

Public Meeting of Witless Bay Council  
Town Hall  
May 14, 2019

Attending: Mayor Rene Estrada, Deputy Mayor Maureen Murphy, Councillors Lucy Carew, Vince Swain, Chris Brinston and Fraser Paul

Regrets: Councillor Neil Stratton

Recording: Geraldine Caul

1. Mayor Rene Estrada called the public meeting to order at 7:35 p.m.
2. **2019-082** Deputy Mayor Maureen Murphy/Councillor Lucy Carew  
Be it resolved that Council adopt the Agenda of May 14, 2019.  
~~Councillor Vince Swain noted the addition of 51) Mullooney's Lane turnaround.~~ **REMOVED**  
Motion carried unanimously. **Per M#2019-120  
June 11/19 meeting**
3. **2019-083** Councillor Lucy Carew/Councillor Vince Swain  
Be it resolved that Council adopt the Minutes of Meeting of April 9, 2019 as presented.  
Motion carried unanimously.
4. Business Arising from Minutes:
  - a. **2019-084** Deputy Mayor Maureen Murphy/Councillor Vince Swain  
Be it resolved that Council accept Mr. Paul Boundridge of Boundridge Planning and Development Services Inc. as the Town's Planner.  
Motion carried unanimously.
  - b. Approval of revised budget 2019  
**2019-085** Councillor Lucy Carew/Deputy Mayor Maureen Murphy  
Be it resolved that Council defer this item until Council meets with the Town accountant.  
Motion carried unanimously.

5. Public Works and Infrastructure

Applications to construct residential dwellings:

a. 52 Country Path Drive

**2019-086** Councillor Fraser Paul/Councillor Chris Brinston

Be it resolved that Council approve in principle an application to construct a residential single family dwelling on 52 Country Path Drive in compliance with the Town's development regulations, and subject to approval from Services NL.

Motion carried unanimously.

b. 66 Country Path Drive

**2019-087** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve in principle an application to construct a residential single family dwelling on 66 Country Path Drive in compliance with the Town's development regulations, and subject to approval from Services NL.

Motion carried unanimously.

c. Carter's Road

**2019-088** Councillor Fraser Paul/Deputy Mayor Maureen Murphy

Be it resolved that Council approve in principle an application to construct a residential single family dwelling on Carter's Road in compliance with the Town's development regulations, and subject to approval from Services NL.

Applications to construct accessory buildings:

a. 12 Country Path Drive – Garage. Public Works reported that the proposed garage was not in the proper location, and must be moved so that it is placed adjacent to the neighbour's building line.

**2019-089** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve the application to construct a garage on 12 Country Path Drive **on the condition that the shed is moved to a proper location to comply with the Town's development regulations.**

Motion carried unanimously.

b. 105 Gallows Cove Road – Garage

**2019-090** Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council approve the application to construct a garage on 105 Gallows Cove Road.

Motion carried unanimously.

- c. 13 Greenhill Drive – Garage

**2019-091** Councillor Vince Swain/Deputy Mayor Maureen

Be it resolved that Council approve the application to construct a garage on 13 Greenhill Drive.  
Motion carried unanimously.

- d. 55 Country Path Drive – Shed

**2019-092** Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council approve the application to construct a shed on 55 Country Path Drive.  
Motion carried unanimously.

- e. 3 Spruce Court – Baby Barn

**2019-093** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve the application to construct a shed on 55 Country Path Drive.  
Motion carried unanimously.

- f. 39 The Avenue – Treehouse

**2019-094** Councillor Fraser Paul/Deputy Mayor Maureen Murphy

Be it resolved that Council approve the application to construct a treehouse on 39 The Avenue.  
Discussion: Councillor Chris Brinston questioned when Council started requiring a permit for treehouses. The Clerk-Manager responded that she had never received an application for one before now, and the property owners asked if a permit was required for the structure. Because this is a first time application of this sort, and because it does involve a structure, Council is the authority who would determine this.  
Motion carried unanimously.

Applications/General Requests/Other:

- a. 5-7 Irishtown Road – extension to existing residence. Councillor Vince Swain explained that Councillors Lucy Carew and Fraser Paul did a site visit with him, and the only issue is that there is one pin located on the property that is not on the survey. The applicant must get her surveyor to plot the pin that is on the site on her original survey. Councillor Swain said that once that pin was on the survey, there is no reason for Council to turn down the application.

**2019-095** Councillor Vince Swain/Deputy Mayor Maureen Murphy

Be it resolved that Council defer this application until the surveyor plots the extra survey pin on the original survey.  
Motion carried unanimously.

- b. 41 Harbour Road – extension to existing residence

**2019-096** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve the application to construct an extension on 41 Harbour Road. [Approval must be given from Services NL].  
Motion carried unanimously.

- c. 16 Green Hill Drive – Fence

**2019-097** Councillor Vince Swain/Councillor Chris Brinston

Be it resolved that Council approve the application to construct a fence on 16 Green Hill Drive.  
Motion carried unanimously.

- d. 10 Island View Place - Fence

**2019-098** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve the application to construct a fence on 10 Island View Place.  
Motion carried unanimously.

- e. 41 Harbour Road – Operate a home-based business

**2019-099** Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Be it resolved that Council approve the application to operate a home-based business, Houlihan's Contracting Ltd., on 41 Harbour Road.  
Motion carried unanimously.

- f. 27 Country Path Drive – Operate a home-based business

**2019-100** Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council approve the application to operate a home-based business, Sullivan's Electrical, on 27 Country Path Drive.  
Motion carried unanimously.

- g. 33-45 Dean's Road – Request to rezone land

**2019-101** Deputy Mayor Maureen Murphy/Councillor Vince Swain

Be it resolved that Council approve the applicant's request to rezone his land from Residential Rural to Residential pending a proper legal survey, and at the applicant's expense.  
Motion carried unanimously.

- h. Correspondence regarding flooding on property and overgrown trees blocking traffic view

**2019-102** Councillor Fraser Paul/Councillor Vince

Be it resolved that the outside worker be instructed to change the shoulder of the road to divert the water to the culvert and away from the driveway, and to trim the few trees that are blocking the view, in accordance with the Town's standards.  
Motion carried unanimously.

- i. Excavation permits – removing the option to extend permits relating to excavation. Councillor Brinston explained that permits for excavation should be granted for one year only. If the job is not completed within that year, the property owner should make a new application so Council can inspect the site.

**2019-103** Councillor Chris Brinston/Councillor Vince Swain

Be it resolved that Council remove the option to extend permits related to excavation, and they be required to re-apply after a year.

Discussion: It was noted that permits have been issued for a year and extra work is being done outside of their original permits once they renew, work that was never discussed with Council. By re-applying, Council will have a chance to do a site visit.

Motion carried unanimously.

j. Repairs to Ragged Beach

**2019-104** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that the Town put out a tender to protect end of Gallows Cove Road that is washed out by the high seas, under Regulation 10, Discretionary Powers of Authority.

Motion carried unanimously.

k. Dean's Road brush cutting

**2019-105** Councillor Fraser Paul/Councillor Chis Brinston

Be it resolved that the Town put out a tender for brush cutting on Dean's Road.

Motion carried unanimously.

~~l. Mullowney's Lane turnaround~~ **Item (L) removed per M#2019-120 (June 11, 2019 meeting)**

~~**2019-106** Councillor Vince Swain/Deputy Mayor Maureen Murphy~~

~~Be it resolved that the Town proceed with putting out a tender for the turnaround on Mullowney's Lane under Regulation 10, Discretionary Powers of Authority.~~

~~Motion carried unanimously.~~

Applications relating to Crown Land Referrals

a & b Dean's Road

**2019-107** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council defer Crown Land Referrals until Council seeks more information on that is to take place. (Clerk-Manager to notify the Department of Crown Lands of deferral of both applications).

Motion carried unanimously.

6. Finance

a. Approval of invoice chart for payment

**2019-108** Deputy Mayor Maureen Murphy/Councillor Lucy Carew

Be it resolved that Council approve the invoice chart for payment in the amount of \$87,453.59.

Motion carried unanimously.

b. Standing Offers 2019-2020

**2019-109** Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Be it resolved that Council call for quotes for Standing Offer for 2019-2020 due to the current Standing Offer expiring May 31, 2019.

Motion carried unanimously.

c. BBBA Auction

**2019-110** Deputy Mayor Maureen Murphy/Councillor Lucy Carew

Be it resolved that Council purchase one table of 8 at the cost of \$960 for the BBBA Auction.

Motion carried unanimously.

d. Southern Shore Arena Donation Request

**2019-111** Councillor Lucy Carew/Councillor Vince Swain

Be it resolved that the request from the Southern Shore Arena for a donation be denied because the Town does not do private donations.

Motion carried unanimously.

e. East Coast Trail Community Sponsor Request

**2019-112** Councillor Lucy Carew/Councillor Vince Swain

Be it resolved that Council approve the East Coast Trail Community Sponsor request in sum of \$2,730.00.

Discussion: Councillor Lucy Carew reported that a Fundraiser in support of the East Coast Trail will take place on June 8<sup>th</sup> and that this event will be hosted in the Southern Shore Lifestyle Building. The Towns of Witless Bay and Bay Bulls, as community sponsors, will be covering the cost of the activities.

For the motion: Mayor Rene Estrada, Deputy Mayor Maureen Murphy, Councillors Chris Brinston, Vince Swain and Lucy Carew.

Against: Councillor Fraser Paul

Motion carried.

f. Quote for Rock Barricade for Southside Track Walking Trail

**2019-113** Councillor Chris Brinston/Deputy Mayor Maureen Murphy

Be it resolved that Council accept the lowest bid for rock barricade from HTL Construction Ltd. for \$642.00.

Discussion: Councillor Lucy Carew reported that the rocks are needed because the Southside Track walking trail is being used for the wrong reasons and therefore making it uncomfortable for hikers, and this is the reason Council is taking this action.

Motion carried unanimously.

g. Quote for gate behind the Town Hall

**2019-114** Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Be it resolved that Council defer pending additional quotes.

Motion carried unanimously.

h. Quote for Poly Cap

**2019-115** Councillor Chris Brinston/Councillor Lucy Carew

Be it resolved that Council accept the quote for Poly Cap from Halifax Seed.

Motion carried unanimously.

i. Quote for flag pole

**2019-116** Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Be it resolved that Council defer quotes for flag pole since a second quote has not been received.

Motion carried unanimously.

j. Request for Staff to attend PMA Convention in St. John's from June 5-7, 2019.

**2019-117** Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Be it resolved that Council approve staff attending the PMA Conference in St. John's from June 5-7, 2019.

Motion carried unanimously.

7. Hiking Trails – Information only – Covered under 6e, East Coast Trail.

8. **2019-118** Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council adjourn at 8:22 p.m.

Motion carried unanimously.