

**MINUTES OF THE REGULAR COUNCIL MEETING
HELD ON FEBRUARY 7, 2024**

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

Also present: 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 2024 02 07/001R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED the agenda be adopted.”

Motion carried unanimously.

3. Adoption of Minutes

Motion

MMC 2024 02 07/002R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED the minutes of the regular Council meeting held on January 23, 2024, be adopted.”

Motion carried unanimously.

Motion

MMC 2024 02 07/003R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED the minutes of the special Council meeting held on January 23, 2024, be adopted.”

Motion carried unanimously.

The minutes of the Council meeting with Minister John Abbott held on January 31, 2024, were tabled for information purposes.

4. Business Arising

There was no business arising to bring forward from any of the meetings.

5. Delegations

There were no scheduled delegations.

6. Committee Reports

Protection to Persons & Property Committee

Councillor Nolan reviewed the minutes of the Protection to Persons & Property Committee meeting held on February 1, 2024.

The Committee met with the owners of two local taxi companies and had a discussion regarding taxi services in Marystown in relation to the Town's Taxi Regulations. The Committee reviewed the regulations and whether the Town should be regulating the service. Both taxi owners stressed the importance of the Town maintaining the regulations. The town has received a legal opinion on the regulations and will discuss this item at another meeting.

Motion

MMC 2024 02 07/004R

Moved by Councillor Nolan, seconded by Councillor Keating

“BE IT RESOLVED approval be given to proclaim February 19, 2024, as Heritage Day and the week of February 19-25, 2024, as Heritage Week.”

Motion carried unanimously.

Motion

MMC 2024 02 07/005R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to proclaim February 11, 2024 as National 211 Day to recognize those that offer 211 service that helps guide individuals and families through the complex network of human services.”

Motion carried unanimously.

Councillor Nolan explained that by dialing 211, residents can obtain information on a wide range of community programs and services. Some examples include non-emergency police numbers, the foodbanks, Alzheimer support, mental health help, emergency shelters for the homeless, services for domestic violence victims and various provincial and local helpline phone numbers that are operated 24/7.

Motion

MMC 2024 02 07/006R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to appoint Mayor Brian Keating as the Head of the Public Body and Leeanne Augot, Executive Assistant, as the backup ATIPP Coordinator as required by the Access to Information and Protection of Privacy Act, 2015, with the understanding Petrina Power, Town Clerk, is the appointed ATIPP Coordinator.”

Motion carried unanimously.

There was no information to bring forward regarding animal control or anti-litter.

The Marystown Volunteer Fire Department received five calls for service since the last Committee meeting.

Fire Chief Bolt and the Town’s Electrician are continuing the assessment and gathering of information for a possible warming station set-up at the Salvation Army Citadel.

On behalf of Fire Chief Bolt and the firefighters, Councillor Nolan thanked the CEEP project workers for their help in completing some painting and general repairs at the Fire Hall.

The ‘Conducting Live Fire Training’ course that was hosted in Marystown a few weekends ago was well-attended by Marystown firefighters and other firefighters from around the peninsula, which was great to hear.

Fire Chief Bolt and the firefighters were very pleased with last week’s update on the Bailey Bridge and Canning Bridge. With the announcement of a temporary Bailey Bridge until a new permanent bridge can be constructed, and Canning Bridge staying in place for emergency services until a temporary bridge is in place, the Fire Department no longer needs a temporary satellite station on the south side of Marystown. Fire trucks will be permitted to cross the Bailey Bridge, which will also have a protected walkway for pedestrians. Councillor Nolan advised that the contingency plan that is currently in place is working well.

Recreation & Special Events Committee

Deputy Mayor Walsh reviewed the minutes of the Recreation & Special Events Committee meeting held on January 30, 2024.

Motion

MMC 2024 02 07/007R

Moved by Deputy Mayor Walsh, seconded by Councillor

“BE IT RESOLVED approval be given for the following residents to join the Recreation Committee:

- Amanda Warren-Brennan
- Janice Barry”

Motion carried unanimously.

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Deputy Mayor Walsh advised an email was sent to MHA Jeff Dwyer regarding equipment for the seniors at the Lions 50+ Club. Deputy Mayor Walsh asked to be copied on the email again and noticed that the email address was incorrect, which was why there hadn't been any response. Deputy Mayor Walsh has spoken with MHA Dwyer on the request and he is actively working on that item.

A YMCA survey has shown that the membership would be interested in some new equipment. Once follow-up is made to determine what equipment would work best, Council can work it into the next budget.

The Kaetlyn Osmond Arena has been very busy with tournaments scheduled for every weekend during the ice season. There has been a lot of success with hosting tournaments and the home teams have been doing some travelling to other tournaments. Deputy Mayor Walsh thanked and congratulated all teams for representing their communities.

There have been a number of complaints regarding smoking in the entrance at the arena. Signage has been posted asking people to move away from the doorway and staff have been trying to deter residents from lingering near the entrance to smoke. For the safety of the children, Deputy Mayor Walsh asked residents who use the arena to move away from the doorway if they want to smoke, noting that technically, smoking is not even permitted on the property itself. A lot of tournaments and events take place at the arena and guests to the arena should feel welcome, not overwhelmed by smoke. While it's been hard to police, it's hoped that with everyone's help, smoking in the doorway will stop.

The Marystown Minor Hockey Parents Association purchased divider boards for the arena, which enables the ice to be divided into two ice surfaces for the Timbit players and two games can be ongoing at the same time. It's a great addition to the arena. The Association is currently doing another fundraiser which residents were encouraged to support.

The YMCA is selling 50/50 tickets. All proceeds raised from the draw will stay in Marystown to support the YMCA. Anyone interested in purchasing a ticket can contact Deputy Mayor Walsh, Councillor Hodder, Ms. Roma Hennebury or Mr. Bern Pike or tickets can be purchased directly from the YMCA.

When Deputy Mayor Walsh was first elected to Council, he noted a number of parents approached him regarding the need for an adult change table. Deputy Mayor Walsh spoke to Council and it was agreed that it was needed. The Director of Recreation & Community Services and the YMCA got involved and now there is an adult change table installed at the YMCA. A membership is not needed to use the table as it has been made available to the public as a whole during YMCA operating hours. Deputy Mayor Walsh thanked the YMCA, the Director of Recreation & Community Services and everyone else involved in ensuring this piece of equipment was secured.

Deputy Mayor Walsh advised a new change room facility has been constructed at Landing Place Pond Walking Trail. It's a great addition to the trail and there has been a lot of good feedback on it to date. Deputy Mayor Walsh thanked those involved in constructing the facility.

The Committee is interested in hosting an event for seniors. The Committee will follow up with the Marystown Lions Club to see if this is something that can be incorporated into the Lions Winter Carnival taking place later this month.

Motion

MMC 2024 02 07/008R

Moved by Deputy Mayor Walsh, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to proclaim February 20, 2024, as Kin Canada Day and the week of February 18-24, 2024, as Kin Canada Week.”

Motion carried unanimously.

Motion

MMC 2024 02 07/009R

Moved by Deputy Mayor Walsh, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to advertise a Request for Proposals for engineering and design services to refurbish the former Ville Marie Swimming Pool into a soccer complex, with services to be capped at 50 hours.”

Motion carried unanimously.

Motion

MMC 2024 02 07/010R

Moved by Deputy Mayor Walsh, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to advertise a Request for Proposals to replace the roof on the former Ville Marie Swimming Pool.”

Motion carried unanimously.

Public Works Committee

Councillor Hodder reviewed the minutes of the Public Works Committee meeting held on January 31, 2024.

Motion

MMC 2024 02 07/011R

Moved by Councillor Hodder, seconded by Councillor Keating

“BE IT RESOLVED that, further to motion MMC 2023 11 21/005R made at the regular Council meeting of November 21, 2023, wherein Council approved the hiring of Mr. Walter Rennie in a Maintenance position with the Public Works Department for a period of twelve weeks, approval be given to extend his employment by an additional twelve weeks.”

Motion carried unanimously.

Councillor Hodder advised the Public Works Committee has been busy as usual, working on such tasks as replacing the screens in the asphalt screener, pumping out the septic tank at the water treatment plant, repairing a waterline on Wiscombe’s Road and repairing other infrastructure and equipment.

Councillor Hodder advised the tender for the Creston Boulevard, Dober's Road and Ville Marie Drive Road Upgrades Projects have been advertised.

The application and permits for the Raymond's Road Waterline Replacement Project have been received and are being reviewed.

There have been some programming issues at the water treatment plant that have created a problem in installing the new VFD. The Town will need to purchase a new updated computer as the current computer is about 10-12 years old. Flows at the water treatment plant are good at about 560-570 gallons per minute.

To date, the Town has experienced one bad snow storm that resulted in a number of complaints regarding the roads and snow clearing. Councillor Hodder advised that at the time, the Public Works Department was down two loaders. While one has been repaired, there is still one loader out of commission.

Motion

MMC 2024 02 07/012R

Moved by Councillor Hodder, seconded by Councillor Keating

"BE IT RESOLVED approval be given to go to tender for the purchase of a new loader for the Public Works Department."

Motion carried unanimously.

The Department still has a good supply of salt and sand.

The last bulk garbage collection for the winter season took place last month. The next collection will take place this coming spring in April. Councillor Hodder asked residents to refrain from placing electronics at the curb.

Finance Committee

Councillor Edwards reviewed the minutes of the Finance Committee meeting held on January 31, 2024.

To further comment on Councillor Hodder's last statement, Councillor Edwards advised that waste management does not pick up electronics as part of bulk garbage collection. Residents needing to dispose of electronics are to take them directly to the waste disposal site.

Motion

MMC 2024 02 07/013R

Moved by Councillor Edwards, seconded by Councillor Hodder

"BE IT RESOLVED approval be given to pay Invoice No. 1052 received from Cal LeGrow dated January 23/24 in the amount of \$265,850.35 RST exempt for the renewal of Policy No. P04174506 effective February 1, 2024 to February 1, 2025."

Motion carried unanimously.

Motion

MMC 2024 02 07/014R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to pay Invoice No. 13143 received from Hospitality Newfoundland and Labrador dated January 22/24 in the amount of \$394.13 including HST for 2024 membership fees.”

Motion carried unanimously.

Motion

MMC 2024 02 07/015R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to pay the Statement of Account received from Appleby Picco Law for File No. 2022279 dated January 23/24 in the amount of \$115.00 including HST for professional services with respect to the review of a Lease Agreement.”

Motion carried unanimously.

Motion

MMC 2024 02 07/016R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to adjust the remaining interest on Account No. STEWC004 as the principal and 50% of the interest has been paid in full.”

Motion carried unanimously.

Motion

MMC 2024 02 07/017R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED Council ratify a donation in the amount of \$100.00 to Daffodil Place in memory of past Minister Derrick Bragg.”

Motion carried unanimously.

Motion

MMC 2024 02 07/018R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given for the Town to purchase two tickets to the 2024 Burin Peninsula Chamber of Commerce Annual General Meeting taking place February 21, 2024 at a cost of \$150.00 including HST.”

Motion carried unanimously.

Motion

MMC 2024 02 07/019R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED Council approve the Municipal Infrastructure Agreement as received from the Department of Transportation & Infrastructure dated January 24, 2024, and accept cost-shared funding in the amount of \$3,349,768.00 under the 2023-2026 Multi-Year Capital Works Program which amounts to \$3,037,686.00 after the GST rebate of \$312,082.00, with the understanding the Provincial responsibility amounts to \$2,226,206.00 and the Municipal responsibility amounts to \$886,535.00; and

BE IT FURTHER RESOLVED approval be given for Mayor Keating and the Town Clerk to sign the Municipal Infrastructure Agreement on behalf of the Town of Marystown.”

Motion carried unanimously.

Motion

MMC 2024 02 07/020R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to adjust interest on Account No. MILLJ001 for Parcel ID No. 108523.”

Motion carried unanimously.

Motion

MMC 2024 02 07/021R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED Council approve Poll Tax Ratification Listing No. 5-1 dated January 31, 2024 in the amount of \$6,313.62.”

Motion carried unanimously.

Motion

MMC 2024 02 07/022R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to adopt the revised Notice of Change in Property Policy, with the understanding that all other versions are repealed and replaced.”

Motion carried unanimously.

Motion

MMC 2024 02 07/023R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED Council approve Accounts Payable Listing No. 8-1 as of January 31, 2024, in the amount of \$147,655.81.”

Motion carried unanimously.

Motion

MMC 2024 02 07/024R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to go to tender for the purchase of a white All-Wheel-Drive SUV for the Planning & Economic Development Department.”

Motion carried unanimously.

Motion

MMC 2024 02 07/025R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to register Mayor Keating, Councillor Keating, Councillor Edwards and Councillor Hodder to attend the MNL Eastern Regional Meeting taking place March 1-2, 2024, in Clarendville, with the understanding both Mayor Keating and Councillor Keating are attending as members of the MNL Board of Directors.”

Motion carried unanimously.

Motion

MMC 2024 02 07/026R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to engage a consultant for a mold and asbestos abatement inspection of the Town’s buildings, underground pipes, concrete pipes, water mains, landfills, gravel pits, underground fuel tanks, undeveloped land, contaminated sites and any other piece of municipal property/infrastructure for the purpose of providing reasonable estimates for remediation costs to be accounted for each year on the Town’s financial statements as per the requirement of the new Asset Retirement Obligations Standard PS 3280.”

Motion carried unanimously.

Councillor Edwards explained that it was not the Town’s decision to advertise for this inspection – it is a new requirement that must be fulfilled as part of the Town’s audit.

Mayor Keating declared a conflict of interest for the next recommendation due to legal issues between Grieg Seafood NL and Placentia Bay Holdings and Argentia Gold as he is employed by

both latter companies. Mayor Keating removed himself from the Council Chambers and Deputy Mayor Walsh presided as Chair.

Councillor Nolan also declared a conflict of interest for the next recommendation as he is employed by a company that is sub-contracted by Grieg Seafood NL. Councillor Nolan removed himself from the Council Chambers.

Motion

MMC 2024 02 07/027R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to go to enter into lease agreements with Grieg Seafood Newfoundland for lot nos. 5B and 17 in the Marine Industrial Park for a period of four months commencing January 1, 2024, with possibility of an extension if needed, with the understanding Grieg Seafood Newfoundland will pay the Town \$3,000.00 per month plus HST per lot.”

Motion carried without the vote of Mayor Keating and Councillor Nolan who were in declared conflicts of interest.

Mayor Keating and Councillor Nolan returned to the Council Chambers. Mayor Keating presided as Chair of the meeting.

Motion

MMC 2024 02 07/028R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to advertise for the hiring of a Town Manager.”

Motion carried unanimously.

Planning & Development Committee

In the absence of Councillor Myles, Councillor Nolan reviewed the minutes of the Planning & Development meeting held on February 1, 2024.

Motion

MMC 2024 02 07/029R

Moved by Councillor Nolan, seconded by Councillor Edwards

“BE IT RESOLVED that an application received from Pamela Kelly for a Crown Land Grant measuring 0.15H with 29M frontage at 14-16 Old Mill Road for the purpose of constructing an accessory building be approved.”

Motion carried unanimously.

Motion

MMC 2024 02 07/030R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED that an application received from Denisine Nolan to operate Ocean View Comfort Air BnB at 5A Atlantic Street be approved.”

Motion carried unanimously.

It was noted that a meeting regarding Airbnb’s and taxes is pending.

Motion

MMC 2024 02 07/031R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED Council ratify issuance of a permit to Clarence House of 9A Wilson Street to operate Radio Cabs as a mobile business.”

Motion carried unanimously.

The Town’s Taxi Regulations will be reviewed by both the Planning & Economic Development Committee and the Protection to Persons & Property Committee as they fall under the jurisdiction of both Committees.

A public briefing that will permit residents to learn more about a potential rezoning of property on Garnish Pond Road is scheduled to take place on February 26th. The rezoning from public institutional to commercial will facilitate a garage/fab shop in the area of the former St. Mary’s Church. Details on the public briefing will be posted online and in The Telegram. Anyone with any concerns or who would like to comment further on the amendments should attend the briefing.

7. Correspondence

There was no correspondence to bring forward.

8. Approvals to Purchase**Motion**

MMC 2024 02 07/032R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to the Fire Department to purchase large diameter (4”) hose – 1 x 50’ length and 3 x 100’ lengths – from Martin’s Fire Safety at a cost of \$5,037.00 including HST.”

Motion carried unanimously.

Motion

MMC 2024 02 07/033R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to the Fire Department to expend funds for a firefighters in-house program a cost of \$2,700.00 including HST, with funds to come from the honourarium budget.”

Motion carried unanimously.

Motion

MMC 2024 02 07/034R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to the Recreation Department to purchase eight adjustable soccer nets with netting and anchor systems from Far Post Soccer Company a cost of \$11,482.74 including HST.”

Motion carried unanimously.

9. Regulations

There were no regulations to bring forward.

10. Other Business

Deputy Mayor Walsh advised that while the announcement of a temporary Bailey Bridge until a new permanent bridge can be constructed is welcomed news, it's been a long time coming. It's great to see that temporary measures are being put in place to help residents and the Fire Department but the timeline is still a bit frustrating. Deputy Mayor Walsh put forth the following two-part recommendation with regards to construction of a new Bailey Bridge and permanent bridge.

Motion

MMC 2024 02 07/035R

Moved by Deputy Mayor Walsh, seconded by Councillor Keating

“BE IT RESOLVED approval be given to submit a request to the Department of Transportation & Infrastructure to tender the construction of both the temporary Bailey Bridge and the new permanent bridge as two separate tenders as follows:

- the supply and backfill of aggregate and related groundwork to prepare for the construction of each bridge
- the construction of each bridge itself

with the understanding that preference be given to local contractors for the necessary groundwork prior to the bridge construction phase.”

Motion carried unanimously.

Deputy Mayor Walsh noted there are local contractors in Marystown qualified to do the work necessary to prepare for the construction of each bridge. By tendering the groundwork separately from the actual construction of the bridge, a local contractor might be able to secure a portion of the work, which benefits those employed by that local company.

Mayor Keating advised a letter can be written to the Provincial Government with that request, in consideration of local contractors.

Councillor Keating advised he was unable to attend the meeting with Minister Abbott last week regarding the new bridge. He did, however, send an email to Mr. Jerome Walsh and the Canning Bridge Concerned Citizens Committee regarding the good news. Councillor Keating also sent an email to the Department in appreciation of the approval of both bridges. Councillor Keating commended Ms. Julie Mitchell for her words on behalf of the residents of the south side of Marystown, noting they seemed to have an impact on Minister Abbott's decision. Councillor Keating also thanked Council for their work on this file as well, noting a Bailey Bridge was the first item on Council's agenda when the bridge first closed.

On behalf of the Burin Peninsula Ground Search and Rescue, Councillor Nolan reminded residents to have ice safety in mind when venturing out on to the ice. The changes in weather and temperatures have had an effect on ice and conditions have changed. Always check ice conditions first.

Councillor Edwards referenced the Bailey Bridge and noted he was doubtful that it would be approved when Council gathered to meet with Minister Abbott last Wednesday. It was great news when it was approved and it's hoped the Department keeps its commitment to the Town and its residents and follows through with both the Bailey Bridge and the permanent bridge.

Councillor Hodder advised that February is Violence Prevention Month and thanked Council for wearing purple and allowing lights to be hung on some of the windows.

Councillor Hodder there will be a Valentine's Day Dance at the Summer Games Building on Friday, February 9th, for persons with disabilities. This dance is being hosted by Burin Peninsula Voice Against Violence and Grace Sparkes House. Both organizations will also be sponsoring The Merge's lunch next week. Councillor Hodder thanked both organizations for sponsoring the events as events such as these mean a lot to the residents. Councillor Hodder also thanked them for allowing the Town the opportunity to partner with them on these events. Councillor Hodder advised everyone to go to the Burin Peninsula Voice Against Violence or Grace Sparkes House Facebook pages for more events around the peninsula.

Councillor Hodder advised she will be selling 50/50 tickets for the YMCA at No Frills tomorrow. Tickets can be purchased then or they can be purchased by visiting the YMCA. The Sweetheart draw will take place on February 14th.

Councillor Hodder advised she just purchased a Minor Soccer touque. They are not Town hats so anyone interested in purchasing one can reach out to Mr. Bern Pike and help support recreation.

Mayor Keating took a moment to thank the Directors and Town Clerk for their extra efforts as of late. The Town has been short-staffed and will be advertising for a new Town Manager. Mayor

Keating thanked the Directors and Town Clerk for keeping up on the issues at hand and thanked Council as well for their work with the Town.

Mayor Keating advised the public that this would be the last day that Council will be going live on Facebook with the Council meeting. The regular Council meeting will still be public and the doors will be open so residents can attend the meeting. As well, the minutes will still be posted online and major announcements important to residents will still be streamed live through Facebook. Mayor Keating advised Council is not trying to keep information from the public but it has been noticed that the number of people watching the live feed has been very low.

Council Hodder advised she was the first to suggest eliminating the live feed. While the public meeting starts at 7:00 p.m., Councillor Hodder advised Council arrives at 5:00 p.m. to discuss issues that could be discussed at 7:00 p.m., which makes for a long day. The live stream doesn't seem necessary anymore but if there is enough outcry for it, it can be resumed.

11. Notices of Motion

There were no notices of motion to bring forward.

12. Adjournment

The next meeting will take place February 20, 2024.

Motion

MMC 2024 02 07/036R

Moved by Councillor Keating, seconded by Councillor Nolan

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

Motion carried unanimously.

Brian Keating
Mayor

Petrina Power
Town Clerk