

Public Meeting of Witless Bay Council
September 10, 2019
Town Hall – 7:30 pm

Attending: Deputy Mayor Maureen Murphy, Councillors Lucy Carew, Vince Swain and Fraser Paul
Regrets: Mayor Rene Estrada
Reporting: Geraldine Caul & Barb Harrigan

1. Deputy Mayor Maureen Murphy called the meeting to order at 7:31 pm.
2. **2019-214** Councillor Vince Swain/Councillor Fraser Paul
Be it resolved that Council adopt the Agenda of September 10, 2019 as presented.
Motion carried.
3. Adoption of Minutes:
 - a. **2019-215** Councillor Lucy Carew/Councillor Vince Swain
Be it resolved that Council adopt the Minutes of Public Meeting of August 13/19.
Motion carried unanimously.
 - b. **2019-216** Councillor Lucy Carew/Councillor Fraser Paul
Be it resolved that Council adopt the Minutes of Special Public Meeting of August 22/19.
Motion carried unanimously.
 - c. **2019-217** Councillor Vince Swain/Councillor Lucy Carew
Be it resolved that Council adopt the Minutes of Special Public Meeting of September 3/19.
Motion carried unanimously.
4. Business Arising from Minutes
 - a. Tender results – Siding for Town Hall and Municipal Garage

Councillor Vince Swain declared a conflict of interest on this item because one of the quotes submitted was from his son. Quorum was lost with Councillor Swain's declaration.

b. Tender results – extension of fence on ballfield

2019-218 Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council accept quote of \$1715.00 from Provincial Fence Products for extension of fence on ballfield.

Motion carried unanimously.

c. Tender for Snow clearing

2019-219 Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council defer awarding the Snow Clearing Tender due to the deadline being extended to September 12, 2019 at 12:00 pm.

Motion carried unanimously.

d. Salt and Sand for Snow Clearing

2019-220 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council call for Tender for salt and sand for 2019-2020.

Discussion: It was noted that the quotes would be called separately, 300 tons of salt and 1200 tons of road sand.

Motion carried unanimously.

e. Adoption of the Witless Bay Volunteer Fire Department's Constitution

2019-221 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council adopt the Witless Bay Volunteer Fire Department Constitution as tendered.

Motion carried unanimously.

f. Kinsmen Club of Witless Bay Financial Statement for Puffin Festival – Information purpose only.

5. Public Works & Infrastructure

a. Application for development of washroom/change room on playground/pool area

2019-222 Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve the application to develop washroom/change room on the playground/pool area.

Discussion: Councillor Fraser Paul reported that this was viewed by Public Works who spoke to the contractor who is doing septic design, and came to an agreement, and everything is good with this.

Motion carried unanimously.

- b. Application to construct a residential dwelling and garage on 74 Gallows Cove Road

2019-223 Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve in principle the application to construct a residential dwelling and garage on 74 Gallows Cove Road, subject to approval from Services NL and any other government agencies having jurisdiction.

Motion carried unanimously.

- c. Application to construct a residential dwelling on 50 Country Path Drive

2019-224 Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council approve in principle the application to construct a residential dwelling on 50 Country Path Drive, subject to approval from Services NL and any other government agencies having jurisdiction.

Motion carried unanimously.

- d. Request for preliminary approval of proposed dwelling on 269 Dean's Road (for purpose of property sale)

2019-225 Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council grant a **preliminary conditional** approval in principle for a proposed dwelling on 269 Dean's Road **pending the submission of a complete application in applicant's name, and all pertinent documentation as outlined in the Town's criteria in order to comply with the Town's development regulations.**

Discussion: Councillor Vince Swain noted again that the applicants have to mark their properties because this one had no land markings and Public Works spent a lot of time trying to determine the property location.

Motion carried unanimously.

- e. Application to construct shed on 73 Country Path Drive

2019-226 Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve the application to construction a shed on 73 Country Path Drive.

Motion carried unanimously.

- f. Application to demolish and remove house and shed on 2 Bear's Cove Road

2019-227 Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council approve the application to demolish and remove a house and shed on 2 Bear's Cove Road in compliance with all provincial regulations for disposal of material.

Motion carried unanimously.

g. Public Works Reports:

(i) Puffin Centre - Councillor Fraser Paul reported that Public Works spoke with the contractor and noted we are a couple of inches below grade and the contractor agreed to fix this and to tidy up some work behind. When this is done, and the pad is done, which should be next week, hopefully we can continue with the rest of the work to finish the project.

(ii) Dean's Road – Councillor Paul reported that the work is completed, clean-up is done and this is ready for payment.

(iii) Washroom/change rooms on playground/pool area –

2019-228 Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve payment of \$30,000 for the washroom/change rooms at the playground/pool area.

Discussion: Councillor Swain reported that the Town is putting a washroom and change room on the field, opposite side of the road from where the existing washrooms are and once we have approval for the septic system, our plan is to have this done and ready for next year.

Motion carried unanimously.

(iv) Town Garage – Councillor Paul reported that the Town garage is completed and ready for payment.

h. Capital works funding for a new fire station

2019-229 Councillor Lucy Carew/Councillor Fraser

Be it resolved that the Town apply to Municipal Affairs & Environment for funding under the Capital Works 90/10 cost-shared program for a new regional fire station.

Motion carried unanimously.

i. Application to Municipal Affairs & Environment under the 2020-2021 Fire Protection Program for Fire Tanker

2019-230 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council apply for funding with Municipal Affairs & Environment, Fire

Services Division, for a fire tanker under the New Vehicle 80/20 cost-shared program.
Motion carried unanimously.

2019-231 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that in the event that the Town does not receive funding from the Department of Municipal Affairs & Environment, Council make a request to the Minister of Municipal Affairs & Environment for an approval to borrow from the Community Credit Union to finance the cost of the fire tanker (\$370,700) for a 5-year amortization period at a fixed loan term for the 5 years, with an interest rate of 3.75%, to purchase a fire tanker.

Motion carried unanimously.

- j. Flooding on Lar Norris Road – Councillor Fraser Paul reported that Public Works viewed this and saw that the water is going down on owner’s property and structure. The property is very close to road so Council agreed previously in a discussion before this meeting that when Mercer’s comes up to finish the paving, we will ask him what can be done, and if a small swale might fix this to direct the water further down to the side of the road

6. Planning and Infrastructure

- a. Town of Witless Bay Municipal Plan Amendment #1, 2019 & Development Regulations Amendment #1 (12 Dean’s Road and 14-24 Dean’s Road)

2019-232 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council adopt in principle the Town of Witless Bay Municipal Plan Amendment #1 and the Development Regulations Amendment #1 (Civic # 12 Dean’s Road and Civic # 14-24 Dean’s Road), and that Council authorize the Town Planner to consult with the Department of Municipal Affairs & Environment to request a review of the proposed Amendments against Provincial Policies and interests and to obtain a release from further review by the Province.

Motion carried unanimously.

- b. Town of Witless Bay Municipal Plan Amendment #2, 2019 & Development Regulations Amendment #2 (Civic # 22-40 Cemetery Road)

2019-233 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council adopt in principle the Town of Witless Bay Municipal Plan Amendment #2 and the Development Regulations Amendment #2 (Civic # 22-40 Cemetery Road), and that Council authorize the Town Planner to consult with the Department of Municipal Affairs & Environment to request a review of the proposed Amendments against Provincial Policies and interests and to obtain a release from further review by the Province.

Motion carried unanimously.

- c. Town of Witless Bay Municipal Plan Amendment #3, 2019 & Development Regulations Amendment #3, 2019 (Southern Shore Highway Crown Land Rezoning)

2019-234 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council adopt in principle the Town of Witless Bay Municipal Plan Amendment #3 and the Development Regulations Amendment #3 (Southern Shore Highway Crown Land Rezoning), and that Council authorize the Town Planner to consult with the Department of Municipal Affairs & Environment to request a review of the proposed Amendments against Provincial Policies and interests and to obtain a release from further review by the Province.

Motion carried unanimously.

7. Finance

- a. Harbour Construction invoice for construction of Town Garage for \$38,525

2019-235 Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve payment for Harbour Construction for construction of Town Garage in the amount of \$38,525.00.

Motion carried unanimously.

- b. Harbour Construction invoice for Dean's Road brush cutting for \$13,892

2019-236 Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council approve payment for Harbour Construction for Dean's Road brush cutting for \$13,892.

Motion carried unanimously.

- c. Mercer's Paving invoice for Paving Local Roads for \$133,285 Gas Tax Funding

2019-237 Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council approve a progress payment for Mercer's Paving in the amount of \$65,000 towards Paving Local Roads project.

Motion carried unanimously.

- d. O'Brien's Trucking invoice for groundwork for Puffin Centre extension for \$1894.49

2019-238 Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council approve payment to O'Brien's Trucking for groundwork for Puffin Centre extension for \$1894.49.

Motion carried unanimously.

- e. Approve payment per Payment Chart

2019-239 Councillor Lucy Carew/Councillor Vince Swain

Be it resolved that Council approve payment for the payment chart.

Motion carried unanimously.

- f. Town's own source revenue for Budget 2010 – Information purpose only.

- g. MNL Annual Convention

2019-240 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council accept anyone who may be interested in attending the MNL Annual Convention.

Motion carried unanimously.

- h. PMA Fall Training Forum

2019-241 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council accept anyone who may be interested in attending the PMA Fall Training Forum.

Motion carried unanimously.

- i. Fire Department request to have brake work completed on Tanker

2019-242 Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council approve the Fire Department's request to have brake work done on the Tanker.

Motion carried.

8. Other Business

- a. Correspondence from Fisheries & Oceans Canada re Fish Habitat Protection at Ragged Beach and recommendations for stabilization of infill, and machinery restriction for beach

Councillor Lucy Carew reported that the Town received correspondence from Fisheries & Oceans related to the fish habitat and the activities in the Ragged Beach Area, and they have evaluated the information collected from the site visit and determined that the use of the rock mixture placed above the high water mark has not caused a serious harm as defined by the Fisheries Act. Councillor Carew said that given permits in place, Council will continue with the stabilization of the infill in the area to prevent further erosion.

- b. Correspondence from individual regarding support for race – Councillor Lucy Carew reported that the Town received correspondence regarding the ECT trails and some races that are taking place and Council has reviewed the letter and will respond to the organizer to seek further information.
 - c. Correspondence from BUPW regarding Federal Elections and Canada Post – Councillor Lucy Carew reported that this correspondence that came from the National President representing elections and they ask that town question the political parties on their intentions for Canada Post.
9. **2019-243** Councillor Fraser Paul/Councillor Lucy Carew
Be it resolved that Council adjourn at 8:00 p.m.
Motion carried unanimously.