



Meeting Minutes

Public Meeting

Tuesday, August 13, 2024, 7:30 p.m.

Council Chambers and Teleconference

Council Members Present

Mayor Trevor Croft
Deputy Mayor Jacob Hayden
Councillor Gerard Dunne
Councillor Ralph Carey
Councillor Margaret Swain

Staff Present

Jennifer Aspell, CAO

Regrets

Councillor Justina Nawaz

1. Call to Order

Mayor Trevor Croft called the meeting to order at 7:31 pm.

2. Adoption of Agenda

Mayor Trevor Croft called for adoption of the agenda for August 13, 2024.

MOTION: 2024-197 Councillor Gerard Dunne / Councillor Ralph Carey

MOVE TO adopt the agenda for August 13, 2024.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey, Margaret Swain)

Against: 0

Abstained: 0

3. Adoption of Minutes

3.1 July 09, 2024, Public Meeting Minutes

MOTION: 2024-198 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE TO adopt the public meeting minutes of July 9, 2024.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey, Margaret Swain)

Against: 0

Abstained: 0

4. Business Arising

4.1 Conflict of Interest Complaint

7:34pm Councillor Margaret Swain asks Council to determine under Section 6.(5) of the *Municipal Conduct Act*, whether she was in a conflict of interest on this matter as the conflict of interest complaint is against Councillor Ralph Carey, who previously filed a conflict of interest complaint against her. Councillor Swain left chambers and did not participate in the discussion nor vote on the matter.

7:34pm Councillor Ralph Carey asks Councils to determine under Section 6.(5) of the *Municipal Conduct Act*, whether he is in a conflict of interest on voting as to whether Councillor Swain is in a conflict of interest based on the fact that her reason for asking is that he previously filed a conflict of interest complaint against her. Councillor Carey left chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-199 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE THAT Councillor Ralph Carey is not in a conflict of interest in voting as to whether Councillor Swain is in a conflict of interest.

The Motion was carried.

For Motion: 3 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillor Gerard Dunne)

Against: 0

Abstained: 2 (Ralph Carey, Margaret Swain)

7:34 Councillor Ralph Carey returned to chambers.

MOTION: 2024-200 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE THAT Councillor Margaret Swain is not in a conflict of interest on this matter as she was not found to be in a conflict of interest during the privileged session of July 29, 2024, respecting the complaint against Councillor Carey.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne and Ralph Carey)

Against: 0

Abstained: 1 (Margaret Swain)

7:35pm Councillor Margaret Swain returned to chambers.

7:35pm Councillor Ralph Carey declared a conflict of interest on item 4.1 as the conflict of interest complaint is against him. Councillor Carey left chambers and did not participate in the discussion nor vote on the matter.

Mayor Croft asked CAO, Jennifer Aspell to proceed with ratification of the motions from the July 29, 2024, privileged meeting of Council. Ms. Aspell read aloud the following:



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

In respect of a complaint filed with the Town pursuant to section 8 of the *Municipal Conduct Act* alleging that Councillor Carey discussed and voted on Motion # 2024-044 respecting public works to be completed on Dunn's Lane while in a conflict of interest. The complaint was brought forward at a privileged meeting of Council on July 29, 2024.

At that meeting, Councillor Swain asked Council to determine under Section 6.(5) of the *Municipal Conduct Act*, whether she was in a conflict of interest on the matter as Councillor Carey had previously filed a conflict of interest complaint against her.

8:07pm Councillor Swain left chambers and did not participate in the discussion nor vote on the matter.

As Council began to discuss whether Councillor Swain was in a conflict of interest, Councillor Carey declared a conflict of interest because he was uncertain if he may be in a conflict on determining whether Councillor Swain was in a conflict, based on the reason she provided for asking Council to make the determination.

8:25pm Councillor Carey left chambers and did not participate in the discussion nor vote on the matter.

AND WHEREAS, at the privileged meeting on July 29, 2024, Council resolved and determined that Councillor Swain was not in a conflict on that matter:

Councillor Gerard Dunne/Councillor Justina Nawaz

MOVE THAT Councillor Margaret Swain is not in a conflict of interest with respect to the conflict of interest complaint filed against Councillor Ralph Carey.

Motion passed.

In favor: 3 (Mayor Trevor Croft, Councillor Gerard Dunne, Councillor Justina Nawaz)

Against: 0

Abstain: 2 (Councillor Margaret Swain and Councillor Ralph Carey)

Councillor Swain and Councillor Carey returned to the chambers at 8:27 pm.

AND WHEREAS section 213 of the Municipalities Act requires that decisions of Councillors made at a privileged meeting are required to be ratified by a vote of the Councillors at a public meeting. The motion is to:

Ratify Council's decision of July 29, 2024, that Councillor Swain was not in a conflict of interest with respect to the conflict of interest complaint against Councillor Carey.

MOTION: 2024-201 Councillor Gerard Dunne/Deputy Mayor Jacob Hayden

MOVE THAT Councillor Margaret Swain is not in a conflict of interest with respect to the conflict of interest complaint filed against Councillor Ralph Carey.

Motion passed.

In favor: 4 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne and

Margaret Swain)

Against: 0

Abstain: 1 (Councillor Ralph Carey)

At that same meeting, Councillor Carey was given an opportunity to make a presentation to Council and when his presentation concluded, he left the meeting.

AND WHEREAS, at the privileged meeting on July 29, 2024, Council resolved and determined that Councillor Carey did not act while in a conflict of interest, in contravention of the *Municipal Conduct Act*:

Councillor Gerard Dunne/Councillor Justina Nawaz

MOVE THAT Councillor Carey was not in a conflict of interest when he participated in the discussion and voted on Motion # 2024-044 with respect to public works to be completed on Dunn's Lane, as his participation in the matter was not distinct from any member of a broad class of the public as per Section 5.(2)(b) of the Municipal Conduct Act.

Motion passed.

In favor: 4 (Mayor Trevor Croft, Councillor Gerard Dunne, Councillor Justina Nawaz, Councillor Margaret Swain)

Against: 0

Abstain: 1 (Councillor Ralph Carey)

AND WHEREAS section 213 of the Municipalities Act requires that decisions of Councillors made at a privileged meeting are required to be ratified by a vote of the Councillors at a public meeting. The motion is to:

Ratify Council's decision of July 29, 2024 that Councillor Carey was not in a conflict of interest when he participated in the discussion and voted on Motion # 2024-044 with respect to public works to be completed on Dunn's Lane, as his participation in the matter was not distinct from any member of a broad class of the public as per Section 5.(2)(b) of the Municipal Conduct Act.

MOTION: 2024-202 Councillor Gerard Dunne / Deputy Mayor Jacob Hayden

MOVE TO Ratify Council's decision of July 29, 2024 that Councillor Carey was not in a conflict of interest when he participated in the discussion and voted on Motion # 2024-044 with respect to public works to be completed on Dunn's Lane, as his participation in the matter was not distinct from any member of a broad class of the public as per Section 5.(2)(b) of the Municipal Conduct Act.

Motion passed.

In favor: 4 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillor Gerard Dunne, Councillor Margaret Swain)

Against: 0

Abstain: 1 (Councillor Ralph Carey)

7:41pm Councillor Ralph Carey returns to chambers.

4.2 Settlement of Conflict of Interest Matter

7:42pm Councillor Maragret Swain asks Council to determine, under Section 6.(5) of the *Municipal Conduct Act*, whether she is in a conflict of interest on this matter as it involves payment of her legal fees. Councillor Swain left chambers and did not participate in the discussion nor vote on the matter.

7:43pm Councillor Ralph Carey asks Council to determine, under Section 6.(5) of the *Municipal Conduct Act*, whether he is in a conflict of interest on determining whether Councillor Swain is in a conflict of interest as the legal fees are in relation to conflict of interest complaint he filed against her. Councillor Carey left chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-203 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE THAT Councillor Ralph Carey is not in a conflict of interest in voting as to whether Councillor Swain is in a conflict of interest on item 4.2.

The Motion was carried.

For Motion: 3 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillor Gerard Dunne)

Against: 0

Abstained: 2 (Councillor Ralph Carey and Councillor Margaret Swain)

7:44pm Councillor Carey returned to the chambers.

MOTION: 2024-204 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE THAT Councillor Margaret Swain is in a conflict of interest on item 4.2 as the matter is pertaining to repayment of her legal fees.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillor Gerard Dunne and Councillor Ralph Carey)

Against: 0

Abstained: 1 (Councillor Margaret Swain)

7:44pm Councillor Carey asks Council to determine, under Section 6.(5) of the *Municipal Conduct Act* whether he is in a conflict of interest on item 4.2 because he did not vote on this matter during the privileged meeting of July 29, 2024. Councillor Carey left chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-205 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE THAT Councillor Ralph Carey is in a conflict of interest on item 4.2 as he declared a conflict of interest on this matter during the privileged meeting of July 29, 2024.

The Motion was carried.

For Motion: 3 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillor Gerard Dunne)

Against: 0

Abstained: 2 (Councillor Ralph Carey and Councillor Margaret Swain)

Mayor Croft asked CAO, Jennifer Aspell to proceed with ratification of the motions from the July 29, 2024, privileged meeting of Council. Ms. Aspell read aloud the following:

At a privileged meeting held on July 29, 2024, Council considered the reimbursement of legal fees incurred by Councillor Margaret Swain as a result of her Supreme Court appeal of Council's decision to find her in a conflict of interest and vacate her seat at the public meeting of February 20, 2024.

8:39pm Councillor Swain declared a conflict of interest on the matter and left chambers because it directly involved her. She did not participate in the discussion nor vote on the matter.

8:30pm Councillor Carey declared a conflict of interest on the matter because he was the individual who filed the conflict of interest complaint against Councillor Swain. He left chambers and did not participate in the discussion nor vote on the matter.

AND WHEREAS, at the privileged meeting on July 29, 2024, Council resolved and determined to reimburse Councillor Swain for legal fees incurred:

Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO pay the legal fees incurred by Councillor Margaret Swain, as per the documentation received from her legal counsel, in the amount of \$3,324.78.

Motion passed.

In favor: 3 (Mayor Trevor Croft, Councillor Gerard Dunne, Councillor Justina Nawaz)

Against: 0

Abstain: 2 (Councillor Margaret Swain and Councillor Ralph Carey)

8:55 pm Councillor Swain and Councillor Carey returned to the chambers.

And whereas section 213 of the Municipalities Act requires that decisions of Councillors made at a privileged meeting are required to be ratified by a vote of the Councillors at a public meeting.

The motion is to:

Ratify Council's decision of July 29, 2024, to pay the legal fees incurred by Councillor Margaret Swain, as per the documentation received from her legal counsel, in the amount of \$3,324.78.

MOTION: 2024-206 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE TO Ratify Council's decision of July 29, 2024, to pay the legal fees incurred by Councillor Margaret Swain, as per the documentation received from her legal counsel, in the amount of \$3,324.78.

The Motion was carried.

For Motion: 3 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillor Gerard Dunne)

Against: 0

Abstained: 2 (Councillor Ralph Carey and Councillor Margaret Swain)

7:49pm Councillor Margaret Swain and Councillor Ralph Carey returned to chambers.

5. Delegations & Proclamations

6. Applications

6.1 Application to Subdivide Land – 14 Evergreen Place

MOTION: 2024-207 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE TO approve in principle, the application for the subdivision of land at 14 Evergreen Place, pending referral to applicable government departments and agencies using Regulation 10 – Discretionary Powers of Authority. No development applications will be considered for the property until the subdivision of land is completed.

The Motion was carried.

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

Against: 1 (Councillor Margaret Swain)

Abstained: 0

6.2 Application for New Commercial Development– 177-183 Southern Shore Highway

MOTION: 2024-208 Councillor Ralph Carey / Deputy Mayor Jacob Hayden

MOVE TO approve in principle, the application to construct a commercial storage building at 177-183 Southern Shore Highway, with the following conditions:

1. The combination of 171-175 Southern Shore Highway PAR ID 108766 and 177-183 Southern Shore Highway PAR ID 185845 is completed and confirmed by the Municipal Assessment Agency.
2. An updated survey/real property report of the combined properties is provided by the property owner which includes the following information:
 - The property boundaries and dimensions of the land to be developed
 - Locate and illustrate all existing and proposed building(s) with dimensions and gross floor area
 - Identify setbacks of existing and proposed buildings to all lot lines
 - Location and dimensions of the existing and proposed access to the site
 - Location and dimensions of all hard surface driveways, walkways and patios
 - Location of existing and proposed fencing
 - Location and details of easements
 - Location of existing well and septic
 - Location of significant natural features on or adjacent to the property (i.e. watercourses, water bodies or wetlands)

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey, Margaret Swain)

Against: 0

Abstained: 0



6.3 Crown Land Application - E-155216

MOTION: 2024-209 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE TO approve Crown Land application #E-155216. A condition of approval is that if the land is granted to the applicant, the Town's license to occupy the Reid Railway for the purpose of a recreational trail be identified in the grant documents.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey, Margaret Swain)

Against: 0

Abstained: 0

6.4 Application for New Residential Development – 21-27 Tuffs Road

7:53 pm Deputy Mayor Jacob Hayden asks if he is in a conflict of interest on item 6.4 as his cousin is the applicant. Deputy Mayor Hayden left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-210 Councillor Gerard Dunne / Councillor Margaret Swain

MOVE TO that Councillor Jacob Hayden is not in a conflict of interest as he has no personal gain from the processing of the application.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 1 (Deputy Mayor Jacob Hayden)

7:53 pm Deputy Mayor Jacob Hayden returned to chambers.

MOTION: 2024-211 Councillor Ralph Carey / Deputy Mayor Jacob Hayden

MOVE TO approve the application for construction of a single-family dwelling at 21-27 Tuffs 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, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey and Margaret Swain)

Against: 0

Abstained: 0

6.5 Accessory Building Application – 1 Spruce Court

MOTION: 2024-212 Councillor Ralph Carey / Councillor Gerard Dunne

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

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey and Margaret Swain)

Against: 0

Abstained: 0

6.6 Application for New Residential Development – 168-170 Deans Road

MOTION: 2024-213 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE TO approve the application for construction of a single-family dwelling at 168-170 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, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey and Margaret Swain)

Against: 0

Abstained: 0

6.7 Application for New Residential Development – 172-174 Deans Road

MOTION: 2024-214 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE TO approve the application for construction of a single-family dwelling at 172-174 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, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey and Margaret Swain)

Against: 0

Abstained: 0

6.8 Application for New Residential Development – 176-178 Deans Road

MOTION: 2024-215 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE TO approve the application for construction of a single-family dwelling at 176-178 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, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey and Margaret Swain)

Against: 0

Abstained: 0

6.9 Application for New Residential Development – 180-182 Deans Road

MOTION: 2024-216 Deputy Mayor Jacob Hayden / Councillor Margaret Swain

MOVE TO approve the application for construction of a single-family dwelling at 180-182 Deans Road. The permit will be issued once all other applicable government approvals have been received by the Town
The Motion was carried unanimously.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey and Margaret Swain)

Against: 0

Abstained: 0



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7. Accounts Payable

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

7:57pm Deputy Mayor Jacob Hayden, asks if he is in a Conflict of Interest on cheque #7727 as the cheque is payable to his aunt's company. Deputy Mayor Hayden left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-217 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE THAT Deputy Mayor Jacob Hayden is not in a conflict of interest on payables to Aylward's Designs Plus on cheque #7727 and also on a going forward basis, unless he becomes employed or part owner of the company.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 1 (Deputy Mayor Jacob Hayden)

7:58 pm Deputy Mayor Jacob Hayden returned to chambers.

MOTION: 2024-218 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve issue of all cheques in Section A of the Town of Witless Bay payables.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey and Margaret Swain)

Against: 0

Abstained: 0

7:59 pm Councillor Margaret Swain asks if she is in a conflict of interest on cheque #7700 as the cheque is payable to her. Councillor Swain left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-219 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE THAT Councillor Margaret Swain is in a conflict of interest on cheque #7700 as it is payable to her legal counsel as reimbursement of her legal fees.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey and Gerard Dunne)

Against: 0

Abstained: 1 (Councillor Margaret Swain)

MOTION: 2024-220 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve issue of cheque #7700 in payable chart Section B of the Town of Witless Bay payables.

The Motion was carried.

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

Against: 0

Abstained: 1 (Councillor Margaret Swain)



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8:01 pm Councillor Margaret Swain returned to chambers.

8:01 pm Mayor Trevor Croft declared a conflict of interest on cheque #7696 & #7697 as the cheques were payable to him for travel expense reimbursement. Mayor Croft left the chambers and did not participate in the discussion nor vote on the matter.

8:01pm Deputy Mayor Jacob Hayden assumed the chair.

MOTION: 2024-221 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve issue of cheque #7696 & #7697 in payable chart Section B of the Town of Witless Bay payables.

The Motion was carried.

For Motion: 4 (Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 1 (Mayor Trevor Croft)

8:02 pm Mayor Trevor Croft returned to chambers and assumed the chair.

MOTION: 2024-222 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve issue of all remaining cheques in Section B of the Town of Witless Bay payables.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey and Margaret Swain)

Against: 0

Abstained: 0

Total of Section A: \$ 126,766.68

Total of Section B: \$ 60,362.13

Total Payables: \$ 187,128.81

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

MOTION: 2024-223 Councillor Ralph Carey / Councillor Margaret Swain

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

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0



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MOTION: 2024-224 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the Witless Bay Volunteer Fire Department payables Section B.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

Total of Section A: \$ 18,843.90

Total of Section B: \$ 6,870.12

Total Payables: \$ 25,714.02

8. Committee Reports

8.1 Recreation – Deputy Mayor Jacob Hayden delivered a summary report of recreation activities for the month of July.

8.2 Fire Department - Councillor Ralph Carey delivered a summary report of fire department activities for the month of July.

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

9. Action

9.1 WBVFD – Newfoundland Association of Fire Services Annual Convention

MOTION: 2024-225 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE TO approve attendance for two at the Newfoundland and Labrador Association of Fire Services Annual Convention in Clarenville, and all associated costs.

The motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

9.2 WBVFD – Policy for Repeat False Alarms

MOTION: 2024-226 Councillor Ralph Carey/ Councillor Margaret Swain

MOVE TO approve the Witless Bay Volunteer Fire Department Policy for Repeat False Alarms, policy number WBVFD-002 as presented.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

9.3 Revised Code of Conduct Policy for Councillors

MOTION: 2024-227 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE TO adopt the revised Town of Witless Bay Code of Conduct Policy for Councillors, effective immediately. All previous policies will be repealed.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

9.4 SJURRP Amendment No. 4, 2024 – Town of Bauline

NO MOTION REQUIRED

9.5 Safety Equipment Purchase and Installation for GMC Truck

MOTION: 2024-228 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE TO have Action Truck and Accessories complete the installation of safety equipment on the GMC Sierra at a total cost of \$5147.57 + HST.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

9.6 Snow Clearing Contract/Tender

8:14 pm Councillor Gerard Dunne declared a conflict of interest as his employer may bid on the snow clearing tender. Councillor Dunne left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-229 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE TO issue an Open Call for Bids for snow clearing and ice control services for the 2024-2025 snow clearing season. The tender will include the provision of services at an hourly rate.

The Motion was carried.

For Motion: 4 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey and Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

8:18 pm Councillor Gerard Dunne returned to chambers.

9.7 Pre-authorized Payments

MOTION: 2024-230 Councillor Ralph Carey / Deputy Mayor Jacob Hayden

MOVE TO approve pre-authorized payments from the Town's main operating account at Community Credit Union for the following bills:

- Rogers
- TRIO Pension Plan (Desjardins)

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

9.8 Fire Hall Feasibility Study

MOTION: 2024-231 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE TO enter into an agreement with Lean Architects to conduct a regional fire hall feasibility study, for Municipal Capital Works project number 17-MCW-22-00016 based on a 70/30 cost sharing with the province. The Town's financial commitment to the feasibility study will be \$27,666.00 plus the total GST. The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

9.9 Deadline for Development Applications

MOTION: 2024-232 Councillor Ralph Carey / Deputy Mayor Jacob Hayden

MOVE TO set the deadline for the receipt of development applications at 10 business days prior to the regularly scheduled monthly public meeting. This excludes development applications that are issued by staff via a Delegation of Authority such as backfill and excavation and renovation permits.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

9.10 Puffin Centre Rental Agreement

MOTION: 2024-233 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE TO Defer item to a later date to meet with 50+ and discuss the agreement.

The Motion was carried unanimously.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0



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10. Information Only

- 10.1 Update on the Municipal Assessment Agency
- 10.2 Crown Land Application - E-161925
- 10.3 Permit Report
- 10.4 Witless Bay Lower Pond Lookout – Tender Number: TP20240715 August 02, 2024

11. Correspondence Received

- 11.1 Circular - Canada Public Transit Fund
- 11.2 Circular - 2024 Municipal Long Service Awards Elected Officials
- 11.3 Circular - New Intake Dates for Federal Government Program - Green and Inclusive Community Buildings (GICB) program

12. Correspondence Sent

- 12.1 TOWB Correspondence - Application for Traditional Agricultural Use in RES Zone - John Cs Grove Road
- 12.2 TOWB Correspondence - Application to Build Accessory Building – 70 Country Path Drive
- 12.3 TOWB Correspondence - Application to Build Accessory Building – 82 Country Path Drive
- 12.4 TOWB Correspondence - Extension to Accessory Building – 169 Gull Pond Road

13. Adjournment

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

MOTION: 2024-234 Councillor Gerard Dunne/ Deputy Mayor Jacob Hayden

MOVE TO adjourn at 8:25 pm.

The Motion was carried unanimously.

For Motion: 5 (Deputy Mayor Jacob Hayden, Councillors Ralph Carey, Gerard Dunne and Margaret Swain)

Against: 0

Abstained: 0

Mayor *Jacob Hayden*

CAO *Ralph Carey*

Date *Sept 18/24*