

ATTENDENCE -

Mayor Barry Dooley
Councillor Sharon Snooks
Councillor Art Kelloway
Councillor Dion Penney

Deputy Mayor Jennifer Moores
Councillor Jim Layden
Councillor Glenn Clarke
Shelly Butt, Town Clerk/Manager

CALL MEETING TO ORDER / WELCOME / DELEGATIONS: Mayor Dooley called the meeting to order at 7:00 p.m. Two visitors from #211 Highway East present to observe the meeting.

ADOPTION OF THE AGENDA: January 17, 2023

Motion 2023-01 Kelloway/Clarke *No additions or deferrals*

Be it resolved Council adopt the agenda for the Regular Council Meeting of January 17, 2023, as presented.
Favour 7; Opposed 0; Carried

MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / December 13, 2022:

Motion 2023-02 Snooks/DM Moores *No errors or omissions noted.*

Be it resolved, Council adopt the minutes of the regular Council meeting held December 13, 2022, as presented.
Favour 7; Opposed 0; Carried

FINANCIAL / COMM. / DEPT. & STAFF REPORTS

Bill/Accounts \$124,802.30 & Payroll Dec. 4/22 – Jan. 7/23 (Town & CEEP Grant) \$41,311.71

Councillors Layden/Penney, (Victoria Volunteer Fire Dept. Members), declared a conflict-of-interest as per the Municipalities Act, 1999, Section 207 and Section 6. Conflict of interest re: councillors NI2021 Chapter M-20.01, Municipal Conduct Act Chapter M-20.01 An Act Respecting The Conduct Of Municipal Officials for items #1 - #12, leaving the meeting at 7:02 p.m.

Motion 2023-03 Snooks/DM Moores

Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, listed #1-#12 for \$7,639.74, as presented.
Favour 5; Opposed 0; Carried

Motion 2023-04 DM Moores/Kelloway

Be it resolved permission to address 2007-line leak to purchase product and be administered by councillors.
Favour 5; Opposed 0; Carried C's Layden/Penney returned at 7:09 p.m.

Councillor Kelloway, (member - Victoria Heritage Society), declared a conflict-of-interest as per the Municipalities Act, 1999, Section 207 and Section 6. Conflict of interest re: councillors NI2021 Chapter M-20.01, Municipal Conduct Act Chapter M-20.01 An Act Respecting The Conduct Of Municipal Officials for item #13, leaving the meeting at 7:09 p.m.

Victoria Heritage Society, re: NL Power Inc. - totalling \$499.76.

Motion 2023-05 Snooks/DM Moores

Be it resolved Council approve payment of accounts payable invoice #13 incurred by the VHS totalling \$499.76.
Favour 6; Opposed 0; Carried C/Kelloway returned at 7:10 p.m.

Remainder of Accounts Payables, \$116,662.80 & Payroll Dec. 4/22 – Jan. 7/23, \$41,311.74.

Motion 2023-06 Layden/Snooks

Be it resolved Council approve to pay the remaining accounts payable invoices listed #14-#38 totalling \$116,662.80 and further resolved to approve #39, Payroll for Dec. 4/22 – Jan. 7/23, \$41,311.74 as presented.
Favour 7; Opposed 0; Carried

Council to consider obtaining RFPs, re; Municipal Insurance Coverage for 2024.

Mayor Dooley mentioned ongoing concerns of inappropriate signage repetitively displayed on #165 Highway East and corner of Burnt Woods Rd and intentional disruption littering, etc., during the VVFD Santa Claus

Parade since mid-December 2022. In addition, noted update from the RCMP regarding this behavior while on-site at that time, nor any response from messages left for Bell Aliant correspondent about signage on 3-utility poles. After discussion ended, Council agreed for C/Kelloway to first check with the Staff Sergeant at the Hr. Grace RCMP Detachment for a progress report, to be provided directly back to Council, pending the outcome, it was further agreed to grant permission to Mayor Dooley to proceed with contacting any social media platforms necessary regarding this ongoing public concern.

TCM request for Council to authorize payment of all monthly &/or quarterly re-occurring invoices during 2023 in advance of scheduled meetings to avoid overdue charges/fee and avail of possible discounts, i.e.: NL Power, Bell Aliant/Mobility, Around the Bay Disposal, Cal LeGrow Insurance, etc.

Motion 2023-07 Penney/Layden

Be it resolved Council grant approval to the TCM to make/authorize payment for regular monthly reoccurring expenditures as per Section 58 of the Municipalities Act, 1999 as stated with all such expenditures listed and submitted to a regular public council meeting for approval. **Favour 7; Opposed 0; Carried**

Town Clerk's Report: Dated Dec. 12, 2022 – Jan. 13, 2023

Motion 2023-08 Clarke/Penney

Be it resolved, Council approve the Town Clerk Manager's Report for Dec. 12, 2022 – Jan. 13, 2023, as submitted. **Favour 7; Opposed 0; Carried**

Privileged Information, re: Disclosure Statements (2023) for Councillors, TCM & Dept. Heads. Council agreed to review these items later in the meeting after all business has been conducted as per the approved agenda.

CORRESPONDENCE & OTHER ITMES FOR ACTION

1. Epilepsy Proclamation - Purple Day March 26, 2023

Motion-2023-09 Snooks/Penney

Be it resolved, Council declare March 26, 2023, as Purple Day for Epilepsy and further resolved for Mayor Dooley to sign the Proclamation on behalf of Council. **Favour 7; Opposed 0; Carried**

2. Dept of Transportation & Infrastructure, re: Consultant Services, Approval To Enter Into Contract, 17-MCW-23-00015, What Caused the Blue-Green Algae Bloom In Forest Pond. Requires signature/Witness.

Motion 2023-10 Clarke/Kelloway

Be it resolved, in consideration of the letter received from the Dept. of Transportation & Infrastructure, COR/2022/15277, Approval To Enter Into Contract – Consultant Services for Project. #17-MCW-23-00015, What Caused the Blue-Green Algae Bloom In Forest Pond, Council approves to enter into a Prime Consultant Agreement with CBCL Limited for an amount not to exceed, \$36,495.25, (HST included), and for Mayor Dooley to sign the said document on behalf of Council for the Town of Victoria. **Favour 7; Opposed 0; Carried**

3. Dept of Transportation & Infrastructure, re: Approval to Award Contract, COR/2023/00436, 17-MYCW-22-00152, Sewer Lagoon Upgrades, noting deficit & amount adjusted for materials to cover deficit.

Motion 2023-11 Layden/DM Moores

Be it resolved, Council approve to award the 17-MYCW-22-00152, Sewer Lagoon Upgrades with a deficit of \$5,354.31 and further resolves acknowledge the stated deficit is the 100% the responsibility of the Town of Victoria, as per the signed Ultimate Recipient Funding Agreement. **Favour 7; Opposed 0; Carried**

4. *Mayor Dooley declared a conflict-of-interest as per the Municipalities Act, 1999, Section 207 and Section 6. Conflict of interest re: councillors NI2021 Chapter M-20.01, Municipal Conduct Act Chapter M-20.01 An Act Respecting The Conduct Of Municipal Officials leaving the meeting at 7:46 p.m. with DM Moores taking over as chair of the meeting.*

Letter of Opposition To New Business located at #303 Old Track Rd., with mention of other businesses being carried out on the same street/area. TCM was asked to investigate the complaint through the Urban & Rural Planning Division regarding business application and complaint with a report for the next council meeting.

Mayor returned at 8:00 p.m. & resumed chairing the meeting.

5. Business Closure Letter, re: Account #112528.

Motion 2023-12 Layden/Kelloway

Be it resolved, Council acknowledges and accepts the Business Closure notice, with tax invoices removed for 2023 and account is considered closed, unless otherwise becoming aware business has reopened. Call For The Question, Motion Withdraw. Council agreed to defer until Legal Affidavit has been developed and approved to be signed by business owner, then retable for Council's consideration.

6. TCM posted to PMA Bulletin and reached out to a few towns for sample of Affidavit, no response to date, however, reviewing some other options such as readapting a Poll Tax Exemption Form.

Reply Letters from Alleged Business Operators:

a. Property Owner #9 Dean's Rd, re: Letter regarding alleged Year-Round Crafting/Selling Business.

b. Gemini Interior Design, advertised on Facebook, re: Letter to 2022/2023 Business Tax Charges.

c. Letter from Resident at #4 King's Road, of alleged Hair Salon Business in house.

d. Letter from Resident at #69-73 Swansea Rd, alleged vehicle mechanical business operating in garage.

Deferred; To be re-tabled Affidavit has been developed and approved by Council to be signed by business owners and/or alleged business owner.

7. Property Tax Adjustment Request, re: #215-#217A Highway East. New Parcel of Land claimed by resident & wanted assessed by the MAA, Aug/22. Recommended to refer to Finance Committee but agreed to discuss in the Privileged Meeting.

CORRESPONDENCE & INFORMATION FOR REVIEW/DISCUSSION

1. Spring 2022 Drinking Water Quality Data, Spring 2022 Drinking Water Quality Data.

2. Harris & Associates, copy letter to DOTI recommending to award contract to successful tender.

3. Innovation, Science & Economic Development Canada, re: Notice of Fee Increase effective April 2023.

GENERAL / NEW BUSINESS

• Tract Consulting Asset Management Plan Wrap-up tentative Friday, Jan. 27/2023 @3:00 p.m.

• Council to consider issuing a newsletter regarding mil-rate reduction for 2023 taxation year to residents; noted Mayor Dooley did a public announcement on the radio.

Privileged Information, MA 1999, Section 210-1, re: Disclosure Statements 2023 Councillors, TCM & Dept. Heads and Property Tax Adjustment Request, re: #215-#217A Highway East.

Motion 2023-12 Snooks/Kelloway

Be it resolved, due to the nature of the remaining correspondence, Council convene into a privileged/in-camera meeting at 8:25 p.m.

Favour 7; Opposed 0; Carried

Motion 2023-13 Snooks/Layden

Be it resolved, that due to MA 1999, Section 210-1, re: Disclosure Statements Council convene into a privileged/in-camera meeting at 8:45 p.m.

Favour 7; Opposed 0; Carried

Motion 2023-14 Clarke/Snooks

Be it resolved, upon reviewing all related information and noting past-practise of same situations in compliance with SNL 1995 Chapter L-16.1 Limitations Act, Council deny the request and further resolved that if invoices #20116324 and #20116325 are paid in full on or before April 28, 2023 that a discount of 5% can be applied as per the 2023 Town Tax Structure.

Layden/DM Moores Opposed; Favour 5; Carried

ADJOURNMENT OF MEETING

Next Council Meeting: February 7, 2023

Motion 2023-15 Snooks/Layden

Be it resolved Council approve the regular council meeting adjourn at 8:55 p.m. **Favour 7; Opposed 0; Carried**

Signed:



Barry Dooley
Mayor

Signed:



Shelly Butt
Town Clerk/Manager