



Meeting Minutes

Public Meeting

Wednesday, November 13, 2024, 7:30 p.m.

Council Chambers and Teleconference

Council Members Present

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

Staff Present

Lorraine Dobbin, Financial and
Administrative Assistant

Regrets

Jennifer Aspell, CAO

1. Call to Order

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

2. Appointment of Acting Town Clerk

Mayor Trevor Croft called for the appointment of Lorraine Dobbin as Acting Town Clerk.

MOTION: 2024-280 Councillor Ralph Carey / Councillor Margaret Swain

MOVE TO appoint Lorraine Dobbin as Acting Town Clerk for the November 13, 2024, public meeting.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

3. Adoption of Agenda

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

MOTION: 2024-281 Councillor Gerard Dunne / Councillor Justina Nawaz

MOVE TO adopt the agenda for the November 13, 2024 public meeting.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0



4. Adoption of Meeting Minutes

4.1 October 8, 2024, Public Meeting Minutes

MOTION: 2024-282 Councillor Gerard Dunne / Councillor Margaret Swain

MOVE TO adopt the public meeting minutes of October 8, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

5. Business Arising

5.1 Ratification of Email Vote – Backlot Development – 153-155 Northside Track Road

MOTION: 2024-283 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO RATIFY the email vote of October 22, 2024, which was moved by Councillor Ralph Carey and seconded by Councillor Gerard Dunne and stated:

MOVE TO approve the application for a single-family home, backlot development at 153-155 Northside Track Road as per the submitted development plan, pending the receipt of all other applicable government approvals.

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

Against: 0

Abstain: 0

5.2 Ratification of Email Vote -Application to Construct Driveway -69-71 Gallows Cove Road

Councillor Swain asked Council to determine if she was in a conflict of interest on this matter due to the proximity of her property to 69-71 Gallows Cove Road.

MOTION: 2024-284 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO RATIFY the email vote of November 1, 2024 that was moved by Councillor Gerard Dunne and seconded by Deputy Mayor Jacob Hayden and stated:



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

MOVE THAT that Councillor Swain is not in a conflict of interest on this matter.

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

Against: 0

Abstained: 1 (Councillor Margaret Swain)

MOTION: 2024-285 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO RATIFY the email vote of November 1, 2024, which was moved Councillor Gerard Dunne and seconded by Councillor Ralph Carey and stated:

MOVE TO approve the installation of a driveway at 69-71 Gallows Cove Road conditional on the driveway construction and site work being completed in accordance with the submitted design plan. Also conditional to a waiver and release form being signed by the applicant, upon purchase of property, that will absolve the Town of any responsibility for storm water management or the impact of water runoff, as the property is below the grade of the road.

FURTHER MOVE TO give permission to the applicant to remove a portion of the guide rail for the construction of the driveway, conditional on the installation of buried guide rail ends at the driveway entrance.

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

Against: 0

Abstain: 0

6. Delegations and Proclamations

7. Applications

7.1 Application for New Development - 58 Country Path Drive

MOTION: 2024-286 Deputy Mayor Jacob Hayden / Councillor Justina Nawaz

MOVE TO approve the application for construction of a single-family dwelling at 58 Country Path Drive. The permit will be issued once the purchase of land is complete and 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: 6 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Councillors Gerard Dunne, Ralph Carey, Justina Nawaz, Margaret Swain)

Against: 0

Abstained: 0



8. Accounts Payable

8.1 Town of Witless Bay Accounts Payable Listing for the Period Ending October 31, 2024

7:36 pm Councillor Gerard Dunne declared a Conflict of Interest on cheque #7823 as the cheque was payable to his employer. Councillor Dunne left the chambers and did not participate in any discussion nor vote on the matter.

MOTION: 2024-287 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO approve issue of cheque #7823 in payable chart Section A.

The Motion was carried.

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

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:37 pm Councillor Gerard Dunne returned to chambers.

MOTION: 2024-288 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO approve issue of all remaining cheques in Section A for the period ending October 31, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

MOTION: 2024-289 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO approve issue of all Section B payables for the Town of Witless Bay for the period ending October 31, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

Total of Section A: \$ 211,161.23

Total of Section B: \$ 24,591.16

Total Payables: \$ 235,752.39

8.2 Witless Bay Fire Department Accounts Payable listing for the Period Ending October 31, 2024

MOTION: 2024-290 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO approve all Witless Bay Volunteer Fire Department payables, Section A for the period ending October 31, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0



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MOTION: 2024-291 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO approve the Witless Bay Volunteer Fire Department payables, Section B for the period ending October 31, 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

Total of Section A: \$ 49,090.85

Total of Section B: \$ 4,193.56

Total Payables: \$ 53,284.41

9. Committee Reports

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

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

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

10. Action

10.1 Fire Department - Request for Purchase of Fire Suits

MOTION: 2024-292 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE TO approve the purchase of 3 fire suits from the lowest bidder, Safety Source Fire, at a total cost of \$8,446.77 + HST.

The motion was carried unanimously.

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

Against: 0

Abstained: 0

10.2 Eastern Regional Service Board Rate Increase

MOTION: 2024-293 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO notify Eastern Regional Service Board that the Town does wish to have bulk collection services in 2025.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0



10.3 Limited Call for Bids LC10282024 – Standing Offer for Equipment Rental and Material Supply

7:46 pm Councillor Gerard Dunne declared a conflict of interest as his employer bid on the Standing Offer Agreement. Councillor Dunne left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-294 Councillor Ralph Carey / Deputy Mayor Jacob Hayden

MOVE TO accept the bid submissions for LC10242024, Standing Offer Agreement for Equipment Rental and Material Supply. The term of the Agreement will be from November 22, 2024, to November 21, 2025. The Motion was carried.

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

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:47 pm Councillor Gerard Dunne returned to chambers.

10.4 RFQ No RFQ20241007 – Installation of Asphalt Swale

7:47 pm Councillor Gerard Dunne declared a conflict of interest as his employer bid on the RFQ. Councillor Dunne left the chambers and did not participate in the discussion nor vote on the matter

MOTION: 2024-295 Councillor Justina Nawaz / Councillor Gerard Dunne

MOVE TO defer this item to 2025.

The Motion was carried.

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

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:48 pm Councillor Gerard Dunne returned to chambers.

10.5 Knights of Columbus – Request for Donation - Christmas Hampers 2024

MOTION: 2024-296 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE TO provide a grant in the amount of \$250.00 to assist the Knights of Columbus with their Christmas Hamper Project for 2024.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10.6 Mobile High School Scholarship Fund Donation Request

MOTION: 2024-297 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO provide a grant in the amount of \$200.00 to the Mobile Central High School Scholarship Fund to be used for their 2024 award ceremonies.

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

Against: 0

Abstained: 0

10.7 Canada Summer Jobs 2025 Application

MOTION: 2024-298 Deputy Mayor Jacob Hayden / Councillor Justina Nawaz

MOVE TO apply for Canada Summer jobs funding for 4 student positions.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10.8 TOWB 2025 Public Meeting Schedule

MOTION: 2024-299 Councillor Ralph Carey / Councillor Justina Nawaz

MOVE TO approve the 2025 public meeting schedule as presented, with meetings taking place on the second Tuesday of the month at 7:30pm, unless otherwise noted.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10.9 Zoning Amendment 45 Southern Shore Highway – WB MPA No 5 & DRA No 8, 2024 AIP

MOTION: 2024-300 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

Be it resolved that the Witless Bay Municipal Plan Amendment No 5, 2024 and Development Regulations Amendment No. 8, 2024 (45 Southern Shore Highway) be Adopted in Principle and forwarded to the Department of Municipal and Provincial Affairs for Section 15 Review and Provincial Release.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0



10.10 Zoning Amendment 49-57 Southern Shore Highway - WB DRA No 7, 2024 AIP

MOTION: 2024-301 Councillor Ralph Carey / Councillor Gerard Dunne

Be it resolved that the Witless Bay Development Regulations Amendment No. 7, 2024 (49-57 Southern Shore Highway) be Adopted in Principle and forwarded to the Department of Municipal and Provincial Affairs for Section 15 Review and Provincial Release.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10.11 2025-2026 Municipal Capital Works Call for Applications

7:53 pm Councillor Gerard Dunne asked Council to determine under Section 6(5) of the Municipal Conduct Act if he was in a Conflict of Interest because he lives on Dunn's Lanes. Councillor Dunne left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-302 Deputy Mayor Jacob Hayden / Councillor Margaret Swain

MOVE THAT Councillor Gerard Dunne is not in a conflict of interest as his interest is not distinct from a broad class of the public as per Section 5.(2)(b) of the Municipal Conduct Act .

The Motion was carried.

For Motion: 5 (Mayor Trevor Croft, Deputy Mayor Jacob Hayden, Ralph Carey, Justina Nawaz, Margaret Swain)

Against: 0

Abstained: 1 (Councillor Gerard Dunne)

7:54 pm Councillor Dunne returned to the chambers.

7:54 pm Councillor Ralph Carey asked Council to determine under Section 6(5) of the Municipal Conduct Act if he is in a Conflict of Interest because he lives on Dunn's Lanes. Councillor Carey left the chambers and did not participate in the discussion nor vote on the matter.

MOTION: 2024-303 Deputy Mayor Jacob Hayden / Councillor Gerard Dunne

MOVE THAT Councillor Ralph Carey is not in a conflict of interest as his interest is not distinct from a broad class of the public as per Section 5.(2)(b) of the Municipal Conduct Act .

The Motion was carried.

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

Against: 0

Abstained: 1 (Councillor Ralph Carey)

7:55 pm Councillor Carey returned to the chambers.

MOTION: 2024-304 Deputy Mayor Jacob Hayden / Councillor Ralph Carey

MOVE TO apply for 2025-2026 Municipal Capital Works Funding Program to complete a storm sewer infrastructure upgrade on Dunn's Lane.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10.12 Appointment of Appeal Hearing Commissioner for 2025

MOTION: 2024-305 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO appoint Mitch Moran, of MJM Property Consulting, as Appeals Commissioner for the Town of Witless Bay for 2025.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10.13 Appointment of Auditor - 2024 Financial Audit

MOTION: 2024-306 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO appoint Roger Coombs and Associates Chartered Accountants, as the Town of Witless Bay Auditor for the 2024 financial audit.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10.14 Prime Consultant Agreement - Recreation Grounds Flood Mitigation Project

MOTION: 2024-307 Deputy Mayor Jacob Hayden / Councillor Justina Nawaz

MOVE TO enter into an agreement with Meridian Engineering, to provide Prime Consultant services for project 17-MCW-25-00071 – Recreation Complex Infrastructure Upgrades – Flooding Mitigation, at a total cost of \$107,693.68, to be cost shared with the province on a 90/10 funding basis.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

10.15 Purchase of Utility Trailer - Maintenance Department

MOTION: 2024-308 Councillor Ralph Carey / Councillor Gerard Dunne

MOVE TO approve the purchase of a 6ft x 10ft utility trailer from Home Depot at a total cost of \$3,298 + HST.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

11. Information Only

10.1 Municipal Assessment Agency – Memo

10.2 Permit Report

12. Correspondence Received

12.1 Circular - Year-end Claims for Municipal Infrastructure Programs

12.2 Circular - Project Sign Requirements

12.3 Eastern Regional Office – Temporary Relocation Notice

12.4 Government of Newfoundland – Honeywell Notice

12.5 Circular - Call for Applications - 2025-2026 Municipal Capital Works

12.6 17-MCW-25-00071 - Recreation Complex Infrastructure Upgrades Flooding

12.7 Response to Request for Ministerial Approval to Defer By-Election

12.8 Circular - Municipal General Election 2025 Deferral Order

12.9 Circular - Deadline for Applications for Federal Rural Transit Solutions Fund Planning and Design Projects Stream

13. Correspondence Sent

13.1 TOWB Correspondence - Application to Subdivide Land – 16 Country Path Drive

13.2 TOWB Correspondence - Application to Construct an Accessory Building – 20-38 Gull Pond Road

13.3 TOWB Correspondence - Application to Construct an Accessory Building – 4 Diamond Place

13.4 TOWB Correspondence - Application to Construct a Single-Family Dwelling – 28 New Line Road



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13. Adjournment

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

MOTION: 2024-309 Councillor Gerard Dunne/ Deputy Mayor Jacob Hayden

MOVE TO adjourn at 8:00 pm.

The Motion was carried unanimously.

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

Against: 0

Abstained: 0

A handwritten signature in blue ink, appearing to be "T. Croft", written over a horizontal line.

Mayor

A handwritten signature in blue ink, appearing to be "Jennifer Lyzell", written over a horizontal line.

CAO

A handwritten date "Dec. 11/24." written in blue ink over a horizontal line.

Date