1. **Call to Order**

Mayor Synard called the meeting to order at 7:03 p.m. and welcomed everyone present.

2. **Adoption of Agenda**

**Motion**

MMC 2013 08 20/001R

Moved by Deputy Mayor Keating, seconded by Councillor Stacey

“BE IT RESOLVED the agenda be adopted.”

Motion carried unanimously.

3. **Adoption of Minutes**

*Regular Council Meeting, August 6, 2013*

**Motion**

MMC 2013 08 20/002R

Moved by Councillor Wiscombe, seconded by Councillor Stacey

“BE IT RESOLVED the minutes of the regular Council meeting held on August 6, 2013, be adopted.”

Motion carried unanimously.
Special Council Meeting, August 9, 2013

Motion
MMC 2013 08 20/003R

Moved by Deputy Mayor Keating, seconded by Councillor Brenton

“BE IT RESOLVED the minutes of the special Council meeting held on August 9, 2013, be adopted.”

Motion carried unanimously.

Special Council Meeting, August 12, 2013

Motion
MMC 2013 08 20/004R

Moved by Councillor Stacey, seconded by Councillor Brenton

“BE IT RESOLVED the minutes of the special Council meeting held on August 12, 2013, be adopted.”

Motion carried unanimously.

4. Business Arising from Regular/Special Meetings

There was no business arising from the regular Council meeting of August 6, 2013, nor from the special Council meetings of August 9, 2013, and August 12, 2013.

5. Delegations

There were no scheduled delegations present.

6. Committee Reports

Planning & Development Committee

Councillor Drake presented the Development Applications from the Planning & Development Committee.

Motion
MMC 2013 08 20/005R

Moved by Councillor Drake, seconded by Councillor Stacey

“BE IT RESOLVED Council ratify approval of an application received from Kiewit Offshore Services to construct an office complex unit measuring 120’ x 60’ at the Cow Head Fabrication Facility in Spanish Room, subject to approval of affected government departments and/or agencies.”

Motion carried unanimously.
**Motion**  
MMC 2013 08 20/006R  

Moved by Councillor Drake, seconded by Councillor Pittman  

“BE IT RESOLVED Council ratify approval of an application received from a resident to erect fencing at 321-323 Ville Marie Drive.”

Motion carried unanimously.

**Motion**  
MMC 2013 08 20/007R  

Moved by Councillor Drake, seconded by Councillor Pittman  

“BE IT RESOLVED the following applications be approved subject to approval of applicable government departments and/or agencies and any conditions stipulated:

- Sheldon Vaters, Greenwood Street Extension – construct a two-unit apartment dwelling measuring 50’ x 30’, as per no objections being received to a discretionary use ad
- City Hotels Ltd., 76 Ville Marie Drive – construct a storage extension measuring 24’ x 16, subject to Government Services and site inspection
- Newfoundland Roofing Ltd – shingle replacement on Marystown Arena
- Resident, 267 Marine Drive – construct accessory building measuring 16’ x 20’
- Brenton Investments, 21 Brenton Place – construct residence measuring 36’ x 35’, subject to site inspection
- Resident, 151 Marine Drive – construct residence measuring 42’ x 30’, pending site inspection
- Residents, 118-120 Creston Boulevard – construct step measuring 5’ x 12’ onto existing residence, pending site inspection
- Resident, 129 Greenwood Street West – construct accessory building measuring 40’ x 30’
- Resident, 52-54 Bayview Street – remove existing two-storey residence and construct new one-storey residence measuring 40’ x 38’, pending site inspection
- Residents, 163-169 Greenwood Street West – construct residence measuring 58’6” x 36’9”, pending site inspection
- Resident, 271-287 Creston Boulevard – construct residence measuring 36’ x 38’, pending site inspection.”

Motion carried unanimously.

**Motion**  
MMC 2013 08 20/008R  

Moved by Councillor Drake, seconded by Deputy Mayor Keating  

“BE IT RESOLVED that an application received from Mr. Clesson Fiander to construct an extension (accessory building) measuring 20’ x 40’ on an existing building at 22 Bill Hodder’s Road be rejected as the proposed development is contrary to the Town’s Development Regulations as it relates to a Residential Zone as the extension of the accessory building portion of the current development would exceed the maximum of 10% of the overall lot size.”
Motion carried unanimously.  
Councillor Drake declared a conflict of interest for the next application as the applicant is a family member.  Councillor Drake removed himself from the Council Chambers.

**Motion**  
MMC 2013 08 20/009R  
Moved by Councillor Brenton, seconded by Councillor Stacey

“BE IT RESOLVED approval be given to advertise an application received from a resident to construct an accessory building measuring 32’ x 42’ at 8 Drake’s Road as a discretionary use as the proposed development exceeds the maximum size of 95 m² for an accessory building by 141 ft², as per the Town’s Development Regulations.”

Motion carried unanimously.

Councillor Drake returned to the Council Chambers.

**Motion**  
MMC 2013 08 20/010R  
Moved by Councillor Drake, seconded by Councillor Stacey

“BE IT RESOLVED that an application received from Mr. Bernard Farrell to relocate a Fitness Centre to 2 Forest Road be rejected as the development is not a permitted use in a Residential Zone, as per the Town’s Development Regulations.

Motion carried unanimously.

**Motion**  
MMC 2013 08 20/011R  
Moved by Councillor Drake, seconded by Deputy Mayor Keating

“BE IT RESOLVED approval be given to reimburse the appeal fee of $113.00 including HST to Mr. Bernard Farrell, which was paid to the Newfoundland Eastern Regional Appeal Board, as it relates to his application to relocate a fitness centre to 2 Forest Road.”

Motion carried unanimously.

It was questioned if Newfoundland Roofing Ltd., the company that is currently re-shingling the Marystown Arena, requires a permit to transport the old shingles to the Town’s waste disposal site.  It was noted that follow-up is being made with the company to ensure all actions are carried out as per their contract with the Town.
Motion
MMC 2013 08 20/012R

Moved by Councillor Wiscombe, seconded by Deputy Mayor Keating

“BE IT RESOLVED approval be given for the Town to apply to Crown Lands for a sewer reservation for an existing sewer line owned by the Town on Water Street West, which runs approximately 250m from the end of the existing portion of Water Street West to the Clarke’s outfall.”

Motion carried unanimously.

Finance Committee

Councillor Brenton advised the Finance Committee has not met since the regular Council meeting of August 6, 2013. Councillor Brenton had a few recommendations to bring forward.

Motion
MMC 2013 08 20/013R

Moved by Councillor Brenton, seconded by Councillor Drake

“BE IT RESOLVED approval be given to borrow the Town’s municipal contribution of 20%, or $68,200.00, from the Bank of Montreal for the 2012 Community Infrastructure Improvement Fund (CIIF) Project, DMA No. 12240 – Arena Upgrades.”

Motion carried unanimously.

Motion
MMC 2013 08 20/014R

Moved by Councillor Brenton, seconded by Councillor Pittman

“BE IT RESOLVED approval be given to borrow the Town’s municipal contribution of 20%, or $922,433.00, from the Bank of Montreal for the 2012-2014 Multi-Year Capital Works Program.”

Motion carried unanimously.

Motion
MMC 2013 08 20/015R

Moved by Councillor Brenton, seconded by Councillor Wiscombe

“BE IT RESOLVED approval be given to adopt the Town’s audited financial statements for the year ending December 31, 2012, as received from Grant Thornton and submit them to the Department of Municipal Affairs.”

Motion carried unanimously.
Recreation Complex Committee

Councillor Brenton advised there should be a tender call for the Recreation Complex by the end of the month. As per the regular Council meeting of August 6, 2013, Council approved a bid document review of the tender documents by MHPM Project Managers Inc. to ensure there are no errors or omissions within the documents themselves, after which the project will be tendered. The review is expected to last approximately another week.

Public Works Committee

Councillor Wiscombe advised the Public Works Committee has not met since the regular Council meeting of August 6, 2013, but he did have several recommendations to bring forward on behalf of the Committee.

Motion
MMC 2013 08 20/016R

Moved by Councillor Wiscombe, seconded by Councillor Pittman

“BE IT RESOLVED approval be given for Contract Change Order No. 1 (engineering) as received from exp. Services Inc. for additional engineering fees required to coordinate with the Town of Marystown and provide property owners with alternative solutions to minimize or avoid disturbance to private properties on the Cleal’s Road and Birchy Island truck sewer portions of the 2011-12 Water & Sewer Systems Project DMA Nos. 11181-11185 at a cost of $2,429.50, bringing the engineering fees to a total cost of $107,786.08.”

Motion carried unanimously.

Motion
MMC 2013 08 20/017R

Moved by Councillor Wiscombe, seconded by Councillor Stacey

“BE IT RESOLVED approval be given for Contract Change Order No. 1 (construction) as received from exp. Services Inc. for additional construction costs required to avoid or minimize disturbance to private properties on the Cleal’s Road and Birchy Island truck sewer portions of the 2011-12 Water & Sewer Systems Project DMA Nos. 11181-11185 at a cost of $21,786.40, bringing the contract with Mallay’s Industrial Services Ltd. to a total cost of $597,133.20.”

Motion carried unanimously.
Motion
MMC 2013 08 20/018R

Moved by Councillor Wiscombe, seconded by Deputy Mayor Keating

“BE IT RESOLVED approval be given to adopt Project Status Report No. 5 as received from exp. Services Inc. for the Town Hall/Administrative Centre Upgrades Project, DMA No. 11188, in the amount of $11,941.56 for the month of June 2013 with an estimated total cost to finish in the amount of $28,799.29 for an overall projected total cost to finish in the amount of $49,074.32 including invoice no. 1153 in the amount of $11,941.56 as received from exp. Services Inc. for professional services to June 28/13.”

Motion carried unanimously.

Motion
MMC 2013 08 20/019R

Moved by Councillor Wiscombe, seconded by Deputy Mayor Keating

“BE IT RESOLVED approval be given to adopt Project Status Report No. 7 as received from exp. Services Inc. for the 2011-12 Water & Sewer Systems Project, DMA Nos. 11181-11185 in the amount of $1,688.32 for the month of June 2013 with estimated cost to finish in the amount of $617,297.98 for an overall projected total cost to finish in the amount of $680,703.38 including invoice no. 159280 as received from exp. Services Inc. in the amount of $1,688.32 including HST for professional services to June 28, 2013.”

Motion carried unanimously.

Water Treatment Committee

Deputy Mayor Keating advised the Water Treatment Committee has not met since the regular Council meeting of August 6, 2013. Deputy Mayor Keating advised he had several recommendations to bring forward for approval.

Motion
MMC 2013 08 20/020R

Moved by Deputy Mayor Keating, seconded by Councillor Stacey

“BE IT RESOLVED approval be given for the Water Treatment Operator to attend the Water Treatment Level I seminar taking place in Gander from September 17th to 20th, 2013, which includes the exam that will certify the Water Treatment Operator and allow him to receive credit for the Water Treatment Level I seminar attended in September/October 2011 and also allow him to begin sessions for Water Treatment Level II.”

Motion carried unanimously.

Deputy Mayor Keating advised the MIOX Cell that was ordered to eradicate any issues with odor in the Town’s treated water was shipped to Marystown via UPS Standard Ground
Shipping rather than Air Courier as requested. It is expected to arrive in Marystown around August 27th.

**Motion**

MMC 2013 08 20/021R

Moved by Deputy Mayor Keating, seconded by Councillor Drake

“BE IT RESOLVED approval be given to engage the services of Pall Corporation for Emergency/On Demand Support Service for the Pall Filtration System at the Marystown Water Treatment Plant at a cost of $5,765.26 including HST, which will include 24/7 phone support for a twelve-month period using Pall’s Service Hotline with Pall System Engineers.”

Motion carried unanimously.

**Motion**

MMC 2013 08 20/022R

Moved by Deputy Mayor Keating, seconded by Councillor Pittman

“BE IT RESOLVED approval be given for the Manager of Outside Operations to obtain three quotes for the purchase of a sewer camera for the Public Works Department, with the understanding the purchase will be funded through surplus funds.”

Motion carried unanimously.

**Motion**

MMC 2013 08 20/023R

Moved by Deputy Mayor Keating, seconded by Councillor Wiscombe

“BE IT RESOLVED approval be given for the Manager of Outside Operations to engage the services of a professional certified diver to inspect the Town’s waterline in the harbour in Little Bay for possible leaks as well as inspect the Town’s sewer outfall in the harbour at Power’s Cove, Creston North should the Town not be in receipt of a sewer camera by that time.”

Motion carried unanimously.

**Tourism/Special Events Committee**

Deputy Mayor Keating advised the Cancer Society’s annual Relay for Life event will take place this weekend on August 24th at the Track & Field Complex. So far, the forecast is not looking very good, however, twenty-two teams are registered to participate in the event. Deputy Mayor Keating asked that everyone support the Relay and drop by for a visit if not participating on a registered team. Deputy Mayor Keating advised the Survivors’ Banquet will take place at 11:00 a.m. followed by the Survivors’ March at 1:00 p.m. Should the weather not cooperate, the relay will move from the Track & Field Complex to the Marystown Arena.

Mayor Synard commented on the St. Gabriel’s Hall Committee’s first annual Stages Festival that took place from August 12th to 17th. Mayor Synard attended some of the events, as did...
other members of Council, and noted it could be the start to a huge annual event attracting people from near and far.

**Motion**

MMC 2013 08 20/024R

Moved by Deputy Mayor Keating, seconded by Councillor Pittman

“BE IT RESOLVED approval be given to write a letter to the St. Gabriel’s Hall Committee congratulating them on a very successful first annual Marystown Stages Festival and wishing them all the best for future festivals.”

Motion carried unanimously.

**Protection to Persons & Property Committee**

Councillor Pittman advised the Protection to Persons & Property Committee has not met since the regular Council meeting of August 6, 2013. Councillor Pittman had one item to bring forward.

**Motion**

MMC 2013 08 20/025R

Moved by Councillor Pittman, seconded by Councillor Stacey

“BE IT RESOLVED approval be given to purchase a double ticket at a cost of $65.00 to attend the annual RCMP Friends of the Force Ball taking place September 21/13 at St. Patrick’s Parish Hall.”

Motion carried unanimously.

**Recreation Committee**

Councillor Stacey advised the minutes from the Recreation Committee meeting of July 22, 2013, have been circulated – there were no items to bring forward from those minutes.

Councillor Stacey reminded Council that Ms. Kaetlyn Osmond will be returning to Marystown on September 8th. This is her first return to Marystown since capturing the Canadian National Senior Women’s Figure Skating Title. An agenda is being put together to coordinate events during her visit. There will be a parade/motorcade to welcome Ms. Osmond back home and everyone is encouraged to come out and participate. The Town and the Recreation Department will follow up with some additional advertising to ensure everyone is aware of her visit. The Director of Recreation & Community Services is following up on getting a memento to present to Ms. Osmond as a souvenir of her visit home.
Motion
MMC 2013 08 20/026R

Moved by Councillor Stacey, seconded by Deputy Mayor Keating

“BE IT RESOLVED approval be given go to tender for the Arena Upgrades – New Compressor & Dehumidifiers Project, DMA 12240, as per approval received from the Department of Municipal Affairs.”

Motion carried unanimously.

Councillor Stacey offered thanks to everyone who assisted during Marystown Day Festivities. Despite the bad weather on August 5th, there was still a good turnout by those participating in the activities arranged for the kids. The turnout was less than expected at the social scheduled for later that night; Councillor Stacey thanked those who assisted at that event as well. Due to bad weather, the fireworks took place on August 6th.

Motion
MMC 2013 08 20/027R

Moved by Councillor Stacey, seconded by Councillor Pittman

“BE IT RESOLVED approval be given to write a letter of thanks and appreciation to Pastor Shane Simms and the Pentecostal Church thanking everyone for their efforts in providing activities to children of all ages during Family Fun Day at the Track & Field Complex on August 9, 2013.”

Motion carried unanimously.

7. Correspondence

- Invitation from Eastern Health received August 4/13 re: invitation to 25th anniversary, 10:00 a.m. on September 9/13 in the main courtyard of the hospital. Reception to follow.

  The invitation is open to anyone wishing to attend. The Executive Clerk will follow up with Council.

8. Approvals to Purchase

Motion
MMC 2013 08 20/028R

Moved by Councillor Brenton, seconded by Councillor Stacey

“BE IT RESOLVED approval be given to the Fire Department for the following purchase/expenditure:

- Connors Diving - annual service of breathing air compressor – $973.20 including HST.”

Motion carried unanimously.
Motion
MMC 2013 08 20/029R
Moved by Councillor Brenton, seconded by Councillor Stacey

“BE IT RESOLVED approval be given to the Public Works Department for the following purchase/expenditure:

- Metal Manu-Works – Materials and labour to repair back hopper of garbage truck (emergency repairs) - $2,547.83 including HST.”

Motion carried unanimously.

Motion
MMC 2013 08 20/030R
Moved by Councillor Brenton, seconded by Councillor Stacey

“BE IT RESOLVED approval be given to the Recreation Department for the following purchase/expenditure:

- Fortis – 2210 tonnes Pea Gravel for Little Bay Playground - $6,000.00 including HST, with funds to come from the Little Bay Playground Committee funds.”

Motion carried unanimously.

Motion
MMC 2013 08 20/031R
Moved by Councillor Brenton, seconded by Councillor Stacey

“BE IT RESOLVED approval be given to the Recreation (Pool) Department for the following purchase/expenditure:

- Joanne Mallay Jones – Shallow Water Fitness Instruction - $1,230.00 including HST.”

Motion carried unanimously.

Motion
MMC 2013 08 20/032R
Moved by Councillor Brenton, seconded by Councillor Stacey

“BE IT RESOLVED approval be given to the Water Treatment Department for the following purchase/expenditure:

- Mallay’s Industrial – vacuum truck rentals for Water Treatment Plant – $1,005.70 including HST.”

Motion carried unanimously.

9. Regulations
There were no regulations to bring forward.

10. Other Business

Councillor Wiscombe advised Council he will not be seeking re-election in September. Mayor Synard and Council expressed their pleasure in working with Councillor Wiscombe during his terms with Council.

Due to Nomination Day taking place on September 3rd, the first Tuesday of the month which is normally a Council meeting night, the next meeting is scheduled for September 10, 2013.

11. Notices of Motion

There were no notices of motion to bring forward.

12. Adjournment

Motion
MMC 2013 08 20/033R

Moved by Councillor Stacey, seconded by Deputy Mayor Keating

“BE IT RESOLVED the meeting was adjourned at 7:36 p.m.”

Motion carried unanimously.

__________________________  ______________________
Sam Synard          Dennis Kelly
Mayor                  Chief Administrative Officer