



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

Meeting Minutes

Public Meeting

Tuesday, October 8, 2024, 7:30 p.m.

Council Chambers and Teleconference

Council Members Present

Deputy Mayor Jacob Hayden
Councillor Gerard Dunne
Councillor Justina Nawaz

Via Teleconference

Councillor Ralph Carey

Staff Present

Jennifer Aspell, CAO

Regrets

Mayor Trevor Croft
Councillor Margaret Swain

1. Call to Order

Deputy Mayor Jacob Hayden called the meeting to order at 7:30 pm.

2. Adoption of Agenda

Deputy Mayor Jacob Hayden called for adoption of the agenda for October 8, 2024.

MOTION: 2024-255 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO adopt the agenda for October 8, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

3. Adoption of Minutes

3.1 September 17, 2024, Public Meeting Minutes

MOTION: 2024-256 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO adopt the public meeting minutes of September 17, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

4. Business Arising

4.1 Ratification of Email Vote – Award of Snow Clearing Tender#: TP08302024

7:31 pm Councillor Gerard Dunne declared a conflict of interest as his employer bid on the Snow Clearing Tender. Councillor Dunne left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-257 Councillor Justina Nawaz / Councillor Ralph Carey

MOVE TO RATIFY the email vote of September 20, 2024, which was moved by Deputy Mayor Jacob Hayden and seconded by Councillor Ralph Carey and stated:

MOVE TO award Tender # TP08292024, Snow Clearing and Ice Control Services, 2024-2025 to O'Brien's Trucking Ltd, at a total cost of \$247,650.00 + HST.

In favor: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Margaret Swain and Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

The motion was carried.

For Motion: 3 (Deputy Mayor Jacob Hayden, Councillors Ralph Carey and Justina Nawaz)

Against: 0

Abstain: 1 (Councillor Gerard Dunne)

7:32 pm Councillor Gerard Dunne returned to chambers.

4.2. Ratification of Email Vote – Acceptance of the Ultimate Recipient Agreement – Canada Community Building Fund (formerly Gas Tax Program)

MOTION: 2024-258 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO RATIFY the email vote of September 20, 2024, which was moved by Deputy Mayor Jacob Hayden and seconded by Councillor Ralph Carey and stated:

BE IT RESOLVED THAT the Town of Witless Bay accepts the terms and conditions of the Ultimate Recipient Canada Community-Building Fund Administrative Agreement 2024-2034.

In favor: 6 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne, Margaret Swain and Justina Nawaz)

Against: 0

Abstained: 0

The motion was carried unanimously.

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

Against: 0

Abstain: 0

4.3 Request for Ministerial Approval to Delay By-election

MOTION: 2024-259 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO request Ministerial approval to delay the by-election for the remaining vacant seat on Council to November 27, 2024.

The motion carried unanimously.

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

Against: 0

Abstain: 0

4.4 By-election Date

MOTION: 2024-260 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO set the date of November 27, 2024, for the Town of Witless Bay by-election pending Ministerial approval.

The motion carried unanimously.

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

Against: 0

Abstain: 0

4.5 Nomination Date

MOTION: 2024-261 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO set the date of November 5, 2024, for the Town of Witless Bay Nomination Day, pending Ministerial approval of the by-election date of November 27, 2024. Nominations will be received at the Town Hall from 8am to 8pm.

The motion carried unanimously.

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

Against: 0

Abstain: 0

4.6 Appointment of Alternate Returning Officer

MOTION: 2024-262 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO appoint Linda Carter as Alternate Returning Officer for the November 27, 2024, Town of Witless Bay by-election.

The motion carried unanimously.

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

Against: 0

Abstain: 0

5. Delegations & Proclamations

5.1 Child Abuse Prevention Month 2024

5.2 Fire Prevention Week 2024 Proclamation

6. Applications

6.1 Application for New Development - 28 New Line Road

MOTION: 2024-263 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO approve the application for construction of a single-family dwelling at 28 New Line Road. The permit will be issued once all other applicable government approvals have been received by the Town. There is to be no construction within the easement located on the property.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.2 Application to Subdivide Land - 16 Country Path Drive

MOTION: 2024-264 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO approve in principle, the application for the subdivision of land at 16 Country Path Drive, 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 following conditions apply to this approval in principle:

1. A survey illustrating the new lot boundaries and area of the reconfigured lots will be required to be completed and filed with the Town for both 12 Island View Place and 16 Country Path Drive.
2. No applications for development will be considered unless accompanied by an updated survey.
3. No fill is to be added or removed that would alter the current grade or slope of the property.
4. Once subdivided, the reconfigured property at 16 Country Path Drive cannot be further subdivided, as the remaining total area will meet the minimum lot requirement of 1860 m².

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.3 Accessory Building Application - 20-38 Gull Pond Road

MOTION: 2024-265 Gerard Dunne / Councillor Justina Nawaz

MOVE TO approve the application to construct an accessory building at 20-38 Gull Pond Road. There is to be no construction within the easements located on the property.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

6.4 Accessory Building Application - 4 Diamond Place

7:42 pm Councillor Justina Nawaz asks if she is in a conflict of interest on item 6.4 as her family member is the applicant. Councillor Justina Nawaz left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-266 Councillor Gerard Dunne / Councillor Ralph Carey

MOVE THAT Councillor Justina Nawaz is not in a conflict of interest as she has no personal gain from the processing of the application.

The Motion was carried.

For Motion: 3 (Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey)

Against: 0

Abstained: 1 (Councillor Justina Nawaz)

7:43 pm Councillor Justina Nawaz returned to chambers

MOTION: 2024-267 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO approve the application to construct an accessory building at 4 Diamond Place. There is to be no construction within the easement located on the property.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

7. Accounts Payable

7.1 Town of Witless Bay Accounts Payable Listing for the Period Ending September 30, 2024

MOTION: 2024-268 Councillor Justina Nawaz)/ Councillor Gerard Dunne

MOVE TO approve issue of all Section A payables for the Town of Witless Bay for the period ending September 30, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

MOTION: 2024-269 Councillor Justina Nawaz)/ Councillor Gerard Dunne

MOVE TO approve issue of all Section B payables for the Town of Witless Bay for the period ending September 30, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

Total of Section A: \$ 89,157.52

Total of Section B: \$ 27,065.67

Total Payables: \$ 116,223.19



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7.2 Witless Bay Fire Department Accounts Payable listing for the Period Ending September 30, 2024

MOTION: 2024-270 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO approve all Witless Bay Volunteer Fire Department payables, Section A for the period ending September 30, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

MOTION: 2024-271 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO approve the Witless Bay Volunteer Fire Department payables, Section B for the period ending September 30, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

Total of Section A: \$ 4,107.82

Total of Section B: \$ 4,47785

Total Payables: \$ 8,585.67

8. Committee Reports

8.1 Recreation – Councillor Ralph Carey delivered a summary report of recreation activities for the month of September.

8.2 Fire Department - Councillor Justina Nawaz delivered a summary report of fire department activities for the month of September.

8.3 Public Works Update - Councillor Justina Nawaz delivered a summary report of public works activities for the month of September.

9. Action

9.1 Appointment of Public Hearing Commissioner

MOTION: 2024-272 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO appoint Marie Ryan, of Goss Gilroy Management Consultants, as Public Hearing Commissioner for the Town of Witless Bay.

The motion was carried unanimously.

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

Against: 0

Abstained: 0

9.2 Christmas Hours

MOTION: 2024-273 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO approve closure of the Town office from December 24, 2024 to January 1, 2025, with a reopening on January 2, 2025

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.3 Purchase of Spotting Scope

MOTION: 2024-274 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO approve the purchase of a spotting scope for the Lower Pond Tourism Upgrade Project from J.C. Roy Enterprises at a total cost of \$9,579.00 + HST.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.4 Committee Appointments

MOTION: 2024-275 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO appoint the members of Council to the Committees of Council as follows:

Recreation	Deputy Mayor Jacob Hayden	Councillor Margaret Swain
Public Works	Councillor Ralph Carey	Councillor Gerard Dunne
Finance	Councillor Ralph Carey	Councillor Justina Nawaz
Human Resources	Deputy Mayor Jacob Hayden	Councillor Justina Nawaz

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

9.5 Witless Bay Volunteer Fire Department – Acceptance of Funding Agreement for Breathing Apparatus Equipment

MOTION: 2024-276 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO accept the funding agreement with the Government of Newfoundland and Labrador for the **purchase** of 2 SCBAs, 12 cylinders and 2 masks for the Witless Bay Volunteer Fire Department on an 80/20 cost-share basis. The fire department's total contribution will be \$14,594.88.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0



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9.6 Release of RFQ for Stormwater Drainage Issue – Southside Track

7:54 pm Councillor Gerard Dunne declared a conflict of interest as his employer may bid on the RFQ. Councillor Dunne left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-277 Councillor Justina Nawaz / Councillor Ralph Carey

MOVE TO issue an RFQ to resolve stormwater drainage issues on the Southside Track.

The motion was carried.

For Motion: 3 (Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Justina Nawaz)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:55 pm Councillor Gerard Dunne returned to chambers.

9.7 Purchase of Audio Equipment for Town Events

MOTION: 2024-278 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO approve the purchase of audio equipment from Long and McQuade, for use at Town events, at a total cost of \$1,578.99 + HST.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10. Information Only

10.1 Permit Report

10.2 Ultimate Recipient Agreement - Canada Community-Building Fund – Federal/Provincial Agreement

11. Correspondence Received

11.1 Invitation to Submit Feature Names for the Newfoundland and Labrador Geographical Names Database

11.2 Circular – Update on the Ultimate Recipient Canada Community-Building Fund Administrative Agreement 2024-2034

11.3 Circular: 2025 Municipal Budget Form



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12. Correspondence Sent

12.1. TOWB Correspondence- Letter of Approval - New Development Application to Convert Barn into a Single-Family Dwelling –On Evergreen Place

12.2. TOWB Correspondence- Letter of Approval - Changing Use of Dwelling to include a Subsidiary Apartment - 432-434 Southern Shore Highway

13. Adjournment

Deputy Mayor Jacob Hayden called for adjournment as there was no further business of Council.

MOTION: 2024-279 Councillor Gerard Dunne/ Councillor Justina Nawaz

MOVE TO adjourn at 7:56 pm.

The Motion was carried unanimously.

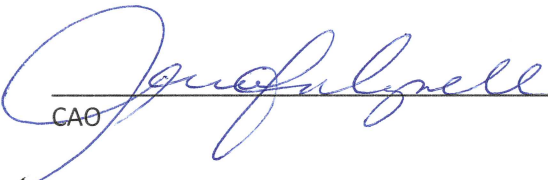
For Motion: 4 (Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey, Justina Nawaz)

Against: 0

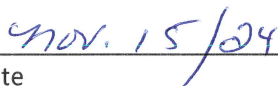
Abstained: 0



Mayor



CAO



Date