

Town of Long Harbour - Mount Arlington Heights
Minutes of Regular Meeting
October 20, 2015

In Attendance

Mayor Gary Keating

Councillor Patricia Burke

Deputy Mayor Kevin McDonald

Councillor Norma Keating

Councillor Lydia Burke

Councillor William Murphy

Councillor Felix Bailey

Also in Attendance: Town Manager, Juanita Gosse
Acting Town Clerk, April Reid

OATH OF OFFICE FOR NEWLY ELECTED COUNCILLORS

Mr. Felix Bailey and Mr. William Murphy took the Oath of Office.

New Councillors were given a Disclosure Statement as per Section 210 of the *Municipalities Act 1999* and an Oath or Affirmation of Campaign Contributions Disclosure.

New Councillors were given a copy of the *Municipalities Act 1999* and a copy of the *Municipal Handbook*.

On behalf of Council, Mayor Keating welcomed our newest members of Council, Councillor Bailey and Councillor Murphy. Mayor Keating gave a brief outline as to the protocol of our Council Meetings. Most importantly is to work together for the betterment of our community. He explained that all Councillors are appointed specific responsibilities and committees. The new Councillors will be appointed their responsibilities at the next regular meeting.

Mayor Keating also explained the protocol regarding privileged meetings. Privileged meetings are only held when dealing with sensitive issues. Issues discussed in a privileged meeting are not to be discussed outside the council chambers. Confidentiality is very important to the protection of privacy.

CALL TO ORDER

Mayor Gary Keating called the regular meeting to order at 7:15 pm.

ADOPTION OF AGENDA

MOTION 10-20-15-01 Adopt 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 Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey, W. Murphy

MOTION CARRIED

ADOPTION OF MINUTES, REGULAR MEETING

MOTION 10-20-15-02 Minutes of September 22, 2015

Moved by Councillor Patricia Burke, seconded by Councillor Norma Keating;

BE IT RESOLVED THAT the minutes of September 22, 2015 Regular Meeting be adopted as presented.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, N. Keating, L. Burke, F. Bailey, W. Murphy

MOTION CARRIED

Managers' Report – October 20, 2015

Town Manager congratulated our newest members of Council and is looking forward to working with them. She noted, her door is always open so please feel free to contact me any time if you have any questions or need information on Council matters. The Town Clerk and Town Manager are here to assist in any way.

Municipal Elections:

The Elections went very well. There was a 74% voter turnout which is good for a by-election. The Town Clerk did an exceptional job as the Returning Officer.

Capital Works Water Treatment Plant:

- Our Water Tank has been delivered to Cahill's civil contractor's facility for storage until they are ready to erect the tank.
- Fabrication on the structural floor has started and with an ETA of 3-4 weeks.
- Fabrication of the Aluminum DAF tank has started and they are expecting to witness the leak testing within the next 2 weeks. Delivery to the town site is expected within 3-4 weeks.
- Fabrication of the Saturator has started with an ETA of 3-4 weeks.
- Department of Environment permit has been received.
- On-site civil work began Wednesday October 8th with on-site grubbing for the layout of the WTP and Water Reservoir Tank. Locations were marked out.
- Instrumentation equipment has been approved by Cahill's process engineer and the order has been released.

- Mechanical Equipment has been selected and Cahall.
- All shop drawings have been updated and resubmitted to BAE Newplan.
- Pipe is in the ground at our pumphouse site and the BAE Newplan did the first site inspection on Thursday, October 15th.
- BAE Newplan reported that the project is on schedule and are confident the project will be completed by March 2016.

Community Enhancement Employment Program, (CEEP):

We were successful in obtaining \$30,000.00 in funding under the CEEP. This project offers insurable hours for residents needing 400 hours or less to qualify for EI Benefits. This project is in partnership with The Harbour Authority to repair the Community Stage and Wharf area. The Harbour Authority will assist in purchasing materials for the project. The town will receive \$5,557.07 of grant funding for materials.

The project outline is:

Remove siding from the building	Install new siding
Replace any rotted materials	Paint the eaves of the building
Paint areas around the wharf	

This program started on Monday, October 19th with Safety Orientation.

Some OH&S training, such as First Aid and Fall Protection will be required for this project.

Workplace Health & Safety Seminar.

Attended this seminar during the Fall Forum and will report the highlights:

- Under OH&S legislation the town was considered a small organization whereby requiring a safety policy and a safety delegate. Under the current legislation, and because our fire fighters are covered under Workers Compensation, our volunteer firefighters are consider employees of the town, therefore we are now required to have a Safety Committee. The legislated requirements of a Safety Committee are much more complex. We are required to have a Safety Program and a Safety Representative.
- When excavating within the road right-of-way we have to follow the safety policies of the Department of Transportation and Works. There is zero tolerance regarding road work safety. If we are not following proper safety requirements, not only could the site be shut down but the town could be fined for noncompliance.
- Legislation also requires the Town to have a Work Alone Policy and under the Work Alone Policy we are required to do a risk assessment for every task performed by employees and have a safety plan in place for each task.

Steps taken to ensure OH&S compliance:

- Over the past several years I have been working on our Health & Safety Program. I am very pleased to say this document is complete and ready for adoption. Our Health & Safety Program

will always require changes and updates to include the most recent changes in the OH&S legislation, however, this document is a great start and keeps up compliant with current legislation.

- I've added a Work Alone Policy that outlines the process of checking in when working alone. Risk assessment is also a part of this policy, however, the Risk Assessment piece is going to take some time.
- I will ensure all employees have a copy of the OH&S Regulations and our Safety Program including the employees on the CEEP program. Our outside maintenance personnel will be given a copy of the Transportation & Works Traffic Control Manual.
- April is scheduled for Safety Committee Training. She has a background in Safety and I feel we should take advantage of that and have her our appointed Safety Committee Representative. We plan to form a Safety Committee that will include representatives from the Fire Department, the CEEP Project, Council and Staff.
- Our outside maintenance employee is currently updating his training certificates in all safety programs such as First Aid, Confined Space, Fall Protection, Trench Safety, Traffic Control, Power Line Hazard, and WHMIS. This is an essential part of our Health & Safety Program.

Training Centre Transfer:

At our previous meeting it was agreed that the funding transfer from Vale would be \$141,000 by the end of the first quarter of 2016 with final payment of \$259,000 in 2017. After some discussion between Vale and Mayor Keating, Mayor Keating was successful in having Vale to agree to a specific time for the final funding transfer. The agreement now states that the final transfer of funding will happen in the first quarter of 2017.

Our legal firm has forwarded an Indemnity Agreement to Vale in relation to transferring the Fitness Centre Equipment. This agreement fully indemnities and saves the town harmless against any and all liabilities, damages, costs, expenses, causes of action, suits, claims and judgments arising from or in connection with, or resulting from, security granted by Vale over the Assets, or from statutory liens of any kind against this personal property assets.

This agreement will become part of the transfer agreement and has been forwarded to Vale and the Town for signatures.

Training Centre Rehabilitation Project:

Newlab Engineering is working on the drawing detail and are now ready for an all discipline site visit. The site visit is arranged for this coming Friday at 9:00 a.m.

I applied for a funding advance from ACOA to finance the engineering costs over the next three months and the advance was received today.

Newlab Engineering has supplied an outline of the building façade and council chambers for your review and approval.

- Document was copied for all Councillors.

Town Entrance Signs:

We have received the permit from Transportation & Works so Parrot Signs can move forward and have the signs installed.

Maturin Pond Walking Trail Rehabilitation Project:

Drawings are completed for this project, with the exception of some standard details. Once the drawings are approved by Council exp will move to creating the tender document.

Drawings were presented to Council for approval.

MOTION 10-20-15-03 Maturin Pond Walking Trail Rehabilitation Project Drawings

Moved by Deputy Mayor Kevin McDonald, seconded by Councillor Norma Keating;

BE IT RESOLVED THAT the town approves the drawings and work outlined by exp.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey and W. Murphy

MOTION CARRIED

NEW BUSINESS

2016/17 Municipal Capital Works Application

Applications are now being accepted for 2016/17 Capital Works Projects.

MOTION 10-20-15-04 2016/17 Capital Works Application

Moved by Councillor Patricia Burke, seconded by Deputy Mayor Kevin McDonald;

BE IT RESOLVED THAT the town will submit application for 2016/17 Municipal Capital Works funding in the amount of \$1,500,000.00 for project Waterline Replacement Phase II as estimated by BAE Newplan Group.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey

Contrary Minded: Councillor W. Murphy

MOTION CARRIED

MOTION 10-20-15-05 Funding Town Share of 2016/17 Capital Works Project – Waterline Replacement Phase II

Moved by Councillor Lydia Burke, seconded by Councillor Norma Keating;

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights will fund their portion of the 2016/17 Municipal Capital Works project from their general operating account.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey

Contrary Minded: Councillor W. Murphy

MOTION CARRIED

MOTION 10-20-15-06 Engineering Firm for 2016/17 Capital Works Project – Waterline Replacement Phase II

Moved by Councillor Patricia Burke, seconded by Councillor Norma Keating;

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights will retain BAE Newplan Group for engineering services for the Capital Works, Waterline Replacement Project Phase II

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey

Contrary Minded: Councillor W. Murphy

MOTION CARRIED

Tax Recovery Plan

To meet requirements under the new Community Sustainability Partnership Agreement, the town must submit to the Department of Municipal & Intergovernmental Affairs, a Tax Recovery Plan for 2014.

The plan must have an objective, a percentage of collections satisfactory to Council.

MOTION 10-20-15-07 Tax Recovery Plan

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

BE IT RESOLVED THAT the town accepts the Tax Recovery Plan 2014 as presented with an objective to recover at least 95% of the December 31, 2014 total tax receivables. The Tax Recovery Plan must be submitted along with the 2014 taxes receivable summary to the Department of Municipal and Intergovernmental Affairs.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey, W. Murphy

MOTION CARRIED

Gas Tax Funding – Generator Power for Training Centre

The generator requirements to operator a Community Warming Centre and an Emergency Management Centre is a 75KW, 120/208 generator. For the Community Warming Centre power will be required in the Lobby, Seniors Resource Centre, Kitchen and Washrooms. The Emergency Management Centre will require generated power to the Board Room, Washrooms, Kitchen, and two offices. The estimated cost, supplied by Newlab Engineers, is \$112,000 plus HST.

The total amount of Gas Tax Funding is \$101,699

- It was agreed to obtain additional price quotes and consider alternative options such as a portable unit.

Tax Write off – 33 Depot Road:

Letter confirming that 33 Depot Road was not operating as a business since July 26, 2014 and the business has not been connected to the water system since that time. Total amount of business tax to be written off is \$ 1,837.04 and water fees of \$300.00 and service charge of 96.61.

MOTION 10-20-15-08 Tax Write-off – 33 Depot Road

Moved by Councillor Felix Bailey, seconded by Councillor Lydia Burke;

BE IT RESOLVED THAT the Town approves writing off the taxes, water fees, and service charges invoiced in error.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey, W. Murphy

MOTION CARRIED

DEVELOPMENT

Street Excavation Permit

Any person wanting to perform excavation in the Town's road right-of-way will be required to obtain a Street Excavation Permit. The cost of the permit will be as per the Town's Fee Structure for the current year. (Permit Fee to be added to the Town's Fee Structure for 2016).

In addition to the permit fee, the Town will require a security deposit to be supplied to the Town in accordance with the Town's fee structure for the current year. (\$600.00). The security deposit will be held for a period of (12 or 24) months from the date the work is complete. The Town will then determine if the work completed is satisfactory. If the

Town deems the work satisfactory, the security deposit will be returned to the payee. In the event that the payee does not complete the necessary repairs to Town's standard, the payee forfeits the security deposit and the Town will complete the necessary repairs.

Only bona fide contractors presenting proof of \$2 million dollar liability insurance and WHSCC certificate of good standing are permitted to obtain road excavation permits.

Road cuts are not permitted during the winter season, between November 1st to May 1st of the following year unless in the case of extreme emergency.

The permit holder will ensure all required traffic control signage, personnel and standards are in place as per the Occupational Health and Safety Act and Regulations of the province of Newfoundland and Labrador.

Asphalt Removal:

Asphalt shall be saw-cut, in clean straight lines a minimum of 1 meter beyond each side of the top slope of the service trench.

Service (Sewage) Pipe Installation Procedure:

Excavate to 150mm (6") below the invert of the service pipe. Bottom of the trench to be clear of any and all sharp or large rocks. Place 150mm (6") of Class "A" road gravel. Compact and place service pipe.

Backfill service pipes with Class "A" road gravel. Class "A" to extend a minimum of 150 mm (6") on both sides of the service pipe and to a minimum of 300mm (12") above the top of the service pipe. This area should be compacted to 95% density.

Trench Fill and Asphalt Repair:

Trench will be filled with Class A road gravel and compacted to 95% density to the top 375mm. The top 375mm should consist of 150mm of Class "B", topped with 150mm of Class "A", topped with 38mm of Base Course asphalt and topped with 38mm of Surface Course asphalt.

Existing asphalt adjacent to the street cut shall be cold planed a minimum depth of 38 mm and a minimum of 0.5 meters in width for the entire length of the asphalt cut. This shall be done on both sides of the excavation. The cold planed area and cut edge of the asphalt shall be tack coated. A minimum of 76mm of asphalt (compacted thickness) will be placed in the excavated area and overlapped onto the cold planed area. The compacted asphalt shall blend into the existing asphalt such that no depression or hump exists. The new asphalt shall be compacted to a minimum 95% standard proctor.

MOTION 10-20-15-09 Street Excavation Permit

Moved by Councillor Felix Bailey, seconded by Deputy Mayor Kevin McDonald;

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights approves the Street Excavation Permit as presented. The permit fee will be considered during the budgeting process.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey, W. Murphy

MOTION CARRIED

FINANCE

Cheque Log

The cheque log for the period from September 22, 2015 – October 19, 2015 in the amount of \$47,111.59 was presented.

MOTION 10-20-15-10 Cheque Log

Moved by Deputy Mayor Kevin McDonald, seconded by Councillor Patricia Burke;

BE IT RESOLVED THAT the cheque log be approved as presented.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, N. Keating, L. Burke, F. Bailey, W. Murphy

MOTION CARRIED

Cash Analysis

Cash analysis was distributed to all councillors.

CORRESPONDENCE

exp Engineering Services:

Letter from exp Engineering Services was copied for all Councillors.

exp Engineering is offering their services for any upcoming infrastructure projects the town may be considering. They provide professional, technical, and strategic services to the world's built and natural environments in six key practice areas; Building, Earth & Environment, Energy, Industrial, Infrastructure, and Sustainability.

Throughout this province exp have been involved with all types of projects including but not limited to:

- Road work
- Water and sewer systems, including treatment
- Municipal buildings
- Storm water management
- Indoor and outdoor recreation facilities
- Equipment and vehicle tendering and purchasing
- Residential and commercial/industrial subdivision development
- Solid waste management
- Infrastructure operations and maintenance

CAP Management Services

Letter of Introduction was copied to all Councillors.

CAP Management Services provide municipal engineering services to a number of towns in the province and would like to extend their services to the Town of Long Harbour-Mount Arlington Heights.

They offer estimates and site plans related to the drafting and submission of the Municipal Capital Works applications. This work is at no cost if their company is the chosen consultant should the application be funded.

IJ Smith Trinity Placentia Flyers

Request to sponsor the Trinity Placentia Flyers.

A \$100.00 sponsorship will:

- have your firms name placed on a board and displayed in the stadium
- Have your firms business name posted on a web site as a local sponsor
- Have a copy of your firms business card advertised in all programs at Flyers home games
- Receive a receipt for tax purposes
- Receive twenty eight tickets to Flyers regular home games

MOTION 10-20-15-11 Flyers Sponsorship

Moved by Councillor Patricia Burke, seconded by Councillor Felix Bailey;

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights approves a \$100.00 sponsorship.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey, W. Murphy

MOTION CARRIED

Municipal Crown Land Reserves

This document was copied for all councillors.

Under the Community Sustainability Partnership between the Municipalities and the Province, government will utilize provisions under section 8 of the *Lands Act* to create reserves for the purpose of assisting Municipalities in acquiring Crown land at market value for social and economic development purposes. The creation of a reserve allows for a phased approach to residential, industrial or commercial development within an area over a period of five years, as demand and municipal finances warrant.

The document outlines the procedure respecting the creation of a Municipal Crown land reserve and a copy of section 8 of the *Lands Act*.

Scotiabank

This document was copied for all Councillors.

Scotiabank advised that an officer at their Business Service Centre erroneously changed the mailing address on our account while completing an address change for another client of the Business Service Centre. This resulted in our bank statement being mailed to an incorrect address. Scotiabank offered sincere apologies for the error and they are taking the appropriate steps to prevent this situation from recurring. An internal investigation concluded the incident resulted from human error, however, poses no threat to our information being compromised.

Councillor – Re: CEEP Grant

Councillor Norma Keating is requesting Council seek approval from the Minister of Municipal and Intergovernmental Affairs allowing her to work on the CEEP Program. She is also seeking a leave of absence from Council until the Ministerial approval is received.

MOTION 10-20-15-12 Ministerial Approval for Councillor Norma Keating to work on the Community Enhancement Employment Program (CEEP).

Moved by Councillor Felix Bailey, seconded by Councillor Lydia Burke;

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights will seek approval from the Minister of Municipal and Intergovernmental Affairs for Councillor Keating to work on the CEEP Grant.

Councillor Norma Keating abstained due to a conflict of interest.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, F. Bailey, W. Murphy

MOTION CARRIED

MOTION 10-20-15-13 Leave of Absence

Moved by Councillor Patricia Burke, seconded by Councillor Lydia Burke;

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights approves a leave of absence for Councillor Norma Keating until Ministerial approval is granted for her to work on the CEEP.

Councillor Norma Keating abstained due to a conflict of interest.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, F. Bailey, W. Murphy

MOTION CARRIED

Donation Request for Aaron Greenham

Clarence Collins is seeking a donation (corporate sponsor) for Aaron Greenham who was drafted for St. John's Maple Leafs major triple A midget hockey team.

- It was agreed that Council would not support an individual player.

Heart & Stroke Foundation

Letter was copied to all councillors. Heart and Stroke Foundation thanks Council for their leadership and participation in the 2015 Mayor's March. Thirty-five municipalities participated in the Mayor's March and raised more than \$27,000.00.

Once again, the Town of Long Harbour-Mount Arlington Heights will be awarded the Big Heart Award for the highest fundraising for towns under 500 population. The Town will be recognized at this year's MNL Convention.

PMA

Town Manager is seeking Council's approval to attend the PMA Avalon Regional Meeting at the Capital Hotel in St. John's on November 20, 2015.

MOTION 10-20-15-14 PMA Regional Meeting

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

BE IT RESOLVED THAT the Town of Long Harbour-Mount Arlington Heights approves the Town Manager to attend the PMA Regional Meeting at the Capital Hotel on November 20, 2015.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey, W. Murphy

MOTION CARRIED

COMMITTEE REPORTS

William Murphy:

Councillor Patricia Burke: Reported that residents are asking about the increase in assessed values and how these values will affect their property tax.

- Mayor Keating stated that the increase in assessed values will have to be considered during the budget process. Council will consider lowering the mil rate to offset the increases. It's not Council's goal to place additional financial burden on our residents and Council will consider ways to ensure taxes are not increased.

The Appreciation Social for Eddie Bruce was a huge success. The Bruce family were very appreciative of the gesture and the opportunity to come together as a family. There was a great turnout for the event; eighty-two people signed the card.

Councillor Burke presented a sample of the Vial of Life. Council agreed to fund the Vial of Life some time ago with Councillor Burke overseeing the program. The project is in the last stages of completion and the Vial of Life should be introduced to residents in the near future.

Councillor Burke also reported that the sewing group would like to create a Community Quilt for our next Come Home Year. The quilt will be done using approximately 30 scenic photos of Long Harbour-Mount Arlington Heights. The value of the quilt will be approximately \$700.00. They plan to put the quilt on tickets.

- There was a general agreement that Council would fund the Community Quilt.

Councillor Lydia Burke: Nothing to report. Will begin work on our Christmas Social.

Councillor Norma Keating: Nothing to report. Inquired about the room at the Lodge for the parish priest.

- Town Manager will approach Vale about using one of their rooms at the Long Harbour Lodge.

Councillor Felix Bailey: Asked Council to bear with him as he gets comfortable with the protocols and procedures as well as the ongoing council projects.

Deputy Mayor Kevin McDonald: Nothing to report at this time.

Mayor Gary Keating: Reported on the Vale Liaison Meeting. There were fifteen people in attendance.

Vale reported having 1,800 employees on site, with 90% of construction completed.

There are 10 – 12 trucks per day shipping residue from Argentia to the site.

The Argentia Port Authority will be taking over the Demonstration Plant.

The Slag pile was discussed. They plan to hydro seed 70ft. from the top.

The Training Centre is in the final stages of transfer and the EPCM Building will be transferred to the town by year end.

Employment issues were discussed giving me the opportunity to lobby for additional employment opportunities for town residents.

Mayor Keating also reported on Grieg Seafarms. Grieg Seafarms is one of the largest fish producers in the world. They are pursuing Long Harbour-Mount Arlington Heights as a port for their proposal to operate in Placentia Bay. This would mean additional employment opportunities for the residents of Long Harbour-Mount Arlington Heights.

Adjournment to a Privileged Session

MOTION 10-20-15-15 Adjournment

Moved by Deputy Mayor Kevin McDonald, seconded by Councillor Felix Bailey;

BE IT RESOLVED THAT the meeting be adjourned at 9:25 p.m.

In Favor: Mayor Gary Keating
Deputy Mayor Kevin McDonald
Councillors: P. Burke, L. Burke, N. Keating, F. Bailey, W. Murphy

MOTION CARRIED

Date of the Next Meeting: November 10, 2015



Gary Keating
Mayor



Juanita Gosse
Town Manager