

***Town of Long Harbour - Mount Arlington Heights
Minutes Regular Meeting
July 31, 2023***

In Attendance

Deputy Mayor Kevin McDonald

Councillor Wayne Kelly

Councillor Lydia Burke

Councillor Barry Murphy

Councillor Gary Keating

Absent: Mayor Walter Keating

Also, in attendance: Juanita Gosse, Town Clerk/Manager

CALL TO ORDER

Deputy Mayor Kevin McDonald called the meeting to order at 7:00 p.m.

ADOPTION OF AGENDA

MOTION 07-31-23-01 Adopt Agenda

Moved by Councillor Gary Keating; seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT the agenda be adopted as presented.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

ADOPTION OF MINUTES

MOTION 07-31-23-02 Adopt the Minutes of July 13, 2023

Moved by Councillor Wayne Kelly, seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT the minutes of July 13, 2023, Regular Meeting be adopted without errors or omissions.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

BUSINESS FROM THE MINUTES

Email from Chris Drover, 28 Norman's Lane – Re: Water Connection

Mr. Drover recently submitted another application for water service connection as the first one was denied, stating the cost to the town would be too high. The second application was approved with the condition that he would be responsible to get approval to cross private property and complete the excavation himself. He did contact the council regarding this but decided that it would be best to have this conversation in writing. He was informed of the property owner, and asked the question why he is responsible for this work when residents have only been responsible for the work from their property line to their houses.

- Members of the Water Committee met with Mr. Drover to discuss his application.

Additionally, information:

- In the meeting of June 15, 2023, Council approved a waterline connection for 28 Norman's Lane not a waterline extension. A waterline extension would have a significant cost attached as the process would require a permit from Municipal Affairs – Transportation and Infrastructure. Costs would include tendering for engineering, engineering design and drawings, contractor tender, engineering project oversight, and as-built drawings.
- A waterline connection would allow Mr. Drover to connect to the town's water service by installing his service line to connect to the existing waterline. This would not require a permit. Mr. Drover would be responsible for getting permission to install his service line on private property as the line should not be installed in the local road utility zone. Council would, however, at no cost to Mr. Drover, cut the pavement, repair the pavement, install the curb-stop and corporation stop and make the connection.

Council also discussed adding the waterline extension to a capital works application.

MOTION 07-31-23-03 Waterline Connection for 28 Norman's Lane

Moved by Councillor Barry Murphy

BE IT RESOLVED THAT Council approves the waterline extension to 28 Norman's Lane.

As the motion was not seconded and therefore the motion failed.

MOTION FAILED

Town Depot Roof

It's been determined that before the roof can be repaired or resingled, we need to have the office trailer removed and we would need to secure the exterior walls. I was trying to get price quotes on the foundation work required, however, was not able to obtain a price quote.

The province is accepting applications for CEEP, Community Enhancement Employment Projects. This work may be able to be completed under this funding opportunity.

MANAGERS REPORT

Community Garden Support Program: The town was successful in securing a \$750.00 Community Garden Support Grant. These funds will be used for soil, small garden tools and garden supplies.

Water Treatment Plant: No issues to report.

Road Work: We intend to install additional culverts on Norman's Lane to widen the shoulder.

Outside Work: Outside staff repaired two waterline breaks. Students are doing well. Lots of ground maintenance happening, beautifying areas, gardening and so on. We are going to install a flower bed under the Municipal Complex sign at the intersection of Main Street and Middle Pond Road. We are slowly getting caught up on the mowing.

Walking Trail: We have invited the public to assist in walking trail maintenance. We scheduled a week, July 8th to July 15th to open up the trail to ATV use for our local residents who are interested in removing blow downs, and deadfall.

Long Harbour – Mount Arlington Heights Days: Planning is ongoing. A schedule of events was mailed out.

DELEGATIONS None

NEW BUSINESS

Leave of Absence – Mayor Walter Keating

Letter received from Mayor Walter Keating dated July 10, 2023. For reasons of a personal nature, Mayor Keating is requesting Council's approval to take a leave of absence.

MOTION 07-31-23-04 Leave of Absence – Mayor Walter Keating

Moved by Councillor Wayne Kelly, seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT Council approves a leave of absence for Mayor Walter Keating.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

Letter from the Minister of Municipal Affairs – Re: By-Election

The Minister of Municipal Affairs has approved deferring the town's by-election to October 10, 2023.

Letter from the Fire Department – Re: Dismissal of William Murphy

The letter states that Mr. William Murphy was dismissed from the fire department. After careful review, the fire department deemed his repeated violations of fire department policies and refusal to follow instructions from superiors, as unprofessional conduct.

Mr. Murphy has admitted to this blatant disregard for the chain of command in his own letter to the Council.

As fire chief, he is tasked with ensuring the health and safety of all fire fighters and he simply could not guarantee achieving this, with an individual that does not respect the chain of command.

The fire chief realizes that in his position, he is answerable to the town council, and he assures council that he did not make this decision lightly. He felt this was the best decision for the health and safety of all fire department members. The Council has every right to investigate the situation, discuss it with other members of the fire department and act accordingly if they feel the chief is at fault. He strongly encourages the council to take this action, but he stands by his decision on the matter.

MOTION 07-31-23-05 Letter from the Fire Department – Re: Dismissal of William Murphy

Moved by Councillor Gary Keating, seconded by Councillor Wayne Kelly.

BE IT RESOLVED THAT Council will forward this letter to Mr. William Murphy.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke
Contrary Minded B. Murphy

MOTION CARRIED

Invoice from Stewart McKelvey

The invoice is for legal services that were not approved by a motion of Council and therefore must be approved before the invoice is paid.

- Deferred to next meeting.

Update Code of Conduct at Council Meetings

The Town's Code of Conduct at Council Meetings does not include their policy on audio or video recording of the council meetings.

MOTION 07-31-23-06 Code of Conduct at Council Meetings

Moved by Councillor Gary Keating, seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT Council will add to their Code of Conduct at Council Meetings the following statement:

1. Video recording and/or audio recording of a council meetings is not permitted unless Council makes a motion and that motion carries to allow video or audio recording of a portion of, or the entire council meeting.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

St. Francis Xavier Mission

The St. Francis Xavier Finance Committee are planning on serving a brunch after the Cemetery Mass on August 6, 2023. With the extra cost for this they are reaching out, hoping council can assist them financially. This event is an important part of Long Harbour Days and is always appreciated by all who attend. It allows people to get together for a visit after the Cemetery Mass.

MOTION 07-31-23-07 Brunch for the Cemetery Mass

Moved by Councillor Lydia Burke, seconded by Councillor Gary Keating.

BE IT RESOLVED THAT Council will donate \$500.00 to the St. Frances Xavier Finance Committee for the brunch after the Cemetery Mass.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

Waterline Replacement Phase 4 – Project 17-GI-24-00034

The Town Council of Long Harbour-Mount Arlington Heights has been approved for another Capital Work Project – Waterline Replacement Phase 4. This work will replace waterline from Ray Murphy's to the Government Wharf. Project amount is \$654,593.00. A motion is required to accept this funding.

RESOLUTION 07-31-23-08 – Accept Funding for Waterline Replacement Phase 4 - Project 17-GI-24-00034

Moved by Councillor Wayne Kelly, seconded by Councillor Gary Keating.

BE IT RESOLVED THAT we the Ultimate Recipient, The Town of Long Harbour-Mount Arlington Heights, accepts cost-shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated the 6th day of July 2023, Project Number **17-GI-24-00034, Waterline Replacement Phase 4**, with a total value of **\$654,593**. This council agrees to provide the Ultimate Recipient share value of **\$59,361** in funding for this project and authorizes the Deputy Mayor and Town Clerk/Manager to enter into a funding agreement with the Department of Transportation and Infrastructure on behalf of the Town of Long Harbour-Mount Arlington Heights.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

2023-24 Community Enhancement Employment Program (CEEP)

Applications are now being accepted for the 2023-24 Community Enhancement Employment Program (CEEP). This program offers insurable hours to people who were not successful in getting enough hours to qualify for Employment Insurance (EI) benefits. Individuals can work on a CEEP for a maximum of 400 hours and individuals needing the least number of hours are hired first.

To proceed with the application, requires a motion of Council.

MOTION 07-31-23-09 2023-24 CEEP Application

Moved by Councillor Wayne Kelly, seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT Council approves applying for a Community Enhancement Employment Project to remove the office trailer from the municipal depot and repair the rear wall. This will include pouring the required footing and foundation as well as replacing any rot, install sheeting, vapor wrap, insulation and siding to the rear exterior wall. Work in poor weather will include repairs to the interior rear wall and ceiling.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

FINANCE

Cheque List and Visa Statements

The cheque list was presented covering the period from June 15, 2023, to July 13, 2023 in the amount of \$107,650.00. Also, the Visa Statements for June in the amount of \$1,716.20.

MOTION 07-31-23-10 Approve Cheque List & Vias Statement

Moved by Councillor Wayne Kelly; seconded by Councillor Gary Keating.

BE IT RESOLVED THAT the cheque list for the period of June 15, 2023, to July 13, 2023, in the amount of \$107,650.00 be approved for payment as well as the Visa Statement for June in the amount of \$1,716.20.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

Cash Analysis: Cash analysis was copied to all councillors.

CORRESPONDENCE

Memo – Municipal Assessment Agency

The Board of Directors met on June 1, 2023. They approved their financial statements for the year ending March 31, 2023. They reviewed and discussed their goals and objectives of the 2023-2026 Strategic Plan.

The annual Notices of Assessment for tax year 2024 were mailed out on June 1, 2023.

The Board reminds municipalities who are considering new projects that support property assessment and valuation services, including GIS or Imagery projects are encouraged to contact the Agency to see if the project qualifies for funding under their Collaborative Initiative Fund.

Eastern Regional Service Board – Clear Bag Initiative

The ERSB will transition to clear garbage bags beginning January 1, 2024.

Customers will place their regular household waste out for collection in clear, see-through garbage bags. Studies show that clear bags encourages proper sorting, keeping more recyclable items out of the landfill. The use of clear bags helps protect the collectors and staff, allowing them to see and avoid any sharp or dangerous objects in the bag. Every household will have the option of using one privacy bag.

DEVELOPMENT

Development Application – Civic Address 554-560 Main Street

The application was copied to all councillors to review. The applicant is requesting approval in principle to place a mobile home on the property of civic address 554-560 Main Street.

MOTION 07-31-23-11 Building Application – 554-560 Main Street

Moved by Councillor Lydia Burke; seconded by Councillor Gary Keating.

BE IT RESOLVED THAT the building permit is conditionally approved subject to the approval from any/all government agencies having jurisdiction, and specifically the approval from the Department of Health for on-site septic system.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

CORRESPONDENCE

MOTION CARRIED

Letter from Roy Murphy – Re: Dead Lobsters

Letter is dated July 4, 2023 and states that Mr. Murphy, after completing his work for Stantec Consulting Co., came back to Long Harbour, approximately 5 miles. On the way he hauled a dozen lobster pots near his house. His intention was to give a colleague a meal of lobsters. He only got 2 undersized lobsters in his pots so he decided to give his colleague a meal of lobsters from his holding pounds. He knew he had approximately 700 lbs. in seven crates, approximately 100 lbs. in each crate. He was dumbfounded when he opened the crates to see all the lobsters dead. His buyer from Petty Harbour Seafood was supposed to arrive the next day to purchase these 700 lbs. of lobsters as he did every second week. Mr. Murphy says he moved his lobsters off of Glen Powers and Kevin Greene’s area 2 days before. He did this so the lobsters would be closer when the buyer showed up on Saturday. Mr. Murphy says the lobsters were well and in perfect condition on Thursday, June 5, 2023. In the 48 hours after being moved the total catch was dead.

Mr. Murphy has had lobsters in the harbour for over 40 years. He sold 1822 lbs. to his buyer from the pound off of Glen Power’s and Kevin Greene’s.

Mr. Murphy goes on to say that the water from the water treatment plant was extremely brown in color and was approximately 100 ft from his lobsters. He finds this very coincidental that they all died there, and wonders if a blast of chlorine or other chemicals escaped accidentally.

This incident caused a serious blow to Mr. Murphy’s income. The terrible loss was witnessed.

Mr. Murphy has not sought legal advice, but it seems to him that water from the treatment plant killed his total catch of 700 lbs. He expects council to compensate him for this loss. His loss amounted to \$5,600.00.

Letter from Roy Murphy dated July 27, 2023

This letter is further to the above claim. Mr. Murphy states his loss of \$5,600.00 worth of lobsters and one half of his winter EI Benefits claim amounting to \$6,160.00. His total claim is \$11,760.00.

MOTION 07-31-23-12 Claim by Roy Murphy – Re: Lobsters

Moved by Councillor Lydia Burke; seconded by Councillor Gary Keating.

BE IT RESOLVED THAT Council will forward Mr. Murphy’s claim to our insurance company.

In Favor: Deputy Mayor Kevin McDonald

Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

Borrowing Resolution from Scotiabank

RESOLUTION 07-31-23-13 – Borrowing Resolution for 2023

Moved by Councillor Wayne Kelly; seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT

1. the Mayor/Deputy Mayor/Councillor with the Town Clerk/Manager are hereby authorized to borrow on behalf of the Town of Long Harbour-Mount Arlington Heights, (the “Corporation:”) from the BANK OF NOVA SCOTIA, (“the bank”) from time to time by way of promissory note a sum or sums not exceeding at any one time Twenty Five thousand dollars, (\$25,000) to meet, until the taxes are collected, current expenditures of the Corporation for the year 2023.
2. That the Mayor/Deputy Mayor/Councillor with the Town Clerk/Manager are hereby authorized to sign on behalf of the Corporation and to furnish to the Bank from time to time a promissory note or notes sealed with the corporate seal for the sum or sums so borrowed with interest at such rate as the Bank may from time to time determine.
3. The Mayor/Deputy Mayor/Councillor with the Town Clerk/Manager are hereby authorized to sign on behalf of the Corporation and to furnish to the Bank an Agreement or Agreements under the seal of the Corporation providing for payment to the Bank of all amounts required to be paid by the Bank pursuant to each promissory note of the Corporation guaranteed by the Bank with interest at such rate as the Bank may from time to time determine and of a guarantee fee in respect of each such promissory note at such rate as the Bank may from time to time determine.

4. That the Mayor/Deputy Mayor/Councillor with the Town Clerk/Manager are hereby authorized and directed to furnish to the Bank at the time of each borrowing and at such other times at the Bank may from time to time request, a statement showing the nature and amount of the estimated revenues of the current year not yet collected or where the estimates for the year have not been adopted, a statement showing the nature and amount of the estimated revenues of the Corporation as set forth in the estimates adopted for the next year that have not been repaid.
5. That the Town of Long Harbour-Mount Arlington Heights is hereby authorized and directed to apply in payment of all sums borrowed from the Bank, with interest thereon, all of the moneys hereafter collected or received on account or realized in respect of the taxes levies for the current year and for any preceding years and all of the moneys collected or received from any other source.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED

NOTICE OF MOTION

COMMITTEE REPORTS

DATE FOR NEXT MEETING – August 17, 2023

ADJOURNMENT


MOTION 07-31-23-14 Adjournment

Moved by Councillor Gary Keating, seconded by Councillor Barry Murphy.

BE IT RESOLVED THAT the meeting be adjourned at 7:47 p.m.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, W. Kelly, L. Burke, B. Murphy

MOTION CARRIED


Kevin McDonald

Deputy Mayor


Juanita Gosse

Town Clerk/Manager