ATTENDENCE -

Mayor Barry Dooley
Deputy Mayor Jennifer Moores
Councillor Sharon Snooks
Councillor Jim Layden
Councillor Art Kelloway
Councillor Glenn Clarke
Councillor Dion Penney
Shelly Butt, Town Clerk/Manager

CALL MEETING TO ORDER / WELCOME / DELEGATIONS: Visitor #33 Pye's Road.
Mayor Dooley called the meeting to order at 7:00 p.m.

ADOPTION OF THE AGENDA: September 26, 2023
Motion 2023-209 Layden/Clarke *No Additions or Deferments*
Be it resolved Council adopt the agenda for the Regular Council Meeting of September 26, 2023, as presented.
Favour 7; Opposed 0; Carried

MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / August 15, 2023
Motion 2023-210 Penney/Layden No Error or Omissions Noted
Be it resolved Council adopt the minutes of the regular Council meeting of August 15, 2023, as recorded.
Favour 7; Opposed 0; Carried

BUSINESS ARISING FROM THE MINUTES: C/Clarke – Water Leak Damage Claim, Mayor's Public Notice Update on water pressure & ongoing work to date; Mayor did an interview with NTV. Graveyard, Gully Path Rd: Mayor waiting for a reply from the new Pentecostal Minister; if not owned by them, will consider having town staff to keep area clear of vegetation growth.

FINIANCIAL / COMM. / DEPT. & STAFF REPORTS

1. Bill/Accounts $83,952.81 & Payroll: Aug. 6 – Sept 16, 2023, Total $36,981.29
Councillors Layden/Penney, (Victoria Volunteer Fire Dept. Members), declared a conflict-of-interest as per SNL2021 Chapter M-20.01 Municipal Conduct Act, Sections 5 & 6, accounts payable invoices #1- #7, left the meeting chambers at 7:06 p.m.
Motion 2023-211 Clarke/DM Moores
Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, listed #1- #7 totalling $2,829.96. **Favour 5; Opposed 0; Carried** *C's Layden/Penney returned 7:07 p.m.*

Victoria Heritage Society, NL Power Inc invoices for Aug 2023, Invoice #8.
C/Kelloway,(member of the VHS), declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Sections 5 & 6, for VHS accounts payable invoice #8, leaving the meeting at 7:07 p.m.
Motion 2023-212 Snooks/Penney
Be it resolved, Council approve payment of the VHS accounts payable invoice item #8 from Newfoundland Power Inc for $107.62, as presented. **Favour 6; Opposed 0; Carried** *C/ Kelloway returned 7:08 p.m.*

Trio Benefits Insurance, Employee Ins. September 2023, Invoice #9
Councillor Clarke, (Trio Board Member), declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Sections 5 & 6 for accounts payable invoices items #9, left the meeting at 7:08 p.m.
Motion 2023-213 Snooks/Kelloway
Be it resolved Council approve payment for accounts payable invoice #9, Trio Benefits (Employee Benefits), for September 2023 totalling $274.36. **Favour 6; Opposed 0; Carried** *C/Clarke returned at 7:10 p.m.*

Mayor Dooley/Councillor Clarke declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Sections 5 & 6 for accounts payable invoices items #10 as attendees to the MNL Convention, leaving the meeting at 7:11 p.m.
MNL Convention Registration Expense, item #10.

Motion 2023-214 Layden/Penney
Be it resolved Council approve payment of MNL Convention Registration expenses for $937.50 & $1,100.00 totalling $2,037.50. **Favour 5; Opposed 0; Carried** *Mayor & C/Clarke returned at 7:13 p.m.*

Remaining Accounts Payables
Motion 2023-215 Snooks/Penney
Be it resolved Council approve to pay the remaining accounts payable invoices listed #11 - #37 totalling $78,253.37 and resolved to approve item #38, Payroll Period: Aug 6 – Sept. 16, 2023, for $36,981.29.
Favour 7; Opposed 0; Carried

2. Town Clerk's Report: Dated: Aug. 14 – Sept. 22, 2023
Motion 2023-216 DM Moores/Layden *No inquiries*
Be it resolved, Council approve the Town Clerk Manager's Report for Aug. 14 – Sept. 22, 2023, as presented.
Favour 7; Opposed 0; Carried

3. Public Worker's Report dated: Aug. 14 – Sept. 22, 2023
Motion 2023-217 Snooks/Kelloway *No inquiries*
Be it resolved, Council approve the Public Worker's Report from Aug. 14 – Sept. 22, as presented.
Favour 7; Opposed 0; Carried

4. Permit Registry Aug. 14 – Sept. 22, 2023, #633 - #649
Motion 2023-218 Penney/Layden
Be it resolved, Council approve permit #633 to #649, pending business/work is completed/conducted 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 attached.
Favour 7; Opposed 0; Carried

CORRESPONDENCE & OTHER ITMES FOR ACTION
1. Building / Development Applications:
1.a Commercial Storage Shed, (existing metal building #358 H/E)
Motion 2023-219 Clarke/Snooks
Be it resolved, Council approve the general development application as presented, to utilize the existing building at #358 Highway East, Victoria as Commercial Storage Space for the storage of fishing equipment by Bradley Janes Fisheries Ltd. **Favour 7; Opposed 0; Carried**

1.b Rental Storage Units, Commercial #1 Highway East
Motion 2023-220 Snooks/Penney
Be it resolved, Council approve the Commercial General Development Application as presented, to renovate and utilize the existing building at #1 Highway East, Victoria as Rental Storage Units to be accessed off Edwards Clarke's Road, and in compliance with all Provincial Highway Regulations. **Favour 7; Opposed 0; Carried**

1.c Operate Sawmill, (non-mobile), for Personal Use at #409 Swansea Rd, (Job's Pond – Residential/Rural Zone)
Motion 2023-221 Kelloway/DM Moores
Be it resolved, as the development application is within a Rural Zone, with General Industry listed as a discretionary use classification within this zone, and Council, having discretionary powers of the town, approve the development application to operate a Non-Mobile Sawmill for Personal Use at #409 Swansea Road.
Favour 0; Opposed 7; Carried

1.d Install 2nd Driveway Access to Property #8 Hillview Crescent.
Motion 2023-222 Clarke/Layden
Be it resolved, Council approve the general development application with stipulations that the work must be completed by a certified contractor experienced in this field, the new driveway access and new culvert must be installed as per proper specifications of the existing ditch to ensure proper flow of water, must remain clear of any debris, must be properly cribbed, any movement of the new culverts, (sinking/rising), is the property owner/s

responsibility to repair, any damage caused by this work is now and in the future to the town's infrastructure, is the applicant's responsible, all associated cost and upkeep/replacement is the property owner/s is/are responsible for life and town staff must verify all work. **Favour 7; Opposed 0; Carried**

1.e Livestock on Residential Property #165 Church Road.

Motion 2023-223 Penney/Layden

Be it resolved, Council approve the development application as presented, for the property owner of #165 Church Road to have livestock animals not to exceed that as described and signed by the applicant, with all town policies/by-laws such as, but not limited to, Noise Abatement, Animal Regulations, the town's Municipal Plan and Development Regulations and any applicable Provincial Regulations must be always adhered to, or approval will be revoked as per Regulation 21: Development Permit, Sections 5, 6 and 7.

Favour 6; Opposed 1 DM; Carried

1.f Building Application, re: Single Family Dwelling #49-57 Rattles Rd.

Motion 2023-224 Penney/Layden

Be it resolved, Council approve the building application as presented, with all work carried out in compliance with the town's Municipal Plan and Development Regulations. **Favour 7; Opposed 0; Carried**

1.g Business Application, re: B & J Autosales Business, re: Final Approval.

Motion 2023-225 Clarke/Penney

Be it resolved Council grant final approval to the Business Application as presented with Approval-In-Principle previously granted, to open and operate B & J Autosales Business from #216-#222 Main Highway in compliance with all regulations applicable within a Mixed Development Zone and any regulations applicable under the Dept. of Highways Legislation. **Favour 7; Opposed 0; Carried**

2. Harris & Associates, re: Tender Results, (Paving Prj).

Motion 2023-226 Penney/DM Moores

Be it resolved, Council approve the recommendation by Harris and Associates, that Concord Paving Ltd be awarded the tender for the amount not to exceed, $144,445.75 and the engineering cost, not to exceed, $22,080.00 and further resolved to use the approved Gas Tax Funding for an amount not to exceed, $155,176.00.

Favour 7; Opposed 0; Carried

DM Moores,(resident on Hillview Crescent), declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Sections 5 & 6, & left the meeting at 8:02 p.m.

3. Xylem Canada, re: Quote for Pump Repairs & Cost to Replace New. (Presented at meeting)

Motion 2023-227 Clarke/Penney

Be it resolved that Council approve to purchase a new sewage pump, Flygt Model 3127 060-0671 for $16,487.10, pretax and freight/shipping fees and further resolved to furnish/repair the existing sewage pump, product# 3127 181-1567/Serial# 3127-181-1140626 for $7,118.98, pretax to be used as a spare for the Hillview Crescent Lift Station. **Favour 6; Opposed 0; Carried** *DM Moores returned at 8:04 p.m.*

4. Crownland Application #138251, Extension to existing land use. Discussion deferred to privileged meeting.

5. Baccalieu Trail SPCA, re: Donation Request.

Motion 2023-228 Penney/DM Moores

Be it resolved, Council approve a $100.00 donation for the Baccalieu Trail SPCA, Bay Roberts, NL.

Favour 7; Opposed 0; Carried

6. Streetlight Request, re: 208 Old Track Rd/Priddle's Road. Referred to Public Works Committee.

7. Trinity Con. Placentia Health Foundation, re: 34th Annual TCPHF Telethon, October 1, 2023.

Motion 2023-229 Snooks/DM Moores
Be it resolved Council approve to donate $500.00 to the 34th Annual Trinity Conception Placentia Health Foundation Telethon. **Favour 7; Opposed 0; Carried**

8. MNL Conference, Trade Show and AGM, Oct. 25-28, 2023, re: Request for Donation.
Councillor Clarke, (MNL Convention Planning Committee Member), declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Sections 5 & 6, leaving the meeting at 8:26 p.m.
Motion 2023-230 Snooks/Penney
Be it resolved that. Council approve a $250 donation towards the MNL 2023 Conference & Trades Show & AGM, re: Avalon-Eastern Hospitality Night. **Favour 6; Opposed 0; Carried** *C/Clarke returned 8:29 p.m.*

9. Email/Letter Resident 253-255 Church Rd, re: Water Pressure Concerns, previously addressed by Council and the Town Clerk Manager.

10. Concern/Request Ltr from #12 Burnt Woods Road, re: Staysea House Air B n' B #11 Burnt Woods Road. Same resident reported owners are advertising 3-bay garage as storage space for rent. Discussed and Council deemed no response or action is required.

11. Victoria Recreation Commission, re: 5th annual trunk or treat, requesting town participation; Town will participate.

Town of Salmon Cove, re: Request to Tour Victoria's Wastewater Facility, etc.; discussed and unanimously denied due to safety concerns, ongoing construction, environment concerns, etc.
Council also discussed the following:

- New email from TOSC today, (09-26-2023), advising the Town of Salmon Cove's Council is requesting a complete copy of all 34 pages of the results taken by Biomaxx Environmental, dated sample Aug 5, 2021, as they only received one page (#3) back at that time, (Noted: Previous request from the TOSC was for the CBOD, thus Page 3 was provided). BioMaxx Environmental was consulted and confirmed the 34-page package results is not the property of the TOV; reply to be issued to TOSC.
- The TOSC not advising the TOV when hydrants are opened for repairs, flushing, practises, etc., causing major increase in low water pressure in higher elevations of Victoria; reply to be issued that notification must be provided to the TOV when opening hydrants for any reason and, Mayor Dooley to advise our Fire Chief regarding this concern.
- Town of Salmon Cove expanding onto their municipal infrastructure placing a higher demand onto the TOV's Water Supply; TOSC to be reminded/advised such notification is part of the Water Agreement with an advance request submitted to the TOV when considering applying to expand on the town's water/sewer system, thus affecting the TOV's water supply.
- TOV resolved to consider installing a water-meter at the town's municipal boundary with Salmon Cove.

NOTICE OF MOTION: C/Clarke to put forward a motion, that Council for the TOV, shall install a water metering system at the boundary of Victoria to Salmon Cove.

CORRESPONDENCE & INFORMATION FOR REVIEW/DISCUSSION

1. CCBF, Capital Investment Plan Approval Ltr, COR/2023/01212-01(Paving Prj) & COR/2023/01268.01 (Water Main Valve Pryme Ave).
2. Dept of MAPA, re: Community Collaboration Grants.
3. Eastern Regional Service Board, re: Community Waste Diversion Fund.
4. Dep of Justice & Public Safety, re: Message to Fire Depts – Fire Prevention Week Oct. 8-14/'23.
5. Dept of Trans. & Infrastructure, re: COR/2023/11564 Contract Payment Reminders.
6. Dept of Trans. & Infrastructure, re: COR/2023/10799, Application Status Update.
7. Dept of Trans. & Infrastructure, re: Capital Works Contingency Allowance Policy, Revision 2

8. Municipalities Newfoundland Labrador, re: By-Laws, 2023.

PRIVILEGED INFORMATION: Human Resource Matters – Unsafe Work, re: Water Leak/email 65 Hwy East & Crown Attorney Office Info, URPA Appeal Hearings #15-006-077-016, Town Truck for Shingle Removal, VVFD – Portable Water Tank. Crown Land Application, re: Sawmill.

Motion 2023-231 Penney/Snooks at 9:04 p.m. *No visitors present.*

Be it resolved Council approve to convene into a Privileged Meeting at 9:04 p.m.

Favour 7; Opposed 0; Carried

Motion 2023-232 Penney/Layden 10:12 p.m.

Be it resolved Council approve to reconvene into the Regular Public Meeting of September 26, 2023, at 10:12 p.m.

Favour 7; Opposed 0; Carried

Crownland Application #138251, Extension onto an existing piece of Crown Land not in the Municipal Boundary of Victoria for wood storage.

Motion 2023-233 DM Moores/Clarke

Be it resolved that, based on application status not being for a major comprehensive development within its planning/municipal boundary as per regulation #47 in the town's adopted Municipal Plan and Development Regulations, Council reject Crown Land Grant Application Number #138251. **Favour 7; Opposed 0; Carried**

Motion 2023-234 Layden/DM Moores.

Be it resolved Council approve for the Town Clerk Manager, by the best-means possible, to procure a contractor to repair a water leak on the town's side of the existing curb-stop to the watermain at #65 Highway East, and to advise the contractor of any safety concerns. **Favour 7; Opposed 0; Carried**

GENERAL / NEW BUSINESS

RPM Aeiral Services Ltd, re: Meeting with Council after this meeting adjourns to provide details of their services and findings to date.

ADJOURNMENT OF MEETING

Next Council Meeting: October 17, 2023

Motion 2023-235 Layden/DM Moores

Be it resolved, having addressed all items on the meeting agenda, Council adjourn the meeting at 10:29 p.m.

Favour 7; Opposed 0; Carried

Signed:

Barry Dooley
Mayor

Signed:

Shelly Butt
Town Clerk/Manager

