



Meeting Minutes

Public Meeting
December 20, 2023
7:30 p.m.

Council Chambers

Council Members Present

Mayor Trevor Croft
Councillor Ralph Carey
Councillor Gerard Dunne
Councillor Jacob Hayden
Councillor Margaret Swain

Staff Present

Jennifer Aspell, CAO

Regrets

Deputy Mayor Lorna Yard
Councillor Alan Richards

1. Call to Order

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

2. Adoption of Agenda

Mayor Trevor Croft called for the adoption of the agenda for December 20, 2023.

MOTION: 2023-211 Councillor Gerard Dunne / Councillor Jacob Hayden

MOVE TO adopt the agenda for December 20, 2023.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

3. Adoption of Minutes

3.1 Public Meeting Minutes November 15, 2023.

MOTION: 2023-212 Councillor Gerard Dunne / Councillor Margaret Swain

MOVE TO adopt the public meeting minutes of November 15, 2023.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

3.2 Special Public Meeting Minutes November 29, 2023.

MOTION: 2023-213 Councillor Gerard Dunne / Councillor Margaret Swain

MOVE TO adopt the special public meeting minutes of November 29, 2023.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

4. Business Arising

4.1 Ratification of Email Vote – Accessory Building Application 25 Dean’s Road

MOTION: 2023-214 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO RATIFY the email vote of November 20, 2023, which was moved by Councillor Ralph Carey and seconded by Councillor Alan Richards and stated:

MOVE TO approve the application to construct an accessory building at 25 Dean’s Road.

The resolution passed unanimously.

In favor: 7 (Mayor Trevor Croft, Deputy Mayor Lorna Yard, Councillors Jacob Hayden, Ralph Carey, Gerard Dunne, Alan Richards, Margaret Swain)

Against: 0

Abstained: 0

The motion passed unanimously.

In favor: 5 (Mayor Trevor Croft, Councillors Jacob Hayden, Ralph Carey, Gerard Dunne, Margaret Swain)

Against: 0

Abstained: 0

4.2 Ratification of Email Vote – Request to Amend the Witless Bay Volunteer Fire Department Response District

MOTION: 2023-215 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO RATIFY the email vote of December 1, 2023, which was moved by Councillor Ralph Carey and seconded by Councillor Alan Richards and stated:

MOVE TO amend the coverage area for the Witless Bay Volunteer Fire Department to include a Fire Response Zone in the Lamanche area, as per the map provided by Fire Chief, Jack Gatherall. The purpose of the amendment to the coverage area is to eliminate the existing No Response Zone that currently exists along approximately 11 kms of highway on Route 10.

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

Against: 0



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

Abstained: 0

The motion passed unanimously.

In favor: 5 (Mayor Trevor Croft, Councillors Jacob Hayden, Ralph Carey, Gerard Dunne, Margaret Swain)

Against: 0

Abstained: 0

5. Delegations & Proclamations

6. Applications

7. Accounts Payable

7.1 Town of Witless Bay Accounts Payable Listing for the Period Ending November 30, 2023

7:34 pm Councillor Gerard Dunne declared a Conflict of Interest on cheques #7424 and #7432 as cheque #7424 was payable to his employer and cheque #7432 is payable to an immediate family member's business. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

MOTION: 2023-216 Councillor Ralph Carey /Councillor Jacob Hayden

MOVE TO approve issue of cheques #7424 and 7432 in payable chart Section A.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:35 pm Councillor Gerard Dunne returned to chambers.

MOTION: 2023-217 Councillor Ralph Carey /Councillor Margaret Swain

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

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

MOTION: 2023-218 Councillor Ralph Carey /Councillor Jacob Hayden

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

The Motion was carried unanimously.

For Motion: 7 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

Total of Section A: \$148,325.99

Total of Section B: \$ 25,436.54

Total Payables: \$ 173,762.53

7.2 Witless Bay Fire Department Accounts Payable listing for the Period Ending November 30, 2023

7:36 pm Councillor Gerard Dunne declared a Conflict of Interest on cheque #2712 as the cheque is payable to an immediate family member's business. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

MOTION: 2023-219 Councillor Ralph Carey /Councillor Jacob Hayden

MOVE TO approve issue of cheque # 2712.

The Motion was carried unanimously.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:36 pm Councillor Gerard Dunne returned to chambers.

MOTION: 2023-220 Councillor Ralph Carey /Councillor Margaret Swain

MOVE TO approve issue of all remaining cheques in the Witless Bay Fire Department payables Section A.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

MOTION: 2023-221 Councillor Ralph Carey /Councillor Jacob Hayden

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

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

Total of Section A: \$6,568.53

Total of Section B: \$ 30,290.03

Total Payables: \$ 36,858.56

8. Committee Reports

8.1 Recreation – Councillor Jacob Hayden gave an update that there will be a part time Recreation Director hired in 2024 and also spoke about the success of the tree lighting and thanked the Kinsmen Club for the Santa Claus Parade.

8.2 Fire Department – no report

9. Action

9.1 Christmas Office Closure

MOTION: 2023-222 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO close the Town office on December 22, 2023, and reopen on Tuesday, January 2, 2024.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.2 Sponsorship Request - Southern Shore Amateur Hockey Association

MOTION: 2023-223 Councillor Ralph Carey/ Councillor Margaret Swain

MOVE TO deny the request for a grant to the Southern Shore Amateur Hockey Association.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.3 Request for Donation - Mobile Central High Happy Tree

MOTION: 2023-224 Councillor Jacob Hayden / Councillor Gerard Dunne

MOVE TO provide a grant of \$200.00 to the Mobile Central High School Happy Tree program.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.4 Canada Summer Jobs Application

MOTION: 2023-225 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO apply for Canada Summer jobs funding for 5 student positions. Three of the positions will be tourism information guides based at the Tourist Chalet and 2 positions will be maintenance assistants.

The Motion was carried unanimously.



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.5 Naloxone Distribution Site

MOTION: 2023-226 Councillor Ralph Carey / Councillor Jacob Hayden

MOVE TO work with Newfoundland and Labrador Health Services (NLHS) to become a naloxone distribution site.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.6 Recruitment Services – Award of Work

MOTION: 2023-227 Councillor Jacob Hayden / Councillor Gerard Dunne

MOVE TO award the recruitment for 4 Town positions to Jump Recruitment, at a cost of \$11,000 + HST.

The Motion was carried.

For Motion: 5 (Mayor Trevor Croft, Councillors Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.7 Draft Audited 2022 Financial Statements

MOTION: 2023-228 Councillor Ralph Carey / Councillor Margaret Swain

MOVE TO accept the draft 2022 audited financial statements as presented by Roger Coombs and Associates.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.8 Extension to Deadline for Reporting

7:44 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. Councillor Dunn left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2023-229 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE THAT Councillor Gerard Dunne is not in a Conflict of Interest on this matter.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden and Margaret Swain)



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:45 pm Councillor Gerard Dunne returned to chambers.

7:45 pm Councillor Margaret Swain declares a Conflict of Interest on this item. Councillor Swain left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2023-230 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO approve an extension of 40 business days to complete the reporting process for file numbers 0042023, 0052023 and 0062023.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Jacob Hayden)

Against: 0

Abstained: 1 (Councillor Margaret Swain)

7:46 pm Councillor Margaret Swain returned to chambers.

9.9 Notice of Motion – Zoning Amendment Southern Shore Highway

Councillor Ralph Carey

NOTICE OF MOTION

I give notice that a future meeting of Council, I will be moving a motion to amend the Witless Bay Development Regulations to rezone the rear lands of 45-57 Southern Shore Highway from Rural Residential (RR) to Residential (Res) to allow Council to consider a residential subdivision development of 40+ lots consisting of single detached dwellings lots with minimum lot frontages of 30m and minimum lot areas of 1860^m².

NOTICE OF MOTION

I give notice that a future meeting of Council, I will be moving a motion to amend the Witless Bay Municipal Plan and Development Regulations to redesignate and rezone the northern portion of property at 45-57 Southern Shore Highway north of the watercourse from Residential and RESIDENTIAL (Res) to Commercial and Commercial Highway (CH) for the purpose of allowing Council to consider commercial development along the highway.

9.10 Nape Collective Agreement 2024-2027

MOTION: 2023-231 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO enter into a new collective agreement with NAPE effective January 1, 2024, to December 31, 2026.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

9.11 Capital Investment Plan Application – Lower Pond Lookout Tourism Upgrade

7:36 pm Councillor Gerard Dunne declared a Conflict of Interest on items 9.11 through 9.15 as his employer may bid on the projects. Councillor Dunne left the chambers and did not participate in any discussion nor vote on any of these agenda items.

MOTION: 2023-232 Councillor Jacob Hayden /Councillor Ralph Carey

BE IT RESOLVED that the Town of Witless Bay submit a Capital Investment Plan to the Department of Municipal and Provincial Affairs to allocate Gas Tax Funding in the amount of \$210,000 + HST to the Lower Pond Tourist Lookout project.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

9.12 Capital Investment Plan Application – Harbour Drive - Fisherman's Road

MOTION: 2023-233 Councillor Jacob Hayden /Councillor Ralph Carey

BE IT RESOLVED That the Town of Witless Bay submit a Capital Investment Plan to the Department of Municipal and Provincial Affairs to allocate Gas Tax Funding in the amount of \$50,000 + HST for the Harbour Drive/Fisherman's Road project.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

9.13 Capital Investment Plan Application – Harbour Road - Erosion Protection Area Upgrade

MOTION: 2023-234 Councillor Jacob Hayden /Councillor Ralph Carey

BE IT RESOLVED That the Town of Witless Bay submit a Capital Investment Plan to the Department of Municipal and Provincial Affairs to allocate Gas Tax Funding in the amount of \$75,000 + HST for the Harbour Road - Erosion Protection Area Upgrade

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

9.14 Capital Investment Plan Application – Harbour Road Upgrade Beach to Southern Shore Highway

MOTION: 2023-235 Councillor Jacob Hayden /Councillor Ralph Carey

BE IT RESOLVED That the Town of Witless Bay submit a Capital Investment Plan to the Department of Municipal and Provincial Affairs to allocate Gas Tax Funding in the amount of \$116,000 + HST for the Harbour Road Upgrade Beach to Southern Shore Highway.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

9.15 Capital Investment Plan Application – Ballfield Upgrades

MOTION: 2023-236 Councillor Jacob Hayden /Councillor Ralph Carey

BE IT RESOLVED That the Town of Witless Bay submit a Capital Investment Plan to the Department of Municipal and Provincial Affairs to allocate Gas Tax Funding in the amount of \$40,000 + HST for Ballfield Upgrades.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:58 pm Councillor Dunne returned to the chamber.

10. Information Only

10.1 Changes to the Eastern Regional Service Board’s 2024 Bulk Waste Collection Program

10.2 Permit Report

10.3 Eastern Regional Service Board Notice – Switch to Clear Bags

11. Correspondence Received

11.1 Circular: Legislative Mandatory Requirements

11.2 Circular - Reminder – Status Reports Submitted through MSIS

12. Correspondence Sent

13. Adjournment

8:00 p.m. Mayor Trevor Croft called for adjournment as there was no further business of the Council.



PO Box 130, Witless Bay, NL A0A 4K0 Tel: 709-334-3407 office@townofwitlessbay.ca

MOTION: 2023-237 Councillor Gerard Dunne/ Councillor Margaret Swain

MOVE TO adjourn.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Ralph Carey, Gerard Dunne, Jacob Hayden, Margaret Swain)

Against: 0

Abstained: 0

Mayor

CAO

Date