

**Town of Long Harbour - Mount Arlington Heights**  
**Minutes of Regular Meeting**  
**February 12, 2025**

**In Attendance**

Deputy Mayor Kevin McDonald

Councillor Wayne Kelly

Councillor Gary Keating

*Absent: Councillor William Murphy*

Councillor Lydia Burke

*Absent: Councillor Barry Murphy*

*Absent: Mayor Walter Keating*

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

**CALL TO ORDER**

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

**ADOPTION OF AGENDA**

**MOTION 02-12-25-01 - Adopt the Agenda**

Moved by Councillor Wayne Kelly, 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

**MOTION CARRIED**

**ADOPTION OF MINUTES**

**MOTION 02-12-25-02 - Adopt the Minutes of the Regular Meeting held January 9, 2025**

Moved by Councillor Wayne Kelly, seconded by Councillor Gary Keating

**BE IT RESOLVED THAT** the minutes of January 9, 2025, Regular Meeting be adopted without errors or omissions.

**In Favor:** Deputy Mayor Kevin McDonald

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

**MOTION CARRIED**

## **BUSINESS FROM THE MINUTES**

### **Accessibility Plan 2025-2027**

The 2025-2027 Accessibility Plan was copied to all councillors for review. We need a motion to adopt the plan as presented.

### **MOTION 02-12-25-03 - Adopt the Accessibility Plan 2025-2027**

Moved by Councillor Lydia Burke, seconded by Councillor Wayne Kelly

**BE IT RESOLVED THAT** the 2025-2027 Accessibility Plan be adopted as presented.

**In Favor:** Deputy Mayor Kevin McDonald

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

**MOTION CARRIED**

## **MANAGERS REPORT**

I met with Erin Kearsey from ACOA last week. Now that we have the design and cost estimate for the new trail development we can move forward with the proposal. According to Erin, if approved, ACOA could fund up to 65%. She also said that if we can get the proposal submitted in the next few weeks, we should have ACOA's decision before this construction season.

I am also investigating Active NL funding in hopes to access provincial funding as well.

I've had several meetings with TRACT to discuss our FCM proposal for Local Leadership for Climate Adaptation funding. FCM sought additional information and format changes of other information provided. We continue to work with FCM on this funding initiative.

Our new telephone system is in. This will mean savings each month for the municipality.

## **NEW BUSINESS**

### **Code of Conduct Investigation**

*Councillor Wayne Kelly declared a conflict of interest as he is the complainant.*

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.

Councillor Wayne Kelly 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 today, February 12, 2025.

Council agreed to the following:

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

**Section 3.4.1** – 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. (Long Harbour – Mount Arlington Heights Days can be considered an event or a function of Council, therefore the breach falls under this section).

**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. (The language Councillor William Murphy used when speaking with Councillor Wayne Kelly on August 2, 2024, was indeed abusive and disrespectful.)

**Section 3.1.8** – Councillors must, in private and public, conduct themselves in a manner which does not bring disrepute to themselves, their position, the Council or the municipality. (The actions of Councillor William Murphy resulted in being asked by security, to leave the ballpark. As it is well known in the community that William Murphy is indeed a council, his actions certainly does discredits council).

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

**RESOLUTION 02-12-25-04 – Suspension of Councillor for Breach of the Code of Conduct - Councillor**

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

**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

**MOTION CARRIED**

**Mills and Wright – Re: Walking Trail Extension Trail Design and Cost Estimates**

**MOTION 02-12-25-05 – Approve Trail Design and Cost Estimates**

Moved by Councillor Gary Keating, seconded by Councillor Wayne Kelly

**BE IT RESOLVED THAT** the Council approves the Trail Design and Cost Estimates provided by Mills and Wrights Land Architecture.

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

**MOTION CARRIED**

### **Email from Randy's Store – Business Tax**

The email that was copied to all councillors was withdrawn and replaced with a request that Council lower the business tax mil rate for retail establishments. Retail establishments are currently charged based on a 12 mil rate.

### **MOTION 02-12-25-06 – Mil Rate for Business Tax for Retail Establishments**

Moved by Councillor Gary Keating, seconded by Councillor Lydia Burke

**BE IT RESOLVED THAT** Council approves lowering the business tax mil rate for retail establishments to 3 mil.

**In Favor:** Deputy Mayor Kevin McDonald

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

**MOTION CARRIED**

### **Cougar Engineering Invoice for Waterline Repair**

Resident Thomas Murphy reported having trouble with his waterline. He reported having no water pressure since Cougar make the connection to the new waterline. Our outside staff did a site inspection and there was nothing noted.

I called Cougar and reported the complaint. Cougar came out and dug up the line to find that Mr. Murphy's line was indeed broken, however, the break was on Mr. Murphy's side. The break had nothing to do with Cougar or the connection to the new line.

Because they had the break exposed, Cougar went ahead and repaired the waterline. Cougar has invoiced the town for the repair in the amount of \$1,380.00.

How does Council wish to proceed.

- Deferred to next meeting.

### **Cahill Quotation for VTSCADA upgrade**

The price quote was added to your meeting files.

Cahill Technical Services are recommending we upgrade VTSCADA. With respect to cyber security, our current installation (Static IP address configured with port forwarding to our PC) is no longer what Cahill would recommend for remote connection. Cahill has implemented a Cisco firewall on new installs, and recommend we upgrade to this new system.

Additionally, the windows 7 computer no longer receives security updates, thus Cahill recommends replacing with a new Windows 11 PC.

Full price is quoted at \$15,311.17 plus HST

**MOTION 02-12-25-07 – Approval to upgrade VTSCADA**

Moved by Councillor Lydia Burke, seconded by Councillor Wayne Kelly

**BE IT RESOLVED THAT** the Council approves upgrading VTSCADA at the quoted price.

**In Favor:** Deputy Mayor Kevin McDonald

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

**MOTION CARRIED**

**The Gambin File**

The Gambin File was reviewed in a privileged meeting of Council held today, February 12, 2025. Council has agreed to make the following Resolution regarding the Municipal Orders.

**RESOLUTION 02-12-25-08 Revoke the Municipal Orders**

Moved by Councillor Gary Keating, seconded by Councillor Wayne Kelly

**BE IT RESOLVED THAT** as of today's date, February 12, 2025, Council revokes the municipal orders dated May 31, 2023, collectively regarding 594 Main Street, 531 Main Street, 2 Gambin's Lane and 743 Main Street issued to Isadore Gambin and Jacqueline Gambin under the authority of Section 404 (1)(l) of the Municipalities Act.

**In Favor:** Deputy Mayor Kevin McDonald

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

**MOTION CARRIED**

**2025 Water and Wastewater Workshop**

The 2025 Water and Wastewater Workshop is scheduled in Gander on March 25<sup>th</sup>-27<sup>th</sup>. We need a motion to send one of our operators to the workshop.

**MOTION 02-12-25-09 – Approval sending an Operator to Water Workshop**

Moved by Councillor Lydia Burke, seconded by Councillor Gary Keating

**BE IT RESOLVED THAT** the Council approves sending one operator to the 2025 Water and Wastewater Workshop in Gander.

**In Favor:** Deputy Mayor Kevin McDonald

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

**MOTION CARRIED**

**Municipal Capital Works -Waterline Replacement Phase 3 – Project Amendment**

The Municipal Capital Works – Waterline Replacement Phase 3 requires a project amendment request to allow the services to be placed within 1.5 meters of the houses. This request requires a motion of Council.



**MOTION 02-12-25-10 Project Amendment to project 17-MCW-25-00038**

Moved by Councillor Wayne Kelly, seconded by Councillor Lydia Burke

**BE IT RESOLVED THAT** the Town Council of Long Harbour-Mount Arlington Heights approves a project amendment to project 17-MCW-25-00038 to allow the services lines to be placed to within 1.5 meters of the houses.

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

**MOTION CARRIED**

**DEVELOPMENT**

**DELEGATIONS**

**FINANCE**

**MOTION 02-12-25-11 Approve Cheque List**

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

**BE IT RESOLVED THAT** the cheque list for the period of January 9, 2025, to February 12, 2025, in the amount of \$61,575.67 be approved for payment as well as the Visa Statement in the amount of \$3,744.78 for the month of January 2024.

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

**MOTION CARRIED**

**CORRESPONDENCE**

**Government of NL – 2025 Budget Submission**

Letter was copied to all councillors and thanks council for submitting their 2025 Budget. A review of the budget is complete and is acceptable. A revised budget is not required.

**PBIS 2025**

Mark your calendar for The Placentia Bay Industrial Showcase which is scheduled for September 17<sup>th</sup> -18<sup>th</sup> 2025.

**Active NL Funding Application**

The province has announced an Active NL Funding opportunity for projects that promote and support active living. Municipalities are eligibility applicants and funding can be used to build multi-use trails.

**MOTION 02-12-25-12 Apply for Active NL Funding**

Moved by Councillor Wayne Kelly; seconded by Councillor Gary Keating

**BE IT RESOLVED THAT** the Town Council of Long Harbour-Mount Arlington Heights will apply for Active NL funding for trail development, specifically to grub the trail and purchase the required culverts for Phase 2 - Extension of the Maturin Pond Trail.

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

**MOTION CARRIED**

**COMMITTEE REPORTS**

**DATE FOR NEXT MEETING** - March 27, 2025

**ADJOURNMENT**


**MOTION 02-12-25-13 Adjournment**


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

**BE IT RESOLVED THAT** the meeting is adjourned at 7:32 pm.

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

**MOTION CARRIED**

  
Kevin McDonald  
Deputy Mayor

  
Juanita Gosse  
Town Clerk/Manager