



Meeting Minutes

Public Meeting

November 15, 2023

7:30 p.m.

Council Chambers and Teleconference

Council Members Present

Mayor Trevor Croft (via teleconference)

Deputy Mayor Lorna Yard

Councillor Alan Richards

Councillor Ralph Carey

Councillor Gerard Dunne

Councillor Jacob Hayden

Councillor Margaret Swain

Staff Present

Jennifer Aspell, CAO

1. Call to Order

Deputy Mayor Lorna Yard called the meeting to order at 7:30 pm.

2. Adoption of Agenda

Deputy Mayor Lorna Yard called for the adoption of the agenda for November 15, 2023.

MOTION: 2023-176 Councillor Ralph Carey/ Councillor Gerard Dunne

MOVE TO adopt the agenda for November 15, 2023

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

3. Adoption of Minutes

3.1 September 12, 2023, Public Meeting Minutes

MOTION: 2023-177 Councillor Ralph Carey/ Councillor Gerard Dunne

MOVE TO adopt the public meeting minutes of October 11, 2023.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

4. Business Arising

4.1 Ratification of Email Vote – Award of Work For Patch Paving

MOTION: 2023-178 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO RATIFY the email vote of October 23, 2023 which was moved by Councillor Jacob Hayden and seconded by Deputy Mayor Lorna Yard and stated:

MOVE TO award the Patch Paving scope of work to English’s Paving Corp at a cost of \$17,900 + HST.

The resolution passed unanimously.

In favor: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Jacob Hayden, Ralph Carey, Gerard Dunne, Alan Richards, Margaret Swain)

Against: 0

Abstained: 0

The motion passed unanimously.

In favor: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Jacob Hayden, Ralph Carey, Gerard Dunne, Alan Richards, Margaret Swain)

Against: 0

Abstained: 0

5. Delegations & Proclamations

6. Applications

6.1 Application for Development – Single Family Dwelling – 78 Country Path Drive

MOTION: 2023-179 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to develop a single-family dwelling at 78 Country Path Drive. The permit will be issued once all other applicable government approvals have been received by the Town.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

6.2 Application to Operate a Business – 16-18 Dean’s Road

MOTION: 2023-180 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to operate a business at 16-18 Dean’s Road.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

6.3 Application for Commercial Building Development – 16-18 Dean’s Road

MOTION: 2023-181 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to construct commercial structure at 16-18 Dean’s Road. The permit will be issued once all other applicable government approvals have been received by the Town. **FURTHER MOVE** that any change of use will require approval from the Town.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

7. Accounts Payable

7.1 Town of Witless Bay Accounts Payable Listing for the Period Ending October 31, 2023

7:36 pm Councillor Gerard Dunne declared a Conflict of Interest on cheque number 7371 as the cheque is payable to his employer. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

MOTION: 2023-182 Councillor Alan Richards /Councillor Ralph Carey

MOVE TO approve issue of cheque number 7371 in payable chart Section A

The Motion was carried.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:37 pm Councillor Gerard Dunne returned to chambers.

7:37 pm Councillor Jacob Hayden declared a Conflict of Interest on cheque 7374 and left the chambers, as he is the Chair of the ATV Association and the payment was for engineering consulting services that included consulting provided to the ATV Association. Councillor Hayden did not participate in any discussion nor vote on the matter.

MOTION: 2023-183 Councillor Alan Richards /Councillor Margaret Swain

MOVE TO approve issue of cheque number 7374 in payable chart Section A

The Motion was carried.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Jacob Hayden)

7:38 pm Councillor Jacob Hayden returned to chambers.

MOTION: 2023-184 Councillor Alan Richards /Councillor Margaret Swain

MOVE TO approve issue of all remaining cheques in Section A.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

7:40 pm Mayor Trevor Croft declared a Conflict of Interest on cheque 7358 as it was payable to him to cover travel expenses to the MNL conference. Mayor Croft did not participate in any discussion nor vote on the matter.

MOTION: 2023-185 Councillor Alan Richards /Councillor Margaret Swain

MOVE TO approve issue of cheque number 7358 in payable chart Section B

The Motion was carried.

For Motion: 6 (Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Mayor Trevor Croft)

7:40 pm Mayor Trevor Croft returned to chambers.



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

7:41 pm Deputy Mayor Lorna Yard and Councillor Alan Richards declared a Conflict of Interest on cheque #7359 and left the chambers, as it was payable to Deputy Mayor Yard to cover travel expenses to the MNL conference. Deputy Mayor Yard and Councillor Richards did not participate in any discussion nor vote on the matter.

7:41 pm Councillor Jacob Hayden assumes chair.

MOTION: 2023-186 Councillor Ralph Carey /Councillor Margaret Swain

MOVE TO approve issue of cheque number 7359 in payable chart Section B

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 2 (Deputy Mayor Lorna Yard and Councillor Alan Richards)

7:42 pm Deputy Mayor Lorna Yard and Councillor Alan Richards returned to chambers. Deputy Mayor Lorna Yard assumes the chair.

MOTION: 2023-187 Councillor Alan Richards /Councillor Margaret Swain

MOVE TO approve all remaining Town of Witless Bay payables In Section B.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

Total of Section A: \$92,679.36

Total of Section B: \$31,059.33

Total Payables: \$123,738.69

7.2 Witless Bay Fire Department Accounts Payable listing for the Period Ending October 31, 2023

MOTION: 2023-188 Councillor Alan Richards /Councillor Margaret Swain

MOVE TO approve the Witless Bay Volunteer Fire Department payables Section A.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

MOTION: 2023-189 Councillor Alan Richards /Councillor Margaret Swain

MOVE TO approve the Witless Bay Volunteer Fire Department payables Section B.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne,

Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

Total of Section A: \$ 3,249.86

Total of Section B: \$5,848.26

Total Payables: \$9,098.12

8. Committee Reports

8.1 Recreation – Update Tree Lighting and Christmas Parade

8.2 Fire Department

8.3 BBBA Monthly Report and Financials

9. Action

9.1 Request for Donation to the Mobile Central High School Scholarship Program

MOTION: 2023-190 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO provide a grant of \$200 to the Mobile Central High School scholarship program.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.2 Request to Amend the Witless Bay Volunteer Fire Department Response District

MOTION: 2023-191 Councillor Ralph Carey/ Councillor Jacob Hayden

MOVE TO defer the request to extend the Witless Bay Volunteer Fire Department response district until meets with the Fire Chief to gather additional information.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.3 Request to Memorialize Walking Trail

MOTION: 2023-192 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO deny the request to memorialize the walking trail at Southside Track. **FURTHER MOVE** to implement a commemorative program in 2024 that will provide opportunities to memorialize residents and community contributors in areas throughout the Town.

The Motion was carried unanimously.



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.4 Crown Land Application - Reid Railway Right of Way

MOTION: 2023-193 Councillor Gerard Dunne / Councillor Ralph Carey

MOVE TO submit a Crown Land application to acquire the Reid Railway Right of Way for the development of a multi-use trail.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.5 Knights of Columbus Grant for Christmas Hampers

MOTION: 2023-194 Councillor Jacob Hayden / Councillor Margaret Swain

MOVE TO provide a grant to the Knights of Columbus, Dean Patrick Cleary Council, in the amount of \$250 to support the annual Christmas hamper drive.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.6 Kinsmen Club of Witless Bay Grant for Annual Santa Claus Parade

7:55 pm Councillor Margaret Swain declared a Conflict of Interest and left the chambers as she has immediate family are members of the Kinsmen Club. Councillor Swain did not participate in any discussion nor vote on the matter.

MOTION: 2023-195 Councillor Gerard Dunne /Councillor Jacob Hayden

MOVE TO provide a grant to the Kinsmen Club of Witless Bay and Area, in the amount of \$750 to support the annual Christmas Parade.

The Motion was carried.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden)

Against: 0

Abstained: 1 (Councillor Margaret Swain)

7:57 pm Councillor Swain returned to the chambers.

9.7 Request for Support – Miss NL Pageant

MOTION: 2023-196 Councillor Alan Richards /Councillor Margaret Swain

MOVE TO deny the request for financial support for the Miss NL Pageant.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.8 Town of Witless Bay Travel Policy

MOTION: 2023-197 Councillor Jacob Hayden /Councillor Margaret Swain

MOVE TO adopt the Town of Witless Bay Travel Policy, TOWB-003-ADM as presented.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.9 Acceptance of Standing Offer Agreement Bid Results

8:00 pm Councillor Gerard Dunne declared a Conflict of Interest and left the chambers as his employer will be bidding on the contract. Councillor Dunne did not participate in any discussion nor vote on the matter.

MOTION: 2023-198 Councillor Ralph Carey /Councillor Jacob Hayden

MOVE TO accept the bid submissions received for the Limited Call for Bids – LC10162023 – Standing Offer Agreement for Equipment and Material Supply. The pricing will be in effect from November 22, 2023 to November 21, 2024.

The Motion was carried.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

8:01 pm Councillor Gerard Dunne returned to the chamber.

9.10 Appointment of Appeal Commissioner

MOTION: 2023-199 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO appoint Mitch Moran as Appeal Commissioner for the Town of Witless Bay.

The Motion was carried unanimously.



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.11 Crown Land Application – Recreation Grounds

MOTION: 2023-200 Councillor Jacob Hayden /Councillor Ralph Carey

MOVE TO submit a Crown Land application to acquire the land adjacent to the Puffin Centre for future development/expansion of the recreation grounds.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.12 Laptop Purchase

MOTION: 2023-201 Councillor Alan Richards /Councillor Ralph Carey

MOVE TO approve the purchase of a laptop and web conferencing equipment from Pinnacle Networks at a cost of \$1630.73 + HST.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.13 East Coast Trail Association – Trail Raiser Fundraiser Request for Support

MOTION: 2023-202 Councillor Ralph Carey /Councillor Gerard Dunne

MOVE TO deny the request to sponsor the Trail Raiser Fundraiser as the Town's budget 2024 has not yet been finalized. The East Coast Trail is welcome to submit the request in 2024 for consideration.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.14 Request for Road Signage – Gallows Cove Road

8:06 pm Councillor Margaret Swain declared a Conflict of Interest and left the chambers as she submitted the request for road signage. Councillor Swain did not participate in any discussion nor vote on the matter.

MOTION: 2023-203 Councillor Jacob Hayden /Councillor Alan Richards



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

MOVE TO approve the request for the installation of road signage, including speed limit and Children at Play signs, in the area of 45 Gallows Cove Road.

The Motion was carried.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden)

Against: 0

Abstained: 1 (Councillors Margaret Swain)

8:07 pm Councillor Swain returned to the chamber.

9.15 Award of Road Infrastructure Repairs – Southside Track

8:08 pm Councillor Gerard Dunne declared a Conflict of Interest and left the chambers as his employer bid on the work. Councillor Dunne did not participate in any discussion nor vote on the matter

MOTION: 2023-204 Councillor Ralph Carey /Councillor Margaret Swain

MOVE TO award the work for completion of the road infrastructure repairs, as per the work scope outlined in the Invitation to Bid that closed on November 9, 2023, to the lowest compliant bidder, O'Brien's Trucking Ltd. at a cost of \$16,363.80 + HST.

The Motion was carried.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillors Gerard Dunne)

8:09 pm Councillor Dunne returned to the chamber.

9.16 Notice of Motion – Witless Bay Development Regulations 2013-2023 Accessory Buildings Amendment

Councillor Ralph Carey

TAKE NOTICE that we will, at a future regular meeting of the Witless Bay Town Council, move a motion to amend the Accessory Building Sections of the Witless Bay Development Regulations 2013–2023 which, if approved, will revise the conditions relating to accessory buildings including increasing the size of residential accessory buildings.

9.17 St. John's Urban Region Regional Plan 1976 – Proposed Ragged Beach Dark Coast Land Reserve Amendment

MOTION 2023-205 Councillor Margaret Swain / Councillor Jacob Hayden

MOTION Move to defer this item until the December meeting to provide Councillor Margaret Swain with additional time to review the matter.



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

10. Information Only

- 10.1** Kids Eat Smart Foundation Thank You Letter.
- 10.2** Municipal Assessment Tax Year 2024 Supplemental Schedule
- 10.3** Update on the Municipal Assessment Agency
- 10.4** TOWB Subdivision Development Application
- 10.5** TOWB Subdivision of Land Application
- 10.6** TOWB Renovations Application
- 10.7** TOWB New Development Application Including Backfill and Excavation
- 10.8** TOWB Extension Application
- 10.9** TOWB Demolition Application Including Backfill and Excavation
- 10.10** TOWB Application to Operate a Business
- 10.11** TOWB Application to Construct a Fence/Patio
- 10.12** TOWB Accessory Building Application

11. Correspondence Received

- 11.1.** Notice to Commence Bargaining - Town of Witless Bay
- 11.2.** Circular - Call for Applications - 2024-2025 Municipal Capital Work
- 11.3.** Municipal Assessment Agency – 2024 Assessment Service Fee

12. Correspondence Sent

- 12.1** TOWB Correspondence to Applicant – Single Family Dwelling – 48 Gallows Cove Road



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

13. Adjournment

8:21 p.m. Deputy Mayor Lorna Yard called for adjournment as there was no further business of the Council.

MOTION: 2023-207 Councillor Gerard Dunne/ Councillor Alan Richards

MOVE TO adjourn.

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

Mayor

Town Manager

__November 16, 2023_____
Date