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. Visitor 7-15 Deering's Road, re: Concerns regarding driveway at #235 Highway East.

ADOPTION OF THE AGENDA: November 7, 2023
Motion 2023-257 Penney/Clarke *Addition-(TC Square Toy Tree – Donation), no Deferments.*
Be it resolved Council adopt the agenda for the Regular Council Meeting of November 7, 2023, as presented.
Favour 7; Opposed 0; Carried

MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / October 17, 2023
Motion 2023-258 Layden/Kelloway *No Errors or Omissions Noted*
Be it resolved Council adopt the minutes of the regular Council meeting of October 17, 2023, as recorded.
Favour 7; Opposed 0; Carried

BUSINESS ARISING: None

Visitor 7-15 Deering's Road. #235 Highway East Driveway concerns and full of mud and debris. Pass to Public Works Committee for review. TCM to send information to DOTW & to include that water run-off is not reaching the catch basin on the eastern side of the property. #2. Inquired about Snow-Clearing for Deering's Road; will be addressed later in the meeting.

FINIANCIAL / COMM. / DEPT. & STAFF REPORTS

1. Accounts Payables = $31,083.13 & Payroll: Total $16,403.39 for Oct. 8 -28, 2023.
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, re: accounts payable invoices #1 - #7 & left the meeting chambers at 7:21 p.m.
Victoria Volunteer Fire Department.
Motion 2023-259 Clarke/Snooks
Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, listed *#1- #7* totalling $3,874.58. **Favour 5; Opposed 0; Carried** *C's Layden/Penney returned 7:22 p.m.*

Victoria Heritage Society, NL Power Inc invoices for September 2023, Invoice #6-#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, re: accounts payable invoices #8-#9, leaving the meeting at 7:23 p.m.
Motion 2023-260 Penney/Layden
Be it resolved; Council approve payment of the VHS accounts payable invoices item #8 - #9 *totalling $2568.45.*
Favour 6; Opposed 0; Carried *C/ Kelloway returned 7:25 p.m.*

Trio Benefits Insurance, Employee Ins. November 2023, Invoice #10
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 #10, left the meeting at 7:25 p.m.
Motion 2023-261 Snooks/DM Moores
Be it resolved Council approve payment for accounts payable invoice #10, Trio Benefits (Employee Benefits), for November 2023 totalling $274.36. **Favour 6; Opposed 0; Carried** *C/Clarke returned at 7:27 p.m.*

Four Councillor declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Sections 5, 6 & as per Section 7, (Reduced Quorum), re: accounts payable invoice item #11 & #12 as attendees to the MNL Convention, leaving the meeting at 7:27 p.m.
MNL Convention Expense, item *#11 & #12, (Travel/Meals/Incidentals & Hotel Expenses).*
Councillor Snooks assumed the chair at 7:27 p.m.

Motion 2023-262 Penney/Layden
Be it resolved Council approve payment of the incurred expenses as per Expense Policy those Councillors who attended the MNL Convention totalling $3,983.61. **Favour 3 (Snooks/Layden/Penney); Opposed 0; Carried**
Councillors returned at 7:29 p.m. with Mayor Dooley resuming as Chair of the meeting.

Remaining Accounts Payables Listed #13 - #30
Motion 2023-263 Clarke/DM Moores
Be it resolved Council approve to pay the remaining accounts payable invoices listed #13 - #29 totalling $20,382.13, and resolved to approve item #30, Payroll Period: Oct. 8 -28, 2023 for $16,403.39.
Favour 7; Opposed 0; Carried

2. Town Clerk's Report: Dated: Oct. 14 – Nov. 3, 2023
Motion 2023-264 Layden/Penney
Be it resolved, Council approve the Town Clerk Manager's Report for Oct. 14 – Nov. 3, 2023, as submitted.
Favour 7; Opposed 0; Carried

Discussed new MYCW Funding opportunity and types of projects that should be priority; passed to the Public Works Committee to review. 2024 Municipal Budget inclusion: Community Center lower floor renovation, including a generator.

3. Public Worker's Report to Oct. 16 – Nov. 5, 2023
Motion 2023-265 Snooks/DM Moores
Be it resolved, Council approve the Public Worker's Report for Oct. 16 – Nov. 5, 2023, as submitted.
Favour 7; Opposed 0; Carried

4. Permit Registry, re: Issued from Oct 18 – 31, 2023 #657 - #666
Motion 2023-266 Clarke/Penney
Be it resolved, Council approve permits #657 to #666, 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. Re-tabled: Domestic Sawmill, (Personal Use) Application, #33 Pye's Road, Residential Zone & Review of URPA Appeal Hearing Results 15-006-077-016. Council unanimously agreed the application shall be deferred until such time the Appellant provides the required information/attachments as per the Adjudicator's Order as defined in the URPA Appeal Hearing Results 15-006-077-016.

2. URPA Appeal Hearing Results #15-006-077-008, Orders by the Adjudicator, re: Stop Work Order (Previously Circulated). Previous Motion **2022-162 Clarke/Kelloway**.

Motion 2023-267 Clarke/Kelloway
Be it resolved, Council accept the adjudicator's review, decision and orders respecting Appeal Hearing Results #15-006-077-008 and further resolved the Stop Work Order applied to #64-#66 Swansea Road, issued 30-May-2022, with prohibited amendments attached 4-June-2022, is hereby revoked. **Favour 7; Opposed 0; Carried**

3. Development Applications, (1) Hennessey's Excavating & (2) Backfilling Land, present use noted for business.
(1): Hennessey's Excavating to operate from #64-#66 Swansea Road.

Motion 2023-268 DM Moores/Kelloway
Be it resolved that, in compliance with the Adjudicator's findings as defined in the Appeal Hearing Results #15-006-077-008, as well as, the town's adopted Municipal Plan & Development Regulations, specifically regarding permitted activities in the Residential Zone, and the Municipalities Act, 1999, Section 404, Council deny the development application to operate Hennessey's Excavating on/from #64-#66 Swansea Road.
Favour 7; Opposed 0; Carried

(2): Backfilling Land, present use noted for business, Hennessey's Excavating.

Motion 2023-269 DM Moores/Layden
Be it resolved that, in compliance with the Adjudicator's findings as defined in the Appeal Hearing Results #15-006-077-008, as well as, the town's adopted Municipal Plan & Development Regulations, and as per the stated activities on the signed development application, Council deny the development application to backfill land at #64-#66 Swansea Road.
Favour 7; Opposed 0; Carried

4. Donation Request, re: Royal Canadian Legion Br. 23 Carbonear, Annual Poppy Campaign.

Motion 2023-270 Clarke/DM Moores
Be it resolved that Council approve a $200.00 donation to the Royal Canadian Legion Carbonear Branch #23 for their Annual Poppy Campaign, (2023).
Favour 7; Opposed 0; Carried

Noted: TOV – War Memorial Veteran's Function set for Nov. 26, 2023 @ 2:00 p.m.

5. Donation Request, re: Miss NL Pageant 2024; no discussion, place on file.

6. Added: Donation Request, re: Annual TC Square Toy Tree Campaign, 2023.

Motion 2023-271 Clarke/Snooks
Be it resolved Council approve a $100.00 donation to the Trinity Conception Square, Annual Toy Tree Campaign, (2023).
Favour 7; Opposed 0; Carried

7. Letters from 2-Residents, Deering's Road, re: Notice of Snow Clearing Services Discontinued; deferred until next meeting,

8. Harris & Assoc's Tender Results, re: New Valve Installation Pryme Avenue under Gas Tax Funding.

Motion 2023-272 Clarke/Snooks
Be it resolved, Council accept the recommendation by Harris & Associates, and being compliant with the Public Procurement Act, 2015, to award the tender to install a new Water Main Valve on Pyrme Avenue to Shaw Ventures Ltd.
Favour 7; Opposed 0; Carried

9. Snow Clearing Policy/Regulations 2023-2024. C/Kelloway advised and summarized his review of previous decisions of Council relating to damage claims to private property from snow-clearing efforts, noting various outcomes. In addition, with a variety of road width within the town, road reservation/s should be explained and/or defined for better clarity. Council agreed to defer this item, with the Public Works Committee asked to review the policy and bring back any recommendations to the next Council meeting.

Invitation for Mayor: Royal Canadian Legion, Annual Remembrance Banquet, Nov. 18/23 @ 6:30 p.m.

CORRESPONDENCE & INFORMATION FOR REVIEW/DISCUSSION

1. Invitation: Victoria Lions Club's Annual Seniors Party, Nov. 14, 2023, to all Councillors.
2. Invitation: Carbonear Collegiate Remembrance Day Assembly, Nov. 9, 2023
3. Amendments to Public Procurement Thresholds, Oct 6, 2023.
4. News Release, re: Minister Haggie Introduces Modern & Enabling Municipal Legislation relating to the proposed Towns & Local Service Districts Act.
5. Thank-you Card, re: International Students, Halloween Party hosted at the Victoria Community Center.

NOTICE OF MOTION: None

GENERAL / NEW BUSINESS

C/Layden: Dilapidated Properties, re: 17-29 Gully Path Rd & #1-3 Rattle's Road. Council agreed that a letter be sent to the property owner to have properties cleanup or removed from the property due to being dilapidated.

2. Trail for Off-Road Vehicles: C/Layden stated that Council should reconsider having an area or road designated for use by Off-Road vehicles; brief discussion, no decision on the subject. Discussed a flooded area on the old Railway Tack off Lower Old Track East, which needs stone or shale. It was noted, Council previously approved to provide "class A stone" to assist the Trail Group to fill in the area. Town staff took pictures of the area, which measured approx. 100-feet, (photos shown to all in attendance). It was agreed to wait until the Spring/Summer 2024 to help with this matter.

PRIVILEGED INFORMATION: Public Work's Committee Report, re: Human Resources Related.
No Public In Attendance.

Motion 2023-273 DM Moores/Snooks
Be it resolved Council approve to convene into the Privileged Meeting November 07, 2023, at 8:23 p.m.
Favour 7; Opposed 0; Carried

Motion 2023-274 DM Moores/Snooks
Be it resolved, having concluded discussions on all topics, Council approve to reconvene into the Regular Public Meeting of November 07, 2023, at 10:04 p.m. **Favour 7; Opposed 0; Carried**

PWC Recommendation: To advertise for a Temporary Casual Call-in Based Snow-Clearing Heavy Equipment Operator to be available from the time the Snow Clearing Policy comes into effect and ends for 2023-2024.

Motion 2023-275 Snooks/DM Moores
Be it resolved Council approve to advertise for a Temporary-Casual Call-In Based Heavy Equipment Operator to be available from the time the Snow Clearing Policy comes into effect and ends for 2023-2024 for the purpose of snow-clearing. **Favour 7; Opposed 0; Carried**

PWC Recommendation: In recognizing the importance of snow-clearing and Ice-control measures are carried out effectively during the winter season, the start time of operation for the Working Foreman, (full-time employee), will commence at 5:00 a.m., and seasonal employees in a lay-off position to be called in as required, in conjunction with Article 21-b, and to come into effect and ending the same dates as the yearly Snow Clearing Policy/Reg's; recommendation received full support of Council.

ADJOURNMENT OF MEETING

Next Council Meeting: November 28, 2023

Motion 2023-276 Layden/DM Moores
Be it resolved, having addressed all agenda items, Council adjourn the meeting at 10:27 p.m.
Favour 7; Opposed 0; Carried

Signed:

Barry Dooley
Mayor

Signed:

Shelly Butt
Town Clerk/Manager