

**MINUTES OF THE REGULAR COUNCIL MEETING
HELD ON DECEMBER 3, 2024**

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

Also present: Randy Brockerville, Director of Operations & Public Works
Kelsey Kilfoy, Director of Planning & Economic Development
Debbie Fitzpatrick, Director of Facilities, Recreation & Community Services
Petrina Power, Acting Town Manager
Leeanne Augot, Executive Assistant

1. Call to Order

Mayor Keating called the meeting to order at 7:48 p.m.

2. Adoption of Agenda

Motion

MMC 2024 12 03/001R

Moved by Councillor Keating seconded by Councillor Hodder

“BE IT RESOLVED the agenda be adopted.”

Motion carried unanimously.

3. Adoption of Minutes

Motion

MMC 2024 12 03/002R

Moved by Councillor Nolan, seconded by Councillor Hodder

“BE IT RESOLVED the minutes of the regular Council meeting held on November 19, 2024, be adopted.”

Councillor Keating advised that in the Public Works Committee Minutes there was a misspelling of the delegation’s name. The name is Price, not Prince. The Public Works Committee Minutes will be amended with this change.

Motion carried unanimously.

Motion

MMC 2024 12 03/003R

Moved by Councillor Nolan, seconded by Councillor Edwards

“BE IT RESOLVED the minutes of the special Council meeting held on November 27, 2024, be adopted.”

Motion carried unanimously.

4. Business Arising

There was no business to bring forward.

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 November 26, 2024.

In the Animal Control – Anti-Litter report, the Animal Control – Anti-Litter Officer advised that there were some cat traps placed within the town in such areas as Greenwood Street and Mount Vincent Crescent. Calls were also received regarding roaming dogs that were located and returned to their owner. The Animal Control – Anti-Litter Officer also followed up on some issues with bulk garbage left along the curbside. Councillor Nolan took this opportunity to advise the public that the monthly Bulk Garbage Collection takes place in Marystown the fourth Tuesday, Wednesday and Thursday of the month. As this falls within the Christmas Holidays for December, the Burin Peninsula Regional Service Board will provide updates as to the Town’s revised collection dates. Councillor Nolan advised that this information will be put on the Town’s Facebook Page when received.

At this time, Mayor Keating advised that there are some issues with the connection for the Facebook Live for the Council Meeting and apologized for the poor connection for the meeting.

The Director of Planning & Economic Development is in the process of obtaining quotes from local pest control services. This is in relation to complaints received from residents on Ville Marie Drive in the vicinity of Stapleton’s Road to Pittman’s Road including Brake’s Subdivision and Crescent Basin area of increased rodent presence.

In the Fire Department report, Fire Chief Bolt advised that operations are busy and the Department has responded to six calls for services since the last meeting. The annual SCBA and Compressor Maintenance Service was completed last week with no major issues to report on this important piece of equipment.

Councillor Nolan congratulated all that were involved in another successful Junior Firefighters Program. Councillor Nolan also advised that the Marystown Volunteer Fire Department wanted

to thank the general public that continues to support the Ladies Auxiliary during another successful and busy photos with Santa.

Councillor Nolan advised that the Marystown Volunteer Fire Department was successful in obtaining funding from the Provincial Government to replace six suits of bunker gear. This will be presented in the Finance/Approval to Purchase section of the minutes.

A safety reminder from the Fire Department, please be extra careful with Christmas decorations such as lights and never leave your lights on with you leave your home or go to bed. If you have a natural Christmas tree, please keep it properly watered.

Councillor Nolan advised that the Committee has been thinking ahead to the Spring Cleanup and will be looking into restarting the Adopt-A-Spot Program. The Protection to Persons & Property Committee will be contacting the Burin Peninsula Chamber of Commerce, who previously established the Program, to see their interest in partnership or the Town will be revamping the Program on their own. Councillor Nolan advised that the Committee will be working on the Program in the coming months.

Tourism & Special Events Committee

Councillor Hodder reviewed the minutes of the Tourism & Special Events Committee meeting held on November 26, 2024.

Councillor Hodder advised that the Christmas Tree Lighting is scheduled for Thursday, December 5, 2024 and the Marystown/Kinsmen Santa Claus Parade is scheduled for Saturday, December 7, 2024. Councillor Hodder advised that these events are weather permitting and decisions will be made the day of the events if they will go ahead or be postponed.

Motion

MMC 2024 12 03/004R

Moved by Councillor Hodder, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to sponsor the musical entertainment provided by Levi Smith in the amount of \$200.00 and snacks in the amount of \$100.00 for the Seniors’ Christmas Social at the Marystown Retirement Centre on December 20, 2024, for a total amount of \$300.00.”

Motion carried unanimously.

Motion

MMC 2024 12 03/005R

Moved by Councillor Hodder, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to sponsor the Filipino Christmas Gathering taking place on December 24, 2024 in the amount of \$250.00.”

Motion carried unanimously.

Recreation Committee

As Deputy Mayor Walsh reviewed the minutes of the Recreation Committee held on November 26, 2024.

Deputy Mayor Walsh advised that the next Recreation Committee Meeting will take place on November 26, 2024.

Deputy Mayor Walsh advised that a request was received from NL Health Services to install a wind phone on one of the walking trails as a project. The information was passed to Councillor Keating for the Walk of Hope Trail and Councillor Keating has been in contact with NL Health Services for the project.

Deputy Mayor Walsh advised that the Committee received a request for solar lights on the Jane's Pond Walking Trail. Costs for solar lights will be determined in the future.

Deputy Mayor Walsh took this opportunity to congratulate the MCHS Clippers on winning gold at the Clippers Cup Tournament that took place this past weekend. The tournament was good overall and the player that was injured is healing well.

Deputy Mayor Walsh advised that some issues with the Zamboni and the Co2 system are ongoing and in the process of repairs. The Director of Facilities, Recreation & Community Services is in discussion with the company that provided the new flooring for the Kaetlyn Osmond Arena regarding the warranty as well as the payment for the flooring.

Correspondence was received from the Marystown YMCA regarding the Operating Budget for 2025. Deputy Mayor Walsh advised that the operations of the Marystown YMCA is a large percentage of the Town's Municipal Budget and will be discussed by Council in the coming weeks. Deputy Mayor Walsh also advised that the Cycle Fit Program has started at the Marystown YMCA and the Hope for Dementia Program will be starting soon. The new Y App has also received positive feedback since it was launched.

Deputy Mayor Walsh advised that Committee Member Shallow recently attended a conference in Corner Brook as part of the Aging Research Council. The purpose of the Aging Research Council is to promote and co-ordinate research related to aging that is relevant to Newfoundlanders and Labradorians and focuses on three aspects – Biology of Aging, Aging in Place and Lived Experience. Committee Member Shallow took this opportunity to promote Marystown and the Burin Peninsula and what it has to offer. Deputy Mayor Walsh advised that as more information is received it will be provided to Council.

The Community Employment Enhancement Project is going well. Thank you to the employees of the program that have assisted with the new Christmas decorations and lights on the Town Hall Grounds as well as a new Santa float for the parade.

Motion

MMC 2024 12 03/006R

Moved by Deputy Mayor Walsh, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to purchase first aid supplies for the Kaetlyn Osmond Arena from Eastern Medical Supplies Ltd. at a cost of \$1,025.80 including HST.”

Motion carried unanimously.

Public Works Committee

Councillor Keating reviewed the minutes of the Public Works Committee meeting held on November 27, 2024.

Councillor Keating advised that the Public Works Committee had a delegation from Greenwood Street who brought forward concerns regarding flooding in the area. Councillor Keating advised that other residents in the area have also brought forward concerns. Council has made many visits to the area and spoke with the concerned property owners. The Director of Operations & Public Works and the Town’s Engineers will be completing an inspection of the area next week to determine a solution for the flooding.

Motion

MMC 2024 12 03/007R

Moved by Councillor Keating, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to submit an application to Newfoundland Power for the installation of a streetlight on Mount Vincent Crescent in the vicinity of Mary Hodder Way.”

Motion carried unanimously.

Councillor Keating advised that the Public Works Department has been extremely busy since the last meeting. Councillor Keating also advised that the Public Works equipment is ready for the Snow Clearing Season and the Town’s new loader is currently in New Brunswick having the additional attachments installed.

Councillor Keating advised that there has been some complaints brought forward regarding a smell on the water. Councillor Keating advised that this may be due to the several water breaks around town. The Bacteriological Water Analysis Reports that are completed on a regular basis is stating that all results are satisfactory.

Motion

MMC 2024 12 03/008R

Moved by Councillor Keating, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to adopt the Town of Marystown Protection of Watershed Bylaw.”

Motion carried unanimously.

*Town Council of Marystown
Regular Council Meeting
December 3, 2024*

Motion

MMC 2024 12 03/009R

Moved by Councillor Keating, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to pay Glen Walsh, Maintenance Operator, the Public Works Foreman rate of pay for all duties including callout and overtime effective December 3, 2024.”

Motion carried unanimously.

Motion

MMC 2024 12 03/010R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED approval be given to engage Appleby Picco Law to provide professional services in the execution of four easement agreements for the Mayo’s Road/Levi’s Road Water, Sewer and Storm Sewer Upgrades Project (Phase 1), Project No. 17-GI-24-00039 at a cost of \$2,234.25 including HST.”

Motion carried unanimously.

Finance Committee

Councillor Edwards reviewed the minutes of the Finance Committee meeting held on November 27, 2024.

Motion

MMC 2024 12 03/011R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to pay the 2025 Assessment Service Fee as received from Municipal Assessment Agency in the amount of \$77,168.00 based on 2,731 parcels and 237 tenants at \$26.00 each, with the understanding that the fee will be levied in quarterly invoices in the amount of \$19,292.00 each with the first invoice being levied on January 2, 2025 with funds to come from the 2025 Budget.”

Motion carried on a vote of six to one with Deputy Mayor Walsh, Councillor Keating, Councillor Nolan, Councillor Hodder, Councillor Myles and Councillor Edwards for the motion and Mayor Keating voting against the motion.

Motion

MMC 2024 12 03/012R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to adjust the 2024 Business Tax for Account No. ADMIR001 in the amount of \$925.60 plus interest as the business ceased operations as of October 2024.”

Motion carried unanimously.

Motion

MMC 2024 12 03/013R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to reimburse the Shoal Point Playground Committee for the costs of materials to complete maintenance on the Shoal Point Playground in the amount of \$284.50.”

Motion carried unanimously.

Motion

MMC 2024 12 03/014R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to ratify the engagement of services of Livewire Electric and Construction for repairs to the Marystown Fire Hall Roof with the understanding that the Town will purchase the materials needed for the repairs and the labour will be free of charge.”

Motion carried unanimously.

Motion

MMC 2024 12 03/015R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED Council approve Accounts Payable as of November 26, 2024, in the amount of \$387,388.52.”

Motion carried unanimously.

Motion

MMC 2024 12 03/016R

Moved by Councillor Edwards, seconded by Councillor Hodder

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

- 10-year recognition for Leeanne Augot, Executive Assistant, in the amount of \$50.00
- 15-year recognition for Norbert Brake, Maintenance Operator, in the amount of \$100.00
- 15-year recognition for Barry Brinson, Maintenance Operator, in the amount of \$100.00
- 30-year recognition for Glen Walsh, Maintenance Operator, in the amount of \$250.00
- Employee Retirement recognition for 17 years for Vince Nolan, Maintenance Operator, in the amount of \$255.00
- Employee Retirement recognition for 15 years for Norbert Brake, Maintenance Operator, in the amount of \$225.00.”

Motion carried unanimously.

Councillor Edwards advised that, through consultations with other municipalities, Council has made the decision that 2025 will be the last year for the Permissive Tax Exemption Policy for the Town of Marystown.

Motion

MMC 2024 12 03/017R

Moved by Councillor Edwards, seconded by Councillor Keating

“BE IT RESOLVED approval be given to dissolve the Town of Marystown Permissive Tax Exemption Policy as of January 1, 2025.”

Motion carried on a vote of six to one with Mayor Keating, Councillor Keating, Councillor Nolan, Councillor Hodder, Councillor Myles and Councillor Edwards for the motion and Deputy Mayor Walsh voting against the motion.

Motion

MMC 2024 12 03/018R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given that Council uphold a decision made at the Regular Council Meeting of November 19, 2024, wherein it was decided that the Town would no longer provide group insurance and pension benefits to an employee who is currently on unapproved unpaid leave effective December 1, 2024.”

Motion carried on a vote of six to one with Mayor Keating, Councillor Keating, Councillor Nolan, Councillor Hodder, Councillor Myles and Councillor Edwards for the motion and Deputy Mayor Walsh voting against the motion.

As both Councillor Edwards and Councillor Nolan have sons that are members of the CUPE Local 1896, Councillor Edwards and Councillor Nolan declared a conflict of interest for the next motions. Councillor Edwards and Councillor Nolan left the meeting.

Motion

MMC 2024 12 03/019R

Moved by Councillor Keating, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to ratify a decision as outlined in a letter to CUPE Local 1896 dated September 24, 2024, denying a request for an exception to the current collective agreement between CUPRE Local 1896 and the Town of Marystown to allow members to carry over an additional ten annual leave days into the upcoming year (2025) and advising that any annual leave accumulated beyond the two weeks that are permitted to be carried over are forfeited.”

Motion carried on a vote of four to one with Mayor Keating, Councillor Keating, Councillor Hodder, and Councillor Myles for the motion and Deputy Mayor Walsh voting against the motion and without the vote of Councillor Edwards and Councillor Nolan who were in a declared conflict of interest.

Motion

MMC 2024 12 03/020R

Moved by Councillor Keating, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to uphold a decision of Council as outlined in a letter to CUPE Local 1896 dated November 7, 2024, denying a request for an exception to the current collective agreement between CUPE Local 1896 and the Town of Marystown to allow members to carry over an additional ten annual leave days into the upcoming year (2025) and advising that any annual leave accumulated beyond the two weeks that are permitted to be carried over are forfeited.”

Motion carried on a vote of four to one with Mayor Keating, Councillor Keating, Councillor Hodder, and Councillor Myles for the motion and Deputy Mayor Walsh voting against the motion and without the vote of Councillor Edwards and Councillor Nolan who were in a declared conflict of interest.

At this time, Councillor Edwards and Councillor Nolan returned to the meeting.

Planning & Development Committee

Councillor Myles reviewed the minutes of the Planning & Development meeting held on November 26, 2024.

Councillor Myles advised that the Director of Planning & Economic Development sent letters to two business owners in the Town that are operating without business permits. Councillor Myles reminded the public that to operate a business in the Town, a business permit is required as well as the payment of Business Taxes.

Councillor Myles advised that the Request for Proposal for the CHCM Land will be put on the Town's Facebook Page this week.

Councillor Myles advised that the Planning & Development Committee had several discussions regarding a request for a slide path on Greenwood Street. Councillor Myles advised that, as there is no documentation of a designated slide path in the past and there is a possibility of a future development of a residential subdivision in the area, Council has made the decision that there will not be a slide path developed in the area.

As Mayor Keating is the applicant for the next application, Mayor Keating declared a conflict of interest. Mayor Keating left the meeting and Deputy Mayor Walsh took over as Chair for the meeting.

Motion

MMC 2024 12 03/021R

Moved by Councillor Myles, seconded by Councillor Nolan

“BE IT RESOLVED that an application received from John Keating and Brian Keating for a Crown Land Grant on Tolt Road for the purpose of a seasonal residence/cottage be approved.”

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

*Town Council of Marystown
Regular Council Meeting
December 3, 2024*

Councillor Keating advised that the Crown Land in question has been leased by the applicants since 1974 and the application is to purchase the land from Crown Lands.

Mayor Keating returned to the meeting and resumed Chair of the meeting.

Motion

MMC 2024 12 03/022R

Moved by Councillor Myles, seconded by Councillor Nolan

“BE IT RESOLVED to ratify an application received from Marystown Donuts Inc. – Tim Hortons to construct a dry storage shed measuring 10’ x 12’ behind the Orange Store at 210 McGettigan Boulevard be approved.”

Motion carried unanimously.

Motion

MMC 2024 12 03/023R

Moved by Councillor Myles, seconded by Councillor Hodder

“BE IT RESOLVED that, upon consideration of the submissions made by the public, approval be given to submit the proposed Municipal Plan Amendment No. 2, 2024, and Development Regulations Amendment No. 2, 2024, to the Local Governance and Land Use Planning Division of the Department of Municipal and Provincial Affairs for review as per section 15 of the Urban and Rural Planning Act, 2000.”

Motion carried unanimously.

7. Correspondence

There was no correspondence to bring forward.

8. Approvals to Purchase

Motion

MMC 2024 12 03/024R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to the Public Works Department to purchase Line Paint – 70 Gallons of Yellow Traffic Paint, 60 Gallons of White Traffic Paint and 15 Gallons of Toluene (Cleaner) from Sherman Williams at a cost of \$3,990.61 including HST.”

Motion carried unanimously.

Motion

MMC 2024 12 03/025R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to the Public Works Department to purchase 300 feet of Cross Chains for Loader during snow clearing operations from Traction at a cost of \$3,049.80 including HST.”

Motion carried unanimously.

Motion

MMC 2024 12 03/026R

Moved by Councillor Edwards, seconded by Deputy Mayor Walsh

“BE IT RESOLVED approval be given to the Fire Department to expend remaining funds for the Honorarium budget as needed at a cost of \$70,910.48 including HST.”

Motion carried unanimously.

Motion

MMC 2024 12 03/027R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to the Fire Department to purchase seven (7) bunker suits with a provincial government contribution of \$11,436.16 including HST, remaining funds of \$6,579.66 including HST to come from the 2025 Fire Department budget from Fire House Service & Supply at a cost of \$18,015.82 including HST.”

Motion carried unanimously.

Motion

MMC 2024 12 03/028R

Moved by Councillor Edwards, seconded by Councillor Nolan

“BE IT RESOLVED approval be given to the Fire Department to purchase SCBA and Compressor Annual Servicing and testing with required repairs from Grainger at a cost of \$6,384.21 including HST.”

Motion carried unanimously.

Motion

MMC 2024 12 03/029R

Moved by Councillor Edwards, seconded by Councillor Hodder

“BE IT RESOLVED approval be given to the Administration Department to purchase Gift Cards in lieu of Turkeys from Sobeys at a cost of \$1,500.00 including HST.”

Motion carried unanimously.

9. Regulations

There were no regulations to bring forward.

10. Other Business

Councillor Keating advised that work on the Bailey Bridge has not started yet with a projected time to start next week. Councillor Keating advised that Mayor Keating will provide a more detailed update in his report.

Councillor Keating also advised that doctor storage is an important concern for the Burin Peninsula as well as the whole province. Councillor Keating advised that there is a meeting with NL Health Services next week at which time the concerns will be brought forward.

Councillor Nolan advised that today is International Day of Persons with Disabilities. This year's theme is "Amplifying the Leadership of Persons with Disabilities for an Inclusive and Sustainable Future". The Town of Marystown recognizes and respects persons with disabilities in our community. Councillor Nolan advised that this is important to know them for their abilities, not their disabilities and offer the Town's support and wish them all the best.

Councillor Edwards advised that, Mr. Bud Pollett, a prominent business man in the Marystown area for many years, retired last month. Mr. Pollett has owned and operated many businesses such as Pollett Ford Mercury, Jasime Jewelry, window and door company, two hotels just to name a few over the past fifty years. Congratulations to Mr. Pollett on a well-deserved retirement.

Councillor Myles advised that, as winter approaches, road conditions can become bad in a short amount of time and encourages the public to drive carefully especially in the early morning hours.

Councillor Hodder also acknowledged today as International Day for Persons with Disabilities and advised that there are still many businesses in the area that are not wheelchair accessible. Councillor Hodder encouraged local business owners to ensure their establishments are wheelchair friendly.

Councillor Hodder advised that it is sad to see many doctors leave the area such as Dr. Lee however she took this opportunity the welcome and thank Dr. Omni to the area and had the privilege to interact with him recently while having a family member in the hospital. Council at this time expressed well wishes for Mrs. Mary Hodder while in hospital.

Mayor Keating advised that the has spoken with MHA Dwyer, the Department of Transportation and Infrastructure as well as the contractors for the Bailey Bridge and has been advised that the rock formation for the bridge is scheduled to begin on Tuesday, December 10, 2024. Mayor Keating also spoke with Mr. Dan Michelson with the Department of Environment and Climate Change who confirmed that work will start on December 10, 2024. Mayor Keating advised that if the work does not start on December 10, 2024, Council will be taking further action so voice their concerns.

11. Notices of Motion

There were no notices of motion to bring forward.

12. Adjournment

The next meeting will take place Monday, December 16, 2024.

Motion

MMC 2024 12 03/030R

Moved by Councillor Keating, seconded by Councillor Edwards

“BE IT RESOLVED the meeting was adjourned at 8:35 p.m.”

Motion carried unanimously.

Brian Keating
Mayor

Petrina Power
A/Town Manager