

**Public Meeting of Witless Bay Council
January 11, 2022**

Attending:

Mayor Trevor Croft
Deputy Mayor Lorna Yard
Councilor Jacob Hayden
Councilor Gerard Dunne
Councilor Alex Troake
Councilor Ralph Carey
Regrets: Councillor Nancy Burke

Acting Town Clerk Cassie O’Rielly

1. Call to order:

The meeting was called to order by Mayor Trevor Croft at 7:30 pm.

2. Appointment of Acting Town Clerk for Meeting:

2022-01 Deputy Mayor Lorna Yard/Councilor Gerard Dunne
Move to appoint Cassie O’Rielly as Acting Town Clerk for tonight’s meeting, January 11, 2022.
Motion carried unanimously.

3. Adoption of Agenda:

2022-02 Councilor Jacob Hayden/Councilor Ralph Carey
Move to adopt the Agenda of Public Meeting January 11, 2022.
Motion carried unanimously.

4. Adoption of Special Public Meeting Minutes of November 26, 2021

2022-03 Councilor Ralph Carey/Deputy Mayor Lorna Yard
Move to adopt Special Public Meeting Minutes of November 26, 2021.
Motion carried unanimously.

5. Adoption of Public Meeting Minutes of December 14, 2021

2022-04 Councilor Gerard Dunne/Deputy Mayor Lorna Yard

Move to adopt Special Public Meeting Minutes of December 14, 2021.
Motion carried unanimously.

6. Adoption of Special Public Meeting Minutes of December 30, 2021

2022-05 Councilor Ralph Carey/Councilor Gerard Dunne
Move to adopt Special Public Meeting Minutes of December 30, 2021.
Motion carried unanimously.

7. Business Arising from Minutes

a. 63-65 Dunn's Lane – Application to build single family dwelling

2022-06 Councilor Jacob Hayden/Councilor Ralph Carey
Move that Council rejects the application based on recommendation from the Town Planner, who stated that it does not meet current municipal guidelines. Based on the town planners report Council cannot approve this application.
Motion carried unanimously.

b. Notification of Eastern NL Regional Appeal Board's Decision – 32 Dunn's Lane

Councilor Ralph Carey declared a conflict of interest as he was the appellant in this appeal.
Councilor Ralph Carey left the teleconference at 7:35pm.
Councilor Gerard Dunne declared a conflict of interest as his son was the subject of this appeal.
Councilor Gerard Dunne left the teleconference at 7:36pm.

Councilor Jacob Hayden review of the ruling made November 16, 2021 in favor of the appellant. The board orders that the April 13, 2021 decision to grant approval to the applicant for a single family home be reversed, as a result of the Board's order there are no approvals in place for this application. Board orders application be referred back to the town for review and consideration in full compliance with all applicable requirements of the Town Development Regulations - Section 47 – clearly documented in minutes that all applicable regulation have been considered and any public representations received have been considered before making a decision. Authority and the appellant are bound by the decision of the board. Board also orders that the authority pay the amount of money equal to the appeal fee of \$230 to the appellant.

Councilor Ralph Carey rejoined the meeting at 7:40pm.
Councilor Gerard Dunne rejoined the meeting at 7:40pm.

c. Boundridge Planning – Request to adjust the hourly wage to reflect the annual change in the Consumer Price index as per article 2.1 of contract

2022-07 Councilor Ralph Carey/Councilor Jacob Hayden
Move to defer pending further review by Council

Motion carried unanimously.

8. New Business

a. Review of Town Planner Services

2022-08 Councilor Ralph Carey/Councilor Jacob Hayden
Move to defer until Council has had more time to review.
Motion carried unanimously.

b. Review of Legal Services

2022-09 Councilor Ralph Carey/Councilor Jacob Hayden
Move to defer until Council has had more time to review.
Motion carried unanimously.

9. Correspondence & Other Business

a. Correspondence from Bennett Law regarding alleged conflict of interest

Deputy Mayor Lorna Yard declared conflict of interest due to the alleged conflict of interest relating to her. Deputy Mayor Yard left the teleconference at 7:44pm.

Councilor Ralph Carey acknowledged receipt of a letter from Bennet Law regarding the conflict of interest allegations against Deputy Mayor Lorna Yard regarding the rescinding of motion 2021-278. Mayor Trevor Croft asked each Councilor individually for their view on this alleged conflict.

Councilor Jacob Hayden stated there is no conflict of interest as there was no monetary gain or loss.

Councilor Gerard Dunne stated no conflict.

Councilor Ralph Carey stated no conflict.

Councilor Alex Troake stated no conflict as Council has to follow provincial definition of conflict of interest.

Mayor Trevor Croft stated he agreed there was no conflict of interest.

2022-10 Councilor Ralph Carey/Councilor Gerard Dunne.

Move that Deputy Mayor Lorna Yard was not in conflict of interest when rescinding motion 2021-278.

For Motion:

Mayor Trevor Croft
Councilor Jacob Hayden
Councilor Gerard Dunne
Councilor Alex Troake
Councilor Ralph Carey

Abstained:

Deputy Mayor Lorna Yard

Motion carried

- b. Councilor Ralph Carey advised that due to the alleged conflict of interest, Council requested legal opinion on the matter from the town's lawyer and council is following that opinion. Deputy Mayor Lorna Yard rejoined the meeting at 7:52pm.

Mayor Trevor Croft advised Deputy Mayor Lorna Yard that Council has agreed she was not in conflict of interest in voting on the rescinding of motion 2021-278.

- c. **Residents request to meet with Council.**

Councilor Ralph Carey acknowledges receipt of a resident's request and advises Council will meet with residents when the office is fully staffed and provincial Covid regulations allow.

10. Committees:

Public Works and Infrastructure:

- a. 32 Dunn's Lane – Application to build single family home

Councilor Gerard Dunne declared a conflict of interest as the application relates to his son. Councilor Gerard Dunne left the teleconference at 7:54pm.

Councilor Ralph Carey declared a conflict of interest as he is the applicants neighbor. Councilor Ralph Carey left the teleconference at 7:54pm.

2022-11 Councilor Jacob Hayden/Deputy Mayor Lorna Yard

Move to approve the application to build a single family home at 32 Dunn's Lane as all previous issues from the appeal have been resolved.

For Motion:

Mayor Trevor Croft
Deputy Mayor Lorna Yard
Councilor Jacob Hayden
Councilor Alex Troake

Abstained:

Councilor Gerard Dunne
Councilor Ralph Carey

Motion carried.

Councilor Gerard Dunne rejoined the meeting at 7:57pm. Councilor Ralph Carey rejoined the meeting at 7:57pm.

Finance:

- a. Eastern Regional Service Board – Request to continue garbage collection for Town

Discussion on whether to review or to approve immediately.

2202-12 Councilor Alex Troake/Councilor Ralph Carey

Move to defer to a later meeting so Council can have time to review.

Carried unanimously.

- b. Cleaning of Town Buildings – Call for Tenders

Discussion on including fire hall and other town buildings in this tender.

2022-13 Councilor Alex Troake/Councilor Ralph Carey

Motion to proceed with tenders for Fire Department and other Town Buildings.

Motion carried unanimously.

- c. Amend 2022 Tax Structure, Rates, and Fees – Vacant Land amended to read Vacant Land \$250.00 (minimum per parcel)

- a. **2202- 14** Councilor Alex Troake/Councilor Ralph Carey

Move to amend 2022 Tax Structure, Rates, and Fees – Vacant Land amended to read Vacant Land \$250.00 (minimum per parcel)

Motion carried unanimously.

Heritage Committee:

a. Correspondence:

**Heritage Committee Report to Town Council
January 11, 2022**

The Heritage Committee intends to meet late January to plan its activities for 2022 and consider its budget.

This report will highlight the status of ongoing projects.

1. *Book - Bygone Days of Witless Bay*

Our book launch was a great success. All 300 books were sold and a second order to print another 300 books has been submitted. So far, half of those books have been requested. People will be contacted when they are available for pick-up.

The Heritage Committee expects there will be further demand for books when Come Home Year proceeds.

2. *Maintenance of the Old Cemetery*

This item will be discussed at the January 2022 meeting.

3. *November 11 event at Holy Cross Cemetery*

The event was held and was well attended. Mayor Croft laid a wreath on behalf of the Town to honor veterans of Witless Bay.

4. *Plaquing Project*

Those involved with this project have resumed their work on the summaries of houses and plaques. At this time approximately 20 homeowners have participated in the project. The Heritage Committee plans to reach out to home-owners to advise of the project and determine if there is interest in having a plaque for their property.

5. *Come Home Year*

The Heritage Committee is waiting for a decision that the celebrations will proceed so it can begin its planning for a heritage event in 2022.

6. *Protecting historic assets - the railbed and trestle*

This item is to be discussed with Council.

7. Call for New Members

Two new members have been recruited as members of the Heritage Committee. The committee would welcome additional members especially youth!
Submitted by Co-Chairs Maureen Walsh and Bonnie Johnstone.

11. Payable Charts:

a. Town Expenses - \$49, 816.63

2022-15 Councilor Alex Troake/Councilor Ralph Carey
Move to approve Town Expenses in the amount of \$49, 816.63.
Motion carried unanimously.

b. Fire Department Expenses - \$5478.35

2022-16 Councilor Alex Troake/Councilor Ralph Carey
Move to approve Fire Department Expenses in the amount of \$5478.35.
Motion carried unanimously.

12. Adjournment

2022-17 Councilor Jacob Hayden/Councilor Gerard Dunne
Move to adjourn the meeting at 8:11pm.
Motion carried unanimously.