

Sept 13, 2022

Minutes of a regular meeting of the Council for the Town of Brigus in the Town Hall, Sept 13, 2022, at 7:08 p.m.

MEMBERS PRESENT: Mayor Shears Mercer Jr.; Deputy Mayor Paul Matthews; Councillors Fraser Drover, Greg Hiscock, Byron Rodway and Ashley Kennedy, John Brown(Virtually 7-7:40p.m.)

ABSENT: Wayne Rose - Clerk/Manager

ALSO PRESENT: Theresa Whelan - Assistant Town Clerk, Lorne Youden, Wendy Lush Pauline Mercer, Michelle Gushue, David Mitchell,

AGENDA: Motion: Rodway/Drover resolved that our Agenda for Sept 13th, 2022 be adopted with additions. In Favour 7; Opposed 0; Carried.

MINUTES: Motion: Hiscock/Kennedy resolved that the minutes of our last regular meeting held on August 9th, 2022 be adopted. In Favour 7; Opposed 0; Carried.

ARISING FROM MINUTES

Follow up on bathroom tender status.

Follow up on sign placement

ACTION REPORTS:

DELEGATION

Mayor Mercer and Councillor Rodway left the meeting at 7:15 p.m. while David Mitchell & Pauline Mercer addressed Council.

David Mitchell attended Council's meeting to address his concerns regarding the breakwater and that if it went unchecked for any length of time that it would proceed to get worse and become very expensive to fix later. He advised that there is emergency funding available with the government through public works.

Pauline Mercer attended Council's meeting to address the situation regarding Lobster Factory Lane and how she hopes they are close to a resolution and are waiting to see if the crib can be placed back in as requested. If she receives approval, they will have it done the following week. Mrs. Mercer spoke to the family's history with the property and expressed her dissatisfaction with how the situation has been handled by Council and wishes this could be resolved soon.

Rodney Mercer was unable to attend.

Mayor Mercer and Councillor Rodway returned at 7:21 p.m.

COMMITTEE REPORTS

C Rodway excused himself due to conflict of interest at 7:22p.m

A. Development Committee:

Motion: Drover/Hiscock resolved that the applications for 16 Rattley Row Shed & Extension be approved; In favour 6; Opposed 0; Carried;

C Rodway returned at 7:24 p.m.

Motion: Drover/Rodway resolved that the application for 36-38 Station Rd - Shed be approved; in Favour 7; Opposed 0; Carried;

Motion: Drover/Rodway resolved that the application for 6 Conway Cres - Patio be approved; in Favour 7; Opposed 0; Carried;

B. Public Works Committee:

C Rodway Tenders are out, there was not as much ditching as expected. Asked if anyone was aware of any areas needing to be done. He mentioned Jubilee Lane needs to be cleaned up and Rattley. C Hiscock inquired about our second outside worker and stated that he has historically done a good job with shoulder clearing and advised he should be looking at this in preparation for the coming winter.

C. Finance Committee:

DM Matthews advised that the cost of the previous appeal with Steward McKelvey was over \$4,000. Motion: DM Matthews/Brown resolved that the bills in the amount of \$82736.25; In Favour 7; Opposed 0; Carried.

D. Blueberry Festival Committee:

Mayor informed the group that some of the bills have not yet been received and that they have decided to cancel the postponed fireworks and will be making donations within the town in its place. C Drover commented that after several years hiatus that the festival went very well, C Brown agreed. C Hiscock mentioned that a lot was learned by the committee this year, a few small mistakes that we learned from and that will help to make future events run even better. C Rodway offered to attend future meetings to share his knowledge.

E. Recreation Committee:

Wendy Lush informed the Council that the requested changes to the Regulations of Brigus Sports & Recreation as requested. They have updated the definition of reform and divided the role of Secretary/Treasurer into 2 positions.

Motion: Hiscock/Rodway resolved to accept the changes made to the Regulations of Brigus sports and Recreation; In Favour 7; Opposed 0; Carried.

C Rodway excused himself at 7:38 p.m. due to conflict of interest.

Wendy Lush proposed the possibility of constructing a dog park within Brigus and requested cost sharing with the town to cover costs. She proposed that the Recreation committee provide \$5,000 of the required funds for this project. C Hiscock advised that it was not included in the budget for this year but could be looked at while budget planning for 2023. Wendy requested that if unable to create a dog park this year would they be able to do a temporary dog park over the winter. Mayor Mercer suggested that they form a committee consisting of himself, C Hiscock & Drover along with Wendy Lush to discuss the possibility of winter accommodations as well as the proposal in full.

F. HR. Committee:

G. Policy Committee:

C Rodway inquired if the policy updates had been completed. C Hiscock advised they were done and sent to the Town Manager.

CORRESPONDENCE

FROM

Brigus Sports & Rec
Brigus Sports & Rec

REGARDING

Regulations Approval
Dog Park Proposal

ACTION

Approved
Committee formed

Brigus Sports & Rec Dept Municipal & Provincial Affairs	Recreation Summer Report Code of Conduct Template	File Information to be sent to Council
Volkswagen Owners Group 331-335 CBS Highway Residents of Old Road 1 Battery Rd 12-14 Chapel Lane	Oktoberfest Smoking Bylaws Fire Hazard Memorial Dedication Request River Maintenance	Motion Post Signage Fire Brigade to review Alternative Suggested Investigate permit & requirements
Municipalities NL Eastern Health 34-36 Ridge Rd 3-5 The Walk Royal Canadian Legion 5 Lobster Factory Lane St. George's Church Municipalities NL Eastern Regional Service Board 41 Englishtown Road East	New CEO Search Population Health Learning Series Speed Bumps Traffic Hazard Maintenance Concern Property Access Situation Request for Firemen at Concert MNL Board of Directors Search Accepting Funding Applications Drainage	File File Request Additional RCMP patrols Council to watch situation Follow up with Town Manager No Action at this time Approved File Assistant Town Manager to Apply Meet with Resident

Dept Mun Affairs – Council to familiarize themselves with the act, the template for councilors and the template for town employees. Assistant Town Clerk will distribute the act to councilors.

Volkswagen Oktoberfest C Rodway mentioned they have been here before with no concern. Proceed with request.

331-335 CBS Highway – Follow up with provincial bylaws and post signs around the ball field.

Residents of The Old Rd. 2 residences advised DM Matthews that although they are residents of The Old Road, they are not part of the residents of the old road making the complaint. Forward to the fire brigade to follow up on this concern.

1 Battery Rd - Memorial dedication – C Rodway mentioned this request involves a town bench, but we need to be careful not to set precedence going forward. Recommend that the inquirer erect a pole and place the plaque on it. Mayor Mercer proposed they donate a bench along with the plaque.

12-14 Chapel Lane – C Hiscock mentioned the previous apprehension by Town Manager due to previous court case. Assistant Town Manager had applied for a grant and followed up with the Town of Cupids in regard to application process for cleaning rivers.

34-38 Ridge Rd. C Kennedy advised that police had caught 1 of the repeat offenders. Request RCMP to do more passes in the Gullies area.

Royal Canadian Legion – C Hiscock will proceed with requesting quotes. Assistant Town Clerk to follow up with Town Manager on status. Clean up the flower beds for Remembrance Day and get it ready for next year.

St George's Church – Council resolved that the church could use the firemen for their concert.

Eastern Health - Mayor Mercer advised that we could use this opportunity to get a mulcher/chipper for the town.

41 Englishtown Road - C Kennedy & Rodway excused themselves at 8:27 p.m. due to conflict of interest. C Drover & Mayor Mercer will visit the resident and have a discussion about how to proceed.

Mayor Mercer excused himself at 8:37 p.m.

Ashley returned at 8:37 p.m.

5 Lobster Factory Lane – DM Matthews repeated that Mrs. Mercer stated in the meeting earlier that evening that she had hope that this could be resolved between the parties and asked the Council how they felt regarding next steps. C Drover stated that he hopes the same, that the solution is there between both parties. Mr. Mitchell then stated that Council does need to become involved, he then described the structure he wishes to place on the property and how the obstruction is preventing that currently. DM Matthews asked the Council if they wish to exercise their authority at this time and mentioned that unfortunately we only have a short number of Councilors to discuss this situation. C Hiscock, I hope like C Drover has said that it can be resolved by both parties. My concern is that the Town want the town land cleaned up. Mrs. Mercer stated that it doesn't appear as if it is town land based on what her lawyer had advised her.

The gallery erupted with comments and DM Matthews requested that they stop so Council meeting can proceed.

Mrs. Mercer said they would proceed with an injunction.

Mr. Youden expressed concern that the gallery was permitted to speak, and he feels he has been silenced in previous meetings for such actions, and he would take his opportunity to speak on the issue. He then confirmed that the property is in fact town land.

C Hiscock mentioned that this is not in fact a roadway as previously mentioned. It is a parcel of land owned by the town, he doesn't want to see anyone leave the land it isn't personal, but he does want to see the land cleaned up.

DM Matthews asked for clarification on what C Hiscock meant by cleaned up and he stated that he would like to see the obstruction removed or a plan from the Mercers on how/when it would be done.

Mrs. Mercer requested that Council meet with both parties, C Hiscock asked if they could cut down the size of the crib to be placed back in. No response was given.

Mr. Youden reminded everyone that the land was purchased solely to grant access to the breakwater.

Mr. Mitchell informed the Council of how much money he has invested thus far and the intention is to make repairs to the property that will last for a further 50 years.

DM Matthews asked if there were any other comments from Council. Council has chosen not to act at this time while both parties discuss resolution with each other.

Mayor Mercer and C Rodway returned at 9:00 p.m.

GENERAL BUSINESS

Mr. England has retired from maintenance work with the town. DM Matthews inquired if there were any residents that have experience in heavy equipment/maintenance. C Rodway stated that we have historically used MJD to do some of our inspections. Assistant Town Manager to contact MDJ for preferred rates should we provide them with our fleet maintenance requirements. C Hiscock mentioned

we would also need to fill the void regarding snow clearing. Send Mr. England a letter of thanks for his work with the town.

Removal of small boat has been completed.

2A South – C Hiscock advised we send a 30-day letter reinforcing the letter sent back in April. Action required by sept 30th

Motion Hiscock/Rodway Send a 30-day letter reinforcing the letter sent back in April. Action required by Sept 31st. in Favour 6; Opposed 0; Carried.

7 The Walk – Continue with Motion discussed in private meeting.

Motion Hiscock/Drover resolved to issue an order that the shed be removed from the property, that an application was not submitted and as a result he did not have a permit to move the Shed. in Favour 6; Opposed 0; Carried.

Motion Hiscock/Drover resolved to issue an order that the fill be removed from the area as council deems this to be their property. in Favour 6; Opposed 0; Carried.

Walk in concerns regards to road safety – Assistant Town Manager to speak with the RCMP ask for more patrols. Mentioned the need for municipal enforcement officer, maybe a regional team up with Carbonear. Invite RCMP to future meeting should concerns continue.

Town plow – Assistant Town Clerk to get quote on same model of plow we have now. We can use the damaged plow for parts if needed in future.

Motion Matthews/Hiscock resolved that Assistant Town Clerk receive OHS training. in Favour 6; Opposed 0; Carried.

46 Gullies Rd – Assistant Town Manager to get required signage.

DM Matthews advised that the Federal government has declared Monday a holiday in remembrance of the queen's funeral on Monday sept 19th.

Motion Matthews/Hiscock resolved that we close the office in honour of the queen and her day of mourning Monday sept 19th; In Favour 6; Opposed 0; Carried.

Motion: Hiscock/Drover resolved that our meeting be adjourned until Oct 11, 2022. In Favour 6; Opposed 0; Carried. Time: 9:31 p.m.

Shears Mercer Jr., Mayor

Date: _____ 2022

Wayne Rose, Town Clerk/Manager