



Meeting Minutes

Public Meeting

October 11, 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

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 October 11, 2023.

MOTION: 2023-144 Councillor Ralph Carey/ Councillor Gerard Dunne

MOVE TO amend the agenda to include 9.16 Crown Land Reserve Notice of Motion

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

MOTION: 2023-145 Councillor Ralph Carey/ Councillor Gerard Dunne

MOVE TO adopt the amended agenda.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

3. Adoption of Minutes

3.1 September 12, 2023, Public Meeting Minutes

MOTION: 2023-146 Councillor Ralph Carey/ Councillor Gerard Dunne

MOVE TO adopt the public meeting minutes of September 12, 2023.

The Motion was carried unanimously.



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

Against: 0

Abstained: 0

4. Business Arising

4.1 Ratification of Email Vote - Submission of Municipal Capital Works (MCW) Application

MOTION: 2023-147 Councillor Ralph Carey/ Councillor Jacob Hayden

MOVE TO RATIFY THE EMAIL VOTE OF September 27, 2023 which was moved by Deputy Mayor Lorna Yard and seconded by Councillor Alan Richards and stated:

BE IT RESOLVED to apply for cost-shared funding through the Municipal Capital Works Call for Applications with the Municipal Infrastructure Division of the Department of Transportation and Infrastructure, in the amount of \$1,174,846.77, for the purpose of Recreation Complex Infrastructure Upgrades. Witless Bay agrees to provide its share of the cost-shared funding, \$117,484.67, for this project should it be selected for funding, and acknowledges that project costs above the approved project total cost will be the sole responsibility of Witless Bay.

The resolution passed unanimously.

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

Against: 0

Abstained: 0

The motion passed unanimously.

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

Against: 0

Abstained: 0

4.2 By-election Date

MOTION: 2023-148 Councillor Ralph Carey/ Councillor Jacob Hayden

MOVE TO set the date of November 27, 2023, for the Town of Witless Bay by-election, pending Ministerial approval.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0



4.3 Nomination Day Date

MOTION: 2023-149 Councillor Alan Richards/ Councillor Gerard Dunne

MOVE TO set the date of November 1, 2023, for the Town of Witless Bay Nomination Day, pending government approval. 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, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden)

Against: 0

Abstained: 0

4.4 Appointment of Alternate Returning Officer

MOTION: 2023-150 Councillor Alan Richards/ Councillor Gerard Dunne

MOVE TO appoint Linda Carter as Alternate Returning Officer for the November 27, 2023, Town of Witless Bay by-election, pending Ministerial approval of the by-election date.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

4.5 Request for Extension to By-election Deadline

MOTION: 2023-151 Councillor Alan Richards/ Councillor Gerard Dunne

MOVE TO request that the Minister of Municipal and Provincial Affairs grant an extension to the Town of Witless Bay to hold the by-election for the Council seat that was vacated by Nancy Burke on August 2, 2023; and to schedule the by-election for November 27, 2023.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

5. Delegations & Proclamations

5.1 Miles for Smiles Foundation - National Child Abuse Prevention Month

S.Z Fire Prevention Week Proclamation

6. Applications

6.1 Application for Backlot Development- Single Family Dwelling - 48 Gallows Cove Road

7:43 pm Councillor Jacob Hayden asks Council under Section 5 of the *Municipal Conduct Act*, whether he is in a Conflict of Interest on this item as the applicant is his cousin. Councillor Hayden left chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2023-152 Councillor Ralph Carey/ Councillor Gerard Dunne

MOVE THAT Councillor Jacob Hayden is not in a Conflict of Interest on this item due to his relation to the applicant. The Motion was carried.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey)

Against: 0

Abstained: 1 (Councillor Jacob Hayden)

7:45 pm Councillor Jacob Hayden returns to chambers.

MOTION: 2023-153 Councillor Ralph Carey/ Councillor Gerard Dunne

MOVE TO approve the application to develop a backlot development for construction of a single-family dwelling at 48 Gallows Cove Road. The permit will be issued once all other applicable government approvals have been received by the Town.

The Motion was carried.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden)

Against: 0

Abstained: 0

6.2 Application for Development - Commercial Accessory Building - 16-18 Dean's Road

MOTION: 2023-154 Councillor Ralph Carey/ Councillor Jacob Hayden

MOVE TO defer the application until application has been made, and a permit issued, to operate a business at the site.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0



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7. Accounts Payable

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

7:49 pm Councillor Gerard Dunne declared a Conflict of Interest on cheque number 7332 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: 2023-155 Councillor Alan Richards /Councillor Ralph Carey

MOVE TO approve issue of cheque number 7332 in payable chart Section A

The Motion was carried.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Jacob Hayden)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:50 pm Councillor Gerard Dunne returned to chambers.

MOTION: 2023-156 Councillor Alan Richards /Councillor Ralph Carey

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

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

MOTION: 2023-157 Councillor Alan Richards /Councillor Ralph Carey

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

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

Total of Section A: \$61,385.99

Total of Section B: \$20,403.66

Total Payables: \$81,789.65

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

MOTION: 2023-158 Councillor Alan Richards /Councillor Ralph Carey

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

The Motion was carried unanimously.



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

Against: 0

Abstained: 0

MOTION: 2023-159 Councillor Alan Richards /Councillor Ralph Carey

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

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

Total of Section A:\$ 10,811.84

Total of Section B: \$511.18

Total Payables: \$11,323.02

8. Committee Reports

8.1. Recreation - Update on community beautification, project and skating rink.

8.2. Fire Department

9. Action

9.1 Supply and Installation of Security System

MOTION: 2023-160 Councillor Ralph Carey/ Councillor Alan Richards

MOVE TO award the supply and installation of a security system for the Town Hall, Fire Hall and Puffin Centre, to the lowest bidder, Babb Lock and Safe Co. at a cost of \$32,564.61 + HST.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.2 Request for Engineering Support - Rail Bed Repairs

8:01 pm Councillor Jacob Hayden declared a Conflict of Interest and left the chambers, as he is the Chair of the ATV Association. Councillor Hayden did not participate in any discussion nor vote on the matter.



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MOTION: 2023-161 Councillor Ralph Carey/ Councillor Gerard Dunne

MOVE TO provide in-kind support for the Witless Bay ATV Association, by covering the cost of the Town's engineering consultant to review and advise on a bridge installation.

The Motion was carried.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne)

Against: 0

Abstained: 1 (Councillor Jacob Hayden)

Councillor Jacob Hayden returned to the chamber at 8:03pm.

9.3 Kids Eat Smart Foundation - Request for Donation to Local School Breakfast Programs

MOTION: 2023-162 Councillor Alan Richards/ Councillor Ralph Carey

MOVE TO donate \$200 to the Kids Eat Smart Foundation in support of their Breakfast Programs at St. Bernard's Elementary and Mobile Central High School. The

Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.4 Purchase of Arrow Board for Town Vehicle

MOTION: 2023-163 Councillor Jacob Hayden/ Councillor Ralph Carey

MOVE TO purchase a vehicle mounted arrow board for the Town maintenance vehicle from Construction Signs Limited at a cost of \$2,895.00 + HST.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.5 RCMP - D.A.R.E Program - Request for Support

MOTION: 2023-164 Councillor Alan Richards/ Councillor Jacob Hayden

MOVE TO provide a monetary donation to the RCMP Drug Abuse Resistance Education (D.A.R.E.) in the amount of \$200.00 to support the implementation of the program in our local schools.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.6 Snow Clearing Policy

8:07 Councillor Gerard Dunne declared a Conflict of Interest and left the chambers as his employer bid on the snow clearing tender. Councillor Dunne did not participate in any discussion nor vote on the matter.

MOTION: 2023-165 Councillor Jacob Hayden /Councillor Ralph Carey

MOVE TO adopt the Town of Witless Bay Snow Clearing Policy# TOWB-002-PW as presented. The Motion was carried.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Jacob Hayden)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

Councillor Gerard Dunne returned to the chamber at 8:09 pm.

9.7 Flood Damage Repairs

MOTION: 2023-166 Councillor Jacob Hayden /Councillor Ralph Carey

MOVE TO defer this matter pending receipt of further consultation with service providers and estimates to complete the repairs.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.8 Award of Snow Clearing Tender

8:10 Councillor Gerard Dunne declared a Conflict of Interest and left the chambers as his employer submitted a bid for the tender. Councillor Dunne did not participate in any discussion nor vote on the matter.

MOTION: 2023-167 Councillor Jacob Hayden /Councillor Ralph Carey

MOVE TO award Tender# TP09142023 for Snow Clearing and Ice Control Services 2023-2024 to the lowest compliant bidder, O'Brien's Trucking Ltd at a total lump sum cost of \$294,782.60 + HST.

The Motion was carried.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Jacob Hayden)

Against: 0

Abstained: 1 {Councillor Gerard Dunne}

Councillor Gerard Dunne returned to the chamber at 8:12 pm.



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9.9 Town of Witless Bay Harassment Prevention Plan

MOTION: 2023-168 Councillor Alan Richards/ Councillor Gerard Dunne

MOVE TO adopt the Town of Witless Bay Harassment Prevention Plan as presented.

FURTHER MOVE to schedule harassment prevention training for all members of Council and staff.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.10 Standing Offer for Equipment and Material Supply

8:13 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: 2023-169 Councillor Ralph Carey /Councillor Jacob Hayden

MOVE TO issue the Limited Call for Bids for the Standing Offer Agreement for Equipment and Material Supply.

The Motion was carried unanimously.

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

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

Councillor Gerard Dunne returned to the chamber at 8:14 pm.

9.11 Request to Install Culverts in Road Right of Way

MOTION: 2023-170 Councillor Ralph Carey/ Councillor Alan Richards

MOVE TO deny the application to install culverts with the Town's road reservation as it would require consultation with the Town's engineers and also would have to be completed by the Town's staff/contractors. Town staff will advise the property owner that should future road work be completed in the area, the request to install culverts will be reconsidered as part of the total work scope.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.12 Fire Department Request for Donation for Annual Pumpkin Patrol

MOTION: 2023-171 Councillor Alan Richards /Councillor Ralph Carey

MOVE TO approve a grant of \$100.00 to the Fire Department to purchase treats for the annual Pumpkin



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Patrol.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.13 Fire Department Request for Donation for Annual Fire Fighters Ball

MOTION: 2023-172 Councillor Alan Richards /Councillor Ralph Carey

MOVE TO approve a grant of \$1500.00 to the Witless Bay Volunteer Fire Department for the annual Fire Fighters Ball.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.14 RFQ- Patch Paving and Infrastructure Repairs

8:18 Councillor Gerard Dunne declared a Conflict of Interest and left the chambers as his employer may bid on the work. Councillor Dunne did not participate in any discussion nor vote on the matter.

MOTION: 2023-173 Councillor Jacob Hayden /Councillor Ralph Carey

MOVE TO issue a Request for Quote (RFQ) to complete road repairs on Smith's Road, Irishtown Road and Lower Loop Road prior to the 2023-2024 snow clearing and ice control season. **FURTHER MOVE** to include infrastructure repairs to the drainpipe on Southside Track.

The Motion was carried.

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

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

Councillor Gerard Dunne returned to the chamber at 8:19 pm.

9.15 Appointment of Chair of Finance

MOTION: 2023-174 Councillor Ralph Carey /Councillor Gerard Dunne

MOVE TO appoint Councillor Alan Richards as Chair of the Finance Committee.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.16 Notice of Motion - Crown Land**Reserve Councillor Ralph Carey:**

I hereby give notice that at a future meeting of Council we will be bringing forward a motion that will rezone Crown Land in the Ragged Beach Dark Coast area from Residential and Rural to Conservation

10. Information Only

11. Correspondence Received

11.1. Capital Investment Plan Approval - Swimming Pool Accessibility Project**11.2 Circular - Call for Applications - 2024-2025 Municipal Capital Work****12. Correspondence Sent**

12.1 Letter of Support -Alderwood Estates - New Horizon Funding Application**12.2 TOWS Correspondence to Applicant - Backlot Development - 156 Harbour Road****13. Adjournment**

8:27 p.m. Deputy Mayor Lorna Yard called for adjournment as there was no further business of the Council.

MOTION: 2023-175 Councillor Gerard Dunne/ Councillor Alan Richards**MOVE TO** adjourn.

The Motion was carried unanimously.

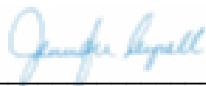
For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden)

Against: 0

Abstained: 0



Mayor



Town Manager

October 12, 2023Date
