

Public Meeting of Witless Bay Council
August 12, 2020

Attending: Mayor Derm Moran, Deputy Mayor Maureen Murphy, Councillors Dale O'Driscoll, David Ryan, Fraser Paul and Vince Swain

Staff: Geraldine Caul, Town Clerk Manager
Barbara Harrigan, Assistant Clerk
Patrick Curran, CAO

1. Mayor Derm Moran called the meeting to order at 7:30 p.m. Mayor Derm Moran gave a brief welcome and introduction to Mr. Pat Curran, the Town's recently hired CAO.

2. *Adoption of Agenda of August 12, 2020:*

2020-137 Deputy Mayor Maureen Murphy/Councillor Vince Swain

Move to adopt the Agenda of August 12, 2020.

Amendment to add items: Councillor Vince Swain/Deputy Mayor Maureen Murphy
Correspondence and Other Business: 7j) Filming crew for Ragged Beach offer to spend \$3000 for road maintenance on Mallowney's Lane and Town Parking lot;

Finance: 5f) Pay acting pay to assistant clerk.

Amendment carried unanimously.

Motion as amended carried unanimously.

3. *Adoption of Minutes of Public Meeting of July 14, 2020:*

2020-138 Deputy Mayor Maureen Murphy/Councillor Fraser Paul

Move to adopt the Minutes of Public Meeting of July 14, 2020.

Motion carried unanimously.

4. *Business Arising from Minutes:*

a. Application for residential dwelling on Jockey's Lane (previously deferred for Public Works to seek further information from applicant and land owners).

2020-139 Councillor Fraser Paul/Councillor David Ryan

Move to deny application to construct a residential dwelling on Jockey's Lane because there isn't adequate land for access to the property.

Motion carried unanimously.

- b. Application for residential dwelling on 184-188 Dean's Road previously deferred for public works to review zoning.

2020-140 Councillor Fraser Paul/Councillor Vince Swain

Move to defer application for residential dwelling on 184-188 Dean's Road pending further information from the Town Planner.

Motion carried unanimously.

- c. Application for residential dwelling on 215-217 Gallows Cove Road (appealed). Mayor Derm Moran reported that this application is being appealed so Council will not be dealing with this item at this time.
- d. Dumpster for dam cleanup on North side Track - New information shows this water area was developed in the 1960s to provide water to the Fish Plant. Because it is a man-made water area, the Department of Environment has no concern with permits, however, proper disposal is required for applicable contents that must be taken to Robin Hood Bay, and car wrecks/metals can be referred to appropriate recycle companies who may come to the area to collect.

2020-141 Councillor Fraser Paul/Councillor David Ryan

Move that the Town approve spending up to \$1000 for clean-up, and monitored by the Town staff. Councillor Paul reported that public works met with the two parties involved on North side track and there was quite a mess down there, and those guys got a lot of work gone into this to date. He noted the individuals are monitoring the area, they have plans to use it in summer and winter. It is a good heritage clean-up and something that needed to be done.

Deputy Mayor Murphy gave a shout out to the young man who took the initiative to do this clean-up. It has a great environmental impact on the area, and it was a great job done.

Motion carried unanimously.

- e. Adoption of Municipal Plan Amendment number 1, and Development Regulations Amendment number 2. (Civic #12 Dean's Road and Civic #14-24 Dean's Road)

2020-142 Deputy Mayor Maureen Murphy/Councillor David Ryan

I move that Council accept the July 17, 2020 Commissioner's Report and its recommendation that Council approve the Witless Bay Municipal Plan Amendment

Number 1, 2019 and the Witless Bay Development Regulations Amendment Number 1, 2019 which it adopted at the Regular Public Meeting of Council on May 19, 2020.
Motion carried unanimously.

2020-143 Deputy Mayor Maureen Murphy/Councillor Vince Swain

I further move that Council now approve the attached Resolutions to Approve the Witless Bay Municipal Plan Amendment Number 1, 2019 and the Witless Bay Development Regulations Amendment Number 1, 2019.

Motion carried unanimously.

- f. Adoption of Municipal Plan Amendment Number 2, and Development Regulations Amendment Number 2. (Civic # 22 and Civic # 40 Cemetery Road)

2020-144 Councillor Dale O'Driscoll/Deputy Mayor Maureen Murphy

I move that Council accept the July 17, 2020 Commissioner's Report and its recommendation that Council approve the Witless Bay Municipal Plan Amendment Number 2, 2019 and the Witless Bay Development Regulations Amendment Number 2, 2019 which it adopted at the Regular Public Meeting of Council on May 19, 2020.

Motion carried unanimously.

2020-145 Councillor Dale O'Driscoll/Councillor David Ryan

I further move that Council now approve the attached Resolutions to Approve the Witless Bay Municipal Plan Amendment Number 2, 2019 and the Witless Bay Development Regulations Amendment Number 2, 2019.

Motion carried unanimously.

- g. Request to Municipal Affairs Minister to borrow from Community Credit Union for purchase of a new Fire Tanker.

2020-146 Deputy Mayor Maureen Murphy/Councillor David Ryan

Move to request approval from the Minister of Municipal Affairs and Environment to borrow from the Community Credit Union the sum of \$370,734.20 for a maximum term and amortization of 5 years at 3.75% fixed, with monthly payments of \$6785.90.

Motion carried unanimously.

- 5. Finance:

- a. Payable chart for approval

2020-147 Councillor Dale O'Driscoll/Councillor Vince Swain

Move to pay expenses of the payable chart for August 12, 2020 in the amount of \$52,964.40.

Motion carried unanimously.

- b. Quote from O'Brien's Trucking Limited for road repairs - Councillor Fraser Paul asked if this was a quote or an invoice, and it was confirmed the document was a Quote.

2020-148 Councillor Fraser Paul/Councillor Vince Swain

Move to accept the quote from O'Brien's Trucking Limited (\$5,830.50).

Discussion: Councillor Swain noted this will be done under standing offer

Motion carried unanimously.

- c. Adoption of 2019 Consolidated Audited Financial Statement:

2020-149 Deputy Mayor Maureen Murphy/Councillor Fraser Paul

Move to defer adoption until after the Town's CAO has had time to review the Consolidated Audited Financial Statement.

Motion carried unanimously.

- d. Adoption of the Gas Tax Audited Financial Statement:

2020-150 Deputy Mayor Maureen Murphy/Councillor Fraser Paul

Move to defer adoption until after the Town's CAO has had time to review the Gas Tax Audited Financial Statement.

Motion carried unanimously.

- e. Renovations to Fire Department washroom - Councillor Vince Swain declared a conflict of interest on this item because he is a shareholder in the company bidding, and left the meeting at 7:53 p.m.

2020-151 Councillor Fraser Paul/Councillor David Ryan

Move to approve the quote from M & V Construction for the bid of \$6300 plus HST for repairs to the washroom badly needed in the fire department.

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

Against: 0

Abstained: Councillor Vince Swain who declared a conflict of interest.

Motion carried.

Councillor Swain returned to the meeting at 7:54 p.m.

- F. Acting Pay for Assistant Clerk:

2020-152 Councillor Dale O'Driscoll/Councillor David Ryan

Move to pay assistant clerk for 206.5 hours for November 19, December 2019 and a little bit of January 2020.

Motion carried unanimously.

6. *Public Works & Infrastructure:*

- a. Application to develop a storage shed on 265 Dean's Road:

2020-153 Councillor Fraser Paul/Councillor Vince Swain

Move to approve development of a storage shed on 265 Dean's Road.

Motion carried unanimously.

- b. Application to widen gravel driveway on 265 Dean's Road

2020-154 Councillor Fraser Paul/Councillor Vince Swain

Move to approve application to widen gravel driveway on 265 Dean's Road per Town Standards and Regulations.

Motion carried unanimously.

- c. Application to construct a shed on 297 Southern Shore Highway

2020-155 Councillor Vince Swain/Deputy Mayor Maureen Murphy

Move to approve application to construct a shed on 297 Southern Shore Highway.

Motion carried unanimously.

- d. Application to construct a residential dwelling on 14-24 Dean's Road

2020-156 Councillor Vince Swain/Councillor Dale O'Driscoll

Move to approve application to construct a residential dwelling on 14-24 Dean's Road pending approval from Service NL and any other government agencies having jurisdiction.

Motion carried unanimously.

- e. Application to extend garage, or construct a new garage on 4 Green Hill Drive

2020-157 Councillor Vince Swain/Councillor Fraser Paul

Move to approve the construction of a separate building because the size intended for the extension further exceeds the maximum 70 m² permitted on the existing structure.

Motion carried unanimously.

- f. Application to construct a residential dwelling on 165-171 Dean's Road

2020-158 Councillor Fraser Paul/Councillor Dale O'Driscoll

Move to approve the construction of a residential dwelling on 165-171 Dean's Road.

Motion carried unanimously.

7. *Correspondence and Other Business:*

- a. BBBA Reports - Information purpose only.
- b. Taxpayer's request for tax review of property tax arrears

2020-159 Deputy Mayor Maureen Murphy/Councillor Vince Swain
Move to defer until Finance Committee can review.
Motion carried unanimously.

- c. Taxpayer's request for review of business taxes

2020-160 Deputy Mayor Maureen Murphy/Councillor Dale O'Driscoll
Move to defer until Finance Committee can review.
Motion carried unanimously.

- d. Correspondence from department of Municipal Affairs and Environment related to funding for proposed fire station

Deputy Mayor Murphy reported that an application was submitted to DMAE for funding and has not been approved, however the Town will re-apply for funding in the Fall.

- e. Correspondence from Department of Municipal Affairs and Environment related to voting procedure

Mayor Moran reported that this was handled at the July 14, 2020 public meeting, so this is for information purpose.

- f. Correspondence from Department of Municipal Affairs and Environment related to Regional Plan mapping

Deputy Mayor Maureen Murphy declared a conflict of interest on this item because her brother's land is one of the areas quoted in this correspondence. Deputy Mayor Murphy left the meeting at 8:07 p.m.

Mayor Moran asked if there were any comments or questions on this item, and there were none, so he determined this item to be for information purpose only.

Deputy Mayor Murphy returned to the meeting at 8:08 p.m.

- g. Correspondence requesting Council action related to Gallows Cove Road Structure

Councillor Swain reported that this was already dealt with. Councillor Paul reported that Service NL was responsible for taking any action on this matter.

- h. Correspondence related to development criteria pertaining to Location Plan

Councillor Swain reported that someone was looking to be exempt from having to use the Location Plan, but both Councillors Swain and Paul were adamant that the Location Plan was necessary going forward to protect homeowners and future buyers, as well as the town, especially in instances where people are calling the office with complaints that their basements are flooding, so no exemptions should be granted.

- i. Request to film a TV episode at Ragged Beach

2020-161 Councillor Fraser Paul/Councillor Dale O'Driscoll

Move that the town accept the request to film a TV episode at Ragged Beach, Muldowney's Lane and the Town's turnaround.

Discussion: Councillor Dale O'Driscoll reported that during the day of filming, August 17th they will have flags people in the area to try to help limit the traffic to local traffic in that area only, and it will all be done within the safety of the Town.

Motion carried unanimously.

- j. Film crew who will be filming on Ragged Beach offer to spend \$3000 for road maintenance on Mulroney's Lane and Town Parking

2020-162 Councillor Fraser Paul/Councilor Vince Swain

Move that the Town accept the film crew's offer of \$3000 to upgrade and grading of Mulroney's Lane and the Town's parking lot, to be done under the Town's standing offer.

Motion carried unanimously.

- 8. **2020-163** Councillor Vince Swain/Councillor Fraser Paul

Move to adjourn at 8:15 p.m.

Motion carried unanimously.

