amount of \$1,502.19 including HST for professional services in relation to the expropriation of land in the Marine Industrial Park.”

Motion carried unanimously.

Motion

MMC 2022 02 01/016R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to pay Invoice No. 4370-2022 received from The Watchdog dated January 11/22 in the amount of \$188.60 including HST for the 2022 annual subscription renewal, with funds to come from the 2022 budget.”

Motion carried unanimously.

Motion

MMC 2022 02 01/017R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to adjust fifty percent of the interest accumulated on Account No. 58948001 in the amount of \$1,717.81 as the principal and fifty percent of the interest on the account has been paid in full as per policy.”

Motion carried unanimously.

Motion

MMC 2022 02 01/018R

Moved by Councillor Edwards, seconded by Hodder

“BE IT RESOLVED Council approve Tax Adjustment Listing No. 5-1 dated January 20, 2022, in the amount of \$54,300.00 as per policy.”

Motion carried unanimously.

Motion

MMC 2022 02 01/019R

Moved by Councillor Edwards, seconded by Councillor Brennan

“BE IT RESOLVED Council approve Accounts Payable Listing No. 8-1 as of January 19, 2022, in the amount of \$298,272.23 as per policy.”

Motion carried unanimously.

Motion

MMC 2022 02 01/020R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to cancel the former Director of Recreation & Community Services’ petty cash in the amount of \$200.00.”

Motion carried unanimously.

Motion

MMC 2022 02 01/021R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to provide a petty cash in the amount of \$200.00 to the new Director of Recreation & Community Services.”

Motion carried unanimously.

Public Works Committee

In the absence of Councillor Keating, Mayor Keating reviewed the minutes of the Public Works Committee meeting held on January 19, 2022. Mayor Keating stepped out of the position of Chair of the meeting and Deputy Mayor Walsh presided.

Mayor Keating advised correspondence was received from the owner of Braxton Suites regarding a sewer issue in the area that had to be repaired at his cost. The Committee has reviewed the file and will be following up with the property owner.

Bacteriological water analysis reports for November 23/21 and December 6/21 have come back satisfactory.

Councillor Keating and the CAO participated in the MNL’s Member Wastewater Discussion on January 11/22 and noted there will not be any changes to the wastewater regulations for the foreseeable future.

The Director of Operations & Public Works will complete an Annual Water Systems Report for 2021 by the February 25th deadline.

The Town has received a renewed Permit to Operate for its drinking water system.

Quotes were forwarded to the Town for the replacement of a tire and rim that were damaged on the Town’s roads. Mayor Keating advised that if proper signage is in place advising residents of potholes, then the Town is not liable for any damage incurred. If the signage is not in place, each claim will be dealt with on a case by case basis. The CAO will follow up on this current claim.

The Town’s Water Treatment Operator will take over collecting water samples and daily trips to check on the Clam Pond pump house and chlorination building. As a result, the Town’s contact with Pittman’s Electrical will be cancelled, which will result in a cost savings for the Town.

It was noted that the Department of Environment & Climate Change conducted an inspection on the Town's drinking water system on May 28/21 and a report is on file.

The Penney Street lift station has been repaired and is running well. A new motor was purchased and installed in the blivet on Bayview Street. Follow-up is being made to identify the source of an odor in the area.

There was nothing new to report with regards to the Town's capital works.

There was an issue at the Water Treatment Plant with a pump shutting down, which resulted in the system sending an alert to the operator. The pump was restarted and the cause of the shutdown is unknown. Follow-up is ongoing on several items at the plant such as an annual water tank inspection and the installation of a backup auto-dialer. Quates have been received for the replacement of the third VFD at the Clam Pond pump house as it is at the end of its lifespan. This item was discussed and added to the 2022 budget wish list.

Mayor Keating advised there was an issue with one of the Town's loaders however repairs are pending; other equipment is repaired as necessary. Mayor Keating commended the Public Works Department for keeping the equipment in great shape and operating well.

There were no major issues to report with regards to snow clearing. Salt and sand usage is slightly up despite the rain as of late.

There were no updates on waste management; the Committee met once for the new year and a second meeting is pending.

Motion

MMC 2022 02 01/022R

Moved by Mayor Keating, seconded by Councillor Brennan

“BE IT RESOLVED approval be given to go to tender for the purchase of one new $\frac{3}{4}$ ton 4x4, four door crew cab pick-up with an eight foot box for the Public Works Department.”

Motion carried unanimously.

Motion

MMC 2022 02 01/023R

Moved by Mayor Keating, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to go to tender for the purchase of one skid steer/loader with associated attachments for the Public Works Department.”

Motion carried unanimously.

There has been an issue with flooding in the Walsh's Road area. Mayor Keating advised the area will be reviewed in the spring once weather permits to determine what can be done to deter flooding.

Mayor Keating resumed the position of Chair of the meeting.

Recreation Committee

Deputy Mayor Walsh advised the Recreation Committee hasn't met since the last regular Council meeting.

Deputy Mayor Walsh took a moment to welcome the new Director of Recreation & Community Services, Kayla Power, to the meeting.

The Kaetlyn Osmond Arena reopened to Marystown Minor Hockey and the Ice Crystals Figure Skating Club only. Once the COVID Alert Level is upgraded, further changes at the arena will be announced.

A new LED clock has been installed at the arena and new field bleachers have been delivered.

There has been some discussion regarding accessibility and accessible washrooms. Council will be looking into what they can do to assist, subject to budget, and will reach out to provincial counterparts. Anyone with any helpful information they can pass on is welcome to follow up with Council.

With the new 2022 budget adopted, Deputy Mayor Walsh advised Council will be looking at new lighting for the Kinsmen field.

Tourism & Special Events Committee

Councillor Hodder reviewed the minutes of the Tourism & Special Events Committee meeting held on January 19, 2022.

Councillor Hodder also welcomed Ms. Kayla Power to her new role as Director of Recreation & Community Services and wished Mr. Robert Warr, former Director, all the best in his retirement.

Unfortunately, due to COVID, the Burning of the Boughs and Breakfast for Seniors events have been cancelled.

The Committee is looking at what events can be done virtually. Currently, the Committee has advertised a photo contest. Residents have asked for more clarification on the criteria for the contest. Councillor Hodder advised the Committee will be creating a Come Home Year 2022 banner using the winning photos from the contest so the pictures need to be very recognizable as Marystown. The contest is open to residents of Marystown only. Councillor Hodder congratulated Johnaton Poulain on being the first week's winner.

The Committee will host a Capture Kindness Valentine's Contest. Councillor Hodder advised they want to see residents caring for seniors, such as shoveling their driveways, and capturing it in a photo. First, second and third place winners will be chosen and the winning prizes will go to the seniors. This contest is also open to Marystown residents only.

Come Home Year 2022 is scheduled for August 14-20, 2022. The Committee will be looking for organizations to come forward and participate in planning for the event. Any ideas for events are welcome.

Councillor Hodder advised that a concern for accessible change stations for adults was brought to Council's attention. As Deputy Mayor Walsh noted, Council is committed to accessibility and will assist in any way possible.

Referring back to Come Home Year 2022, Mayor Keating advised that usually an event of this magnitude takes a year or two to plan however, Come Home Year 2022 is a provincial initiative and all communities across the province are encouraged to host such an event this summer. Unfortunately, it may cause issues for those who live away and need to plan their trip back home.

Councillor Hodder advised that February is Violence Prevention Month. A lot of information can be found on Grace Sparkes House's Facebook page. February 18th is Purple Day and all residents are encouraged to accept the challenge and wear purple.

Protection to Persons & Property Committee

Councillor Nolan reviewed the minutes of the Protection to Persons & Property Committee meeting held on January 20, 2022.

Councillor Nolan advised that March 26th is Purple Day in Newfoundland and Labrador and read out a proclamation, which Mayor Keating signed.

Motion

MMC 2022 02 01/024R

Moved by Councillor Nolan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to declare March 26, 2022, as Purple Day for Epilepsy in an effort to raise awareness and understanding of epilepsy and to support all those who live with seizures each day.”

Motion carried unanimously.

Fire Chief Bolt attended consultations on the Building Accessibility Act on January 27th.

Motion

MMC 2022 02 01/025R

Moved by Councillor Nolan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to submit an application to the Department of Municipal and Provincial Affairs for funding under the Fire Protection Vehicle Program for a new Pumper for the Marystown Volunteer Fire Department.”

Motion carried unanimously.

Motion

MMC 2022 02 01/026R

Moved by Councillor Nolan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to submit an application to the Department of Municipal and Provincial Affairs for funding under the Firefighting Equipment Program for six new bunker suits for the Marystown Volunteer Fire Department.”

Motion carried unanimously.

A decision was made to allow the Roots of Hope Project/Eastern Health to place signage on the Marystown trails with inspirational quotes and information regarding mental health and the mental health crisis line in order to support the Mental Wellness Suicide Prevention Public Awareness Campaign.

The Marystown Volunteer Fire Department has responded to four emergency calls for 2022 since the last Council meeting. With a modified COVID Alert Level 4 in place, the Department has been holding its training virtually and inspections and daily functions are ongoing as per COVID protocols.

Fire Chief Bolt and the Director of Operations & Public Works completed a fire hydrant assessment in December. It was noted that there is a lack of fire hydrants in Creston South along Creston Boulevard, which will be looked into in the future. A new hydrant is to be installed on Bayview Street by Ducey's Lane this spring.

The mock emergency disaster exercise that was planned will need to be rescheduled once the COVID Alert Level has been upgraded. The Emergency Management Plan has been upgraded and circulated.

An Occupational Health & Safety student has started a work term virtually with the Fire Department.

Annual Fire Department motor vehicle inspections have begun and will be completed over the next couple of months.

To date, there is no update on the Burin Peninsula Regional Service Board's request for kilometer markers for the Burin Peninsula Highway to assist with emergency response.

Fire Chief Bolt is following up on possibly upgrading the 'Fire Department Ahead' sign on McGettigan Boulevard.

There were no issues to report with animal control or litter.

A complaint has been received regarding the clearing of snow/ice on the sidewalk on Canning Bridge. As this bridge is the responsibility of the Department of Transportation & Infrastructure, the Town cannot clear the sidewalk due to liability issues. The Department can be notified when there is an issue with snow/ice. Mayor Keating advised that MHA Jeff Dwyer is aware of the complaints and is following up on a resolution.

There have been complaints as well about the number of potholes in the roads, which is a safety concern. Councillor Nolan advised that some of the roads in question are the Town's roads however, other roads are the responsibility of the Department of Transportation & Infrastructure. Marine Drive from the intersection of Creston Boulevard to the end of Beau Bois and McGettigan Boulevard are both Provincial Roads. The Town's Public Works Department is in regular contact with the Department of Transportation & Infrastructure regarding the complaints. The Public Works Department is busy with repairing the Town's own potholes. It was noted that the Town is working with MHA Jeff Dwyer on upgrading McGettigan Boulevard.

Councillor Nolan advised all residents to be aware of the mild winter weather conditions when venturing onto the ice.

Councillor Nolan advised residents that the Town has implemented a Civic Addressing Policy and within that policy is a requirement for all new buildings to have a civic address posted before an occupancy permit can be issued and all existing buildings must post a civic address before any other permit can be issued. Councillor Nolan advised residents and business owners to follow up with the Town if they were uncertain of their civic address.

Councillor Nolan reminded residents that the Town has cat and dog registration tags available to pet owners free of charge. The Animal Control Officer has utilized these tags on a number of occasions to reunite lost pets with their owners and everyone is encouraged to register their pet with the Town.

7. Correspondence

There was no correspondence to bring forward.

8. Approvals to Purchase

There were no approvals to purchase to bring forward.

9. Regulations

There were no regulations to bring forward.

10. Other Business

Mayor Keating took a moment to welcome Ms. Kayla Power to the Town as the new Director of Recreation & Community Services and noted he looks forward to working together.

11. Notices of Motion

There were no notices of motion to bring forward.

12. Adjournment

Motion

MMC 2022 02 01/027R

Moved by Councillor Brennan, seconded by Deputy Mayor Walsh.

“BE IT RESOLVED the meeting was adjourned at 7:56 p.m.”

Motion carried unanimously.

Brian Keating
Mayor

Petrina Power
Town Clerk