

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

Present were: Deputy Mayor Andrew Walsh
Councillor Mike Brennan
Councillor Andy Edwards
Councillor Bridget Hodder
Councillor Keith Keating
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

Deputy Mayor Walsh called the meeting to order at 7:05 p.m. and welcomed everyone to the meeting. Deputy Mayor Walsh passed on regrets from Mayor Keating who could not be present for the meeting.

2. Adoption of Agenda

Motion

MMC 2022 03 01/001R

Moved by Councillor Keating, seconded by Councillor Nolan

“BE IT RESOLVED the agenda be adopted.”

Motion carried unanimously.

Before proceeding with the agenda, Deputy Mayor Walsh read the following statement:

“Over the last few evenings watching events unfold in Europe, it has reminded me of the importance of living in a country such as Canada. We all have comfort to have different ideas of what government should do and we all have the choice to vote and support any party, candidate or policy that we feel best serve our country without fear of prosecution or punishment to yourself or your loved ones. Sometimes we unintentionally take this for granted, the very rights that the people of the Ukraine are fighting for tonight and have been now for several days. The Town of Marystown wish the people of the Ukraine strength and courage during this very difficult time. Thank you.”

3. Adoption of Minutes

Regular Council Meeting

Motion

MMC 2022 03 01/002R

Moved by Councillor Keating, seconded by Councillor Nolan

“BE IT RESOLVED the minutes of the regular Council meeting held on February 15, 2022, be adopted.”

Motion carried unanimously.

Special Council Meeting

Motion

MMC 2022 03 01/003R

Moved by Councillor Brennan, seconded by Councillor Nolan

“BE IT RESOLVED the minutes of the special Council meeting held on February 1, 2022, be adopted.”

Motion carried unanimously.

Special Council Meeting

Motion

MMC 2022 03 01/004R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED the minutes of the special Council meeting held on February 15, 2022, be adopted.”

Motion carried unanimously

4. Business Arising from Regular and Special Council Meeting

There was no business to bring forward from the regular and 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 February 24, 2022.

Councillor Brennan advised that there was some discussion regarding the Marine Industrial Park and future opportunities.

There were no planning and development applications to bring forward.

New documents to put a new Board of Directors in place for the Marystown Development Corporation/Model Ship Gallery have been signed. The gallery will now fall under the tourism and Special Events Committee. The Town will retain all ownership of the assets within the gallery while the Board of Directors will act as caretakers for those assets.

Appraisal work is being done on a model of Captain Bob Bartlett's Runabout and will be completed late this week or early next week.

Motion

MMC 2022 03 01/005R

Moved by Councillor Brennan, seconded by Councillor Keating

"BE IT RESOLVED approval be given to rescind Motion MMC 2022 02 01/003S made at the Special Council Meeting of February 1, 2022, to issue a stop work order to the owner of property at 130-138 Columbia Drive for carrying out a development without a proper development permit in place; and

BE IT FURTHER RESOLVED further recommending approval be given to issue a land development permit for a period of one (1) year to the owner of property at 130-138 Columbia Drive under the condition that the timeframe for busting materials on the property is met."

Motion carried unanimously.

It was noted that the time of the day during which blasting can take place will be noted on the permit to comply with the Town's Nuisance Regulations.

Councillor Keating questioned what the Tourism and Special Events Committee's intent was with regards to the Model Ship Gallery. Councillor Bridget advised they are hoping to find out what restrictions will be lifted on March 14th to find out what activities can resume before proceeding any further. Councillor Brennan advised that the Downhome Magazine was at the gallery to take some pictures for an article for the magazine and while there, six people from out of town showed up hoping to tour the gallery, not realizing it was closed due to the pandemic. Councillor Brennan advised they were admitted for a private tour, which indicates that there is still interest in the gallery.

Finance Committee

Councillor Edwards reviewed the minutes of the Finance Committee meeting held on February 23, 2022.

Motion

MMC 2022 03 01/006R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to adjust 2022 Business Taxes for Account No. OMEGA001 in the amount of \$200.00 as per the Town of Marystown’s Notice of Change in Business Policy as the company ceased operations in 2018.”

Motion carried unanimously.

Motion

MMC 2022 03 01/007R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to adjust fifty percent of the interest on Account No. BUNGL001, subject to payment of the principal in full and the remaining fifty percent of the interest.”

Motion carried unanimously.

Motion

MMC 2022 03 01/008R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to open a bank account with the Bank of Montreal for the 2020-2023 Multi-Year Capital Works Projects.”

Motion carried unanimously.

Motion

MMC 2022 03 01/009R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to pay Invoice No. 13674 received from Newfoundland and Labrador Employers’ Council Inc. dated January 1/22 in the amount of \$604.90 including HST for 2022 Membership fees, with funds to come from the 2022 budget.”

Motion carried unanimously.

It was noted that the Finance Committee will be reviewing all outstanding debt and will be reviewing the Municipalities Act to determine a course of action, such as the issuance of water shut-off notices, to collect on bad debts.

Motion

MMC 2022 03 01/010R

Moved by Councillor Edwards, seconded by Hodder

“BE IT RESOLVED approval be given to approve the following applications as per the Town’s Permissive Tax Exemption Policy:

- Account No. MARYS028 - 2022 Property Tax in the amount of \$1,654.40 and 2022 Business Tax in the amount of \$2,585.00 for a total of \$4,239.40
- Account No. SMALL001 – 2022 Business Tax in the amount of \$3,180.00
- Account No. BURIN011 – 2022 Business Tax in the amount of \$1,870.50
- Account No. ST.GA001 - 2022 Property Tax in the amount of \$1,075.20
- Account No. ST.GA002 - 2022 Business Tax in the amount of \$1,146.93
- Account No. THEVI001 - 2022 Business Tax in the amount of \$397.21
- Account No. GRACE001 - 2022 Business Tax in the amount of \$399.10 and 2022 Property Tax in the amount of \$3,192.80 for a total of \$3,591.90
- Account No. CHAMB001 - 2022 Business Tax in the amount of \$200
- Account No. LITTL001 - 2022 Property Tax in the amount of \$838.40 and 2022 Business Tax in the amount of \$1,310.00 for a total of \$2,148.40
- CBDC Burin Peninsula Account No. BURIN013 - 2022 Business Tax in the amount of \$942.25
- Account No. FAMIL002 - 2022 Business Tax in the amount of \$1,342.50 and 2022 Property Tax in the amount of \$859.20 for a total of \$2,201.70
- Account No. PENTE001 - 2022 Property Tax in the amount of \$1,474.40
- Account No. THEHE001 - 2022 Business Tax in the amount of \$1,780.00.”

Motion carried unanimously.

Councillor Keating noted some properties associated with the RC Church may potentially be for sale. It was noted that if a property that was exempted from taxes is sold and is no longer associated with the church, the Town can re-impose taxes.

Motion

MMC 2022 03 01/011R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to approve an application received from the Marystown Lions Golden Age 50+ Club for a donation in the amount of \$2,000.00 be approved as per the Town’s Donation, Grant and Sponsorship Policy.”

Motion carried unanimously.

Motion

MMC 2022 03 01/012R

Moved by Councillor Edwards, seconded by Councillor Brennan

“BE IT RESOLVED approval be given to award the tender for the sale of the 2005 420D Cat Backhoe to Dave Pitcher in the amount of \$29,590.00 not including HST.”

Motion carried unanimously.

Motion

MMC 2022 03 01/013R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to award the tender for the sale of the 1989 John Deere 624E Loader to Fred Brake in the amount of \$6,400.50 not including HST.”

Motion carried unanimously.

Motion

MMC 2022 03 01/014R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to award the tender for the sale of the 2006 Silverado 4x4 Chev Heavy Duty 2500 Series Automatic to Arthur Saunders in the amount of \$850.00 not including HST.”

Motion carried unanimously.

Motion

MMC 2022 03 01/015R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to award the tender for the sale of the 2009 CUBE Van Chev 6.6 Duramax Automatic to Arthur Saunders in the amount of \$1,625.00 not including HST.”

Motion carried unanimously.

Motion

MMC 2022 03 01/016R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to pay professional services to the Manning Bradbury Law Offices in Trust in the amount of \$6,452.08 including HST for the bill of costs for the Barron Appeal.”

Motion carried unanimously.

Motion

MMC 2022 03 01/017R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to advertise a Request for Proposals for the purpose of an Organizational Review for the Town of Marystown.”

Motion carried unanimously.

Motion

MMC 2022 03 01/018R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to advertise a Request for Fees for Engineering Services for the 2020-2023 Multi-Year Capital Works Projects.”

Motion carried unanimously.

Motion

MMC 2022 03 01/019R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to pay a title document fee in the amount of \$300.00 to the Department of Fisheries, Forestry and Agriculture for the preparation and registration of Application No. 158960, Hiking Trail located at Tolt Road, Marystown for a Licence to Occupy for a term of five years.”

Motion carried unanimously.

Public Works Committee

Councillor Keating reviewed the minutes of the Public Works Committee meeting held on February 24, 2022.

Councillor Keating advised that he, Mayor Keating and the CAO will be registering for the MMSB’s session on recycling and waste management on March 11th but he noted anyone else interested in attending is more than welcome.

Councillor Keating acknowledged the frustration of residents with the condition of the roads and the number of potholes however, with the constant freeze-thaw cycle that is common of Newfoundland winters, potholes are inevitable and there’s not a lot the Town can do sometimes given the weather and temperatures. Councillor Keating recommended residents take their time and be patient until the potholes can be addressed in the spring.

Motion

MMC 2022 03 01/020R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED approval be given for Greatario to complete the Exterior Inspection and Cathodic Protection Testing of the potable storage tank at the Water Treatment Plant at a cost of \$2,575.00 including HST.”

Motion carried unanimously.

Motion

MMC 2022 03 01/021R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to donate the old communication tower located on Clam Pond Road to Camplighters Newfoundland and Labrador for the Camp Delight location, a non-for-profit organization that provides camping experiences for children living with cancer, with the understanding that there will be no costs incurred by the Town for the removal and shipping of the communication tower.”

Motion carried unanimously.

Regular operations are proceeding well with the outside workers busy fixing water leaks and working the winter shift schedule. The Department has utilized a good amount of this year’s winter salt however, the supply is still good and it’s been a good winter to date. All equipment is operating well and the water treatment plant is in good operation with a new MIOX system having been recently installed. There were no waste management issues to report.

There have been concerns raised regarding large trucks travelling across Canning Bridge. In addition to the weight issue, there are concerns that the mirrors on these large trucks could strike someone walking on the sidewalk given how narrow the bridge is. While the Town has no control over Canning Bridge, which is a provincial asset, the Town can put weight restrictions on Creston Boulevard, which is a municipal road. This item will require further follow-up.

The Department is continuing to work on various capital works projects, with some having already gone to tender. It’s anticipated work will start this spring.

Two tender bids were received for the purchase of a Skid Steer/Loader as follows:

- CAT Battlefield Equipment - \$102,984.80 including HST
- Brandt-John Deere - \$92,575.00 including HST

Motion

MMC 2022 03 01/022R

Moved by Councillor Keating, seconded by Councillor Brennan

“BE IT RESOLVED approval be given to award the tender bid for the purchase of a new Skid Steer/Loader from Brandt-John Deere at a cost of \$92,575.00 including HST, plus one 84” angle broom and one full machine (comprehensive) 60-month/3,000 hour warranty at an additional cost of \$17,984.41 including HST for a total of \$110,559.41 including HST.”

Motion carried unanimously.

It was noted that it could be July or August before the skid steer is received by the Town. The tenders have been received for the purchase of a new truck however, there is no recommendation yet.

Recreation Committee

As Deputy Mayor Walsh was chairing the meeting, Councillor Brennan reviewed the minutes of the Recreation Committee meeting held on February 23, 2022.

Two interested residents have come forward with regards to the Playground Committees. The Little Bay Playground is under a new Committee and planning is underway for a Committee for the Creston North Playground. More information is needed to clarify ownership of the land on which the Mooring Cove Playground is located before moving forward with a Committee. Meetings with the Playground Committees are ongoing.

The Town has purchased a new LED score clock for the Kaetlyn Osmond Arena. Correspondence has been received from the President of the Gander Bay Recreation Committee expressing an interest in the Town’s old score clock.

Motion

MMC 2022 03 01/023R

Moved by Councillor Brennan, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to donate the old score clock at the Kaetlyn Osmond Arena to the Gander Bay Recreation Committee with the understanding that any costs incurred for the removal and shipment of the score clock be the responsibility of the Gander Bay Recreation Committee.”

Motion carried unanimously.

The exterior of the new soccer club being constructed at the Track & Field Complex has been completed. Interior plumbing and electrical are in place but not hooked up yet. Councillor Brennan thanked all workers involved in this project for their hard work. The CAO advised the Department is still in talks with Service NL on regarding accessibility issues before the building can open to the public.

The Town needs to hire a Seasonal Recreational Maintenance Supervisor to assist with looking after the recreational facilities from spring to early fall.

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Motion

MMC 2022 03 01/024R

Moved by Councillor Brennan, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to advertise for a Seasonal Recreational Maintenance Supervisor for the Town of Marystown.”

Motion carried unanimously.

Deputy Mayor Wash advised that there have been a lot of contacts made with those involved in the Playground Committees. The Recreation Department will be meeting with them at some point in the future and information will be brought back to Council for discussion regarding the playgrounds.

An ad was placed on Facebook yesterday inviting those interested in sitting on a Dog Park Committee to contact Deputy Mayor Walsh. A number of emails have been received to date so it's hoped that a committee can be put in place in the near future.

Councillor Keating thanked Deputy Mayor Walsh for his leadership on the Recreation Committee, noting that since he took over as Chair, a number of younger people have been getting involved. Councillor Keating noted there should be some discussion on the current location of the dog park once a committee is put together as there have been a number of complaints. Deputy Mayor Walsh advised once a committee is in place, they will be discussing a number of ideas.

Tourism & Special Events Committee

Councillor Hodder reviewed the minutes of the Tourism & Special Events Committee meeting held on February 22, 2022.

Correspondence has been received from the MNL regarding Year of the Garden.

Motion

MMC 2022 03 01/025R

Moved by Councillor Hodder, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to declare 2022 as Year of the Garden and June 18, 2022, as Garden Day in celebration of the contribution of gardens and gardening to the development of our country, our municipality and the lives of our citizens in terms of health, quality of life and environmental challenges.”

Motion carried unanimously.

Come Home Year 2022 will take place August 14-20, 2022. A new Come Home Year 2022 Facebook Page is up and running and residents are invited to like the page in order to keep up to date on the latest information. There isn't any information posted yet regarding events as dates have yet to be finalized. Councillor Hodder advised that Southern Classics will be hosting a car show. Other organizations will be hosting events including St. Gabriel's Hall, the Kinsmen Club, the Salvation Army, the Little Bay Heritage Committee, the Smallwood Community Crescent, the

Burin Peninsula Brighter Futures, The Merge, the Garnish Pond Association, the Beau Bois Committee and Burin Peninsula Voice Against Violence/Grace Sparkes House.

The Committee applied for lottery licenses for a calendar draw and four outdoor bingos, for which approval was received earlier today. The tickets for the calendar draw went to print today. All information will be posted to Facebook.

The Committee will be setting up a new incorporate body to facilitate fundraising for Come Home Year 2022.

Motion

MMC 2022 03 01/026R

Moved by Councillor Hodder, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to set up an incorporated body in the name of Marystown Come Home Year 2022 Inc. and set up a new bank account in the name of Marystown Come Home Year 2022 Inc. under new signing authorities from the incorporated body.”

Motion carried unanimously.

The Town has been renting an FM transmitter in order to put off the outdoor bingos and it’s been recommended the Town purchase its own transmitter.

Motion

MMC 2022 03 01/027R

Moved by Councillor Hodder, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to purchase an FM Transmitter to be used when hosting various Town events.”

Motion carried unanimously.

It was noted the transmitter will cost roughly \$1,000.00 and can also be used in an emergency as well to communicate information.

Motion

MMC 2022 03 01/028R

Moved by Councillor Hodder, seconded by Councillor Keating

“BE IT RESOLVED approval be given to accept Maxine Dodge as a member of the Tourism & Special Events Committee.”

Motion carried unanimously.

Motion

MMC 2022 03 01/029R

Moved by Councillor Hodder, seconded by Councillor Keating

“BE IT RESOLVED approval be given to provide funding in the amount of \$5,000.00 to Marystown Come Home Year 2022 Inc. with funds to come from the proceeds of Marystown Come Home Year 2015 for the purpose of setting up a new bank account and incorporating the Committee.”

Motion carried unanimously.

Councillor Hodder thanked everyone who participated to date in the photo contest. Ms. Jackie Ducey is the week four winner and she decided to donate her \$50.00 winnings to Burin Peninsula Ground Search and Rescue. Ms. Beatie Hooper was the week five winner. All pictures submitted will be used to create a slide show for Come Home Year.

At this point, Deputy Mayor Walsh read and signed a proclamation proclaiming 2022 as the Year of the Garden and June 18, 2022, as Garden Day.

Protection to Persons & Property Committee

Councillor Nolan reviewed the minutes of the Protection to Persons & Property Committee meeting held on February 24, 2022.

Motion

MMC 2022 03 01/030R

Moved by Councillor Nolan, seconded by Councillor Keating

“BE IT RESOLVED approval be given to issue a Removal Order to the owner of wrecked vehicles located on Queen Street for the removal of the vehicles from the property.”

Motion carried unanimously.

Motion

MMC 2022 03 01/031R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to issue a Clean Up Order to the owner of property at 73 Queen Street.”

Motion carried unanimously.

Motion

MMC 2022 03 01/032R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to issue a Clean Up Order to the owner of property at 67A Queen Street.”

Motion carried unanimously.

The Committee had a discussion regarding the aspects of the cost-sharing contract for Animal Control Services with the Town of Burin. A meeting will be scheduled with the Town of Burin to discuss the cost-sharing contract.

There were no issues to discuss regarding animal control or litter. Councillor Nolan noted that the previous duck issue that began a couple of years ago seems to have stabilized as there haven't been any recent complaints.

The Fire Department has received 5 emergency calls since the last Committee meeting. Regular operations are ongoing with inspections, training and maintenance. The Fire Department's emergency vehicle inspections are ongoing with the Town's mechanic.

The mock disaster sessions will be scheduled once the easing of COVID restrictions is confirmed.

Fire Chief Bolt continues to research the set-up of a warming centre for the Town in conjunction with the appropriate facilities needed.

Fire Chief Bolt had advised that during the last wind storm, there was some damage to the Tolt Road communications building with some metal siding having blown off. Councillor Nolan thanked the members who assisted with the repairs as well as Livewire Construction for the donation of some replacement materials.

The Fire Department held an ice water rescue training session on February 26th at Linton Lake. Councillor Nolan reminded all residents to be very careful around frozen waterways, noting the best advice is to stay off the ice.

The Committee will be reviewing the previous Council's anti-litter campaign and will be putting together some future plans with regards to the Town's 2022 Anti-Litter Campaign.

With spring approaching, Councillor Nolan encouraged residents to contact the Fire Department and notify them of any controlled burns that will take place. Doing so eliminates unnecessary emergency responses to an area. Councillor Nolan also reminded residents that due to environmental concerns, some items are not permitted to be burnt.

7. Correspondence

- Email from MAA dated February 24/22 re: Update on Municipal Assessment Agency.

The CAO advised that the correspondence was to update the Town on the MAA's new Board of Directors as follows:

- Mayor Tony Keats, Dover – Central Director
- Councillor David Hiscock, Bonavista – Eastern Director
- Deputy Mayor Mary Thorne-Gosse, Torbay – Urban Director
- Councillor Amanda Freake, Deer Lake – Western Director

8. Approvals to Purchase

Before tabling the approvals to purchase/expend funds forms, Councillor Edwards commended Ms. Jackie Ducey on donating her photo contest prize money to the Burin Peninsula Ground Search and Rescue, noting any resident who wants to follow suit can indicate so on their contest submissions.

Motion

MMC 2022 03 01/033R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given for the Fire Department to register two OHS Committee Co-Chairpersons to attend the annual NLOHSA Conference in Gander taking place May 11-13/22 at a cost of \$859.64 including HST.”

Motion carried unanimously.

Motion

MMC 2022 03 01/034R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to the Public Works Department to purchase a one year subscription to AutoCAD at a cost of \$2,662.25 including HST.”

Motion carried unanimously.

9. Regulations

There were no regulations to bring forward.

10. Other Business

Councillor Hodder noted March 8th is International Women’s Day and she recently sat in on a session with the MNL about planning events to celebrate International Women’s Day. Councillor Hodder will be involved in putting together a slide show to highlight women who have served on Council in the past. Councillor Hodder encouraged others who want to recognize women in their roles to do so on March 8th.

As the Eastern Regional Director on the MNL Board of Directors, Councillor Keating advised he will be attending meetings in St. John’s this weekend and anyone who has an issue they want brought forward can bring it to his attention.

11. Notices of Motion

There were no notices of motion to bring forward.

12. Adjournment

Motion

MMC 2022 03 01/035R

Moved by Councillor Keating, seconded by Councillor Hodder

“BE IT RESOLVED the meeting was adjourned at 7:59 p.m.”

Motion carried unanimously.

Andrew Walsh
Deputy Mayor

Petrina Power
Town Clerk