

***Town of Long Harbour - Mount Arlington Heights
Minutes of Regular Meeting
September 26, 2024***

In Attendance

Mayor Walter Keating

Councillor Lydia Burke

Deputy Mayor Kevin McDonald

Councillor Wayne Kelly

Councillor Gary Keating

Absent: Councillor Barry Murphy

Absent: Councillor William Murphy

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

CALL TO ORDER

Mayor Walter Keating sent sincere best wishes to Barry, Mona and families on behalf of Council, and called the meeting to order at 7:00 p.m.

ADOPTION OF AGENDA

MOTION 09-26-24-01 - Adopt the Agenda

Moved by Deputy Mayor Kevin McDonald, seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT the Agenda be adopted as presented.

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

MOTION CARRIED

Code of Conduct Investigation

Mayor Walter Keating declared a conflict of interest and left the Council Chamber. Deputy Mayor Kevin McDonald took the chair.

The Code of Conduct Act provides Council with an avenue to deal with disrespectful conduct in the workplace as well as contraventions of council's policies. 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 and Provincial Affairs. The Town Council of Long Harbour-Mount Arlington Heights will not tolerate acts of disrespect toward fellow councillors or municipal staff or the Town Council as a whole. It is council's duty and legislative responsibility to provide a safe and healthy workplace for everyone.

Mayor Walter Keating filed a Code of Conduct Complaint against Councillor William Murphy for violations of the Code of Conduct for Councillors.

The violation was investigated by the Town Clerk/Manager in accordance with the Municipal Conduct Act and the report was reviewed by Council in a privileged meeting held September 26, 2024

Council agreed to the following:

Councillor William Murphy violated the following sections of the Code of Conduct – Councillors:

Section 3.1.4 Councillors must be respectful of the presiding officer, their colleagues, staff, and members of the public at all times, including during council meetings and proceedings of the municipality.

Section 3.1.7 Councillors must use language which is inclusive, respectful, and refrain from using language which could be interpreted as abusive or disrespectful.

Section 3.4.1 Councillors must not disclose confidential information obtained in the course of their duties, except as required by law or as authorized by the Municipality to do so.

Section 3.5.1 Councillors must not engage in conduct on personal or official social media platforms which would bring the integrity of themselves, the council, or the Municipality into disrepute.

Section 3.6.2 Councillors must not engage in harassment or bullying.

Section 3.6.3 All members of council shall treat members of the public, **one another**, staff and volunteers reasonably and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination bullying and harassment.

For breaches of the Code of Conduct Act, Council makes the following resolution:

RESOLUTION 09-26-24-02 – Suspension of Councillor for Breach of the Code of Conduct - Councillor

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

BE IT RESOLVED pursuant to Section 15(1)(d) of the Municipal Conduct Act, the Town Council of Long Harbour-Mount Arlington Heights suspends councillor William Murphy, without remuneration, for three months. This suspension is effective immediately.

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

MOTION CARRIED

Mayor Keating rejoined the meeting and took the chair.

ADOPTION OF MINUTES

MOTION 09-26-24-03 - Adopt the Minutes of the Regular Meeting held August 15, 2024

Moved by Deputy Mayor Kevin McDonald, seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT the minutes of August 15, 2024, Regular Meeting be adopted without errors or omissions.

In Favor: Mayor Walter Keating
Deputy Mayor Kevin McDonald

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

MOTION CARRIED

BUSINESS FROM THE MINUTES

Accessibility Plan

The Disability Policy Office is seeking our Accessibility Plan. Having this plan in place is a requirement of the province.

I emailed JW Consultants and LW Consultants requesting they submit a proposal and price quote for this work.

L.W. Consultants were not able to take on this work at this time.

JW Consulting Associates submitted an outline of the work along with a price quote of \$5,200 plus HST. Work covered in the quote includes:

- | | |
|---------------------------|-------------------------------------|
| Statement of Commitment | Advisory Committee on Accessibility |
| Accessibility Goals | Council Commitment |
| Barriers to Accessibility | Accessibility Standards |
| Glossary and Conclusion | Focus Areas for Next 3 Years |
| Appendices | |

MOTION 09-26-24-04 –Engage JW Consulting Associates

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

BE IT RESOLVED THAT Council will engage JW Consulting Associates to complete the Accessibility Plan for the Town.

In Favor: Mayor Walter Keating
Deputy Mayor Kevin McDonald

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

MOTION CARRIED

Councillor William Murphy joined the meeting at 7:08 p.m. He took his seat at the Council table.

Mayor Keating asked Deputy Mayor Kevin McDonald to take the chair as he felt he could be in a conflict of interest. Mayor Keating was the complainant in the Code of Conduct investigation against Councillor William Murphy, therefore he asked Deputy Mayor McDonald to explain to Councillor William Murphy the outcome of that investigation and the motion made by Council earlier in the meeting.

Deputy Mayor McDonald explained to Councillor William Murphy that the Code of Conduct investigation was completed and was presented earlier in this meeting. Council made a motion to suspend him from Council for three months without remuneration, effective immediately.

Councillor William Murphy stated he felt he had the right, under freedom of speech, to say what he said about Mayor Keating. He said because it was said after the adjournment of a meeting that no council policy or regulation should apply. He said that he is entitled to his opinion.

Councillor Murphy said he felt the investigation should not have been handled by the Town Manager. He said the complaints Mayor Keating submitted were frivolous.

Deputy Mayor McDonald realized that Councillor Murphy was recording the meeting. He asked Councillor Murphy to stop recording. Deputy Mayor McDonald cited that Council has a policy whereby recordings are not allowed during Council meetings. All councillors have agreed to this policy.

Councillor Murphy said he would not stop recording. He said he has a right to record.

Deputy Mayor McDonald said that if he didn't stop recording, the meeting would be adjourned.

Mayor Walter Keating rejoined the meeting and took the chair. He asked Deputy Mayor McDonald for an update. Deputy Mayor McDonald said that he asked Councillor Murphy to refrain from recording the meeting as per Council policy, and Councillor Murphy said he will not comply.

Mayor Keating asked for a motion to adjourn.

Councillor Murphy remained seated and continued to speak. He used foul language, and called his fellow councillors crooks, and said what they're doing is illegal.

Mayor Keating said there will be no further discussion in Council chamber after adjournment and called for a motion to adjourn.

ADJOURNMENT

MOTION 09-26-24-05 Adjournment

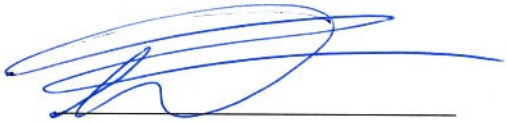
Moved by Deputy Mayor Kevin McDonald, seconded by Councillor Lydia Burke.

BE IT RESOLVED THAT the meeting is adjourned at 7:14 pm.

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

MOTION CARRIED

The meeting adjourned at 7:14 p.m.



Walter Keating
Mayor



Juanita Gosse
Town Clerk/Manager