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Meeting Minutes

Public Meeting

July 26, 2023
7:30 p.m.

Council Chambers and Teleconference

Council Members Present

Mayor Trevor Croft
Deputy Mayor Lorna Yard
Councillor Nancy Burke
Councillor Ralph Carey
Councillor Gerard Dunne
Councillor Jacob Hayden (via teleconference)

Staff Present

Jennifer Aspell, CAO

1. Call to Order

Mayor Trevor Croft called the meeting to order at 7:30 p.m.

2. Adoption of Agenda

Mayor Trevor Croft called for the adoption of the agenda for July 26, 2023.

MOTION: 2023-83 Deputy Mayor Lorna Yard / Councillor Nancy Burke
MOVE TO amend the agenda for July 26, 2023, to include the following items:

Item 8.1 Fire Department Report

Item 8.2 BBBAA Report

Item 9.4 Conflict of Interest, Chief Administrative Officer

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

MOTION: 2023-84 Deputy Mayor Lorna Yard / Councillor Nancy Burke

MOVE TO adopt the agenda for July 26, 2023, as amended.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard

Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

3. Adoption of Minutes

3.1 June 22, 2023, Public Meeting Minutes

MOTION: 2023-85 Councillor Ralph Carey / Councillor Nancy Burke

MOVE TO adopt the public meeting minutes of June 22, 2023.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

3.2 July 7, 2023, Special Public Meeting Minutes

MOTION: 2023-86 Councillor Ralph Carey / Councillor Nancy Burke

MOVE TO adopt the special public meeting minutes of July 7, 2023.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

4. Business Arising

4.1 Approval Letter – By-election Date Extension – For Information Only

4.2 By-election Date

MOTION: 2023-87 Deputy Mayor Lorna Yard / Councillor Gerard Dunne

MOVE TO set the date of August 29, 2023 for the Town of Witless Bay by-election.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

4.3 Nomination Day Date

MOTION: 2023-88 Deputy Mayor Lorna Yard / Councillor Gerard Dunne

MOVE TO set the date of August 3, 2023 for the Town of Witless Bay Nomination Day. Nominations will be received at the Town Hall from 8am to 8pm.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

Abstained: 0

4.4 Appointment of Alternate Returning Officer

MOTION: 2023-89 Deputy Mayor Lorna Yard / Councillor Gerard Dunne

MOVE TO appoint Linda Carter as the Alternate Returning Officer for the August 29, 2023 Town of Witless Bay by-election.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

5. Delegations & Proclamations

6. Applications

6.1 Accessory Building Application – 12 Hillsway Drive

MOTION: 2023-90 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO deny the application to construct an accessory building at 12 Hillsway Drive as it does not meet the requirements of the Town's development regulations. Specifically, the proposed size of the structure, when combined with the size of the existing accessory building, exceeds the total allowable floor area of 70m².

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

6.2 Extension of Existing Accessory Building – 2 Country Path Drive

MOTION: 2023-91 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to construct an extension to an existing accessory building at 2 Country Path Drive.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

6.3 Single Family Dwelling 87 Dean's Road

MOTION: 2023-92 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to construct a single-family dwelling at Lot A of the Greenland Development, Phase I, Dean's Road pending submission of a lot grading plan receiving approval by the Town's engineer to ensure it meets all development regulations and requirements.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

6.4 Operation of a Business – Used Vehicle Sales – 100-108 Witless Bay Line

MOTION: 2023-93 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to operate a used vehicle sales business at 100-108 Witless Bay Line.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

7. Accounts Payable

7.1 Town of Witless Bay Accounts Payable Listing for the period ending July 25, 2023

Total: \$60,536.23

MOTION: 2023-94 Deputy Mayor Lorna Yard/Councillor Ralph Carey

MOVE TO approve the Town of Witless Bay payables as presented.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

7.2 Witless Bay Fire Department Accounts Payable Listing for the period ending July 25, 2023

Total: \$30,259.49

MOTION: 2023-95 Deputy Mayor Lorna Yard/Councillor Ralph Carey

MOVE TO approve the Town of Witless Bay payables as presented.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

8. Committee Reports

8.1. Fire Department Report

Deputy Mayor Lorna Yard, as Fire Department Liaison, provided an update the the Fire Department open house to be held as a part of the Witless Bay Days events on July 29th from 11am – 2pm and encouraged all residents and visitors to attend.

8.2. BBBAA Report

Councillor Nancy Burke outlined the Witless Bay Day list of events and encouraged people to attend as many events as possible. Councillor Burke also thanked the organizing committee and all volunteers for assisting with the events.

9. Action

9.1 Fire Department Insurance Renewal

MOTION: 2023-96 Deputy Mayor Lorna Yard/Councillor Ralph Carey

MOVE TO approve the Witless Bay Fire Department Volunteer Firefighters Accident Policy at a total cost of \$2,110.00.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.2 Pre-Authorized Debit Bill Payments

MOTION: 2023-97 Councillor Ralph Carey/ Deputy Mayor Lorna Yard

MOVE TO authorize the Community Credit Union to pay the following recurring monthly bills via pre-authorized debit for both the Town of Witless Bay and the Witless Bay Volunteer Fire Department:

1. Collabria (Visa)
2. Newfoundland Power
3. Orkin Canada
4. Bell Canada
5. Eastern Regional Service Board

6. TRIO
7. Northbridge General Insurance
8. De Lage (Modern Business)

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.3 Town of Bay Bulls Commemorative Program

MOTION: 2023-98 Councillor Ralph Carey/Councillor Nancy Burke

MOVE TO purchase an annual license for Companies and Deeds Online (CADO) at a cost of \$1100.00 (HST included) for the first year and \$350.00 (HST Included) per year for subsequent renewals.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.4 Appointment of ATIPP Coordinator

MOTION: 2023-99 Councillor Nancy Burke/Councillor Gerard Dunne

MOVE TO appoint Chief Administrative Officer, Jennifer Aspell, as ATIPP Coordinator for the municipality of Witless Bay, effective immediately.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.5 East Coast Trail Association (ECTA) MOU

MOTION: 2023-100 Councillor Ralph Carey/Councillor Gerard Dunne

MOVE TO defer entering into an MOU with the East Coast Trail Association and to seek clarification of the language in the MOU.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.6 Cleaning Services – Town Hall and Puffin Centre

MOTION: 2023-101 Councillor Nancy Burke/Deputy Mayor Lorna Yard

MOVE TO issue a Request for Quote for cleaning services for the Town Hall and Puffin Centre

on a weekly basis.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.7 Purchasing Policy

MOTION: 2023-102 Deputy Mayor Lorna Yard/Councillor Gerard Dunne

MOVE TO adopt Policy # TOWB-002-ADM, Town of Witless Bay Purchasing Policy as presented.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.8 Email Voting Policy

MOTION: 2023-103 Councillor Ralph Carey/Councillor Gerard Dunne

MOVE TO adopt Policy # TOWB-001-ADM, Town of Witless Bay Email Voting Policy as presented.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.9 Rescind Motion # 2023-73 – Tender for Road Grading/Shouldering/General Work

Councillor Gerard Dunne declared a Conflict of Interest at 7:51pm and left the chambers as he is employed by the Standing Offer supplier. Councillor Dunne did not participate in any discussion nor vote on the matter.

MOTION: 2023-104 Councillor Ralph Carey/Deputy Mayor Lorna Yard

MOVE TO rescind Motion # 2023-73, Tender for Road Grading, Shouldering and General Work and to have the work scope developed and completed under the existing Standing Offer Agreement.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: Councillor Gerard Dunne

Councillor Gerard Dunne returned to the chamber at 7:53pm.

9.10 Rescind Motion # 2023-74 – Tender for Pot Hole Repair

Councillor Gerard Dunne declared a Conflict of Interest at 7:53pm and left the chambers as the company he is employed with may submit a bid to complete the work. Councillor Dunne did not participate in any discussion nor vote on the matter.

MOTION: 2023-105 Councillor Ralph Carey/Deputy Mayor Lorna Yard

MOVE TO rescind Motion # 2023-74, Tender for Pot Hole Repair.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: Councillor Gerard Dunne

Councillor Gerard Dunne returned to the chamber at 7:54pm

9.11 Rescind Motion # 2023-75 Tender to Construct New Fence for Dog Park

Councillor Gerard Dunne declared a Conflict of Interest at 7:54pm and left the chambers as the company he is employed with may submit a bid to complete the work. Councillor Dunne did not participate in any discussion nor vote on the matter.

MOTION: 2023-106 Councillor Ralph Carey/Deputy Mayor Lorna Yard

MOVE TO rescind Motion # 2023-75, Tender to construct a new fence for dog park. **FURTHER MOVE** to have a concept plan and work scope specifications developed to issue as a Request for Quote (RFQ).

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: Councillor Gerard Dunne

Councillor Gerard Dunne returned to the chamber at 7:55pm

9.12 Consolidation of Town Bank Accounts

MOTION: 2023-107 Councillor Nancy Burke/Councillor Ralph Carey

MOVE TO close the following bank accounts and deposit all existing funds into the Town's main operating account - 00010:

- Payroll Account – 00011
- Chequing Account - 00012
- Savings Account - 00020
- High Interest Savings Account - 00030

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.13 Teddy Bear Picnic Sponsorship

MOTION: 2023-108 Deputy Mayor Lorna Yard/Councillor Gerard Dunne

MOVE TO cover the cost of the sound system rental for the Teddy Bear picnic to be held at the Witless Bay Softball Field, Southside Track on August 5, 2023. The total cost of the sound system rental is \$400.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

9.14 Conflict of Interest – Chief Administrative Officer

MOTION: 2023-109 Deputy Mayor Lorna Yard /Councillor Ralph Carey

MOVE THAT Chief Administrative Officer, Jennifer Aspell, is not in conflict of interest on any matters pertaining to public works, capital works, or procurement involving O'Brien's Trucking Ltd. on a go-forward basis, so long as her family member does not hold a management position with the company.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0

10. Information Only

10.1. Canada Summer Jobs Amended Agreement

10.2. Circular – *Urban and Rural Planning Act, 2000* Amendments

10.3. Circular – Increase to Municipal Operating Grant

11. Correspondence Received

11.1. Correspondence from the Department of Municipal and Provincial Affairs Re: Application for Funding for Self-Contained Breathing Apparatus (SCBA)

12. Correspondence Sent

13. Adjournment

8:03 p.m. Mayor Trevor Croft called for adjournment as there was no further business of the Council.

MOTION: 2023-110 Councillor Gerard Dunne/Deputy Mayor Lorna Yard
MOVE TO adjourn.

The Motion was carried unanimously.

For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillor Nancy Burke, Councillor Gerard Dunne, Councillor Ralph Carey, Councillor Jacob Hayden)

Against: 0

Abstained: 0



Mayor



Town Manager

28/08/2023
Date