



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

Meeting Minutes

Public Meeting

Tuesday, June 11, 2024, 7:30 p.m.

Council Chambers and Teleconference

Council Members Present

Mayor Trevor Croft
Councillor Gerard Dunne
Councillor Ralph Carey
Councillor Jacob Hayden
Councillor Justina Nawaz

Staff Present

Jennifer Aspell, CAO

1. Call to Order

Mayor Trevor Croft called the meeting to order at 7:34 pm.

2. Adoption of Agenda

Mayor Trevor Croft called for the adoption of the agenda for June 11, 2024.

MOTION: 2024-134 Councillor Gerard Dunne / Councillor Ralph Carey

MOVE TO adopt the agenda for June 11, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

3. Adoption of Minutes

3.1 May 14, 2024, Public Meeting Minutes

MOTION: 2024-135 Councillor Gerard Dunne / Councillor Ralph Carey

MOVE TO adopt the public meeting minutes of May 14, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

3.2 June 3, 2024, Special Public Meeting Minutes,

MOTION: 2024-136 Councillor Ralph Carey / Councillor Jacob Hayden

MOVE TO adopt the public meeting minutes of June 3, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

4. Business Arising

4.1 Appointment of Alternate Returning Officer for By-election

MOTION: 2024-137 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO appoint Linda Carter as Alternate Returning Officer for the July 24, 2024 Town of Witless Bay by-election.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, and Ralph Carey, Jacob Hayden, Justina Nawaz)

Against: 0

Abstain: 0

4.2 Ratification of Email Vote - Revised Request for Ministerial Approval to Borrow

MOTION: 2024-138 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO ratify the email vote of May 30, 2024 that was moved by Councillor Jacob Hayden and seconded by Mayor Trevor Croft and stated:

MOVE TO seek Ministerial approval to borrow \$41,028.00 from the Community Credit Union to finance a vehicle purchase. The loan will be financed over a 5-year term, with an interest rate of 6.99%.

In favor: (Mayor Trevor Croft, Councillors Jacob Hayden, Ralph Carey, Gerard Dunne and Justina Nawaz)

Against: 0

Abstained: 0

The motion carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Councillors Gerard Dunne, and Ralph Carey, Jacob Hayden, Justina Nawaz)

Against: 0

Abstain: 0

5. Delegations & Proclamations

5.1 Recreation NL – Proclamation Recreation Month

5.2 PRIDE Month Proclamation

6. Applications

6.1 New Development Application - 116 Gull Pond Road

MOTION: 2024-139 Councillor Ralph Carey / Councillor Jacob Hayden

MOVE TO approve the application for construction of a single-family dwelling at 116 Gull Pond Road. The permit will be issued once all other applicable government approvals have been received by the Town.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.2 New Development Application - 77 Country Path Drive

MOTION: 2024-140 Councillor Jacob Hayden / Councillor Gerard Dunne

MOVE TO approve the application for construction of a single-family dwelling at 77 Country Path Drive. There is to be no construction within the easement located on the property. The permit will be issued once all other applicable government approvals have been received by the Town.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.3 Accessory Building Application - Puffin Centre

MOTION: 2024-141 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to construct an accessory building at the Puffin Center on Southside Track, for the purpose of a community pantry to be operated by the Kinsmen Club of Witless Bay and area.

FURTHER MOVE to allow the structure to be connected to the Puffin Centre electrical system and for the Town to complete the site preparation as an in-kind contribution to the project.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.4 Application to Subdivide Land - 21-35 Tufts Road

7:42 pm Councillor Jacob Hayden asks if he is in a Conflict of Interest as the applicant is his uncle. Councillor Hayden left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-142 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE THAT that Councillor Jacob Hayden is not in a conflict of interest.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Jacob Hayden)

7:43 pm Councillor Jacob Hayden returned to chambers.

MOTION: 2024-143 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve in principle, the application for the subdivision of land at 21-35 Tuffs Road, pending referral to applicable government departments and agencies. No development applications will be considered for the property until the subdivision of land is completed.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.5 Traditional Agriculture Use Application - John C's Grove Road

7:44 pm Councillor Gerard Dunne declares a Conflict of Interest on this item as his niece has a residential dwelling next to the applicant's property. Councillor Dunn left the chambers and did not participate in the discussion nor vote on the matter.

The applicant and other interested parties requested that this item be deferred to the end of the meeting.

7:46 pm Councillor Gerard Dunne returned to chambers.

The item was delt with prior to adjournment.

6.6 Extension to Accessory Building Application - 106 Northside Track

7:47 pm Mayor Trevor Croft declared a Conflict of Interest as this is a family members property. Mayor Croft did not participate in any discussion nor vote on the matter.

7:48 pm Councillor Jacob Hayden assumed the Chair.

MOTION: 2024- 144 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to construct an extension to an existing accessory building at 106 Northside Track.

The Motion was carried.

For Motion: 4 (Councillors Gerard Dunne, Ralph Carey, Jacob Hayden, Justina Nawaz)

Against: 0



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Abstained: 1 (Mayor Trevor Croft)

7:48 pm Mayor Trevor Croft returned to the meeting and assumed the chair.

6.7 Application to Subdivide Land - 41 The Avenue

MOTION: 2024-145 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve in principle, the application for the subdivision of land at 41 The Avenue, pending referral to applicable government departments and agencies. No development applications will be considered for the property until the subdivision of land is completed.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.8 Accessory Building Application - 39 Country Path Drive

MOTION: 2024-146 Councillor Jacob Hayden / Councillor Gerard Dunne

MOVE TO approve the application to construct an accessory building at 39 Country Path Drive.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.9 Accessory Building Application - 1 Country Path Drive

MOTION: 2024-147 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application to construct an accessory building at 1 Country Path Drive. There is to be no construction within the easement located on the property.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.10 New Development Application – 202-206 Deans Road

MOTION: 2024-148 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the application for construction of a single-family dwelling at 202-206 Deans Road. The permit will be issued once all other applicable government approvals have been received by the Town.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

7. Accounts Payable

7.1 Town of Witless Bay Accounts Payable Listing for the Period Ending May 31 2024

7:50 pm Councillor Gerard Dunne declared a Conflict of Interest on cheque #7631 as the cheque is payable to his employer. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

MOTION: 2024-149 Councillor Ralph Carey / Councillor Jacob Hayden

MOVE TO approve issue of cheque #7631 in payable chart Section A.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:51 pm Councillor Gerard Dunne returned to chambers.

7:51 pm Councillor Jacob Hayden asks if he is in a Conflict of Interest on cheque #7638 as the cheque is payable to his aunt's company and left the chambers.

MOTION: 2024-150 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE THAT that Councillor Jacob Hayden is not in a conflict of interest.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Gerard Dunne, Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Jacob Hayden)

7:52 pm Councillor Jacob Hayden returned to chambers.

MOTION: 2024-151 Councillor Ralph Carey / Councillor Jacob Hayden

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, Justina Nawaz)

Against: 0

Abstained: 0

MOTION: 2024-152 Councillor Ralph Carey / Councillor Jacob Hayden

MOVE TO approve the Town of Witless Bay payables in Section B

The Motion was carried unanimously.

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

Against: 0

Abstained: 0



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Total of Section A: \$ 88,115.45

Total of Section B: \$ 22,952.02

Total Payables: \$ 111,067.47

7.2 Witless Bay Fire Department Accounts Payable listing for the Period Ending May 31 2024

MOTION: 2024-153 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO approve all Witless Bay Volunteer Fire Department payables Section A.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

MOTION: 2024-154 Councillor Ralph Carey / Councillor Justina Nawaz

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, Justina Nawaz)

Against: 0

Abstained: 0

Total of Section A: \$ 2,570.17

Total of Section B: \$ 1,430.11

Total Payables: \$ 4,000.28

8. Committee Reports

8.1 Recreation – Councillor Jacob Hayden delivered a summary report of recreation activities for the month of May to early June.

8.2 Fire Department - Councillor Justina Nawaz delivered a summary report of fire department activities for the month of May to early June.

8.3 Public Works Update - Councillor Ralph Carey delivered a summary report of public works activities for the month of May to early June.

9. Action

9.1 Request to Waive Permit Fees for Youth Ventures Participants

MOTION: 2024-155 Councillor Ralph Carey/ Councillor Justina Nawaz

MOVE TO waive all application and permit fees for Youth Ventures program participants for the remainder of 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.2 Proposal for 35th Annual Firefighters Ball 2024

MOTION: 2024-156 Councillor Ralph Carey/ Councillor Jacob Hayden

MOVE TO accept the Witless Bay Volunteer Fire Department proposal for the 35th annual firefighter's ball. The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.3 Subdivision Design Development Standards for Approval

MOTION: 2024-157 Councillor Ralph Carey/ Councillor Jacob Hayden

MOVE TO adopt the Town of Witless Bay Residential Development Design Manual dated May 2024 pursuant to Regulation 80 (k) of the Town of Witless Bay Development Regulations 2013-2023.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.4 Purchase of Tree Pruner

MOTION: 2024-158 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO purchase of a pole pruner, including battery and charger to the lowest compliant bidder, Newfoundland Distributors, at a total cost of \$839.00 + HST.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.5 Acceptance of MCW Funding – Recreation Grounds Flooding Mitigation-17-MCW-25-00071

MOTION: 2024-159 Councillor Jacob Hayden / Councillor Ralph Carey

BE IT RESOLVED that, we, the Ultimate Recipient, Town of Witless Bay, accept cost-shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated the 29th day of May 2024, Project number 17-MCW-25-00071 Project name Recreation Complex Infrastructure Upgrades Flooding Mitigation with a total project value of \$ 1,174,847.00. This Council agrees to provide the Ultimate Recipient share value of \$ 106,539 in funding for this project and authorizes the Mayor and CAO to enter into a funding agreement with the Department of Transportation and Infrastructure on behalf of the Town of Witless Bay.

The motion was carried unanimously.

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

Against: 0

Abstained: 0

9.6 Property Cleanup Request

8:06 pm Councillor Jacob Hayden declares a conflict his family has property adjacent to this location. Councillor Hayden left the chambers and did not participate in the decision nor vote on the matter.

MOTION: 2024-160 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO issue notice to the property owner at Murphy's Lane to remove the waste and debris from the property within 30 days of the date of the correspondence and that non-compliance may result in further action.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Gerard Dunne, Ralph Carey, Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Jacob Hayden)

8:07 pm Councillor Jacob Hayden returned to chambers.

9.7 Traffic Calming Request – Gull Pond Road

MOTION: 2024-161 Councillor Ralph Carey / Councillor Jacob Hayden

MOVE TO deny the request for speed bump and instead evaluate road signage in the area.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.8 Request for Approval of Professional Development – Sage Accounting

MOTION: 2024-162 Councillor Jacob Hayden / Councillor Gerard Dunne

MOVE TO approve two staff to complete the Sage 50 Accounting Course via Simply Training at a cost of \$650.00 + HST per person.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.9 Purchase of Fireworks for Canada Day Celebration

8:09 pm Councillor Gerard Dunne declared a Conflict of Interest as family member's company submitted a quote for fireworks. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

MOTION: 2024-163 Councillor Ralph Carey / Councillor Jacob Hayden

MOVE TO purchase fireworks for the Canada Day Celebration from Mister T's Fireworks at a total cost of \$500.00 + HST.



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The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

8:10 pm Councillor Gerard Dunne returned to chambers.

9.10 Award of Tender # 0000270660 - Harbour Road Infrastructure Upgrades

MOTION: 2024-164 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO award Tender # 0000270660 for upgrades to Harbour Road Infrastructure to the lowest compliant bidder, Dexter Construction Ltd., for the tendered amount of \$226,274.70 HST included.

FURTHER MOVE to appoint Meridian Engineering as the Prime Consultant for the project.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.11 Rental User Group Insurance for Town Owned Facilities

MOTION: 2024-165 Councillor Ralph Carey / Councillor Jacob Hayden

MOVE TO implement a User Groups Liability Insurance policy, as per the policy specifications and rating table provided by Cal Legrow Insurance, for all Town owned facility rentals.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.12 Request for Remission of Accrued Interest

8:11 pm Councillor Gerard Dunne declared a Conflict of Interest as the request is from his employer. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

MOTION: 2024-166 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO approve the request for remission of interest accrued in the amount of \$1,168.20.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

8:13 pm Councillor Gerard Dunne returned to chambers.

9.13 Establishment of a Youth Committee

MOTION: 2024-167 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO establish a Youth Committee to provide input to the Town on activities and programs of interest, and also to help with the planning and organizing of events.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10. Information Only

- 10.1 Summer Student Employment Approval
- 10.2 Letters from Grade 3 Students - St Bernards School
- 10.3 Town of Witless Bay Public Notice Expression of Interest
- 10.4 Lower Pond Survey
- 10.5 Permit Report

11. Correspondence Received

- 11.1 Circular - MI Master Specification Revisions
- 11.2 Approval To Borrow Letter - 2022 GMC Sierra 1500 Truck

12. Correspondence Sent

- 12.1. TOWB Correspondence - Demolition Including Backfill and Excavation - 149 Harbour Road
- 12.2. TOWB Correspondence - New Accessory Building – 149 Harbour Road
- 12.3. TOWB Correspondence - New Accessory Building – 64 Country Path Drive
- 12.4. TOWB Correspondence - New Accessory Building - 38-40 Southside Track
- 12.5. TOWB Correspondence – Operation of a Business – 436D Southern Shore Highway
- 12.6. TOWB Correspondence – Application to Subdivide Land – 172-182 Dean’s Road
- 12.7. TOWB Correspondence - Extension to Accessory Building Application – 3 Spruce Court
- 12.8. TOWB Correspondence - Extension to Accessory Building Application – 5-9 Evergreen Place
- 12.9. TOWB Correspondence - Extension to Accessory Building Application 124 Gull Pond Road
- 12.10. TOWB Correspondence - Application for Traditional Agricultural Use – John Cs Grove Road
- 12.11. TOWB Correspondence – Operation of a Business – 177-183 Southern Shore Highway
- 12.12. TOWB Correspondence - Road Upgrades - 202C,202D,202E Gallows Cove Road
- 12.13. TOWB Notice of Termination of Agreement
- 12.14. TOWB - Rezoning of Land - Ragged Beach Reserve
- 12.15. TOWB Request for Ministerial Approval – Delay of By-election, June 2024

Deferred Item

6.5 Traditional Agriculture Use Application - John C's Grove Road

8:18 pm Councillor Gerard Dunne declares a Conflict of Interest on this item as his niece has a residential dwelling next to the applicant's property. Councillor Dunn left the chambers and did not participate in the discussion nor vote on the matter.

8:18 pm In camera session

8:46 pm Return to Public Meeting

MOTION: 2024-168 Councillor Jacob Hayden / Councillor Ralph Carey

MOVE TO approve the application for Traditional Agricultural Use at John C's Grove Road as per the proposed farming plan and specific site locations for the proposed activities. There is to be no variation from the proposed plan. The following conditions will also be applied:

1. The applicant is to remove all manure currently at the site.
2. Council and the applicant will investigate to determine best cause for mitigating water runoff in the area.

FURTHER MOVE TO remove the Stop Work Order issued previously to the property owner to cease all agricultural operations.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Jacob Hayden, Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

8:47 pm Councillor Gerard Dunne returned to chambers.



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13. Adjournment

Mayor Trevor Croft called for adjournment as there was no further business of Council.

MOTION: 2024-169 Councillor Gerard Dunne/ Councillor Jacob Hayden

MOVE TO adjourn at 8:47pm.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

A handwritten signature in black ink, appearing to read "Trevor Croft", is written above a horizontal line.

Mayor

A handwritten signature in blue ink, appearing to read "Jennifer Zell", is written above a horizontal line.

CAO

____ June 12, 2024 _____
Date