

## Meeting Minutes

### *Public Meeting*

August 24, 2023  
7:30 p.m.

Council Chambers and Teleconference

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#### **Council Members Present**

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

#### **Staff Present**

Jennifer Aspell, CAO

### **1. Call to Order**

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Mayor Trevor Croft called the meeting to order at 7:31 pm.

### **2. Adoption of Agenda**

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**Mayor Trevor Croft called for the adoption of the agenda for August 24, 2023.**

#### **MOTION: 2023-111 Councillor Ralph Carey/ Deputy Mayor Lorna Yard**

MOVE TO adopt the agenda for August 24, 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

### **3. Adoption of Minutes**

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#### **3.1 July 26, 2023, Public Meeting Minutes**

#### **MOTION: 2023-112 Councillor Gerard Dunne/ Deputy Mayor Lorna Yard**

MOVE TO adopt the public meeting minutes of July 26, 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

## 4. Business Arising

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### 4.1 Ratification of Email Vote - CRA Authorization

**MOTION: 2023-113 Deputy Mayor Lorna Yard/ Councillor Alan Richards  
MOVE TO RATIFY THE EMAIL VOTE OF AUGUST 3, 2023 which was moved by Deputy Mayor Lorna Yard and  
seconded by Councillor Gerard Dunne and stated:**

**MOVE TO** approve Chief Administrative Officer, Jennifer Aspell, be added as an Owner Representative/Director with full access to the Town of Witless Bay's Canada Revenue Agency account. Motion carried unanimously.

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

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

### 4.2 Ratification of Email Vote - EAP Program for First Responders MOTION:

**2023-114 Deputy Mayor Lorna Yard/ Councillor Alan Richards  
MOVE TO RATIFY THE EMAIL VOTE OF AUGUST 8, 2023 which was moved by Councillor Jacob Hayden and  
seconded by Deputy Mayor Lorna Yard and stated:**

**MOVE TO** approve the provision of an Employee Assistance Program, through TRIO Benefits, for members of the Witless Bay Fire Department at a cost of \$4.75 per month, per member. All current members will be enrolled and new members will be added to the program once their membership in the fire department has been approved by the Fire Chief.

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

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

#### **4.3 Ken Williams Southern Shore Arena Annual Stabilization Fund Payment**

**MOTION: 2023-115 Deputy Mayor Lorna Yard/ Councillor Alan Richards**

MOVE TO release payment of the Ken Williams Southern Shore Arena Annual Stabilization Fund payment in the amount of \$10,000.00

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**

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5.1 Mayor Trevor Croft read the proclamation for Fetal Alcohol Syndrome Awareness Month

### **6. Applications**

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#### **6.1 Development Application - Greenland Development LTD - Proposed 11 Lot development, Dean's Road**

**MOTION: 2023-116 Councillor Ralph Carey/ Councillor Gerard Dunne**

MOVE TO deny the application by Greenland Development Ltd. to develop an 11-lot subdivision on Dean's Road. **FURTHER MOVE** to require the developer to submit a design for the entire remaining property before any future consideration will be given.

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

#### **6.2 Application to Excavate Vacant Land - Gull Pond Road**

**MOTION: 2023-117 Councillor Ralph Carey/ Councillor Gerard Dunne**

**MOVE TO** approve the application to excavate/grub vacant land located adjacent to 114 Gull Pond Road.

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

### **6.3 Application for Single Family Dwelling - Lot 14 Dean's Road**

**MOTION: 2023-118 Councillor Ralph Carey/ Councillor Gerard Dunne**

**MOVE TO** approve the application to develop a single-family dwelling at Lot 14 Dean's Road. The permit will be issued once all other applicable government approvals have been received by the Town.

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

### **6.4 Application for Single Family Dwelling - Lot 13 Dean's Road**

**MOTION: 2023-119 Councillor Ralph Carey/ Councillor Gerard Dunne**

**MOVE TO** approve the application to develop a single-family dwelling at Lot 13 Dean's Road. The permit will be issued once all other applicable government approvals have been received by the Town.

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

### **6.5 Application for Accessory Building- 25 Dunn's Lane**

7:42 pm Councillor Ralph Carey asks Council under Section 5 of the Municipal Conduct Act, whether he is in a conflict of interest on this item as he lives across the street from the applicant. Councillor Carey left chambers and did not participate in the discussion nor vote on the matter.

**MOTION 2023-120 Deputy Mayor Lorna Yard/Councillor Alan Richards**

**MOVE THAT** Councillor Ralph Carey is not in a conflict of interest on this matter. The Motion carried.

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

Against: 0

Abstained: 1 (Councillor Ralph Carey)

7:43 pm Councillor Ralph Carey returns to chambers.

7:43 pm Councillor Gerard Dunne asks Council under Section 5 of the Municipal Conduct Act, whether he is in a conflict of interest on this item as his property borders the applicant's property. Councillor Dunne left chambers and did not participate in discussion nor vote on the matter.

**MOTION: 2023-121 Deputy Mayor Lorna Yard/Councillor Alan Richards**

**MOVE THAT** Councillor Gerard Dunne is not in a conflict of interest on this matter. The Motion 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)

7:44 pm Councillor Gerard Dunne returns to chambers.

**MOTION: 2023-122 Councillor Ralph Carey/ Councillor Gerard Dunne**

**MOVE TO** approve the application to develop an accessory building at 25 Dunn's Lane. 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

**6.6 Application for Variance, Building Line Setback, 45 Dean's Road**

**MOTION: 2023-123 Councillor Ralph Carey/ Councillor Gerard Dunne**

**MOVE TO** approve the variance application to extend the maximum building line setback of 32m to 35m for a previously approved, single-family dwelling application at 45-47 Dean's Road.

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

**6.7 Application for Crown Land E-161357**

**MOTION: 2023-124 Councillor Ralph Carey/ Councillor Gerard Dunne**

**MOVE TO** approve Crown Land Application# E-161357 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

**6.8 Application for Crown Land E-161363**

**MOTION: 2023-125 Councillor Ralph Carey/ Councillor Gerard Dunne**

**MOVE TO** approve Crown Land Application# E-161363 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

## 7. Accounts Payable

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### 7.1 Town of Witless Bay Accounts Payable Listing for the Period Ending July 25, 2023

7:48 pm Councillor Gerard Dunne declared a Conflict of Interest on cheque numbers 7270 and 7277 as both cheques are payable to a family member. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

**MOTION: 2023-126 Deputy Mayor Lorna Yard/Councillor Alan Richards**

**MOVE TO** Approve payment of cheque numbers 7270 and 7277 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)

7:49 pm Councillor Gerard Dunne returned to chambers.

**MOTION: 2023-127 Deputy Mayor Lorna Yard/Councillor Alan Richards**

**MOVE TO** Approve payment 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

7:51 pm Councillor Gerard Dunne declared a Conflict of Interest on cheque numbers 7261 in Section B as the cheque is payable to a family member. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

**MOTION: 2023-128 Deputy Mayor Lorna Yard/Councillor Alan Richards**

**MOVE TO** Approve payment of cheque number 7261 in payable chart Section B.

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)

7:52 pm Councillor Gerard Dunne returned to chambers.

**MOTION: 2023-127 Deputy Mayor Lorna Yard/Councillor Alan Richards**

**MOVE TO** Approve payment of all remaining payments 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: \$143,938.72**

**Total of Section B: \$7,313.36**

**7.2 Witless Bay Fire Department Accounts Payable listing for the Period Ending July 25, 2023**

**MOTION: 2023-128 Deputy Mayor Lorna Yard/Councillor Alan Richards**

**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, Councillors Alan Richards, Gerard Dunne, Ralph Carey, Jacob Hayden)

Against: 0

Abstained: 0

**Total of Section A: \$30,468.61**

Total of Section B: \$0

## 8. Committee Reports

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**8.1. Bay Bulls• Bauline Athletic Association Financial Statements December 31, 2021**

**8.2. Bay Bulls• Bauline Athletic Association Monthly Update• July 2023**

**8.3 BBBA Meeting Minutes Wednesday, August 9, 2023**

Councillor Alan Richards provided an overview of the documents provided by the BBBA and also provided details of the Town's End of Summer Bash event.

## 9. Action

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**9.1 Alzheimer Society - Coffee Break**

**MOTION: 2023-129 Deputy Mayor Lorna Yard/ Councillor Gerard Dunne**

**MOVE TO** Make a donation of \$50 to the Alzheimer Society in lieu of hosting a coffee break event. 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 Award of RFQ#20230815 - Site Work and Fence Installation for Dog Park**

7:57 pm Councillor Gerard Dunne declared a Conflict of Interest and left the chambers as he is employed by one of the bidders. Councillor Dunne did not participate in any discussion nor vote on the matter.

#### **MOTION: 2023-130 Councillor Ralph Carey/ Deputy Mayor Lorna Yard**

**MOVE TO** award RFQ#20230815 for Site Work and Fence Installation for Dog Park, to the lowest compliant bidder, Harbour Construction Limited at a total cost of \$12,840.00 + HST.

The Motion 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 7:58pm.

### **9.3 Award of RFQ#20230814 - Janitorial Services**

#### **MOTION: 2023-131 Deputy Mayor Lorna Yard/ Councillor Alan Richards**

**MOVE TO** award RFQ#20230814 for Janitorial Services, to the lowest compliant bidder, Royal Cleaning Services INC, at a rate of \$33.21 + HST per hour.

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 Removal from Business Tax Roll - Gallows Cove Cottage**

#### **MOTION: 2023-132 Councillor Gerard Dunne/ Councillor Ralph Carey**

**MOVE TO** remove Gallows Cove Cottage from the business tax roll as it operates as a full-time, private rental property as opposed to a tourism rental business. **FUTHER MOVE** to provide a remission of taxes for the 2023 tax year in the amount of \$509.00.

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 Attendance at Annual NL Association of Fire Services Convention**

#### **MOTION: 2023-133 Deputy Mayor Lorna Yard /Councillor Alan Richards**

**MOVE TO** approve attendance for two delegates at the annual Newfoundland and Labrador Association of Fire Services convention in Gander, September 8-10<sup>th</sup> and to pay all associated costs.

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 Fire Department Extrication Training**

**MOTION: 2023-134 Deputy Mayor Lorna Yard /Councillor Alan Richards**

**MOVE TO** approve the delivery of Extrication Training for members of the Witless Bay Fire Department from September 14<sup>th</sup> -17<sup>th</sup> at a total cost of \$4,331.25.

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

### **9.7 Municipal Plan and Development Regulations Review**

**MOTION: 2023-135 Councillor Ralph Carey /Councillor Gerard Dunne**

**MOVE THAT** the Town of Witless Bay proceeds with a review of the Town of Witless Bay Municipal Plan and Development Regulations 2013-2023.

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

**MOTION: 2023-136 Councillor Ralph Carey/, Councillor Gerard Dunne**

**MOVE THAT** Stephen Jewczyk, FCIP, be engaged as the certified planning consultant to undertake the review of the Town of Witless Bay Municipal Plan and Development Regulations 2013-2023.

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

### **9.8 Community Pantry Donation**

**MOTION: 2023-137 Deputy Mayor Lorna Yard /Councillor Alan Richards**

**MOVE TO** donate \$500 to the Kinsmen Club of Witless Bay and Area Community Pantry in support of their Back to School Drive.

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

### **9.9 ECTA Parking Lot Signage**

**MOTION: 2023-138 Councillor Ralph Carey/ Councillor Gerard Dunne**

**MOVE TO** deny the request from the East Coast Trail Association to install parking lot signage at Mullowney's Lane, as the area is not a designated parking area for trail users.

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: 6

Abstained: 0

### **9.10 Sea Can Purchase for Fire Department Training Grounds**

**MOTION: 2023-139 Deputy Mayor Lorna Yard/Councillor Ralph Carey**

**MOVE TO** approve the purchase of a 40' used sea can from Oceanex at a total cost of \$3,750 + HST. **FURTHER MOVE** to approve delivery of the sea can by Stanley's Trucking at a total cost of \$850 + HST

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

Against: 0

Abstained: 0

### **9.11 Gas Tax Capital Investment Plan - Swimming Pool Accessibility Project**

**MOTION: 2023-140 Councillor Gerard Dunne/Deputy Mayor Lorna Yard**

**BE IT RESOLVED** that the Town of Witless Bay submit a Capital Investment Plan to the Department of Municipal and Provincial Affairs for Gas Tax Funding in the amount of \$49,860.00 + HST for Swimming Pool and Parking Lot Accessibility Upgrades.

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 Renewal of 50+ Club Puffin Centre Rental Agreement**

**MOTION: 2023-141 Deputy Mayor Lorna Yard /Councillor Gerard Dunne**

**MOVE TO** renew the 50+ Club rental agreement for the Puffin Centre with the same booking dates, terms and conditions are specified in the 2022-2023 agreement. The term of the agreement will be one year from September 1, 2023 to August 31, 2024.

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 Snow Clearing Contract Renewal**

8:10 pm Councillor Gerard Dunne declared a Conflict of Interest and left the chambers as the company he works is a potential bidder for the snow clearing tender. Councillor Dunne did not participate in any discussion nor vote on the matter.

#### **MOTION: 2023-142 Councillor Ralph Carey/ Deputy Mayor Lorna Yard**

MOVE TO deny the request from O'Brien's Trucking to extend the snow clearing contract for one additional year.

The Motion was carried unanimously.

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 8:11pm.

## **10. Information Only**

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### **10.1. Permit Report**

### **10.2. Community Credit Union• Line of Credit Notice of Renewal**

## **11. Correspondence Received**

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### **11.1. Circular• Changing the MERX Pricing Table**

## **12. Correspondence Sent**

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**12.1 TOWB Correspondence to Applicant Re: Operation of a Business, 100-108 Witless Bay Line**

**12.2 TOWB Correspondence to Applicant Re: Accessory Building Permit for 12 Hillsway Drive**

**12.3 TOWB Correspondence to Applicant Re: Ext to Accessory Building, 2 Country Path Drive**

**12.4 TOWB Correspondence to Applicant Re: Single Family Dwelling Permit, 87-89 Dean's Rd**

### 13. Adjournment

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8:12 p.m. Mayor Trevor Croft called for adjournment as there was no further business of the Council.

**MOTION: 2023-143 Councillor Gerard Dunne/ Councillor Alan Richards**

**MOVE TO** adjourn.

The Motion was carried unanimously.

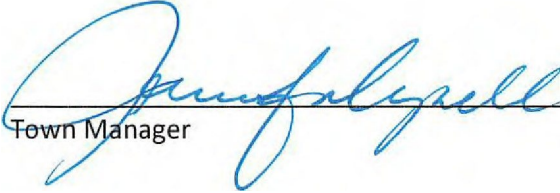
For Motion: 6 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Alan Richards, Ralph Carey, Gerard Dunne, Jacob Hayden)

Against: 0

Abstained: 0



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
15/09/2023

Date