

Town of Long Harbour - Mount Arlington Heights
Minutes of Regular Meeting
September 14, 2023

In Attendance

Deputy Mayor Kevin McDonald

Councillor Wayne Kelly

Councillor Lydia Burke

Councillor William Murphy

Councillor Gary Keating

Absent: Mayor Walter Keating

Councillor Barry Murphy

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

OATH OF OFFICE - NEW COUNCILLOR - William Murphy took the Oath of Office.

CALL TO ORDER

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

ADOPTION OF AGENDA

MOTION 09-14-23-01 Adopt Agenda

Moved by Councillor William Murphy; seconded by Councillor Gary Keating.

BE IT RESOLVED THAT the agenda be adopted as presented.

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

MOTION CARRIED

ADOPTION OF MINUTES

MOTION 09-14-23-02 Adopt the Minutes of August 17, 2023

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

BE IT RESOLVED THAT the minutes of August 17, 2023, Regular Meeting be adopted without errors or omissions.

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

MOTION CARRIED

MOTION 09-14-23-03 Adopt the Minutes of the Special Meeting held September 8, 2023

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

BE IT RESOLVED THAT the minutes of the Special Meeting held September 8, 2023 be adopted without errors or omissions.

In Favor: Deputy Mayor Kevin McDonald

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

Contrary Minded: W. Murphy

MOTION CARRIED

BUSINESS FROM THE MINUTES

Ratify Motion from the Special Meeting

Call for Municipal Capital Works Application for 2024-25

MOTION 09-08-23-01 Municipal Capital Works Application – 2024-25

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

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights will apply for cost-shared funding through the Municipal Capital Works Call for Applications with the Municipal Infrastructure Division of the Department of Transportation and Infrastructure, in the amount of \$949,323.00 for the purpose of Waterline Replacement – Phase 3, to replace the oldest HDPE waterline in Long Harbour. The Town of Long Harbour-Mount Arlington Heights agrees to provide its share of the cost-shared funding, \$86,088.00 for this project should it be selected for funding and acknowledges that project costs above the approved project total cost will be the sole responsibility of the Town of Long Harbour-Mount Arlington Heights.

In Favor: Deputy Mayor Kevin McDonald

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

MOTION CARRIED

Call for applications for 2023-24 Active NL Funding

After obtaining a price quote for this work, I recommend that Council update their motion to apply for \$20,000.00 instead of \$10,000.00. The cost estimate came in at \$29,000.00.

MOTION 09-14-23-04 Apply for 2023-24 Active NL Funding

Moved by Councillor Lydia Burke seconded by Councillor William Murphy.

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights will apply for \$20,000.00 in funding, under the 2023-24 Active NL Grant for upgrades to the Maturin Pond Walking trail. If approved, this funding will be used to grub and widen the trail, remove alters and blowdowns to

make the trail safer for users, and install class A road gravel. Any amount over the funded amount will be the responsibility of council.

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

MOTION CARRIED

Funding Town's Share of Municipal Capital Works 2024-25

MOTION 09-08-23-02 Funding Town Share of 2024-25 Municipal Capital Works

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

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights will fund their share of the 2024-25 Municipal Capital Works project from their general revenue account.

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

MOTION CARRIED

MOTION 09-14-23-05 Councillor Murphy's Suspension

Moved by Councillor William Murphy;

BE IT RESOLVED THAT Council defer Councillor Murphy's suspension under the Code of Conduct Act, to the October meeting, or at a time when everyone has a chance to do due diligence.

- The motion was not seconded.

MOTION FAILED

Contravention of the Municipal Code of Conduct Act – Respectful Workplace Policy

Councillor Wayne Kelly declared a conflict of interest as he is related to the respondent.

A respectful workplace is a workplace where employees come to work and feel welcomed and included, and where all employees and members of council will be treated fairly and respectfully at all times.

A violation of the Town's Respectful Workplace Policy was processed in accordance with the Municipal Code of Conduct Act.

The Code of Conduct Act provides Council with an avenue to deal with disrespectful conduct in the workplace and it is Council's duty to enforce the legislation as outlined in this Act. To do otherwise would be to set a standard outside the legislation provided by Municipal Affairs. Council will not tolerate acts of disrespect toward fellow councillors and/or municipal staff. It is council's duty and legislative responsibility to provide a safe and healthy workplace for everyone.

This issue required two motions, the first being to approve the recommendation of the investigator. In the privileged meeting, Council formulated the following motions.

RESOLUTION 09-14-23-05 – Approve the Consultant’s Recommendation

Moved by Councillor Lydia Burke; seconded by Councillor Gary Keating

BE IT RESOLVED that council agrees with the consultant’s recommendation on the following violation of our Respectful Workplace Policy, where it was determined that Section 5 of our Respectful Workplace Policy/Code of Conduct was breached.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, L. Burke

Contrary Minded: W. Murphy

MOTION CARRIED

RESOLUTION 09-14-23-06 – Suspension of Councillor for Breach of the Code of Conduct Act

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

BE IT RESOLVED pursuant to Section 15(1)(d) of the Code of Conduct Act, the Town Council of Long Harbour-Mount Arlington Heights suspends councillor Barry Murphy, without remuneration, for three months.

In Favor: Deputy Mayor Kevin McDonald
Councillors: G. Keating, L. Burke

Contrary Minded: W. Murphy

MOTION CARRIED

Deputy Mayor Kevin McDonald reminded Councillor William Murphy that Council has a policy that does not permit councilors to video record the council meeting.

Councillor William Murphy left his seat and brought his cellular phone to Councillor Barry Murphy who was sitting in the gallery. Councillor Barry Murphy continued to video record the meeting.

Because the video recording continued, Deputy Mayor Kevin McDonald asked for a motion to adjourn the meeting.

ADJOURNMENT

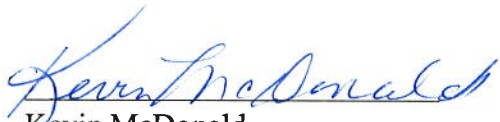
MOTION 09-14-23-07 Adjournment

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

BE IT RESOLVED THAT the meeting be adjourned at 7:21 p.m.

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

MOTION CARRIED



Kevin McDonald
Deputy Mayor



Juanita Gosse
Town Clerk/Manager