Public Meeting of Witless Bay Council

September 13, 2022

7:30 p.m.

**Attending**:

Mayor Trevor Croft, Councillor Jacob Hayden, Councillor Gerard Dunne, Councillor Nancy Burke, Councillor Ralph Carey, Councillor Alex Troake

**Staff**:

Geraldine Caul, Town Manager, Acting

**Regrets**:

Deputy Mayor Lorna Yard

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

2. **Motion to appoint clerk for the meeting**

**2022-267** Councillor Hayden/Councillor Dunne

Moved to appoint Geraldine Caul as temporary town clerk for the public meeting.

**Motion carried**.

3. **Adopt Agenda of September 13, 2022**

**2022-268** Councillor Dunne/Councillor Carey

Moved to adopt the Agenda of September 13, 2022

**Motion carried**.

4. **Adoption of Minutes**

a. Adopt Minutes of June 21, 2022 Special Public Meeting

**2022-269** Councillor Carey/Councillor Dunne

Moved to adopt the Minutes of June 21, 2022 Special Public Meeting

**Motion carried**.

b. Adopt Minutes of August 9, 2022 Public Meeting

**2022-270** Councillor Carey/Councillor Dunne

Moved to adopt the Minutes of August 9, 2022 Public Meeting

**Motion carried**.

c. Adopt Minutes of August 18, 2022 Special Public Meeting

**2022-271** Councillor Carey/Councillor Dunne

Moved to adopt the Minutes of August 18, 2022 Special Public Meeting

**Motion carried.**

5. **Business Arising from Minutes**

a. Motion to amend Town Policy: Witless Bay Fire Chief Emergency Plan (Notice of Motion #2022-260, August 9/22 public meeting)

**2022-272** Councillor Carey/Councillor Troake

Moved to amend the Town Policy with regard to the Witless Bay Fire Chief Emergency Plan, to include authority for the fire chief to better enforce business’ emergency plans and annual inspections.

*Discussion*: *Councillor Troake explained that the intent of this Policy is not to impose on businesses, but to ensure that any concerns the fire department would have, this Policy provides the appropriate avenue for giving the fire department the option to do annual inspections, so they know what to expect in case of an emergency. Councillor Troake noted the Policy is not meant to be fee-related, but is basically a safety aspect.*

**Motion Carried**.

[***Policy No. F-001 is available at the Town Office for public viewing***]

b. Motion to amend the Town Policy: Witless Bay Fire Chief Ease Back (Notice of Notion # 2022-261, August 9/22 public meeting)

**2022-273** Councillor Carey/Councillor Troake

Motion to amend the Town Policy with regard to Witless Bay Fire Chief Ease Back Policy to include a plan for volunteer firefighters to ease back after taking a leave of absence

**Motion carried**.

[***Policy No. F-002 is available at the Town Office for public viewing****]*

c. Post installation for Story Board by Upper Pond area – Councillor Hayden noted this is for information purpose and will be included in a tender call later this Fall.

d. Standing Offer 2022

Councillor Dunne declared a conflict of interest because the company he works for bid on the Standing Offer. Councillor Dunne left the meeting at 7:35 p.m.

**2022-274** Councillor Carey/Councillor Hayden

I wish to make a motion in respect of the Limited Call for Bids issued by the Town on May 20, 2022, seeking proposals from contractors for Standing Offer Prices for the supply of certain goods and services on an emergency basis. The Town received comparable proposals from O’Brien’s Trucking Ltd. and Harbour Construction Limited, each of which contains fair and reasonable prices for the goods and services based on market conditions. I therefore move that the Town award a standing offer contract to both Contractors.

Be it resolved that Council shall award Standing Offer Contracts for the supply of certain goods and services on an emergency basis to O’Brien’s Trucking Ltd., and Harbour Construction Ltd.

For the motion: Councillor Hayden, Councillor Carey, Councillor Troake, Mayor Croft

Against: 0

Abstained: Councillor Dunne

**Motion carried**.

Councillor Dunne returned to the meeting at 7:37 p.m.

6. **Correspondence and Other New Business**

a. Community Credit Union Line of Credit Renewal

**2022-275** Councillor Troake/Councillor Carey

Moved that Council renew the Town’s annual Line of Credit with the Community Credit Union in Witless Bay.

**Motion carried**.

b. Requests for Minister’s approval to borrow for proposed fire vehicle

**2022-276** Councillor Carey/Councillor Troake

Move that Council request approval to borrow from the Minister of Municipal and Provincial Affairs for the purchase of a proposed fire vehicle.

**Motion carried**.

c. Request for a loan from the Community Credit Union for a proposed fire vehicle per item 6b

**2022-277** Councillor Troake/Councillor Carey

Motion that pending approval from the Minister, we request a loan from the Community Credit Union for a proposed fire vehicle.

Councillor Hayden noted the loan request is for $200,000.

**Motion carried**.

d. Resident’s request to address infrastructure issue on 75 Dunn’s Lane

Councillor Carey noted this is for information only, and this item will be included on an upcoming tender for roadwork.

e. Seating at the town’s ballfield

Councillor Carey reported that the Kinsmen Club has approached us with a generous offer to supply bleachers for our softball field.

**2022-278** Councillor Carey/Councillor Hayden

Moved that Council accept the Kinsmen Club’s offer, subject to the town’s engineer being onboard with the specifications so as not to create a liability to the town in the future.

**Motion carried.**

f. Resident’s concern over the effects of removal of existing Right-of-Way on Dean’s Road

Councillor Hayden reported that the town received a letter from a resident who is concerned with the removal of the Right-of-Way on Dean’s Road. We have received information from Crown Lands that the Right-of-Way is no longer valid, so if the resident wishes to pursue this, he would have to contact Crown Lands.

g. Installing new service pole on Upper Pond area

**2022-279** Councillor Troake/Councillor Hayden

Move that the Town contract Newfoundland Power to install a utility pole on the site of Upper Pond.

*Discussion: Councillor Troake noted this pole will provide lighting for the Town’s Christmas tree, indicating the tree lighting will have more visibility in this area.*

**Motion carried.**

7. **Committee Reports**

Public Works & Infrastructure

a. Crown Land application #137473 Dean’s Road

**2022-280** Councillor Carey/Councillor Dunne

Moved that Council approve Crown Land application #137473 Dean’s Road.

Discussion: Councillor Hayden reported these applications were submitted in 2010, and approved previously by Council, however, there was an adverse claim, which is now resolved.

**Motion carried**.

b. Crown Land application #137474 Dean’s Road

**2022-281** Councillor Carey/Councillor Dunne

Moved that Council approve Crown Land application #137473 Dean’s Road.

**Motion carried**.

c. Crown Land application #140607 Dean’s Road

**2022-282** Councillor Carey/Councillor Dunne

Moved that Council approve Crown Land application # 140607 Dean’s Road.

**Motion carried**.

d. Crown Land Application #140613 Dean’s Road

**2022-283** Councillor Carey/Councillor Dunne

Moved that Council approve Crown Land Application #140613 Dean’s Road

**Motion carried**.

e. Application to construct a detached garage on 12 Green Hill Drive

**2022-284** Councillor Hayden/Councillor Dunne

Move that Council approve an application to construct a detached garage on 12 Green Hill Drive, subject to Regulation 12, Variances.

*Discussion: Jacob reported that this application requires a small variance where there’s already a shed on the property. According to our regulations, we are only allowed to issue permits up to 70 sq. m for all accessory buildings, and this one falls just outside of that, so a variance is required.*

**Motion carried.**

f. Application to construct a garage on 58 Bear Cove Road

**2022-285** Councillor Carey/Councillor Hayden

Moved that Council approve an application to construct a garage on 58 Bear Cove Road.

**Motion carried**.

g. Application to excavate backyard on 104 Harbour Road

**2022-286** Councillor Carey/Councillor Dunne

Moved that Council approve an application to excavate backyard on 104 Harbour Road.

*Discussion: Councillor Carey and Hayden spoke on the culvert that crosses the road in that area, and the importance of the applicant knowing this prior to the permit being issued, in the event of the possibility of water causing problems in the future.*

**Motion carried**.

h. Application for subdivision of lots on 172-182 Dean’s Road

**2022-287** Councillor Carey/Councillor Dunne

Moved that Council approve an application for subdivision of lots on 172-182 Dean’s Road, subject to approval from the Town Planner and the Town Engineer because there is a process involved where we sign off on it, then we can forward it to those people to also sign off on it.

**Motion carried**.

i. Application to construct a residential single family dwelling on 172-182 Dean’s Road

**2022-288** Councillor Carey/Councillor Dunne

Moved that Council approve an application to construct a residential single family dwelling on 172-182 Dean’s Road, subject to the Town Planner, the Engineer having input, and Services NL.

**Motion carried**.

j. Application for conditional approval to construct a residential single family dwelling on 28 Murphy’s Lane

**2022-289** Councillor Hayden/Councillor Carey

Moved to defer this application.

*Discussion: Councillor Hayden noted his application came forward and we have since received information from another resident that there is a potential for a land dispute, so we just want to defer, and hopefully these two residents can come to an agreement, and they can relay to Council*

*they have done so. Once the land dispute is resolved, Council would have no issue with the application.*

**Motion carried.**

k. Application to construct a residential single family dwelling on 109-115 Dean’s Road

**2022-290** Councillor Hayden/Councillor Carey

Moved to defer this application. There seems to be some confusion over a subdivision in the area, and we need to get some clarification on this before we can approve the application.

**Motion carried.**

l. Lar Norris Road issue

Mayor Croft declared a conflict of interest because his house has flooding issues on this road.

Councillor Dunne declared a conflict of interest because the company he works for will be bidding on this work.

Mayor Croft and Councillor Dunne left the meeting at 7:52 pm

Councillor Troake assumed the chair at 7:52 pm

Councillor Hayden reported that Lar Norris Road came before Council a couple of months ago, but because several councillors would be in a conflict, we weren’t able to table this request. At this point, we are going to look at this and hopefully we are going to include this on an upcoming tender for road work, so this is for information only.

Mayor Croft and Councillor Dunne returned to the meeting at 7:54 pm, and Mayor Croft assumed the Chair.

m. Fire Hydrant on Northside Track

Mayor Croft declared a conflict of interest because the hydrant borders on his parents’ property.

Councillor Dunne declared a conflict of interest because the company he works for will be bidding on the work.

Mayor Croft and Councillor Dunne left the meeting at 7:54 pm.

Councillor Troake assumed the Chair at 7:54 pm.

Councillor Hayden reported that Council had a request for the fire hydrant to be raised, as well as a bar put around it. We are now in the phase of reviewing it for cost. It might be more proactive for us to look at it in the Spring before the fish plant starts because they will be using it as a water supply, and we won’t be able to shut the water off then.

Mayor Croft and Councillor Dunne returned to the meeting at 7:55 pm., and Mayor Croft assumed the Chair.

n. Tender for Town road work

Mayor Croft declared a conflict of interest because some of the work discussed will be done in the area of his and his parent’s house.

Councillor Dunne declared a conflict of interest because the company he works for will be bidding on this work.

Mayor Croft and Councillor Dunne left the meeting at 7:56 pm

Councillor Troake assumed the chair at 7:56 pm.

**2022-291** Councillor Hayden/Councillor Carey

Moved that Council issue a tender for general road work in the town.

*Discussion: Councillor Hayden reported this tender will encompass some of the things we discussed within this meeting, as well as a few other things that we need to address in the town. Councillor Hayden noted also that Council is hoping to be issuing a paving tender before the Fall of the year.*

*Councillor Burke asked if Council needs to make a decision on those things that came forward before a tender is issued.*

*Councillor Hayden explained public works will compile a tender and send it to the office, and the office will write it up in a neater fashion, and the tender will be issued to the contractors. We will then have another meeting to award the tender.*

For: Councillor Hayden, Councillor Burke, Councillor Carey, Councillor Troake.

Against: 0

Abstained: Mayor Croft, Councillor Dunne

**Motion carried**.

Mayor Croft and Councillor Dunne returned to the meeting at 7:57 pm, and Mayor Croft assumed the Chair.

Finance:

a. Payables Chart 1 – Town of Witless Bay

**2022-292** Councillor Troake/Councillor Carey

Move to approve Payables Chart 1- Town of Witless Bay for $25,253.49

*Discussion: Councillor Hayden noted that because he must have missed the invoices related to Chart 1, in good conscience, he could not vote in favor of the motion.*

For: Councillor Dunne, Councillor Burke, Councillor Carey, Councillor Troake, Mayor Croft

Against: Councillor Hayden

**Motion carried**.

b. Payables Chart 2 – Town of Witless Bay

**2022-293** Councillor Troake/Councillor Carey

Moved to approve Payables Chart 2 – Town of Witless Bay for 2,975.00

**Motion carried**.

c. Payables Chart 3 – Fire Department

**2022-294** Councillor Troake/Councillor Carey

Moved to approve Payables Char 3 – Fire Department for $13,962.85

*Discussion: Councillor Hayden noted that for the same issue as Chart 1, he would not be voting for this Payable Chart.*

For: Councillor Dunne, Councillor Burke, Councillor Carey, Councillor Troake, Mayor Croft

Against: Councillor Hayden

**Motion carried**.

d. Payables Chart 4 – Town of Witless Bay (Playground project)

Councillor Dunne declared a conflict of interest because the payment is for the company he works for. Councillor Dunne left the meeting at 8:00 pm.

**2022-295** Councillor Troake/Councillor Carey

Moved to approve Payables Chart 4 in the amount of $15,956.25 for Harbour Construction for Playground Site Work.

For: Councillor Hayden, Councillor Burke, Councillor Carey, Councillor Troake, Mayor Croft

Against: 0

Abstained: Councillor Dunne

**Motion carried**.

Councillor Dunne returned to the meeting at 8:02 pm.

e. Payables Chart 5 – Town of Witless Bay

**2022-296** Councillor Troake/Councillor Carey

Moved to approve Payables Chart 5 in the amount of $2,596.70.

**Motion carried**.

f. Review of upgrading the Town’s phone system

**2022-297** Councillor Troake/Councillor Burke

Move that the Town explore possible upgrades to its phone system.

*Discussion: Councillor Troake reported that basically the phone is still tied to the traditional cord in the wall, which is outdated, given the issues with Rogers and other issues since that, so we want to look at other alternatives.*

**Motion carried**.

g. Review of upgrading security options for Town Hall and Fire Department

**2022-298** Councillor Troake/Councillor Burke

Moved that we explore possible security upgrades for Municipality buildings, not limited to swipe passes.

*Discussion: Councillor Troake reported that with the fire department growing and the number of keys they need, and also how many have been cut over the years, and I know we change the keys to this building so it would make sense to have a card system to track entry activity.*

**Motion carried**.

Fire Department:

a. Fire Department Liaison Report

*In the absence of the Fire Department Liaison, Deputy Mayor Lorna Yard, Councillor Troake provided the following Fire Department Report:*

*From January 1st to Sept 1st The Fire Department has had 197 recorded calls for service. The Department is extremely busy and adapting well to challenging times. The Fire Department is faced with many challenges this year, such as the rising cost of goods, fuel, and equipment. We are also noticing that the number of members available during the daytime for emergency calls is reduced as people are starting to return to work and more people are picking up extra shifts in St. John’s.*

*The Department is still working extremely hard to ensure proper training continues.  The Fire Department is currently working on the training portion of their operational training plan for 2022. They are working towards getting all members trained to NFPA 1001 (Level 1) by December 2023, and have a goal to have 60% of the membership achieve this objective. The department is hosting the first module in October, which entails 60 hours of instructed theory.*

*The department has also seen in the last couple of years the amount of technical rescue calls such as industrial accidents, rope rescue, cold water etc. have drastically increased, and*

*Chief Gatherall has plans to bring in outside resources to assist in teaching the Bay Fire Department for those " speciality" calls for early 2023.*

*In November, the Fire Department will be hosting F.T.A (Fire Training Associates) to come from New Brunswick and put off a full weekend of advanced firefighting training. FTA specializes in* teaching advanced skills and techniques, and the latest innovation that will improve the *Department's quality and training on the fire ground. These skills will take our membership and fire protection for the region to the next level.*

b. Purchase of Fire Department High Angle Rope Equipment

**2022-299** Councillor Troake/Councillor Carey

Moved that Council authorize the Fire Department to purchase the High Angle Rope Equipment.

**Motion carried**.

Recreation:

a. BBBAA Financial and Activity Report:

Councillor Burke provided the following report:

*In the past 30 days:*

* *They their summer camp and soccer programming, with great feedback from parents and children*
* *They took some teens on a day trip to Springwood Discovery Camp*
* *They hosted a Timbit’s Jamboree for our micro soccer participants*
* *They hosted metro U11 boys’ soccer games at Bay Bulls field on August 27 & 28*
* *Completed environmental assessment registration with Government NL’s Environmental Assessment Division for the Cape Pond Road – Horse Chops Road multi-purpose trail*

*Moving forward:*

* *Begin coordination of After School Program 2022-2023*
* *Begin planning fall/winter activities*
* *Introduce Boccia Program*
* *Hire for the CPRA Youth Employment Experience position*

b. 50+ Club Agreement Rental

**2022-300** Councillor Troake/Councillor Dunne

Moved to renew the existing Agreement with the 50+ Club related to the Puffin Centre Usage for 2022-2023.

**Motion carried**.

Heritage Committee:

a. Heritage Committee Report:

*Councillor Hayden reported that the Heritage Committee members were busy getting ready for Heritage Day during the Come Home Year events. All activities were a big success. Everyone enjoyed the pie eating contest, the afternoon tea and dancing. They had the lancers perform, the old kitchen set up for display, and old artifacts, and especially the carriage rides. The evening concluded with mass at the old cemetery in Witless Bay. While there is a lot of work done on the cemetery, there is still a lot to be completed. We had the book, Bygone Days of Witless Bay distributed at various gift shops. Colleen had two more plaques done for the Historic Homes Project, and is working on an interested homeowner for another one. Two storyboards were erected, one on the old cemetery and one to replace the missing storyboard on the beach. The committee will be meeting at the end of the month to prepare for some new and upcoming projects.*

ATV Committee:

a. ATV Committee Report:

*Councillor Hayden noted that the committee met with a couple of contractors in the town to get an idea on our upcoming tender for the Active NL Grant. We hope to do upgrading on the existing rail bed, and we hope to get a ballpark idea of what we can do with the pot of money we have. We will be issuing a tender in the upcoming week, and when that closes shortly after, the residents will see some equipment on the rail bed and some upgrades taking place to turn that into a multi-use trail that all residents will be able to enjoy.*

8. **Adjournment**

**2022-301** Councillor Carey/Councillor Dunne

Moved to adjourn the meeting at 8:12 pm.

**Motion carried**.