

**MINUTES OF THE REGULAR COUNCIL MEETING
HELD ON MAY 17, 2022**

Present were: Mayor Brian Keating
Deputy Mayor Andrew Walsh
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
Petrina Power, Town Clerk

1. Call to Order

Mayor Keating called the meeting to order at 7:06 p.m.

2. Adoption of Agenda

Motion

MMC 2022 05 17/001R

Moved by Councillor Keating, seconded by Councillor Nolan

“BE IT RESOLVED the agenda be adopted.”

Motion carried unanimously.

3. Adoption of Minutes

Regular Council Meeting

Motion

MMC 2022 05 17/002R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED the minutes of the regular Council meeting held on May 3, 2022, be adopted.”

Motion carried unanimously.

Special Council Meeting

Motion

MMC 2022 05 17/003R

Moved by Councillor Keating, seconded by Deputy Mayor Walsh

“BE IT RESOLVED the minutes of the special Council meeting held on May 3, 2022, be adopted.”

Motion carried unanimously.

Council Meeting with Wal-Mart Canada

The minutes of the Council meeting held with Wal-Mart Canada were tabled for information purposes. Mayor Keating advised Council had a great meeting with several representatives from Wal-Mart Canada and noted the Wal-Mart store in Marystown is here for the long-term with no plans to close.

4. Business Arising from Regular, Special and Other Council Meetings

There was no business to bring forward from the regular, special and other Council meetings.

5. Delegations

There were no scheduled delegations.

6. Committee Reports

Planning & Development Committee

Councillor Nolan reviewed the minutes of the Planning & Development meeting held on May 12, 2022.

The Committee met with a resident regarding her concerns for a retaining wall that was being constructed next to her property. An inspection took place and a stop work order was issued for its removal due to the fact that the development hadn't been approved by Council. The developer has complied with the stop work order. A report has been completed and an application has been submitted by the developer to rebuild the wall. A decision will be pending following a review of the report.

Motion

MMC 2022 05 17/004R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from a resident for a Crown Land grant pursuant to a lease in the Garnish Pond area be approved.”

Motion carried unanimously.

Motion

MMC 2022 05 17/005R

Moved by Councillor Nolan, seconded by Councillor Edwards

“BE IT RESOLVED that an application received from a resident for Crown Land at Mount Vincent for the purpose of a seasonal residence be rejected as the Department of Fisheries, Forestry and Agriculture has implemented a five-year ‘no cutting’ freeze on the west side of Mount Vincent and the Town cannot permit cabin construction in a ‘no cutting’ area.”

Motion carried unanimously.

Motion

MMC 2022 05 17/006R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from Brad Marchard to occupy and operate the Canadian Tire store located at 25-57 Columbia Drive be approved.”

Motion carried unanimously.

Motion

MMC 2022 05 17/007R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from a resident to construct an extension measuring 24’ x 28’ to an existing cabin at Tolt Road be approved subject to Government Services approval of septic system design.”

Motion carried unanimously.

Motion

MMC 2022 05 17/008R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from a resident to construct an accessory building measuring 16’ x 16’ at 1 Isaacs point Road be approved.”

Motion carried unanimously.

Motion

MMC 2022 05 17/009R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED that, on behalf of a resident, Council start the process to rezone land at 769-771 Ville Marie Drive from Public Institutional to Residential to accommodate an apartment building, with the understanding that all costs associated with the rezoning will be at the cost of the applicant.”

Motion carried unanimously.

Motion

MMC 2022 05 17/010R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from One Bad Day Abattoir & Butcher Inc. for a Crown Land lease measuring 0.95ha for the purpose of constructing an abattoir (slaughterhouse) be rejected as this type of commercial development is not a permitted use in a Resource Zone.”

Motion carried unanimously.

Motion

MMC 2022 05 17/011R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from One Bad Day Abattoir & Butcher Inc. for a Crown Land lease measuring 12.02ha for the purpose of an abattoir (slaughterhouse) be rejected as this development is not a permitted use in a Resource Zone.”

Motion carried unanimously.

Three proposals were received in response to the Town’s Call for Proposals for a parcel of land located at 156 Greenwood Street West as follows:

- Sharon Fewer \$29,026.00 including HST
- Dober’s Enterprises \$37,375.00 including HST
- Robert G. Warr \$40,480.00 including HST

Motion

MMC 2022 05 17/012R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to accept the proposal from Robert G. Warr to purchase a parcel of land located at 156 Greenwood Street West at a total purchase price of \$40,480.00 including HST, with the understanding that the purchaser will be responsible for all legal, survey and other costs associated with the purchase.”

Motion carried unanimously.

The Committee had a discussion regarding developments proceeding without a permit. Councillor Nolan advised residents that all proposed developments must go through the application process in order to be approved by Council and receive a permit, whether it’s to replace siding, shingles or windows in a residence, construct a fence or porch or construct an entire residence. All developments require a permit prior to proceeding and any resident who circumvents the proper process can be penalized and may have to remove the development.

Finance Committee

Before reviewing his report, Councillor Edwards noted this was his first meeting of Council since former Councillor Brennan resigned and he took a moment to thank Mr. Brennan for his four and a half years of service on Council and wished him all the best in his future endeavors.

Councillor Edwards reviewed the minutes of the Finance Committee meeting held on May 11, 2022.

Motion

MMC 2022 05 17/013R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to pay an invoice for File No. 2021160 received from Appleby Picco Law dated May 2, 2022, in the amount of \$57.50 including HST for professional services in relation to drafting an audit letter with respect to the Town’s Financial Audit for the year ended December 31, 2021.”

Motion carried unanimously.

Motion

MMC 2022 05 17/014R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to pay the March Monthly Claim dated March 31/22 received from the YMCA of Newfoundland and Labrador in the amount of \$29,948.94.”

Motion carried unanimously.

Motion

MMC 2022 05 17/015R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to adjust fifty percent of the interest on Account No. WALSB020 in the amount of \$2,145.52 as the principal and the other fifty percent of the interest has been paid in full.”

Motion carried unanimously.

Motion

MMC 2022 05 17/016R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to amend motion MMC 2022 05 03/013R that was adopted at the Regular Council Meeting of May 3, 2022, to read as follows:

Motion

MMC 2022 05 03/013R

Moved by Councillor Keating, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to adjust fifty percent of the interest accumulated on Account No. BRENG004 with the understanding that the interest will be adjusted once the principal and remaining fifty percent of the interest are paid in full, as per policy.”

Motion carried unanimously.”

Motion carried unanimously.

Motion

MMC 2022 05 17/017R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to make a donation to Holly Avery and Sarah Walsh, players with the Marystown Mariners U13 and U15 Female hockey teams, in the amount of \$75.00 each to assist with travel costs associated with participating with the Atlantic Ice Warriors at the Red Island Rumble in Charlottetown, PEI, in June, 2022.”

Motion carried unanimously.

Motion

MMC 2022 05 17/018R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED Council approve an application under the Donation, Grant and Sponsorship Policy for a donation in the amount of \$500.00 for the Burin Peninsula Health Care Foundation Annual Radiothon taking place May 29, 2022.”

Motion carried unanimously.

Motion

MMC 2022 05 17/019R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED Council approve Accounts Payable Listing No. 8-1 as of May 11, 2022, in the amount of \$252,975.74, as per policy.”

Motion carried unanimously.

Motion

MMC 2022 05 17/020R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED Council approve an application received from the Marystown Heritage Museum for a 2022 Heritage Grant in the amount of \$2,500.00 as per the Town’s Donation, Grant and Sponsorship Policy; and

BE IT FURTHER RESOLVED approval be given to provide a 2022 operating grant in the amount of \$2,500.00 to the Marystown Heritage Museum with the understanding that a review of operations will be completed at year end.”

Motion carried unanimously.

Motion

MMC 2022 05 17/021R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED Council approve an application received from the Little Bay Heritage Committee for a 2022 Heritage Grant in the amount of \$2,500.00 as per the Town’s Donation, Grant and Sponsorship Policy.”

Motion carried unanimously.

Motion

MMC 2022 05 17/022R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to make a donation to the 50+ Federation of Newfoundland and Labrador for their 45th Annual Convention which will be hosted in Marystown September 13-16, 2022, with funds to come from the Visiting Dignitaries Budget.”

Discussion

It was noted that there was no amount noted for the donation. The CAO confirmed that there is \$500.00 in the Visiting Dignitaries Budget. It was agreed by Council to donate \$500.00 to the 50+ Federation.

Motion

MMC 2022 05 17/023R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to make a donation in the amount of \$500.00 to the 50+ Federation of Newfoundland and Labrador for their 45th Annual Convention which will be hosted in Marystown September 13-16, 2022, with funds to come from the Visiting Dignitaries Budget.”

Motion carried unanimously.

Motion

MMC 2022 05 17/024R

Moved by Councillor Keating, seconded by Councillor Nolan

“BE IT RESOLVED Council approve the Operating Budget for the 2022 Marystown Come Home Year; and

BE IT FURTHER RESOLVED approval be given for the Town to provide the 2022 Marystown Come Home Year Committee with support up to \$60,000.00 as a financial contribution to assist with expenses incurred during the Come Home Year events, with the understanding that these funds will be repaid to the Town and with the understanding that proper receipts are to be provided to the Town for auditing purposes.”

Motion carried unanimously.

Councillor Edwards advised that the Town is owed approximately \$1.2 million in uncollected back taxes. While some residents and businesses are keeping up with their municipal taxes, others are not yet they are still receiving the same municipal services. It costs money to operate a Town and provide services which are paid for through tax revenue. Councillor Edwards advised the Town will be issuing letters to those with outstanding tax arrears and water services will be shut off where necessary, including those businesses still owing taxes. It's an unfortunate step that the Town has to take but all residents and businesses need to be treated the same. Councillor Edwards advised those in tax arrears to contact the Town about making their payments or getting on a payment plan, noting the Town can authorize a 50% reduction on interest owing if action is taken to pay off an account.

Public Works Committee

Councillor Keating reviewed the minutes of the Public Works Committee meeting held on May 11, 2022.

The Town is preparing to work on several capital works project this summer including Markland Road, Sea Bonnie Place, Bayview Street, Tolt Road and sections of Ville Marie Drive and Creston Boulevard.

A request has been received for a speed bump on Greenwood Street; it's anticipated all speed bumps will be reinstalled soon based on where they were in previous years and as per the Town's

Speed Bump Policy. A request was also received to reduce the speed limit in the area; the speed has been reduced from 35 km/h to 20 km/h.

Regular operations are proceeding well with a new fire hydrant installed on Bayview Street. Ditching of the streets is ongoing.

The snow clearing season is over yet the Town needs to work on restocking its winter salt and sand supplies; the cost of salt has increased.

There are two dumpsters behind the Town garage to facilitate with the Town's Clean-up Weeks. Residents were asked not to use these dumpsters for bulk garbage.

There will be a waste management meeting tomorrow. With the high increase in the cost of fuel, it may affect waste collection. The Board will be meeting to discuss how to save money. A survey is pending regarding waste management and collection.

Motion

MMC 2022 05 17/025R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to re-hire one unionized Seasonal Employee with the Public Works Department for a period of twenty weeks commencing early June.”

Motion carried unanimously.

Mayor Keating advised he received a number of calls regarding the repairs to the waterline in Little Bay and the potential for a water shut-off tomorrow. The Director of Operations & Public Works advised that if the water does have to be shut off, it will just be for one day and residents should prepare accordingly.

Recreation Committee

Deputy Mayor Walsh advised the Recreation Committee has not met since the last regular Council meeting of May 3, 2022.

The Committee would have met on May 11th however, the Committee hosted Volunteer Appreciation Night for the various volunteers and service groups in the community. Deputy Mayor Walsh thanked Councillor Hodder, the Director of Recreation & Community Services, the Administrative Assistant and all volunteers for a successful event. The event was hosted at the Model Ship Gallery, which was a great venue, and it was good to be able to get out and socialize with the community's volunteers. Deputy Mayor Walsh noted it was also good to be able to see the service clubs get back to serving their community and fundraising.

Deputy Mayor Walsh thanked the Kinsmen, Kinnettes and the Marystown Volunteer Fire Department for hosting the Clean-up Blitz on Sunday, May 15th (postponed from May 14th due to weather). It was a productive day with several bags of garbage and litter collected. Deputy Mayor Walsh also thanked the residents of Mooring Cove for their clean-up on Saturday, May 14th, despite the weather as well as the Lions Club who cleaned up along McGettigan Boulevard. Over 200 bags of garbage and litter were collected from the roadways, which was a great start to Clean-up Weeks.

However, it's disheartening to see those areas becoming littered again so quickly. Those responsible for the littering need to be more respectful of the efforts taken by those to keep Marystown clean. To that end, Council will be looking at options on how to enforce anti-litter regulations. Marystown is the hub of the Burin Peninsula however, Deputy Mayor Walsh noted Marystown is being treated like a transfer station for trash. Deputy Mayor Walsh thanked Councillor Nolan for spearheading the clean-up, noting the new signage at the traffic lights looks great.

Deputy Mayor Walsh has met with many of the Town's Playground Committees and will be contacting them regarding getting a budget set up for each playground, which will take some time and planning.

Deputy Mayor Walsh reminded residents to refrain from using the Town's fields as they are being prepped for summer usage.

Complaints have been received regarding dog waste on the trails, dog park and other areas. Deputy Mayor Walsh reminded residents to clean-up after their pets so other residents can enjoy the Town's recreational facilities.

Lastly, Deputy Mayor Walsh advised that the Town's tennis courts should be open later this week.

Tourism & Special Events Committee

Councillor Hodder reviewed the minutes of the Tourism & Special Events Committee meeting held on May 10, 2022.

A request was received from MCHS to allow the Visual Arts 3202 students to display their art work along Jane's Pond Walking Trail. The Committee has no issue with the request and the Director of Recreation and Community Services will be follow up. Councillor Hodder noted she looks forward to seeing the art on display.

Councillor Hodder attended the Heritage Run tourism Forum which took place May 15-17. Councillor Hodder met new people from around the burin Peninsula and noted the Town needs to look at a regional approach on tourism. Marystown Come Home Year 2022 will be taking place in August near the end of the summer which lessens competition/overlap with other festivals and events on the peninsula. The Committee will be following up on what events are taking place in other communities in order to get their schedules and has offered her assistance where needed.

As noted by Deputy Mayor Walsh, Volunteer Appreciation Night took place on May 11th with over 100 volunteers in attendance. Councillor Hodder noted the majority of volunteers are aged 50 years and older and organizations need to focus on recruiting some of the community's youth. Councillor Hodder advised she spoke with a teacher at MCHS and the students will be looking for volunteer hours as part of their curriculum. Any student needing volunteer hours should contact Councillor Hodder.

The first of four outdoor bingos will take place on May 31st at the Peninsula Mall parking lot. Councillor Hodder is looking forward to seeing everyone.

Councillor Hodder is taking names for tables for the craft fair and flea market that will take place during Come Home Year 2022 so anyone wanting a table should contact her.

The Juno award-winning show Splash and Boots will be coming to Marystown on August 8th for two shows. Tickets will be available soon.

The schedule of events for Come Home Year 2022 has been finalized and will be distributed.

There are new picnic tables coming for the Splash Pad at the track and field complex. Councillor Hodder advised that the old picnic tables will be made available to organizations who want to adopt one and work with the Town in painting them and getting them ready for Come Home Year 2022. Councillor Edwards volunteered to donate the paint through Home Hardware, which was greatly appreciated by the Committee.

Protection to Persons & Property Committee

Councillor Nolan reviewed the minutes of the Protection to Persons & Property Committee meeting held on May 12, 2022.

Motion

MMC 2022 05 17/026R

Moved by Councillor Nolan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to declare the week of May 29 - June 4, 2022, as Early Childhood Educators Week.”

Motion carried unanimously.

Motion

MMC 2022 05 17/027R

Moved by Councillor Nolan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to declare May 17, 2022, as International Day Against Homophobia and Transphobia.”

Motion carried unanimously.

As noted earlier, complaints have been received regarding residents not cleaning up after their pets on the walking trails. Signage has been placed on the trails encouraging all residents to clean up after their pets and posts have been placed on the Town’s website and social media sites. Councillor Nolan asked residents to be respectful of others and clean up after their pets in all areas of Marystown.

The Committee discussed the painting of crosswalks around town based on a theme; this is still in the planning stage.

The Committee is still awaiting a response from the NL Crime Stoppers Coordinator regarding more information on setting up a Board of Directors for this area.

The Animal Control Officer had reported on an issue with a resident being bitten by a dog. Councillor Nolan noted this issue is still being investigated by the RCMP.

The illegal dumping of garbage and vandalism of facilities is a growing concern. Councillor Nolan advised that certain areas are now under camera surveillance to deter these acts and violators will be prosecuted.

Councillor Nolan advised the Marystown Volunteer Fire Department responded to four emergency calls since the last committee meeting, including two for grass/brush fires. Residents were reminded that grass can be easily ignited at this time of year and advised to be more careful and follow the fire hazard ratings/warnings that are set by the Department of Fisheries, Forestry and Agriculture.

The Marystown Volunteer Fire Department has been kept busy with regular operations including inspections, training, maintenance and fire prevention. The Fire Department also took part in the Town's Community Clean-up on Sunday.

The Marystown Volunteer Fire Department's Fundraising Committee held a successful car wash on Sunday, May 15th. Councillor Nolan thanked the public for their support.

Councillor Nolan thanked retiring firefighter Rodney Nolan for his ten years of service to the Department. Councillor Nolan thanked Firefighter Nolan and his family for their commitment and wished them all the best.

Two steel needle containers and plastic inserts for the proper disposal of used needles have been donated to the Town. These containers will be placed in areas of needle use/disposal to deter throwing them on the ground. Councillor Nolan thanked CHANNAL for the donation.

The Committee had some discussion regarding the condition of the Town Hall grounds and the committee agreed that some work was necessary to beautify the grounds. This item was discussed by Council as a whole earlier this evening and plans will be brought forward.

Signage for the Town's Clean-up Weeks have been placed near the traffic lights.

Councillor Nolan gave a huge thanks to the Kinsmen, Kinettes and the Marystown Volunteer Fire Department for the Clean-up Blitz they hosted on May 15th. Councillor Nolan also thanked the residents of Mooring Cove who were out cleaning up Atlantic Street on May 14th and thanked the Marystown Lions Club for cleaning up along McGettigan Boulevard yesterday. Approximately 200 bags of roadside litter were collected which is very appreciated. There is still a lot of litter in other areas of town so if any individuals or groups are interested in helping clean up, they can contact the Town for more information and supplies (bags and gloves). Councillor Nolan reminded everyone that Clean-up Weeks run from May 15th to 28th however, keeping Marystown clean should be a year-round effort. There are two dumpsters behind the Town garage for all roadside litter that is collected however, they should not be used for bulk garbage. Bulk garbage collection will take place next week from May 24th to 26th.

Councillor Hodder noted some residents seem to putting bulk garbage to the curb only days after bulk garbage has been collected for the month. Councillor Keating advised the Town has a policy on file which states bulk garbage is not to be put to the curb any earlier than the day before collection and the Town needs to start enforcing that policy.

In regards to the community clean-up, Councillor Hodder noted residents do not have to be part of a community organization in order to participate. Many residents have come together to work as a team to help clean up. Councillor Edwards noted the RCMP can charge/fine those who are caught littering.

7. Correspondence

- Letter from Burin Peninsula Health Care Foundation received April 29/22 re: Radiothon taking place May 29th from 1:00 p.m. to 5:00 p.m. – request for financial support.

The CAO reminded Council and residents that the Burin Peninsula Health Care Foundation's annual Radiothon will take place on May 29th at the Town Hall.

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

Councillor Keating thanked former Councillor Mike Brennan for his four and a half years of service on Council, noting he anticipates seeing Mr. Brennan still helping out and volunteering around town.

Councillor Keating advised a post was made on the Town's Facebook Page inviting residents to assist in setting up a committee for the purpose of sponsoring a Ukrainian family in the Marystown area, with assistance from the MNL and Minister Gerry Byrne who is the coordinator for Ukrainian families coming to Newfoundland. There was very little response to the post but Councillor Keating hopes to host a meeting on May 25th at the Town Hall for anyone interested in attending.

Councillor Keating advised the engineering is done for the new Walk of Hope trail off the Tolt Road. A meeting is pending with the engineers to walk the proposed trail area and discuss what needs to be done along with the associated costs.

Mayor Keating noted there has been an issue with graffiti in Marystown and it needs to stop. Graffiti is not art, it's illegal and anyone seeing someone defacing a building or other piece of infrastructure needs to report it. The Town is now faced with repairing graffiti at the track and field complex, arena, the old swimming pool and even a utility trailer. Repairing graffiti costs the taxpayers money and takes Town resources away from other projects. Councillor Hodder noted it comes down to respect – if it's not yours, leave it.

11. Notices of Motion

There were no notices of motion to bring forward.

12. Adjournment

Motion

MMC 2022 05 17/028R

Moved by Councillor Keating, seconded by Councillor Edwards

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

Motion carried unanimously.

Brian Keating
Mayor

Petrina Power
Town Clerk