

**MINUTES OF THE REGULAR COUNCIL MEETING
HELD ON DECEMBER 6, 2022**

Present were: Mayor Brian Keating
Deputy Mayor Andrew Walsh
Councillor Andy Edwards
Councillor Keith Keating
Councillor Gary Myles
Councillor Ray Nolan

Also present: Alje Mitchell, Chief Administrative Officer
Melanie Kilfoy, Director of Finance & Administration
Petrina Power, Town Clerk

1. Call to Order

Mayor Keating called the meeting to order at 7:03 p.m.

2. Adoption of Agenda

Motion

MMC 2022 12 06/001R

Moved by Councillor Keating, 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 12 06/002R

Moved by Councillor Myles, seconded by Councillor Keating

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

Motion carried unanimously.

Meeting with St. YMCA NL

The minutes of the Council meeting with YMCA NL that was held on November 23, 2022, were tabled for information purposes.

4. Business Arising

There was no business to bring forward from the regular Council meeting.

5. Delegations

There were no scheduled delegations.

6. Committee Reports

Planning & Development Committee

Councillor Myles reviewed the minutes of the Planning & Development meeting held on November 29, 2022.

Councillor Myles advised that correspondence was received from the Department of Industry, Energy and Technology dated November 9/22 inviting input to allow the Department to make informed decisions about lands that may be made available for a competitive bid process for onshore wind development projects. The Town was invited to participate in the Government of Newfoundland and Labrador's virtual engagement process on the engageNL web portal from November 7-21, 2022.

Motion

MMC 2022 12 06/003R

Moved by Councillor Myles, seconded by Councillor Keating

“BE IT RESOLVED that an application received from a resident to construct a seasonal residence measuring 60' x 42' be approved, subject to approved septic system design and site inspection and with the understanding that if the development becomes a permanent residence, the area will be rezoned at the expense of the property owner.”

Motion carried unanimously.

Councillor Keating noted that seasonal residence will be less than a half kilometer from the last residence in the area and noted the Town should look into getting an engineer to do a lot layout for the area.

Motion

MMC 2022 12 06/004R

Moved by Councillor Myles, seconded by Councillor Nolan

“BE IT RESOLVED that an application received from a resident to construct an accessory building measuring 10' x 26' at 320 Ville Marie Drive be approved, subject to site inspection.”

Motion carried unanimously.

Councillor Myles advised that two applications were received from Northern Shield Resources (representing Seabourn Resources) for mineral exploration and to construct new trails. No recommendation was brought forward for these applications as additional time is needed to review the applications and request further information with respect to the location of the proposed trails and remediation.

Mayor Keating noted that with land nominations active for wind energy projects, any recommendations for Crown Land will be deferred until it is determined what will be required

during the land nomination process. Any land that has been nominated for a wind energy project has had a freeze placed on it.

Finance Committee

Councillor Edwards reviewed the minutes of the Finance Committee meeting held on November 30, 2022.

Motion

MMC 2022 12 06/005R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to pay Invoice No. 2023LEVY received from Heritage Run Tourism Association dated November 15/22 in the amount of \$2,081.60 HST exempt for the 2023 Annual Tourism Levy based on a population of 5,204 at a cost of \$0.40 per capita, with funds to come from the 2023 Municipal Budget.”

Motion carried unanimously.

Motion

MMC 2022 12 06/006R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to adjust 50% of the interest on Account No. FINEL001 as the principal amount and the other 50% of the interest has been paid in full.”

Motion carried unanimously.

Councillor Edwards explained that any resident having an issue with tax arrears can speak with a staff member and, if they meet the criteria, work on a plan to repay the principal and 50% of the interest after which the Town will write off the remaining 50% of interest.

Motion

MMC 2022 12 06/007R

Moved by Councillor Edwards, seconded by Councillor Myles

“BE IT RESOLVED approval be given to pay the consignment sales at the Marystown Model Ship Gallery as follows:

- Frank Thornhill \$100.00
- Patrick Baker \$225.00
- Jim Beazley \$165.00
- Harold Moulton \$660.00.”

Motion carried unanimously.

Motion

MMC 2022 12 06/008R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to contribute \$900.00 towards the Fire Department’s annual Christmas Dinner, which is an annual donation in lieu of turkey gift cards represented by 30 members x \$30.00 each as per the Donation, Grant and Sponsorship Policy.”

Motion carried unanimously.

Motion

MMC 2022 12 06/009R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to pay the licensing fees for the issuance of permits by the Town’s Electrician in the amount of \$200.00.”

Motion carried unanimously.

Motion

MMC 2022 12 06/010R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to advertise in the Royal Canadian Legion Newfoundland and Labrador Command Veterans Service Recognition Book at a cost of \$230.00 including HST for a business card-sized ad.”

Motion carried unanimously.

Motion

MMC 2022 12 06/011R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to engage the services of Appleby Picco Law to obtain further information regarding a Statement of Claim filed with the Supreme Court of Newfoundland and Labrador wherein the Town of Marystown is listed as a Third Defendant in a collision that occurred at the intersection of Spruce Hill Road on July 31, 2022.”

Motion carried unanimously.

Motion

MMC 2022 12 06/012R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED Council approve Interest Adjustment Listing No. 5-1 dated November 10, 2022 in the amount of \$46.28 as per policy.”

Motion carried unanimously.

Motion

MMC 2022 12 06/013R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED Council approve Taxation Adjustment Listing No. 5-2 dated November 30, 2022 in the amount of \$15.51 as per policy.”

Motion carried unanimously.

Motion

MMC 2022 12 06/014R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED Council ratify Poll Tax Ratification Listing No. 5-3 dated November 28, 2022, in the amount of \$5,481.16 as per policy.”

Motion carried unanimously.

Motion

MMC 2022 12 06/015R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED Council approve Accounts Payable Listing No. 8-1 as of November 30, 2022, in the amount of \$366,062.18 as per policy.”

Motion carried unanimously.

Motion

MMC 2022 12 06/016R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED Council ratify the donation of two gift cards in the amount of \$50.00 each to the Salvation Army in support of the annual Happy Tree Launch that took place on November 23, 2022, as per the Town’s Donation, Grant and Sponsorship Policy.”

Motion carried unanimously.

Motion

MMC 2022 12 06/017R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to the Administration Department for the following recognitions as per the Council and Employee Recognition Policies:

- 45 gift cards in lieu of turkeys for Council and staff at a cost of \$30.00 per card for a total cost of \$1,350.00 including HST
- 20-year recognition for Albert Dober, Maintenance Operator, at a cost of \$150.00
- 15-year recognition for Vince Nolan, Maintenance Operator, at a cost of \$100.00”

Motion carried unanimously.

Councillor Keating declared a conflict of interest for the next item as he was the subject of the recommendation in question. Councillor Keating removed himself from the Council Chambers (7:14 p.m.).

Motion

MMC 2022 12 06/018R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to the Administration Department for the following recognition as per the Council and Employee Recognition Policies:

- 35-year recognition for Councillor Keith Keating at a cost of \$500.00”

Motion carried without the vote of Councillor Keating who was in a declared conflict of interest.

Councillor Keating returned to the Council Chambers (7:16 p.m.).

Motion

MMC 2022 12 06/019R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to have the Town’s Christmas Social on December 17, 2022, at the Marystown Hotel and Convention Centre.”

Motion carried unanimously.

Motion

MMC 2022 12 06/020R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to amend motion MMC 2022 09 20/019R passed at the regular Council meeting of September 20, 2022, to remove the purchase of a folder/insertor and mail machine from Modern Business Equipment so that the motion reads as follows:

Motion

MMC 2022 09 20/019R

Moved by Councillor Keating, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to the Administration Department for the following purchase:

- *Ricoh – two photocopiers - \$16,891.68 including HST”*

Motion carried unanimously.”

Motion carried unanimously.

Public Works Committee

Councillor Keating reviewed the reviewed the minutes of the Public Works Committee meeting held on November 30, 2022.

Councillor Keating wanted to speak a moment on the Town’s water quality. There is a map available that shows the level of arsenic in some water supplies, primarily well water. Councillor Keating advised there is no arsenic in the Town’s water, which is tested every quarter and has a rating of excellent. Councillor Keating encouraged residents to use/drink the Town water instead of buying it.

The Town received a call from the Department of Transportation & infrastructure regarding the 10-ton limit on Canning Bridge. As a result of the limit, the Town’s equipment is unable to cross the bridge and if no exemption is implemented, the Town may need to keep some equipment on the south side for winter snow clearing. It could be three to five years before the bridge is replaced. Councillor Keating encouraged residents to report anyone violating the restriction, noting the Town has a new waterline running under the bridge that needs to be protected from the vibrations of heavy traffic.

The Public Works Department has been very busy with regular operations including:

- completion of the installation of storm sewer and asphalt repairs at the Kaetlyn Osmond Arena
- installation of the LED lights on the Kinsmen Softball Field
- pothole and asphalt repairs completed in various locations around town

It was noted that some road within town are not Town-owned roads and as such, the Town is not responsible for repairs to those roads, including potholes. It was noted as well that the Town is not responsible for any bridges.

With the rising cost of materials and supplies, including chemicals for the water treatment plant, Councillor Keating asked that residents try to conserve water to help keep the costs down and report leaks as soon as possible.

The equipment is ready for the snow clearing season. While there hasn't been any snow to clear, the roads have been salted a couple of times. The winter shift will start on December 15th.

Councillor Keating advised that the cost of household garbage collection has increased from \$180.00 per household per year to \$185.00.

The Department will look into engaging a third-party to inspect Glendon Bridge in the spring to determine its condition.

The traffic lights at the intersection of McGettigan Boulevard/Columbia Drive/Penney Street have arrived and had been scheduled to be installed however, due to unforeseen circumstances, that installation is not put on hold until the spring.

Motion

MMC 2022 12 06/021R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to go to tender for the Tolt Road Water and Sewer Upgrades Project, Project No. 17-MYCW-22-00048 and 17-MYCW-21-00105.”

Motion carried unanimously.

Further to Councillor Keating's comments regarding Glendon Bridge, Mayor Keating advised that the weight restriction that had been put on Glendon Bridge has been removed until it is inspected.

Recreation Committee

Deputy Mayor Walsh reviewed the minutes of the Recreation Committee meeting held on November 29, 2022.

The Public Works Department completed the necessary maintenance at the Kaetlyn Osmond Arena to alleviate issues with drainage and all asphalt repairs were made; the issue should be resolved.

The arena has played host to some great tournaments in recent weeks with great turnout from the public. The Marystown teams have done well during these tournaments and every weekend is booked for the hockey season. Deputy Mayor Walsh noted it was great to see so much support for all tournaments and further noted the arena is well-operated by the Town's staff.

The YMCA has seen an increase in day passes, which is likely due to the influx of visitors during the hockey tournaments. Yoga classes are now taking place on Mondays. The YMCA is working with Eastern Health to offer some classes at the facility – more information is pending. As well, the YMCA is hoping to host a Mental Health Awareness Day – more information is pending.

Concerns have been raised regarding flooding/erosion at the Jane's Pond Walking Trail. It was looked into to determine how to address the issue; funding has been identified to address it.

Deputy Mayor Walsh advised that new dugouts for the Track and Field Complex are pending.

There was a great turn-out for the Santa Claus Parade on Saturday past. Over 65 floats from 44 groups were entered into the parade. Deputy Mayor Walsh noted it was great to see so many organizations and businesses involved in and supporting the parade and it was great to see everyone having fun and sharing in the community spirit.

The Town and the YMCA will be working together on a pilot project to try and get more members into the facility. Both parties are working on a plan and have already met a couple of times. Deputy Mayor Walsh noted he would like to see more seniors and youth utilizing the facility. While some community feedback has been received, anyone with ideas can reach out to Deputy Mayor Walsh to pass them on.

The new LED lights have been installed at the softball field which should make a huge difference in brightness. Deputy Mayor Walsh noted the work was done in-house. It's anticipated that there will be an official announcement/opening next year with some of the user groups.

Tourism & Special Events Committee

In the absence of Councillor Hodder, Deputy Mayor Walsh reviewed the minutes of the Tourism & Special Events Committee meeting held on November 29, 2022.

Motion

MMC 2022 12 06/022R

Moved by Deputy Mayor Walsh, seconded by Councillor Keating

“BE IT RESOLVED approval be given for Councillor Hodder to attend the 2023 Hospitality NL Conference and Trade Show taking place February 28 – March 2, 2023, in Gander, NL.”

Motion carried unanimously.

Deputy Mayor Walsh advised that Councillor Hodder recently attended the Heritage Run Tourism Association's Annual General Meeting and was accepted as a new board member.

Prior to the Santa Claus Parade, the Town held its annual Christmas Tree Lighting on the Town grounds on Friday past. It had been scheduled for Thursday, December 1st, but the weather didn't cooperate. Deputy Mayor Walsh thanked Pastor Jamie Warren for the blessing of the tree, Jeff Pittman for assistance with the sound system and music, the Director of Recreation & Community Services, Robert Warr, for all of his assistance, the Knights of Columbus for giving out treats and to the many volunteers for their time with the events.

Deputy Mayor Walsh advised there will be a seniors' event at the Marystown Retirement Centre on December 16th and a Snowball Dance for Persons with Disabilities will be scheduled (date to be determined).

Motion

MMC 2022 12 06/023R

Moved by Deputy Mayor Walsh, seconded by Councillor Keating

“BE IT RESOLVED approval be given to host the Christmas Seniors’ Event at the Marystown Retirement Center on December 16, 2022 at a cost of \$200.00.”

Motion carried unanimously.

Mayor Elf is back and has begun showing up around town again. Deputy Mayor Walsh thanked the residents for participating in the contest so far.

The MADD Gardens are well-lit for the Christmas season. Anyone wanting to add to the display can contact Mr. Bern Pike or Ms. Roma Hennebury.

Protection to Persons & Property Committee

Councillor Nolan reviewed the minutes of the Protection to Persons & Property Committee meeting held on November 29, 2022.

There was not much to report with regards to animal control or anti-litter. There was an issue with a roaming cat in the area of McDonald’s for several days. The cat was captured and rehomed as the owners did not come forward to claim the cat.

Operations at the Marystown Volunteer Fire Department have been busy. The Department received seven calls for service since the last Committee meeting.

The specs/tender document for the new pumper for the Department have been received and reviewed and which were discussed by Council earlier today.

Motion

MMC 2022 12 06/024R

Moved by Councillor Nolan, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to go to tender for a new pumper for the Marystown Volunteer Fire Department as per the specifications and tender document on file.”

Motion carried unanimously.

Council had a discussion regarding Canning Bridge and the Marystown Volunteer Fire Department has been granted an emergency exemption for the pumpers and rescue vehicles following the implementation of a weight restriction for the bridge. A temporary location may be needed on the south side of Marystown for emergency vehicles if the restrictions change or when work on the bridge begins.

The Marystown Emergency Mock Plan (MEMP) table top scenario session went well on November 23rd. Councillor Nolan thanked everyone involved and advised more sessions will be scheduled in the New Year.

Councillor Nolan thanked everyone who supported the Annual Emergency Services Food Drive, noting it was a great success.

Councillor Nolan thanked the Fire Wrens for their continued support of the Fire Department. Their last photos with Santa session will take place on December 10th from 11:00 a.m. to 4:00 p.m. at the Peninsula Mall.

The second annual Guns and Hoses Charity Hockey Game between the RCMP and the Fire Department will take place on December 17th at 7:00 p.m. at the Kaetlyn Osmond Arena. Admission will be a toy for a boy or girl and a non-perishable food item. Councillor Nolan encouraged everyone to come out and see a great hockey game and support those in need during the holiday season.

Councillor Nolan reminded everyone to be fire safe during the Christmas season. Residents were advised to use caution while decorating - check for frayed or broken wires, keep natural trees well-watered and keep all fire exits clear.

Motion

MMC 2022 12 06/025R

Moved by Councillor Nolan, seconded by Councillor Edwards

“BE IT RESOLVED Council ratify the issuance of a Repair/Removal Order to the owner of property at 12 Ducey’s Lane to remove or restore the dwelling.”

Motion carried unanimously.

The CAO advised that several complaints have been received regarding a rodent issue on Ville Marie Drive in the area of the Creston Causeway. Orkin Canada will complete an inspection of the area and the report will recommend what should be done in the area to resolve the issue.

The Committee received correspondence from Crimestoppers NL regarding a new chapter of the organization setting up on the Burin Peninsula. With the busy Christmas season underway, the Committee felt it would be better to schedule a general meeting early in the New Year. Any resident who has an interest in getting involved with the organization was asked to contact Councillor Nolan. A meeting date will be posted in the New Year.

7. Correspondence

- Email from Burin Peninsula Chamber of Commerce dated November 10/22 re: Call for BPCC Board of Directors Nominations – deadline is December 16/22.

The CAO noted anyone interested in nominating someone or being nominated should do so before the deadline of December 16/22.

8. Approvals to Purchase

Motion

MMC 2022 12 06/026R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to the Administration Department to purchase Gorilla Rack 5-tier industrial rack shelving for the Town office storage room from Costco at a cost of \$4,829.89 including HST.”

Motion carried unanimously.

Motion

MMC 2022 12 06/027R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to the Administration Department to purchase a folder/insertor from Pitney Bowes at a cost of \$3,810.67 including HST.”

Motion carried unanimously.

Motion

MMC 2022 12 06/028R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to the Administration Department to purchase a mail machine from Pitney Bowes at a cost of \$3,964.43 including HST.”

Motion carried unanimously.

Motion

MMC 2022 12 06/029R

Moved by Councillor Edwards, seconded by Councillor Myles

“BE IT RESOLVED approval be given to the Fire Department to expend remaining funds in the Honourarium budget at a cost of \$63,782.81 including HST.”

Motion carried unanimously.

Motion

MMC 2022 12 06/030R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to the Fire Department to expend funds for the annual servicing and testing plus require repairs for the SCBA and compressor by Grainger at a cost of \$6,565.84 including HST.”

Motion carried unanimously.

Motion

MMC 2022 12 06/031R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to the Public Works Department to purchase asphalt taken from the Provincial Paving Limited plant at Marystown by Town Forces for the Arena Storm Sewer Project at a cost of \$3,139.50 including HST.”

Motion carried unanimously.

Motion

MMC 2022 12 06/032R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to the Public Works Department to purchase asphalt taken from the Provincial Paving Limited plant at Marystown by Town Forces for the Arena Storm Sewer Project at a cost of \$3,155.60 including HST.”

Motion carried unanimously.

Motion

MMC 2022 12 06/033R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to the Public Works Department to purchase line paint (100 gallons of yellow traffic paint @ \$24.84 per gallon and 30 gallons of white traffic paint @ \$27.84 per gallon) from Sherman Williams at a cost of \$3,713.85 including HST.”

Motion carried unanimously.

9. Regulations

There were no regulations to bring forward.

10. Other Business

Councillor Keating had only one further item to bring forward and that was to note that the 2023 Municipal Budget will be brought forward for adoption at the next regular Council meeting.

Councillor Edwards noted that with the winter season coming on, the days are getting shorter/darker. Councillor Edwards encouraged residents to ensure their properties were secured and well-lit to discourage break and entering.

Mayor Keating advised Trade NL Director Darin King and representatives from EverWind Fuels were in Marystown recently for a meeting on December 1st with the Burin Peninsula Energy Advisory Board and there was discussion on supporting both the Bay du Nord Project and a wind energy project for the Burin Peninsula. Mr. King asked Council to lobby the Provincial Government to ensure there is work in Newfoundland and on the Burin Peninsula. Mayor Keating noted the Town is behind and fully supportive of both projects.

*Town Council of Marystown
Regular Council Meeting
December 6, 2022*

Mayor Keating thanked the Director of Finance & Administration and the CAO for their work on the budget as well as the staff and Council for participating in meetings and budget discussions.

11. Notices of Motion

There were no notices of motion to bring forward.

12. Adjournment

Mayor Keating advised the next meeting would take place December 20, 2022.

Motion

MMC 2022 12 06/034R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED the meeting was adjourned at 7:50 p.m.”

Motion carried unanimously.

Brian Keating
Mayor

Petrina Power
Town Clerk