

Public Meeting of Witless Bay Council
November 10, 2020
7:30 p.m.

Attending:

Mayor Derm Moran, Deputy Mayor Maureen Murphy, Councillors Colleen Hanrahan, Dale O'Driscoll, David Ryan and Fraser Paul

Regrets: Councillor Vince Swain

Staff:

Geraldine Caul, Town Clerk
Barb Harrigan, Clerk-Assistant

1. Mayor Moran called the meeting to order at 7:31 p.m.
2. **2020-223** Deputy Mayor Maureen Murphy/Councillor Dale O'Driscoll
Move to adopt the Agenda of November 10, 2020.
Amendment: Councillor Dale O'Driscoll/Deputy Mayor Maureen Murphy
Include on the Agenda:
Under Fire Department, add (e) Concrete training pad for fire department
Under Correspondence, add (h) Report on Conflict of Interest
Amendment carried unanimously.
Motion to adopt the agenda as amended carried unanimously.
3. **2020-224** Councillor Fraser Paul/Deputy Mayor Maureen Murphy
Move to adopt the Minutes of Meeting of October 14, 2020.
Motion carried unanimously.
4. **2020-225** Councillor Fraser Paul/Councillor David Ryan
Move to adopt the Minutes of Special Public Meeting of November 3, 2020
Motion carried unanimously.
5. **Business Arising from Minutes:**
 - a. Well on Southside Track – Mayor Moran reported this to be for information purpose.
 - b. Witless Bay Development Regulation Amendment #4: 47-115 Dean's Road

Councillor Fraser Paul declared a conflict of interest because he noted that he has a live application for development. Councillor Paul left the meeting at 7:40 p.m.

2020-226 Deputy Mayor Maureen Murphy/Councillor Dale O’Driscoll

Whereas the Town of Witless Bay wishes to accommodate a residential subdivision development on land at Civic No. 47-115 Dean’s Road, be it therefore resolved that the Town of Witless Bay hereby adopts the following map amendment to the Town of Witless Bay Development Regulations in accordance with the provisions of the Urban and Rural Planning Act.

Rezone land at Civic No. 47-115 Dean’s Road from the Residential Rural (RR) Land Use Zone to the Residential (Res) Land Use Zone as shown on Land Use Zoning Map 2.

Be it further resolved that the Town of Witless Bay requests the Minister of Environment, Climate Change and Municipalities to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

For: Mayor Derm Moran, Deputy Mayor Maureen Murphy, Councillors Colleen Hanrahan, David Ryan and Dale O’Driscoll.

Against: 0

Abstained: Councillor Fraser Paul

Motion carried.

Councillor Fraser Paul returned to the meeting at 7:41 p.m.

c. Notice of Motion to amend Town Policies

Councillor Fraser Paul declared a conflict of interest because he noted that he has a live application for development. Councillor Paul left the meeting at 7:41 p.m.

2020-227 Deputy Mayor Maureen Murphy/Councillor Dale O’Driscoll

Whereas the Town of Witless Bay Municipal Council has decided at the Regular Meeting of October 14, 2020, to make a minor change to the Town of Witless Bay Engineering Subdivision Design Standards; and

Whereas this will also require a minor revision to the Subdivision Design Standards contained in the Regulation 80 of the Witless Bay Development Regulations in the following manner:

Amend Regulation 80 (a) Subdivision Design Standards, by deleting the existing and substituting the following:

“(a) The finished grade of streets shall not exceed 12 percent”,

I move that the Town of Witless Bay Council refer the proposed text amendment to the Witless Bay Development Regulations to the public consultation process to provide interested persons an opportunity to view the proposed amendment and offer their comments on it to Council for council’s consideration before it may be considered for approval at a subsequent Regular Public Meeting of the Town of Witless Bay.

For: Mayor Derm Moran, Deputy Mayor Maureen Murphy, Councillors Colleen Hanrahan, David Ryan and Dale O’Driscoll.

Against: 0

Abstained: Councillor Fraser Paul

Motion carried.

Councillor Fraser Paul returned to the meeting at 7:42 p.m.

d. Property negotiations with land owner

Mayor Moran reported this item to be for information purpose only. The Town Clerk questioned whether a decision has been made by council on this, and Deputy Mayor Murphy stated that Council made a decision on it, and that a deed of conveyance was received from the lawyer.

The Assistant Clerk and the Town Clerk reminded Council a motion is required for this decision. Mayor Moran and Deputy Mayor Murphy determined that Council had made a motion on this at the last public meeting. The Assistant Clerk reminded council that last month's motion was to negotiate.

e. Community Peaceful Enjoyment

Councillor Hanrahan reported that this arises from the last meeting, and the concerns pertaining to ATV use problems around The Avenue and Northside Track, with youth creating nuisance. This initiative will look at ways to manage the situation that is respectful for everyone, including community members and the young people as well. Councillor Hanrahan noted she is gathering information and working on contacting community residents.

Councillor Hanrahan submitted a Terms of Reference and a Discussion Paper relating to establishing a Peaceful Enjoyment sub-committee of the Town Council of Witless Bay.

2020-228 Deputy Mayor Maureen Murphy/Councillor Fraser Paul

Move to defer the acceptance of the Terms of Reference and the Discussion Paper until Council as a whole can meet to discuss.

Motion carried unanimously.

f. Application to replace septic system on 4 Mallowney's Lane

Councillor Fraser Paul reported that he had spoken with Justin Kennedy of Services NL, and since septic systems are approved by them, applications for replacement of septic systems are not required by the Town. Staff can notify the property owners to proceed per Services NL approval.

6. **Proclamations/Presentations/Delegations** – There were none at this time.

7. **Correspondences:**

a. Dean Patrick Cleary Council #6672 – Request for financial assistance for Christmas Hampers

2020-229 Deputy Mayor Maureen Murphy/Councillor David Ryan

Move to donate \$500.00 to the Knights of Columbus for Christmas Hampers.

Discussion: Deputy Mayor Murphy noted that the Town usually donates \$250.00 but due to COVID-19, Council is increasing the donation this year.

Motion carried unanimously.

- b. East Coast Trail – Request for financial assistance for ECTA fundraiser

Councillor Colleen Hanrahan declared a conflict of interest due to her husband being CEO of Canadian Mental Health, and they are involved with the ECTA fundraiser. Councillor Hanrahan left the meeting at 7:54 p.m.

2020-230 Councillor Dale O’Driscoll/Councillor Fraser Paul

Move to include this request into the 2020-2021 budgetary discussion process.

Discussion: Deputy Mayor Murphy noted that Council donated \$2730.00 in 2019, but Council wants to revisit all finance requests from all supporting groups who have asked.

For: Mayor Derm Moran, Deputy Mayor Maureen Murphy, Councillors Dale O’Driscoll, David Ryan and Fraser Paul

Against: 0

Abstained: Councillor Colleen Hanrahan

Motion carried.

Councillor Hanrahan returned to the meeting at 7:55 p.m.

- c. East Coast Trail – Directional signage for Witless Bay

Mayor Moran reported this to be for information purpose.

Councillor Hanrahan noted the ECTA wanted a meeting with Council. Mayor Moran agreed to get in touch with ECTA to set up a meeting.

- d. ActivePure – Business advertising – Mayor reported this to be for information purpose.

- e. Southern Shore Arena Association – Request for increase in Stabilization Fund

2020-231 Deputy Mayor Maureen Murphy/Councillor Dale O’Driscoll

Move to increase the Stabilization Fund from \$6,500 to \$10,000 to the Kenny Williams Southern Shore Arena Association due to the effects of COVID-19.

Motion carried unanimously.

- f. Southern Shore Arena Association – Request for the Town to act as a possible sponsor for MCW/other applications

2020-232 Councillor Dale O’Driscoll/Deputy Mayor Maureen Murphy

Move that a letter of support be drafted to the Southern Shore Arena on behalf of Council for any of their MCW applications.

Motion carried unanimously.

- g. Newfoundland & Labrador Organization of Woman Entrepreneurs (NLOW) – Mayor Moran reported this to be for information purpose.

- h. Report on Conflict of interest – Councillor Hanrahan reported this relates to a meeting request with the Department of Environment, Climate Change and Municipalities.

8. Committee Reports

Finance

- a. Approval of payables – Councillor Dale O’Driscoll reported they will remove the following invoices from the payable chart: Boundridge Planning & Development Services, Central Cashier’s Office, and two invoices from Geo-Matics.

2020-233 Councillor Dale O’Driscoll/Councillor David Ryan
Move to pay invoices for total amount of \$88,035.88.
Motion carried unanimously.

Invoices for Boundridge Planning & Development Services and Central Cashier’s Office.

Councillor Fraser Paul declared a conflict of interest on these invoices because he reported he has a live application in progress. Councillor Paul left the meeting at 8:05 p.m.

2020-234 Councillor Dale O’Driscoll/Councillor David Ryan
Move to pay Boundridge Planning & Development Services and Central Cashier’s Office for the total amount of \$390.20.
For: Mayor Derm Moran, Deputy Mayor Maureen Murphy, Councillors Colleen Hanrahan, Dale O’Driscoll, David Ryan.
Against: 0
Abstained: Councillor Fraser Paul
Motion carried.

Councillor Fraser Paul returned to the meeting at 8:06 p.m.

Invoices for Geo-Matics.

Deputy Mayor Murphy declared a conflict of interest on the land use zoning map because her brother has land on the map. Deputy Mayor Murphy left the meeting at 8:06 p.m.

2020-235 Councillor Dale O’Driscoll/Councillor Fraser Paul
Move to pay invoices for Geo-Matics for the total amount of \$514.34.
For: Mayor Derm Moran, Councillors Colleen Hanrahan, Fraser Paul, Dale O’Driscoll, and David Ryan.
Against: 0
Abstained: Deputy Mayor Maureen Murphy
Motion carried.

Deputy Mayor Murphy returned to the meeting at 8:07 p.m.

- b. Cash Flow Chart – Information purpose only.

- c. Safe Restart Funding – Mayor Moran reported this was for information purpose.

Deputy Mayor Murphy noted this is a government funding of \$95,139.30 for normal expenses of the town and relates to additional expenses municipalities are incurring during the ongoing COVID-19 pandemic.

- d. Council's negotiations with Southern Shore Arena for access to cleaning staff

2020-236 Deputy Mayor Maureen Murphy/Council Dale O'Driscoll

Move to enable the CAO to conclude the terms with interested party to provide cleaning and janitorial services to the Puffin Centre.

Motion carried unanimously.

Public Works & Infrastructure:

- a. Summary Report – Mayor Moran reported this to be for information purpose only.

- b. Application to deposit fill in backyard on 22 Green Hill Drive

2020-237 Councillor Fraser Paul/Councillor David Ryan

Move to approve application to deposit fill in backyard on 22 Green Hill Drive

Motion carried unanimously.

- c. Application to construct storage shed on 44-54 Southern Shore Highway

2020-238 Councillor Fraser Paul/Councillor David Ryan

Move to approve application to construct storage shed on 44-54 Southern Shore Highway.

Motion carried unanimously.

Fire Department:

- a. Arrival of new Fire Tanker – It was noted that the paperwork was in order and the Tanker should be in the community by Thursday of this week.

- b. Invoice from Carl Thibault for Tanker \$371,729.45

Mayor Moran reported this to be for information purpose only.

- c. Quote for purchase of SCBA set

2020-239 Councillor David Ryan/Councillor Dale O'Driscoll

Move to purchase two new SCBA sets to be installed on the tanker.

Motion carried unanimously.

- d. Resolution of Council for new Fire Station.

2020-240 Deputy Mayor Maureen Murphy/Councillor Fraser Paul

Move that the Town of Witless Bay apply to the Department of Environment, Climate Change and Municipalities for funding under the Capital Works 90/10 cost-shared program for a new regional fire station.

Motion carried unanimously.

- e. Concrete training pad for fire department.

2020-241 Councillor David Ryan/Councillor Fraser Paul

Move to approve the fire department's spending of \$32,476.38 for the construction of a concrete pad for training.

Motion carried unanimously.

Recreation

- a. BBBA – Memorandum of Understanding.

Councillor O'Driscoll reported that the BBBA has been hit hard due to COVID-19, and has requested council to review the annual contribution of \$37,000.00. They are requesting council to increase the funding to \$50,000.00 upfront in order to complete their program.

2020-242 Councillor Dale O'Driscoll/Councillor Colleen Handrahan

Move to add the BBBA into the town's budgetary process and to be in a position to provide this increase within a week.

Motion carried unanimously.

- b. BBBA – October Report – Information purpose.

Councillor O'Driscoll reported the BBBA's winter soccer starts this Saturday, and for anyone who might be interested, they can contact the BBBA to sign up.

Heritage:

Councillor Hanrahan reported that the Remembrance Day Ceremony will not be going ahead this year due to COVID-19, but members of the Heritage Committee will be there to give out flags. Councillor Hanrahan added that the Book of Memories should be ready by the end of December, that they are working on the Historic Homes Plaque Project, and have also been working on the graveyard.

9. New Business:

- a. Crown Land Grant (area by ballfield) – Information purpose.

Councillor Paul reported that this land is located on the SE side of the stage area and will be used for future recreation purpose.

10. **2020-243** Councillor Fraser Paul/Councillor David Ryan
Move to adjourn the meeting at 8:25 p.m.
Motion carried unanimously.