

ATTENDENCE -

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

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

CALL MEETING TO ORDER / WELCOME / DELEGATIONS

Mayor Dooley called the meeting to order 7:11 p.m.

Registered Delegates:

Resident #214 Church Rd accompanied by a family member, re: Land Claim at Recreation Complex Area. Resident claiming ownership of land beyond the Old Railway Track within the Recreation Complex area, noting the following:

- Asked who gave permission to build a gazebo on their private property?
- Asked who gave Council permission to relocate a section of the Railway Track through the same parcel of private property?
- Resident stated the original owner had signed land documents showing measurement beyond the railway track.
- Resident has land documents, signed by a Justice of Peace in Victoria.
- Resident is alleging Council took this land and occupying it without permission and is in consultation with a lawyer on this situation who will be in contact with the town.

Mayor Dooley asked what the expectation was from the town; resident wants his land back or financial compensation for the land council is occupying. Resident was advised Council requires proof of land ownership and once information is received from the resident's lawyer, the town will be legally represented.

Both residents left at 7:31 p.m.

Resident #211A Highway East, re: Snow Clearing Public Drung.

- Inquired why snow clearing during times of heavy snow fall was recently discontinued on a known public access/drung leading to his property.
- The resident explained the town's past practice, which has been in place since a previous council approved his house permit.
- The resident stated that an exchange of 10' of land in the drung occurred in 2019 with a neighbour # 211 Highway East and has a survey to verify this information; a copy will be provided to Council.
- The resident is requesting reconsideration of a recent decision regarding snow clearing during times of heavy snow fall.

It was agreed the matter would be referred to the Public Works Committee for review before the next winter season. Resident left at 7:56 p.m.

Residents #24 King's Road, re: Private Fence Concerns. Unable To Attend - Sent Regrets

ADOPTION OF THE AGENDA: March 21, 2023

Motion 2023-55 Kelloway/Layden *No additions or deferments*

Be it resolved Council adopt the agenda for the Regular Council Meeting of March 21, 2023, as presented.

Favour 5; Opposed 0; Carried

MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / February 28, 2023:

Motion 2023-56 DM Moores/Penney

Be it resolved Council adopt the minutes of the regular Council meeting of February 28, 2023, as submitted.

Favour 5; Opposed 0; Carried

FINANCIAL / COMM. / DEPT. & STAFF REPORTS

Bill/Accounts \$129,893.41 & Payroll: Total \$13,024.70

Councillors Layden/Penney, (Victoria Volunteer Fire Dept. Members), declared a conflict-of-interest as per NL2021 Chapter M-20.01, Municipal Conduct Act, Section 6, for the FES Funding Application and accounts payable invoices #1 - #6, both left the meeting chambers at 8:08 p.m.

Firefighting Equipment Program Application, re: VVFD Funding Application for 2 SCBA Complete Units.

Motion 2023-57 DM Moores/Kelloway

Be it resolved, that on behalf of the Victoria Volunteer Fire Department, Council approve to submit a Fire Protection Financial Assistance Grant Application for firefighting equipment for 2-Draeger 2018 Edition SCBA, HP, QC, FP, HUD, Cylinders for a total \$17,020.00, incl. HST to the Fire & Emergency Services of ECCM and further resolved the cost-shared portion be taken from the 2023 Operating Budget approved for the VVFD.

Favour 3; Opposed 0; Carried

VVFD Accounts Payable #1-#6.

Motion 2023-58 Kelloway/DM Moores

Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, as listed #1-#6 for \$1,822.87.

Favour 3; Opposed 0; Carried C's Layden/Penney returned at 8:11 p.m.

Victoria Heritage Society, NL Power Inc invoices for February 2023.

C/Kelloway, (member of the VHS), declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Section 6, for VHS accounts payable invoice #7, & left the meeting at 8:12 p.m.

Motion 2023-59 Penney/DM Moores

Be it resolved, Council approve payment of the VHS accounts payable invoices from Newfoundland Power Inc for \$535.05, listed as #7, re: as presented.

Favour 4; Opposed 0; Carried C/ Kelloway returned 8:14 p.m.

Remaining Payable \$129,893.41 & Payroll: Total \$13,024.70

Motion 2023-60 Layden/Penney

Be it resolved Council approve to pay the remaining accounts payable invoices listed #8 – 28 totalling \$129,893.41 and resolved to approve #29, Payroll for Period: 02/19/23 – 03/11/23 for \$13,024.70 as presented.

Favour 5; Opposed 0; Carried

Finance Committee Report March 10, 2023

Privileged Meeting: Human Resources matters, employee #1012 & Residential Concern regarding taxes charged due to a supplementary assessment of a new dwelling occupied in 2018, (Account #110769), both deemed private in nature.

Motion 2023-61 Penney/Layden

Be it resolved, due to the nature of the discussion and subject matter, Council approve to convene into a Privileged Meeting at 8:57 p.m.

Favour 5; Opposed 0; Carried

Motion 2023-62 Kelloway/Penney

Be it resolved having dealt with items deemed as privileged information, Council reconvene into a regular meeting at 9:03 p.m.

Favour 5; Opposed 0; Carried

Motion 2023-63 DM Moores/Layden #1

Be it resolved Council accept and implement the Finance Committee's recommendations relating to item #1, and resolved that Council obtain the services of Stewart McKelvey regarding Article 21 of the Collective Agreement and if grievance is advanced to arbitration by Teamsters & Allied Workers Union, to provide legal representation on behalf of the town.

Favour 5; Opposed 0; Carried

Motion 2023-64 DM Moores/Layden #2.

Be it resolved, Council accept and support the Finance Committee's recommendation that the resident, (Account #110769), is liable for taxation for the years charged as per the assessment of a new dwelling occupied in 2018, in compliance with the MA1999, Section 119 and the MAA 2006, Sections 23/24 and further

recommend a discount of 5% on taxes owing if paid in full by the 2023 Tax Policy deadline of April 28th, 2023.

Favour 5; Opposed 0; Carried

Town Clerk's Report: Dated Feb 27 – March 17, 2023

Motion 2023-65 Layden/Penney

Be it resolved, Council approve the Town Clerk Manager's Report for Feb 27 – March 17, 2023, as submitted.

Favour 5; Opposed 0; Carried

Public Work Report to March 17, 2023

Motion 2023-66 DM Moores/Penney

Be it resolved, Council approve the Public Works Report to March 17, 2023, as submitted.

Favour 5; Opposed 0; Carried

Noted: Employee has advised sidestep ladders deemed unsafe on sanding equipment. Recommended Public Works Committee inspect as soon as possible.

Permit Registry #545 Flyer distribution renewal permit.

Motion 2023-67 DM Moores/Penney

Be it resolved, Council approve permit #545, pending business/work is completed/carried out in compliance with details of the application/permit, the Town of Victoria's Municipal Plan & Development Regulations and any other applicable policies, regulations, or stipulations, if attached.

Favour 5; Opposed 0; Carried

Notice of Motion re: Purchase of Snow Blower for clearing boardwalks, etc. TCM provided information collected from other town's regarding liability, injury to employees/users and damage to infrastructure.

Motion 2023-68 Layden/Penney

Be it resolved Council does not approve the purchase a snow blower and further resolved that snow clearing/ice control measures will not be implemented for public boardwalks, walking areas, etc., due to risk in public and staff safety/injury concerns, liability, as well as damages to the boardwalks. **Favour 5; Opposed 0; Carried**

CORRESPONDENCE & OTHER ITMES FOR ACTION

1. Culverts install in town ditch in front of #23 King's Road, (brought forward from discussion at last meeting). Council gave direction for public works staff to make a list of all property owners that have covered in town ditched with culverts the length of their properties on town owned and maintained roads and submit to the TCM when complete.

2. Building Application, (Final Approval), #14 Old Track Road. Application verified compliant with the Town's Municipal Plan and Development Regulations.

Motion 2023-70 Penney/Layden

Be it resolved, Council grant final approval for the construction of a new family dwelling at #14 Old Track Road, pending work is carried out in compliance with details of the application/permit, the Town of Victoria's Municipal Plan & Development Regulations and any other applicable policies, regulations, or stipulations, if attached.

Favour 5; Opposed 0; Carried

3. Building Application, re: New House Construction, #15 Hillview Crescent. Application verified compliant with the Town's Municipal Plan and Development Regulations.

Motion 2023-71 Layden/Penney

Be it resolved Council approve the building application for the construction of a new family dwelling at #15 Hillview Crescent, pending work is carried out in compliance with details of the application/permit, the Town of Victoria's Municipal Plan & Development Regulations and any other applicable policies, regulations, or stipulations, if attached.

Favour 5; Opposed 0; Carried

4. General Application, re: House Renovations Due To Structural Fire at #389-393 Highway East.

Motion 2023-72 Layden/Penney

Be it resolved Council approve the General Application for renovations to the house located at #389-393 Highway East, pending work is carried out in compliance with details of the application/permit, the Town of Victoria's Municipal Plan & Development Regulations and any other applicable policies, regulations, or stipulations, if attached.

Favour 5; Opposed 0; Carried

5. Audited 2021 Municipal Consolidated Financial Statements.

Motion 2023-73 Penney/DM Moores

Be it resolved Council accept and adopt the Audited 2021 Municipal Consolidated Financial Statements for the Year Ending December 31, 2021, completed, and submitted by Beacon Accounting Professional Corp.

Favour 5; Opposed 0; Carried

6. Tax Recovery Plan Dated December 31, 2021 & Tax Receivable Summary 2021.

Motion 2023-74 Penney/DM Moores

Be it resolved that Council accept and adopt the Tax Recovery Plan Dated December 31, 2021, and further resolved to accept and adopt the Tax Recovery Plan for the Municipal Fiscal Year 2021 as presented.

Favour 5; Opposed 0; Carried

7. Annual Gas Tax Expenditure Report 2021.

Motion 2023-75 Penney/Kelloway

Be it resolved Council, accept, and adopt the Annual Gas Tax Expenditure Report 2021, completed, and submitted by Beacon Accounting Professional Corp.

Favour 5; Opposed 0; Carried

8. Town of New-Wes-Valley, re: Seeking Town's support to petition MNL to advocate for compensation for volunteer fire departments performing the non-traditional duties, etc.; no action.

9. Non-Operation of Business Affidavit, re: #19-23A Country Road alleged Hair Salon.

Motion 2023-76 DM Moores/Layden

Be it resolved Council accept the signed non-operational business affidavit relating to an alleged Hair Salon operating from #19-23A Country Road and resolved to remove any business tax and/or other fees charged.

Favour 5; Opposed 0; Carried

10. FCM Grant Agreement, re: Municipal Asset Management Plan, approval for TCM to sign agreement, & Letters of Request for Contribution, Attestation, Expenses & Direct Deposit Form on behalf of TOV, the Recipient.

Motion 2023-77 Layden/DM Moores

Be it resolved whereas: (a) the Government of Canada and FCM have established the Municipal Asset Management Program (herein called MAMP); (b) the Government of Canada has funded the Municipal Asset Management Program, which is being administered by FCM; (c) FCM has agreed to provide the Recipient, hereafter known as the Town of Victoria, with a grant for use by the Recipient solely for the project described in the Agreement; and (d) the Agreement contains the terms for the administration and remittance of the grant by FCM to the Recipient and the use of the grant by the Recipient and further resolved Council approve for the Town Clerk Manager to sign the FCM Grant Agreement, Request for Contribution, Attestation, Expenses & Direct Deposit Form on behalf of the Town of Victoria.

Favour 5; Opposed 0; Carried

11. Donation Request: Cee Bees Association Tournament; reviewed and deemed not compliant with town policy.

CORRESPONDENCE & INFORMATION FOR REVIEW/DISCUSSION

1. Dept. of Environment & Climate Change, re: Summer 2022 Water Supply – Drinking Water Quality Data results.

GENERAL / NEW BUSINESS

Email from Town of Harbour Grace TCM, re: Requesting Council to sign a Mutual Aid Agreement to extend town fire and emergency protection services to the Town of Harbour Grace; discussed, no action.

Discussed completion and submission of regular maintenance forms for all operating systems, i.e.: water/wastewater, all vehicle inspection forms, safety inspections, etc.; noting forms not submitted for review. It was reiterated this was previously mandated by Council, all inspection forms associated with any regular maintenance must be completed by the Working Foreman or alternate when unavailable and submitted for review/inspection regularly to ensure compliance with all municipal, provincial, and federal regulations and/or requirement as part of the town's Provincial permits to operate and any other applicable legislative requirements. TCM advised to ensure this is carried out.

Noted: TCM advised, as previously approved, a computer laptop will be ordered for the Working Foreman position, with Microsoft Office to assist with the completion of some forms, work reports, etc. Also noted that Bell Aliant will install internet in the garage in the coming weeks.

Noted: Asked if the Emergency Sewer Valve at the Lagoon Site was secured, if not, must be secured as soon as possible and reported back to Council when done.

Deputy Mayor Moores conveyed concerns that meetings are carried on longer than required, with repetitive discussion taking place and requested the agenda and the rules of procedure be followed going forward; all members agreed.

ADJOURNMENT OF MEETING

Next Council Meeting: April 11, 2023

Motion 2023-78 Layden/Penney

Be it resolved Council approve the regular council meeting adjourn at 10:08 p.m.

Favour 5; Opposed 0; Carried

Signed:

Barry Dooley
Mayor

Signed:

Shelly Butt
Town Clerk/Manager