

**MINUTES OF THE REGULAR COUNCIL MEETING
HELD ON MAY 16, 2023**

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
Randy Brockerville, Director of Operations & Public Works
Melanie Kilfoy, Director of Finance & Administration
Robert Warr, Director of Recreation & Community Services
Petrina Power, Town Clerk

1. Call to Order

Mayor Keating called the meeting to order at 7:04 p.m.

2. Adoption of Agenda

Motion

MMC 2023 05 16/001R

Moved by Councillor Myles, seconded by Councillor Edwards

“BE IT RESOLVED the agenda be adopted.”

Motion carried unanimously.

3. Adoption of Minutes

Motion

MMC 2023 05 16/002R

Moved by Councillor Nolan, seconded by Councillor Keating

“BE IT RESOLVED the minutes of the regular Council meeting held on May 9, 2023, be adopted.”

Motion carried unanimously.

4. Business Arising

There was no business arising to bring forward.

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 May 11, 2023.

Motion

MMC 2023 05 16/003R

Moved by Councillor Myles, seconded by Councillor Edwards

“BE IT RESOLVED Council ratify issuance of a Stop Work Order to the owners of property at 40-41 Queen Street to cease repairs to the property until proper permits are in place and approved by Council.”

Motion carried unanimously.

Councillor Myles noted the Town has been having some wifi issues with regards to live streams of the last few Council meetings. The issue seems to be resolved.

The Committee had some discussion regarding a request for the reinstallation of No Parking signs at Brake’s Subdivision. It was noted that the RCMP will not enforce such signage and the issue will be discussed again at the next Planning & Development Committee meeting.

The Committee discussed an application for a development on Columbia Drive that was deferred at the last Council meeting. The developer will be invited to the next Committee meeting to further discuss his application for clarification purposes.

Motion

MMC 2023 05 16/004R

Moved by Councillor Myles, seconded by Councillor Nolan

“BE IT RESOLVED that an application received from the Anglican Parish to erect a privacy fence from residence to boundary on both sides of residence at 1 Mayo’s Road be approved, subject to site inspection.”

Motion carried unanimously.

Motion

MMC 2023 05 16/005R

Moved by Councillor Myles, seconded by Deputy Mayor Walsh

“BE IT RESOLVED that an application from Jarrod Thomas to operate Thomas Amusements at 25-57 Columbia Drive (Peninsula Mall) from June 19th to 25th be approved.”

Motion carried unanimously.

Motion

MMC 2023 05 16/006R

Moved by Councillor Myles, seconded by Deputy Mayor Walsh

“BE IT RESOLVED that an application from Paul Slaney to operate Mobile Tech Services at 125 Greenwood Street be approved.”

Motion carried unanimously.

Motion

MMC 2023 05 16/007R

Moved by Councillor Myles, seconded by Deputy Mayor Walsh

“BE IT RESOLVED that an application received from Jack Brenton to operate an Airbnb at 3 Creston Boulevard be approved.”

Motion carried unanimously.

Motion

MMC 2023 05 16/008R

Moved by Councillor Myles, seconded by Councillor Nolan

“BE IT RESOLVED that an application received from Robert Warr to construct an accessory building measuring 16’ x 20’ at 158 Greenwood Street be approved, subject to site inspection.”

Motion carried unanimously.

Motion

MMC 2023 05 16/009R

Moved by Councillor Myles, seconded by Councillor Edwards

“BE IT RESOLVED that an application received from Bridget Simms to erect a privacy fence at the rear of property and construct an accessory building measuring 20’ x 24’ at 12 Crocker’s Point Road be approved, subject to site inspection.”

Motion carried unanimously.

Motion

MMC 2023 05 16/010R

Moved by Councillor Myles, seconded by Councillor Keating

“BE IT RESOLVED that an application received from Alvin Pittman to construct a residence measuring 38’ x 48’ at 10 Marine Drive be approved, subject to site inspection.”

Motion carried unanimously.

Motion

MMC 2023 05 16/011R

Moved by Councillor Myles, seconded by Councillor Nolan

“BE IT RESOLVED that an application received from Cyril Baker to construct an accessory building measuring 14’ x 20’ at 21 Canning Road be approved, subject to site inspection.”

Motion carried unanimously.

Mayor Keating declared a conflict of interest for the next application as he is the applicant in question. Mayor Keating removed himself from the Council Chambers and Deputy Mayor Walsh presided as Chair of the meeting.

Motion

MMC 2023 05 16/012R

Moved by Councillor Myles, seconded by Councillor Nolan

“BE IT RESOLVED that an application received from Brian Keating to construct two glamping pods measuring 12’ x 12’ each and one comfort building measuring 16’ x 12’ at 9B Water Street West be approved, subject to site inspection.”

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

Mayor Keating returned to the Council Chambers and assumed the position of Chair again.

Councillor Myles concluded his report.

Finance Committee

Councillor Edwards reviewed the minutes of the Finance Committee meeting held on May 10, 2023.

Motion

MMC 2023 05 16/013R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to pay Invoice No. 61960288 received from NL Aquaculture Industry Association Inc. date April 1/23 in the amount of \$575.00 HST included for membership fees for the period of April 1, 2023 – March 31, 2024.”

Motion carried unanimously.

Motion

MMC 2023 05 16/014R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to pay an Invoice for File No. 2023201 received from Apply Picco Law dated May 4/23 in the amount of \$230.00 HST included for professional services in relation to the review of the Memorandum of Understanding with the Burin Peninsula Waste Management Board.”

Motion carried unanimously.

Motion

MMC 2023 05 16/015R

Moved by Councillor Edwards, seconded by Councillor Myles

“BE IT RESOLVED approval of the March Monthly Claim received from the YMCA of Newfoundland and Labrador dated March 31/23 in the amount of \$28,302.00.”

Motion carried unanimously.

Deputy Mayor Walsh declared a conflict for the next recommendation as he is the owner of the property in question. Deputy Mayor Walsh removed himself from the Council Chambers.

Motion

MMC 2023 05 16/016R

Moved by Councillor Edwards, seconded by Councillor Myles

“BE IT RESOLVED approval be given to adjust the remaining interest on Account No. DUCES004 as the principal and 50% of the interest has been paid in full.”

Motion carried without the vote of Deputy Mayor Walsh who was in a declared conflict of interest.

Deputy Mayor Walsh returned to the Council Chambers.

Motion

MMC 2023 05 16/017R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED Council approve an application as per the Town’s Permissive Tax Exemption Policy received from the Burin Peninsula Supported Employment Services Account No. BURIN011 for 2023 Business Tax in the amount of \$1,945.32 plus applicable interest.”

Motion carried unanimously.

Motion

MMC 2023 05 16/018R

Moved by Councillor Edwards, seconded by Councillor Myles

“BE IT RESOLVED approval be given to adjust the remaining interest on Account No. BENNW001 as the principal and 50% of the interest has been paid in full.”

Motion carried unanimously.

Councillor Edwards advised that a number of applications for a tax exemption under the Town’s Permissive Tax Exemption Policy were received after the deadline of November 15, 2022. Councillor Edwards noted the Town’s 2023 budget for tax exemptions was based on requests received in November 2022. The Committee agreed to table the late applications for approval with the understanding correspondence will be sent to those who sent late applications to advise they will no longer be accepted past the deadline.

Motion

MMC 2023 05 16/019R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED Council approve an application as per the Town’s Permissive Tax Exemption Policy received from CBDC Burin Peninsula Account No. BURIN013 for 2023 Business Tax in the amount of \$979.94 plus applicable interest.”

Motion carried unanimously.

Motion

MMC 2023 05 16/020R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED Council approve an application as per the Town’s Permissive Tax Exemption Policy received from the Grace Sparkes House Account No. GRACE001 for 2023 Property Tax in the amount of \$3,600.05 and 2023 Business Tax in the amount of \$436.07 for a total of \$4,036.12 plus applicable interest.”

Motion carried unanimously.

Motion

MMC 2023 05 16/021R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED Council approve an application as per the Town’s Permissive Tax Exemption Policy received from the Smallwood Crescent Community Centre Account No. SMALL001 for 2023 Business Tax in the amount of \$3,378.70 plus applicable interest.”

Motion carried unanimously.

Motion

MMC 2023 05 16/022R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED Council approve an application as per the Town’s Permissive Tax Exemption Policy received from the Family Aid Account No. FAMIL002 for 2023 Property Tax in the amount of \$912.90 and 2023 Business Tax in the amount of \$1,396.20 for a total of \$2,309.10 plus applicable interest.”

Motion carried unanimously.

Motion

MMC 2023 05 16/023R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED Council approve an application as per the Town’s Permissive Tax Exemption Policy received from the Used Furniture Store Account No. USED001 for 2023 Business Tax in the amount of \$722.70 plus applicable interest.”

Motion carried unanimously.

Motion

MMC 2023 05 16/024R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED Council approve Accounts Payable Listing No. 8-1 as of May 10, 2023, in the amount of \$186,501.38 as per policy.”

Motion carried unanimously.

Motion

MMC 2023 05 16/025R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED that further to a letter received from the Department of Municipal and Provincial Affairs dated May 9, 2023, approving the Town’s Capital Investment Plan application for Gas Tax funding in the amount of \$455,418.52 for the purchase of filters for the Water Treatment Plant, it is understood that the balance of the required funding in the amount of \$266,013.26 will come from the Town’s General Account to cover the total cost of \$821,431.78 including shipping and HST for the filters.”

Motion carried unanimously.

Public Works Committee

Councillor Keating reviewed the minutes of the Public Works Committee meeting held on May 10, 2023.

Councillor Keating advised correspondence was received regarding a mound of earth that was blocking line of site from an access onto Ville Marie Drive. The Public Works Department will follow up on having the mound removed.

A number of requests have been received from residents requesting speed bumps for their streets. All of the Town's speed bumps have been installed but additional requests will be reviewed and evaluated by the Public Works Committee. Councillor Keating advised residents that the Town's policy on speed bumps has been posted online and further noted that if there is a speed bump on a street that is unwanted or unnecessary, the Department can remove it and install it elsewhere.

The Committee discussed quotes received for the installation of a new furnace at the Town Depot. This item will be discussed further by the Committee.

The Committee discussed the installation of a water meter for the Grieg Seafoods site. A meeting has been requested with the company to discuss the water meter and other topics.

Motion

MMC 2023 05 16/026R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to advertise a Request for Proposals for the sale of the 2007 Kobelco Excavator 160 for a period of one week.”

Motion carried unanimously.

Councillor Keating provided a brief update on activities by the Public Works Department. The outside workers have been busy repairing damage to properties, such as sod repair, caused by snow clearing. Work has also been done on one of the Town's blivets on Bayview Street. Screening of sand is ongoing in the Dick's Head area and grading has been completed on gravel roads. A water leak was repaired in Little Bay. Councillor Keating noted the Town will be looking at additional funding to complete the waterlines in Little Bay. A trail to the washrooms on the Landing Place Pond Walking Trail was completed and several speed bumps were installed in various areas of town.

Councillor Keating provided an update on the Town's capital works projects. Asphalt on Bayview Street and Ville Marie Drive has been removed in preparation of upgrades. Councillor Keating apologized for the dust that residents are having issues with but unfortunately, it is a part of the process. A water truck is on site to help mitigate the dust issue. Councillor Keating advised residents in the affected areas to turn off their air exchangers while work is occurring, noting the work should be completed in a week or so.

The Town received the new filters for the water treatment plant. The filters will be installed once the new water pump arrives and a new bypass for unfiltered water has been installed, which should help extend the life of the filters.

All equipment is operating well and repaired as needed.

Waste management is operating well. Clean-up Weeks will take place from May 20th to June 3rd and two dumpsters will be provided for those two weeks.

Motion

MMC 2023 05 16/027R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to advertise for two temporary Labourer positions for the Public Works Department for a period of ten weeks each.”

Motion carried unanimously.

Motion

MMC 2023 05 16/028R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to advertise for one temporary Heavy Equipment Operator position for the Public Works Department for a period of ten weeks.”

Motion carried unanimously.

Motion

MMC 2023 05 16/029R

Moved by Councillor Keating, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to submit an application to utilize funds remaining in the Town’s 2014-2017 Multi-Year Capital Works Program funding for the Ville Marie Drive Asphalt Repairs Project (Service Canada to Penney Street), with the understanding total funds in the amount of \$117,350.00 will be cost-shared on an 80/20 provincial/municipal cost-shared basis as follows:

Provincial Contribution	\$ 85,133.65
Municipal Contribution	21,283.41
GST/HST	10,932.94

with the understanding the Town’s contribution will come from surplus funds.”

Motion carried unanimously.

Councillor Keating advised the work on the new traffic lights at the intersection of McGettigan Boulevard/Columbia Drive/Penney Street is now complete however, it’s uncertain when the traffic lights will be actually turned on. For now, the intersection is still operating as a four-way stop, which worked quite well during the installation of the lights. Councillor Keating noted the construction company (Farrell’s Excavating) did a great job.

Recreation Committee

Deputy Mayor Walsh advised the Recreation Committee hasn’t met since the last regular Council meeting of May 9, 2023.

Field maintenance is ongoing with the grass already having been cut once. The fields should be ready by the end of next week. Sand for the Kinsmen and Lions fields has been brought in and

work is ongoing to remove some of the old sand and replace it with new sand, which should be completed over the next week or so. Maintenance on all fields is going as planned and the fields should open for the minor league sports programs in about a week.

The new playground equipment is still on schedule to arrive and be installed later this summer.

Motion

MMC 2023 05 16/030R

Moved by Deputy Mayor Walsh, seconded by Councillor Keating

“BE IT RESOLVED approval be given for the Director of Recreation & Community Services to attend the Recreation NL Annual General Meeting, Conference and Trade Show taking place in Gander from May 25th to 27th.”

Motion carried unanimously.

Motion

MMC 2023 05 16/031R

Moved by Deputy Mayor Walsh, seconded by Councillor Keating

“BE IT RESOLVED approval be given to award the contract for the replacement of the roof at the Kaetlyn Osmond Arena to McCarthy’s Carpentry & Construction Inc. in the amount of \$276,000.00 including HST, with the understanding that \$160,214.53 of that amount will be covered under the Town’s insurance policy as the roof was damaged as a result of a windstorm on February 19, 2022, and with the further understanding that the balance of the required funding will come from the Town’s general revenue.”

Motion carried unanimously.

Tourism & Special Events Committee

Mayor Keating passed on regrets from Councillor Hodder who was not able to attend tonight’s meeting. The Tourism & Special Events Committee hasn’t met since the last regular Council meeting of May 9, 2023.

Mayor Keating noted one upcoming event on behalf of the Committee which is the Outdoor Bingo. Deputy Mayor Walsh confirmed that event will take place on May 30th at 7:00 p.m. on the Peninsula Mall parking lot.

Protection to Persons & Property Committee

Councillor Nolan reviewed the minutes of the Protection to Persons & Property Committee meeting held on May 11, 2023.

A number of complaints have been received with regards to cars speeding and loud exhaust systems. The RCMP has been notified of these complaints. Residents were encouraged to report incidents of speeding to the RCMP.

Speed bumps have been placed in various locations of town to deter speeding. Residents were encouraged to read the Town's policy on speed bumps which was posted online.

Motion

MMC 2023 05 16/032R

Moved by Councillor Nolan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to issue a Clean-Up Order to the owner of property at 14 Crocker's Point Road to have the property cleaned up.”

Motion carried unanimously.

Motion

MMC 2023 05 16/033R

Moved by Councillor Nolan, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to issue a Clean-Up Order to the owner of property at 417 Ville Marie Drive to have the property cleaned up.”

Motion carried unanimously.

The Committee had a discussion regarding the condition of some local garages and construction companies. The Committee agreed that the nature of these businesses directly relates to the condition of the properties. The conditions of some garages and construction companies will be monitored over the next couple of months to determine if clean-up orders will be issued.

There were a few issues reported with lost/stray pets. The Committee agreed that any stray/lost/found animals in the Marystown area will be shared to the Town's Facebook Page on a go forward basis.

Some residents have been putting electronics to the curb for pickup by Burin Peninsula Waste Management however, as per policy, electronics are not picked up as a part of waste management collections and instead, are left at the curb. It is the resident's responsibility to bring old electronics to the waste disposal site and drop them into an electronics collection bin. The Committee, through Councillor Keating who is a member of the Burin Peninsula Regional Service Board, will request that the Board provide a more convenient method of disposing of old electronics such as locating a drop-off bin within the community or picking up electronics with bulk garbage and having their staff drop it into the appropriate bin.

As noted earlier, the weeks of May 20th to June 3rd have been designated as Clean-up Weeks in Marystown, which includes three Saturdays. The Clean-up Blitz will take place on May 27th starting at 8:00 a.m. All residents, groups and organizations were encouraged to participate and stop by the Town Hall for gloves and garbage bags. The Town has a map that has identified the areas requiring attention; participants in the clean-up and choose an area to focus on and clean up.

This year, the Committee has introduced a new clean-up participation contest. Residents will simply take a picture of their clean-up participation and send it to the Town with participant names

and clean-up location after which each picture will be posted to the Town's Facebook page. All qualifying entries will be eligible to win one of four prizes of \$50.00.

Motion

MMC 2023 05 16/034R

Moved by Councillor Nolan, seconded by Councillor Myles

“BE IT RESOLVED approval be given to host a Participation Clean-Up Contest to take place during Clean-Up Weeks from May 20 to June 3, 2023, with four prizes in the amount of \$50.00 each, totaling \$200.00, with funds to come from the Anti-Litter Budget.”

Motion carried unanimously.

Anti-litter signage has been placed in the drive-thru at McDonald's and Tim Hortons'. Councillor Nolan thanked both businesses for allowing the Town to install this signage as part of a proactive approach to stop littering.

Operations remain busy at the Marystown Volunteer Fire Department. The Department received three emergency calls since the last Committee meeting.

Representation from the Salvation Army will attend the next Committee meeting on June 15th to discuss a Warming Centre for the area as per the last Committee meeting.

A meeting will be scheduled in the near future to discuss the satellite fire hall for the Department.

Councillor Nolan reminded Council of the annual meeting between the Fire Department and Council, which will take place at 7:00 p.m. on May 23rd at the Fire Hall.

On behalf of the Department, Councillor Nolan thanked everyone who supported the Department's recent car wash fundraiser.

Applications continue to be accepted for the Junior Firefighter Program, scheduled to begin in September.

Councillor Nolan thanked all participants of the Department's Mock Emergency Exercise, which was a successful training event. Councillor Nolan advised there are some free emergency services training opportunities available at the Fire Hall in November. Anyone is interested should contact Fire Chief Bolt.

Home fire sprinklers are relatively new but there are benefits which should be considered. Anyone interested in learning more can contact Fire Chief Bolt for further information.

Councillor Nolan advised residents that Forest Fire Season began on May 1st. Forest fires have already caused much devastation in Alberta and British Columbia. Councillor Nolan advised residents to be cautious with outdoor fire-related activities.

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

Councillor Keating expressed upset over a decision by the Board of Regents to discontinue singing the Ode to Newfoundland at MUN's convocation services earlier this year and recommended writing a letter of objection.

Motion

MMC 2023 05 16/035R

Moved by Councillor Keating, seconded by Councillor Edwards

"BE IT RESOLVED approval be given to write a letter to Memorial University of Newfoundland's Board of Regents expressing dismay over their decision to discontinue the singing of the Ode to Newfoundland at MUN's convocation services and implore that the Board reinstate the Ode, with the understanding that a copy of the letter will be forwarded to Premier Dr. Furey."

Discussion

Deputy Mayor Walsh agreed, noting the Ode was established as the Province's National Anthem in 1904. Memorial University of Newfoundland was named as such in remembrance of those who were lost in the first World War in 1914 and 1915. In 1949, the Province joined Canada and the National Anthem changed to O Canada but in 1980, the Ode became the Province's official anthem. This province became the first province of Canada to have a Provincial Anthem and as such, it should remain a part of the services at MUN.

Mayor Keating also expressed his disappointment and noted the letter should also be sent to the Premier.

Motion carried unanimously.

Councillor Myles reminded residents of the Radiothon taking place on May 26th in support of the Burin Peninsula Health Care Centre. The Radiothon will take place at the Summer Games Building and it's anticipated it will be another successful event as in previous years.

Mayor Keating advised the Town met with Minister Krista Lynn Howell, Minister of Municipal and Provincial Affairs, during the MNL Symposium in Gander and approval was given to provide a \$30,000.00 special assistance grant to the Town for engineering services on the replacement of the waterline that currently runs along Canning Bridge. The Town will need to work with its engineers on determining the cost of relocating the line. The RFP for the engineering for the replacement of Canning Bridge itself is set to be advertised within a couple of weeks.

Mayor Keating noted there has been a small reduction in criminal activity within town. The public has been great in reaching out to the RCMP and Council regarding suspicious activity. The Town will be following up on posting some 'dos and don'ts' to help protect personal property. The security car is still patrolling around town and things are starting to go in the right direction.

Mayor Keating expressed appreciation to the residents for their patience with the closure of Canning Bridge, the ongoing roadwork and other disruptions. The asphalt plant will be up and running after the Victoria Day long weekend. Mayor Keating reminded residents that as infrastructure is upgrade, things will get worse before they get better but noted the Town's projects seem to be ahead of schedule.

11. Notices of Motion

There were no notices of motion to bring forward.

12. Adjournment

Mayor Keating advised the next meeting would take place June 6, 2023.

Motion

MMC 2023 05 16/036R

Moved by Councillor Keating, seconded by Councillor Nolan

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

Motion carried unanimously.

Brian Keating
Mayor

Petrina Power
Town Clerk