



## Public Meeting of Witless Bay Council

### Minutes

May 11, 2021

Attending: Mayor Derm Moran, Councillors Colleen Hanrahan, Dale O'Driscoll, David Ryan, Fraser Paul and Vince Swain

Staff: Pat Curran (CAO), Geraldine Caul (Town Clerk), Barbara Harrigan (Assistant Town Clerk)

Regrets: Deputy Mayor Maureen Murphy

**1. Mayor Derm Moran called the meeting to Order at 8:11 pm.**

**2. Adoption of Agenda of May 11, 2021**

**2021-136** Councillor Fraser Paul/Councillor David Ryan

Move that the agenda of the meeting of May 11, 2021 be adopted.

Motion carried unanimously.

**3. Adoption of Public Meeting Minutes of April 13, 2021**

**2021-137** Councillor Dale O'Driscoll/Councillor Colleen Hanrahan

Move that the minutes of the meeting of April 13, 2021 be adopted.

Motion carried unanimously.

**4. Business Arising from Minutes:**

a. **Regional Wayfinding Signage Project**

The CAO reported that the Town has been advised that the application to ACOA for this project has been approved and the project sponsor, the Town of CBS, is awaiting word on funding from the government of NL.

b. **Notice of Appeal filed pertaining to 32 Dunn's Lane - Information purpose**

The CAO reported that Council has been advised that its approval of single family dwelling at 32 Dunn's Lane has been appealed, but there is no date set as of yet for the appeal.

c. **Municipal and Provincial Affairs Municipal Finance Approval of 2021 OSR**

The CAO reported that Council has been advised that its request for an OSR exemption has been approved.

d. **Amending the Town's Development regulations to specifically identify the rail bed within the Conservation Land Use Policy - Information only.**

Council has actioned this amendment, and is in the process of lining up a meeting with the Planner to initiate the next steps.

e. **Amending Policies and Procedures in relation to establishing an honorarium policy for Council**

**2021-138** Councillor Dale O'Driscoll/Councillor Vince Swain

Move that Council amend the Town's Policies and Procedures to establish an honorarium policy for Council.

Motion carried unanimously.

f. **Amending Policies & Procedures in relation to deadline for agenda submissions per Notice of Motion from April 13, 2021 public meeting**

The CAO reported that the current deadline for final receipt of agenda items is noon on the Thursday before the monthly meeting of Council. This provides a very narrow window for staff to finalize materials for Council and to post the draft Agenda of the Council meeting. A more reasonable timeline might be 12:00 pm on the Tuesday before the Council meeting. A Notice of Motion is required to amend the Town's Policies and procedures Manual.

**2021-139** Councillor Colleen Hanrahan/Councillor Fraser Paul

Move that Council amend the Town's Policies and Procedures so that the deadline for the receipt of agenda items is 12:00 pm on the Tuesday before the Council meeting.

Motion carried unanimously.

g. **Amending Policies & Procedures in relation to establishing a policy on Certificate of Location requirements per Notice of Motion from April 13, 2021**

**2021-140** Councillor Vince Swain/Councillor Fraser Paul

Move that Council adopt a policy on Certificate of Location, namely that following excavation, a survey, identifying pins locations for proposed house location on property be prepared and submitted to the Town.

Motion carried unanimously.

h. **Amending Policies & Procedures in relation to establishing a policy on Priority Vendors per Notice of Motion from April 13, 2021**

**2021-141** Councillor Dale O'Driscoll/Councillor Vince Swain  
Move that Council adopt a policy on Priority Vendors.

Discussion: Councillor O'Driscoll noted that Council considered the necessity of certain vendors waiting until the approval of the payables register at the monthly public meeting of council before receiving payment. This is to avoid interest, penalties and loss of discount amounts due to the timing of monthly meetings of council.

Motion carried unanimously.

i. **Application to construct a shed on 171 Southern Shore Highway per Notice of Application of April 13, 2021 (Motion #2021-124)**

The CAO reported that the Notice of Application was advertised with comments due by May 5, 2021, and no comments were received by the deadline.

**2021-142** Councillor Fraser Paul/Councillor Vince Swain  
Move that Council approve the application to construct a shed on 171 Southern Shore Highway.  
Motion carried unanimously.

j. **Application to construct a temporary structure on 171 Southern Shore Highway per Notice of Application of April 13, 2021 (Motion #2021-125)**

The CAO reported that the Notice of Application was advertised with comments due by May 5, 2021, and no comments were received by the deadline.

**2021-143** Councillor Fraser Paul/Councillor Vince Swain  
Move that Council approve the application to construct a temporary structure on 171 Southern Shore Highway.  
Motion carried unanimously.

k. **Application to construct a chicken coop on 112 Harbour Road per Notice of Application of April 13, 2021 (Motion #2021-128)**

The CAO reported that the Notice of Application was advertised with comments due by May 5, 2021, and no comments were received by the deadline.

**2021-144** Councillor Fraser Paul/Councillor Vince Swain  
Move that Council approve the application to construct a chicken coop at 112 Harbour Road.  
Motion carried unanimously.

l. **Application to construct a single house dwelling on 69A Bear Cove Road per Notice of Application of April 13, 2021 (Motion 2021-109)**

The CAO reported that the application was advertised with comments due by May 5, 2021, and no comments were received by the deadline.

**2021-145 Councillor Fraser Paul/Councillor David Ryan**

Move that Council approve the application to construct a single family dwelling at 69A Bear Cove Road, consistent with the Town's backlot development policy, and the requirements of other departments and agencies.

Motion carried unanimously.

m. **Hiring of Fire Chief**

Mayor Moran reported that earlier this year Council commenced recruitment of the region's first paid Fire Chief and engaged LW Consulting to lead the recruitment process. Over 30 applications were received from around the province, nationally and internationally and a short list of candidates were identified for further screening. From this screening, a short list of candidates was identified for final interviews. A preferred candidate was identified and a job offer prepared. After some negotiation, the candidate has accepted the offer of employment and is due to commence work on Monday, May 31.

**2021-146 Councillor David Ryan/Councillor Fraser Paul**

Move that Council appoint Maria Churchill as Fire Chief.

Motion carried unanimously.

n. **Kinsmen Community Clean-up, May 15<sup>th</sup>**

The CAO reported that the Kinsmen have once again stepped up to carry out their annual community clean-up, scheduled for Saturday, May 15, 2021. Council has been asked to encourage residents and community groups to get involved in this initiative and to make Town staff available on Saturday to assist. Council has previously extended financial support of cash and in-kind to support this activity.

In recent months we have had a number of enquiries in relation to litter in the Town and we take this feedback very seriously. In recent weeks we have installed additional garbage boxes at Northside Track with more planned for other locations in the Town. Residents are taking on this issue as well, with a clean-up held in recent weeks at the Power House Road and another planned for this weekend at Gully Pond. Council is exploring further collaboration with the Kinsmen on a broader community tidiness initiative. We will keep residents up to date on these initiatives.

o. **Eastern Regional Service Board: April 13<sup>th</sup> Motion #2021-110 extending Contract for 2021**

**2021-147 Councillor David Ryan/Councillor Colleen Hanrahan**

Move that Council extend its contract with Eastern Regional Service Board until June 30, 2022.

Motion carried unanimously.

p. **Notice of Appeal to the Supreme Court in relation to extension at the end of Mullowney's Lane per decision of the Eastern Regional Appeal Board**

The CAO reported that Council has been advised of an appeal of the Eastern Regional Appeal Board decision on Mullowney's Lane Extension to the Supreme Court.

Councillor Colleen Hanrahan noted that as a member of the Bar, swore an oath to the Court, is non-practicing so cannot provide legal advice to the Town. Her opinion is the Town should respect the court process and should not do anything further until the Appeal is concluded. She added she had done her due diligence on this and has not been persuaded the road is required. She said she received a lot of representation around the town, and no one has said they want the road, but a lot have expressed to her why it is not necessary.

Mayor Moran responded that this particular road is not the only road we have to do and there are numerous other roads that have been taken on by the Town, and this is nothing new.

q. **Mullowney's Lane Tender call**

Councillor David Ryan declared a conflict of interest, stating that one of the contractors that bid on this does work for his company. Councillor Ryan left the meeting at 8:35 p.m.

**2021-148 Councillor Fraser Paul/Councillor Vince Swain**

Move that the Town award O'Brien's Contracting the tender call for Mullowney's Lane extension for \$5800 + HST.

For: Mayor Derm Moran, Councillor Dale O'Driscoll, Councillor Fraser Paul, Councillor Vince Swain

Against: Councillor Colleen Hanrahan

Abstained: Councillor David Ryan

Motion carried.

Councillor Ryan returned to the meeting at 8:36 p.m.

r. **Municipal Plan Amendment #3, 2019 and Development Regulations Amendment #3, 2019  
(Rezoning land on Southern Shore Highway for proposed new Fire Hall - Notice of Registration**

The CAO noted that this is for information only. He also added that this is the last stage of the Amendment process, and we are obliged to advertise in a local paper and the Gazette.

s. **Consultant Fee Proposal - Coastal Erosion Project**

The CAO reported that Council issued a limited call for quotations for professional engineering services in support of its shoreline protection project in area of Harbour Road. The request was sent to five firms and Council received five responses and these responses are still in the assessment stages.

**2021-149 Councillor Vince Swain/Councillor Fraser Paul**

Move to defer Consultant on the Coastal Erosion Project.

Motion carried unanimously.

t. **Renaming Playground Area**

**2021-150 Councillor Vince Swain/Councillor Fraser Paul**

Move that Council defer naming the Playground area until further consultation.

Motion carried unanimously.

u. **Acceptance of CSJ Letter of Offer**

The CAO reported that Council had applied for students under the Canada Summer Jobs (CSJ) program and have received word of approval for three positions.

**2021-151 Councillor Dale O'Driscoll/Councillor Colleen Hanrahan**

Move that Council sign the letter of offer from the CSJ Program

Discussion: The CAO reported that we asked for positions to support recreation programs at the pool and the recreation grounds, and we looked for support for maintenance as well as for Heritage. Council will be accepting applications for post-secondary students, Level I, II, and III and the deadline is May 28<sup>th</sup>. The CAO said the Town was also approved for the Green Team Project as well.

Motion carried unanimously.

**5. Proclamations/Presentations**

**6. Correspondences and Other Business**

a. **Deputy Mayor - Leave of Absence**

Councillor Dale O'Driscoll declared a conflict of interest, stating the Deputy Mayor is his mother-in-law. Councillor O'Driscoll left the meeting at 8:43 p.m.

**2021-152 Councillor Fraser Paul/Councillor Vince Swain**

Move that Council approve the Deputy Mayor's request for a temporary leave of absence.

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor David Ryan, Councillor Fraser Paul, Councillor Vince Swain

Against: 0

Abstain: Councillor Dale O'Driscoll

Motion carried.

Councillor O'Driscoll returned to the meeting at 8:44 p.m.

b. **Business interested in purchasing Town land on Witless Bay Line**

**2021-153 Councillor Dale O'Driscoll/Councillor Fraser Paul**

Move to decline the request to purchase Town Land on Witless Bay Line.

Motion carried unanimously.

c. **Heritage Designation Letter**

Councillor Fraser Paul declared a conflict of interest, stating he has a live application. Councillor Paul left the meeting at 8:46 p.m.

The CAO reported that Council has been asked by the Heritage Committee to identify the old railway bed and trestle as Heritage Land under the *Municipalities Act*. At its April 13, 2021 meeting, Council moved a motion to rezone the rail bed as a conservation area, consistent with Section 3.2.6 of the Town's Municipal Plan. The Conservation designation is intended to "protect

certain lands within the Town, which by reason of their intrinsic character, are sensitive, vulnerable, or ecologically significant, or have natural or recreation values." Section 3.2.6 goes on to identify scenic areas, landmarks and historic sites. The Conservation Designation, and Council's previous motion to initiate a Municipal Plan and Development Regulation amendment, may be adequate to address the Heritage Committee's Request.

**2021-154 Councillor Colleen Hanrahan/Councillor Dale O'Driscoll**

Move to defer for further research.

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor Dale O'Driscoll, Councillor David Ryan, Councillor Vince Swain.

Against: 0

Abstained: Councillor Fraser Paul

Motion carried.

Councillor Paul returned to the meeting at 8:48 p.m.

d. **Multiple letters of concern relating to ongoing construction on Dean's Road**

Councillor Fraser Paul declared a conflict, stating he has a live application. Councillor Paul left the meeting at 8:48 p.m.

Councillor Colleen Hanrahan made a point of information that after the last council meeting she was contacted by residents who informed her there was concern that somehow her husband, John Abbott, was related to Barry Abbott. She explained that she did not know who this gentleman was so she researched BRG and there was no director named Barry Abbott in the company. She said she asked the Town Clerk about Mr. Abbott and was informed that Mr. Abbott had passed away last year, and she wanted to clarify that he was not related to her, and therefore, there is no conflict of interest on her part or her husband with respect to BRG.

The CAO reported that Council has received a number of expressions of interest from residents concerned about ongoing construction on Dean's Road. Many of these are concerned over potential impacts on the rail bed while others, primarily residents in the immediate area, are concerned over potential impacts to groundwater and drainage.

The CAO noted that to be clear, the extend of Council's approval to this point has been for a permit to enable construction of a temporary road to enable groundwater assessment. No approval has been given for a sub-division development at this point and the developer's engineers, along with the Town's engineer and planning professionals, are continuing to engage on planning and design.

Council acknowledges that the developer is promoting the sale of these lots in the absence of an approved sub-division plan and that this is of great concern to residents. Last week Council directed the developer to cover the onsite signage and make application for a permit as per the Town signage regulations. That application will be considered later in this evening's agenda.

Council and staff have done their best to keep residents apprised of developments and we have tried on several occasions over the past several weeks to line up a meeting with a representative

group of residents to hear their concerns. We will try again to schedule something as soon as possible, hopefully later this week if feasible.

Councillor Paul returned to the meeting at 8:53 p.m.

e. **Request to have trail leading to dog park groomed and fence repaired**

The CAO reported that this request has been added to Public Works activity list and a preliminary site inspection has been carried out.

Items **f, g, h, and I** are combined because they all relate to speed bumps and/or signage related to concerns with speeding.

The CAO noted that the request for speed bumps under item **f** included names of about 100 people.

Councillor Vince Swain stated that he did not agree with speed bumps, only those areas by the Senior's Home and the playground area. His preference would be for signage on the pavement itself.

Councillor Dale O'Driscoll stressed the importance of addressing areas where there are small children. He felt these areas need either speed bumps, signage or pavement markings.

The CAO spoke to Councillor O'Driscoll's comment and reminded council once again that we did receive a letter containing signatures of a hundred residents regarding speeding at the Emerald Estates subdivision.

j. **17 Andrew's Lane - Request for extension on existing permit**

Council determined there was no need for a motion on this item.

k. **Request to have ditches filled in on 3-7 Lundrigan's Road**

The CAO reported that we have a request from a resident to fill in ditch on 3-7 Lundrigan's Road and this has been referred to Public Works. Limited costing has been done.

l. **Government Circular related to General Election Mail-in Voting**

The CAO reported that in light of ongoing COVID restrictions, and based on recent experience in provincial General Election, he had requested the Town Clerk, in her capacity as Chief Returning Officer, to explore considerations around alternatives to in-person voting in case of restrictions due to COVID-19. Given the timelines highlighted in the circular from the Department, Council must move quickly on requesting permission from the Minister and approving a resolution to authorize voters to vote by mail in an election, enabling them to prepare associated regulations for adoption.

**2021-155** Councillor Dale O'Driscoll/Councillor Vince Swain  
Move that Council, consistent with Section 54 of the Municipalities Act, 1999:

- a. Request permission from the Minister to conduct an election, if required, by mail-in ballot, and;
  - b. Authorize voters to vote by mail in an election.
- Motion carried unanimously.

m. **Eastern Regional Service Board - Supporting community clean-up projects -**

Correspondence from Eastern Regional Service Board:

*"The Eastern Regional Service Board (ERSB) would like to support communities in our region once again this year by allowing community groups to benefit from our network of waste recovery facilities.*

*The ERSB is again offering an annual opportunity for community-based volunteer groups to access and dispose of waste collected during community clean-up events. These community clean-up events should be aimed at public spaces such as parks, ditches, green space, beaches, etc., in our communities. This is not intended as a household bulk clean up event or an opportunity to clean up private property.*

*On the following page we have outlined the parameters that will guide the program. These policies will be strictly enforced. We will turn away vehicles with material on them that we feel is not in keeping with the intention of the program.*

*Our staff are ready to work with your community-based groups to make this program a success and to further protect our environment."*

n. **Canadian Mental Health Association: East Coast Trail's "Trail Raiser on The Go"**

Correspondence from The Canadian Mental Health Association:

*"The Canadian Mental Health Association-NL Division (CMHA-NL) and East Coast Trail Association (ECTA) are promoting the benefits of intentional movement on mental health again this year through the 2<sup>nd</sup> 'Trail Raiser on The Go' fundraiser.*

*Proceeds from the fundraiser will be shared equally by both organizations to help with programming and operations.*

*We are asking the Witless Bay Town Council to consider entering a team to participate in the challenge as well as promote the event, as there are some East Coast Trail hiking routes that pass through the town.*

*In addition, our organizations are looking at helping local businesses that are in the communities that the trail system passes through. During COVID-19 most local small businesses have felt the strain on their businesses. An example of this may be a local coffee shop located in Witless Bay that could offer a coupon for 20-40 complimentary cups of coffee or tea for hikers doing the challenge. The incentive for businesses would be to expose hikers to their business and hopefully get the participants to also purchase a baked good or sandwich with their complimentary coffee or tea.*

*Our organizations are open to hearing any other ideas that Council may have to help support the town or local businesses as a direct spin off of this fundraiser.”*

**o. Report on ATV Committee Meeting**

Councillor Colleen Hanrahan reported that the meeting was attended by her and Pat Curran as well as 17 other people. Also attending were Cpl. Kenney, RCMP Holyrood and Darrin Dunphy from Safety NL. There was a good discussion on the need for trail development and public education on safety. Five people volunteered to serve on an arms-length committee and the CAO has committed to preparing a summary report and convening an initial meeting of the organization.

**p. Annual Harassment Training per Town’s Policy**

Councillor Hanrahan noted she included this on the agenda because the Respectful Workplace Policy is important in the workplace. She also noted that this policy was adopted last year in June, but Council has not held a training session on it. Councillor Hanrahan said there is a small budget amount for training, and suggested perhaps Gerard Lewis can assist us.

**q. Senior’s Discount**

The CAO reported that there has been some discussion on why Council discontinued senior’s discounts in the 2019 Budget and Schedule of Taxes and Fees. In discontinuing the senior’s discount, which in previous years was based on an automatic 5% discount for seniors and a further 5% if seniors paid their taxes by March 31 each year, we were following the guidance of the Department of Municipal Affairs based on their interpretation of the Municipalities Act, 1999.

Based on this guidance, council can no longer discriminate on the basis of age and provide one rate of discount for a certain class of residents. Simply put, previous councils were not allowed to provide a discount and this council was directed to fix the problem. To mitigate the impact, we set our discount at 8% for all residents who paid by May 31<sup>st</sup> of each year, increasing it from the previous 5% while extending the deadline by an additional two months from the previous March 31<sup>st</sup> deadline. These measures extended an additional 3% of discount to all residents over and above the previous agreement.

**r. Social Media/Other Statements regarding Council/Councils**

**2021-156 Councillor Fraser Paul/Councillor David Ryan**

Move that Council contact legal to fully investigate two mail-outs and social media against council and others.

Discussion: Councillor Colleen Hanrahan noted she understands why councillors are upset about comments on social media, does not have an issue with council wanting to act, depending on how far it goes. She said you can’t stop social media and she does not know what the intent is here, and she wouldn’t want to see council set up against its own citizens. She also expressed that she had trouble with council paying legal fees related to social media comments.

Councillor Paul responded that he would agree with this statement if the newsletters contained the truth, but 90% of the information was false.

Councillor Swain questioned why Council is still dealing with these things on the agenda when they agreed previously not to be dealing with unsigned correspondence.

For: Mayor Derm Moran, Councillor Dale O'Driscoll, Councillor David Ryan, Councillor Fraser Paul, Councillor Vince Swain.

Against: Councillor Colleen Hanrahan  
Motion carried.

## 7. Committee Reports

### Finance

#### a. Finance Committee Summary Report and related motions

**2021-157** Councillor Dale O'Driscoll/Councillor Vince Swain  
Move that Council adopt the Finance Committee Summary Report.  
Motion carried unanimously.

#### a.1. Motion on Assistant Maintenance Worker position

Councillor Dale O'Driscoll reported that in 2020 council had to move quickly to fulfill an immediate need for maintenance staff due to leave for Maintenance Person and COVID-19 restrictions at the time did not allow for an open competition. In 2021 budget, council allocated resources for a seasonal Assistant Maintenance Worker.

**2021-158** Councillor Dale O'Driscoll/Councillor Vince Swain  
Move that council hire an Assistant Maintenance Worker and proceed to an open competition to fill the position.  
Motion carried unanimously.

#### a.2. Motion to appointing LW Consulting to support collective bargaining process

Councillor Dale O'Driscoll reported that Council has been advised that a certification process to establish a union for the Town's inside and outside workers has been approved by members of the bargaining unit. Council wishes to engage external professional services to support it in the collective bargaining process.

**2021-159** Councillor Dale O'Driscoll/Councillor David Ryan  
Move that council retain LW Consulting to provide support in the collective bargaining process.  
Motion carried unanimously.

#### a.3. Human Resources - Motion on Acting Fire Chief Appreciation as per Memo

Councillor Dale O'Driscoll expressed that council wishes to recognize the contribution made by Shane Cole during his time as Acting Chief.

**2021-160** Councillor Dale O'Driscoll/Councillor David Ryan  
I move that council provide recognition as outlined in memo.  
Motion carried unanimously.

a.4. **Legal - Motion on Action on Outstanding Legal Issues Update, May 10**

**2021-161** Councillor Dale O'Driscoll/Councillor Vince Swain  
Move that council undertake action as per Legal Issues Update, May 10.  
Discussion:

Councillor Fraser Paul declared a conflict of interest on this item, stating he believed one of the legal issues involves him. Councillor Paul left the meeting at 9:24 p.m.

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor Dale O'Driscoll, Councillor David Ryan, Councillor Vince Swain  
Against: 0  
Abstained: Councillor Fraser Paul  
Motion carried

Councillor Paul returned to the meeting at 9:25 p.m.

b. **Approval of Payable Chart**

**2021-162** Councillor Dale O'Driscoll/Councillor Vince Swain  
Move that Council approve the Payable Chart.  
Motion carried unanimously.

Payment Approval of Other Invoices

c. **Stewart McKelvey: Professional Services RE: Conflict of Interest - \$322.75**

Councillor Fraser Paul declared a conflict of interest, stating the invoice involves him. Councillor Paul left the meeting at 9:25 p.m.

Councillor Dale O'Driscoll declared a conflict of interest, stating the invoice involves a matter of interest relating to his mother-in-law. Councillor O'Driscoll left the meeting at 9:25 p.m.

**2021-163** Councillor David Ryan/Councillor Colleen Hanrahan  
Move that council approve payment of invoice from Stewart McKelvey for Professional Services RE: Conflict of interest for \$322.75  
For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor David Ryan, Councillor Vince Swain  
Against: 0  
Abstained: Councillor Fraser Paul, Councillor Dale O'Driscoll  
Motion carried.

Councillor Paul and Councillor O'Driscoll returned to the meeting at 9:26 p.m.

d. **Stewart McKelvey: Professional Services RE: Subdivision Agreement - \$372.60**

Councillor Fraser Paul declared a conflict of interest, stating he has a live application. Councillor Paul left the meeting at 9:26 p.m.

**2021-164 Councillor Dale O'Driscoll/Councillor Colleen Hanrahan**

Move that council approve payment of invoice from Stewart McKelvey for Professional Services RE: Subdivision Agreement - \$372.60.

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor David Ryan, Councillor Vince Swain, Councillor Dale O'Driscoll

Against: 0

Abstained: Councillor Fraser Paul

Motion carried.

Councillor Fraser Paul returned to the meeting at 9:27.

e. **Stewart McKelvey: Professional Services RE: ENRAB Appeal (Mullowney's Lane) - \$3036.00**

Councillor Dale O'Driscoll declared a conflict of interest, stating this involves his mother-in-law. Councillor O'Driscoll left the meeting at 9:27 p.m.

**2021-165 Councillor David Ryan/Councillor Colleen Hanrahan**

Move that Council approve payment of invoice from Stewart McKelvey for Professional Services RE: ENRAB Appeal (Mullowney's Lane) - \$3036.00

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor David Ryan, Councillor Vince Swain, Councillor Fraser Paul

Against: 0

Abstained Councillor Dale O'Driscoll

Motion carried.

Councillor O'Driscoll returned to the meeting at 9:28 p.m.

f. **Stewart McKelvey: Professional Service RE: Statutory Appeal - \$150.08**

Councillor Dale O'Driscoll declared a conflict of interest, stating this involves his mother-in-law. Councillor O'Driscoll left the meeting at 9:28 p.m.

**2021-166 Councillor David Ryan/Councillor Colleen Hanrahan**

Move that Council approve payment of invoice from Stewart McKelvey for Professional Services RE: Statutory Appeal - \$150.08

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor David Ryan, Councillor Vince Swain, Councillor Fraser Paul

Against: 0

Abstained Councillor Dale O'Driscoll

Motion carried.

Councillor O'Driscoll returned to the meeting at 9:29 p.m.

g. **O'Brien's Trucking Ltd. Invoice for grading Mullowney's Lane and culvert cleanout - \$690.00**

Councillor David Ryan declared a conflict of interest, stating O'Brien's Trucking does work for his company. Councillor Ryan left the meeting at 9:29 p.m.

**2021-167 Councillor Dale O'Driscoll/Councillor Colleen Hanrahan**

Move that Council approve payment of invoice for O'Brien's Trucking Ltd. for grading Mullowney's Lane and culvert cleanout - \$690.00

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor Dale O'Driscoll, Councillor Vince Swain, Councillor Fraser Paul

Against: 0

Abstained: Councillor David Ryan

Motion carried.

Councillor Ryan returned to the meeting at 9:30 p.m.

**h. O'Brien's Trucking Ltd. Invoice for water main repair, shovels back to various areas - \$1251.95**

Councillor David Ryan declared a conflict of interest, stating O'Brien's Trucking does work for his company. Councillor Ryan left the meeting at 9:30 p.m.

**2021-168 Councillor Dale O'Driscoll/Councillor Colleen Hanrahan**

Move that Council approve payment of invoice for O'Brien's Trucking Ltd. for water main repair, shovels back to various areas - \$1251.95.

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor Dale O'Driscoll, Councillor Vince Swain, Councillor Fraser Paul

Against: 0

Abstained: Councillor David Ryan

Motion carried.

Councillor Ryan returned to the meeting at 9:31 p.m.

Public Works & Infrastructure

**i. Public Works & Infrastructure Summary Report and related motions - No Summary Report available at this time.**

**i.1. Motion on Shoreline Protection RFQ for Consultant Fee Proposal**

This item is covered under 4 s.

**j. O'Brien's Trucking Ltd. - Various Project quotes under Standing Offer**

Councillor David Ryan declared a conflict of interest, stating O'Brien's Trucking does work for his company. Councillor Ryan left the meeting at 9:31 p.m.

**j.1. Motion on Standing Offer Quotation 1**

**2021-169 Councillor Fraser Paul/Councillor Vince Swain**

Move that Council approve Quotation 1 from O'Brien's Trucking under Standing Offer of \$10,060 plus HST.

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor Dale O'Driscoll, Councillor Vince Swain, Councillor Fraser Paul

Against: 0

Abstained: Councillor David Ryan

Motion carried.

Councillor Ryan returned to the meeting at 9:32 p.m.

j.2. **Motion on Standing Offer Quotation 2**

Councillor David Ryan declared a conflict of interest, stating O'Brien's Trucking does work for his company. Councillor Ryan left the meeting at 9:32 p.m.

**2021-170** Councillor Fraser Paul/Councillor Vince Swain

Move that Council approve Quotation 2 from O'Brien's Trucking under Standing Offer of \$10,475.00

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor Dale O'Driscoll, Councillor Vince Swain, Councillor Fraser Paul

Against: 0

Abstained: Councillor David Ryan

Motion carried.

Councillor Ryan returned to the meeting at 9:32 p.m.

k. **Application to construct accessory building - 52 Country Path Drive**

**2021-171** Councillor Fraser Paul/Councillor Vince Swain

Move that Council approve construction of an accessory building at 52 Country Path Drive. Motion carried unanimously.

l. **Application to construct accessory building - 62 Country Path Drive**

**2021-172** Councillor Fraser Paul/Councillor Vince Swain

Move that Council approve construction of an accessory building at 62 Country Path Drive. Motion carried unanimously.

m. **Application to construct detached garage - 6 Tamarack Drive**

**2021-173** Councillor Fraser Paul/Councillor Vince Swain

Move that Council approve construction of an accessory building at 6 Tamarack Drive. Motion carried unanimously.

Councillor David Ryan left the meeting at this point to attend to an emergency call related to the fire department.

n. **Application to replace culvert - 66 Dunn's Lane**

**2021-174** Councillor Fraser Paul/Councillor Vince Swain

Move that Council defer approval of culvert replacement on 66 Dunn's Lane pending additional review of Public Work Committee

Motion carried.

- o. **Application to modify existing house entrance for installation of wheelchair ramp - 243 Dean's Road**

**2021-175** Councillor Vince Swain/Councillor Fraser Paul

Move that Council approve installation of wheelchair ramp at 243 Dean's Road.

Motion carried.

- P. **Application to construct residential dwelling - 36 Country Path Drive**

**2021-176** Councillor Vince Swain/Councillor Fraser Paul

Move that Council approve the application to construct a single family dwelling at 36 Country Path Drive consistent with Town's regulations and requirements of other departments and agencies.

Motion carried.

- q. **Application to construct residential dwelling - 38 Country Path Drive**

**2021-177** Councillor Vince Swain/Councillor Fraser Paul

Move that Council approve the application to construct a single family dwelling at 38 Country Path Drive consistent with Town's regulations and requirements of other departments and agencies.

Motion carried.

- r. **Application to construct residential dwelling - 74 Country Path Drive**

**2021-178** Councillor Vince Swain/Councillor Fraser Paul

Move that Council approve the application to construct a single family dwelling at 74 Country Path Drive consistent with Town's regulations and requirements of other department agencies.

Motion carried.

- s. **Application to construct personal garage - 6 Spruce Court**

**2021-179** Councillor Vince Swain/Councillor Fraser Paul

Move that Council approve construction of an accessory building at 6 Spruce Court.

Motion carried.

- t. **Application to remove old cellar and clean up refuse - 2 Lower Loop Road**

**2021-180** Councillor Vince Swain/Councillor Fraser Paul

Move that Council approve removal of old cellar and clean up at 2 Lower Loop Road.

Motion carried.

u. **Application to construct residential dwelling on 46-64 Dunn's Lane**

**2021-181** Councillor Fraser Paul/Councillor Vince Swain

Move that Council defer this application for pending review by Town Planner of property surveys to ensure sub-division of property enables new building lot.

Motion carried.

v. **Application to construct residential dwelling on Lot 1, John C's Grove Road**

**2021-182** Councillor Fraser Paul/Councillor Vince Swain

Move that Council approve the application to construct a single family dwelling at Lot 1, John C's Grove Road, consistent with the Town's regulations and requirements of other departments and agencies.

Motion carried.

w. **Application to erect a sign on Dean's Road**

Councillor Fraser Paul declared a conflict of interest, stating he has a live application. Councillor Paul left the meeting at 9:41 p.m.

**2021-183** Councillor Vince Swain/Councillor Dale O'Driscoll

Move that Council defer application to erect a sign on Dean's Road until we receive further information.

For: Mayor Derm Moran, Councillor Colleen Hanrahan, Councillor Dale O'Driscoll, Councillor Vince Swain

Against: 0

Abstained: Councillor Fraser Paul

Motion carried

Councillor Paul returned to the meeting at 9:44 p.m.

x.1. **Crown Land Application Referral - Witless Bay Line**

**2021-184** Councillor Vince Swain/Councillor Dale O'Driscoll

Move that Council already has a motion from 2012 indicating that it will not approve Crown Land applications for agricultural development in excess of .5 acre. This application requests 15 HA.

Motion carried.

x.2. **Issue Open Call for Standing Offer**

The CAO reported that the Town's current standing offer pricing expires on May 31, 2021 with no provision within the existing contract for an extension. Based on a review of the Public Procurement Act and Regulations, a more appropriate approach to meeting ongoing public works requirements would be through Regulation 2.h. and 13 of the Public Procurement Regulations, namely establishing a pre-qualified suppliers list. Like past Standing Offer requests, a Pre-Qualified Suppliers List would follow an open call for bids to supply a pre-determined range of services and supports.

**2021-185** Councillor Vince Swain/Councillor Fraser Paul

Move that Council proceed to a Pre-Qualified Suppliers List through an Open Call.  
Motion carried.

Fire Department

y. **Fire Department Summary Report and related motions**

The CAO reported that Council initiated a limited call for proposal to form, pour and finish a 60 x 70 ft. concrete pad to enable installation of the seas cans as part of the overall Fire Training facility. The RFP was sent to 5 companies with a close of 12:00 pm on Tuesday, May 11, 2021. Council received one response by the closing deadline from Concrete Plus Inc. \$6,500 + HST.

y.1. **Motion on Limited Call for Concrete Pad**

**2021-186** Councillor Vince Swain/Councillor Dale O'Driscoll

Move that Council award the contract to Concrete Plus Inc. for \$6,500 + HST.  
Motion carried.

Recreation

z.1. **BBBAA - Request for Letter of Support from Council in order for BBBAA to submit a grant application to Canadian Parks & Recreation Association for Youth Employment/Experience**

**2021-187** Councillor Dale O'Driscoll/Councillor Fraser Paul

Move that Council provide a letter of support for the BBBAA.  
Motion carried.

z.2. **BBBAA - April 2021 monthly report**

**2021-188** Councillor Dale O'Driscoll/Councillor Colleen Hanrahan

Move to adopt the BBBAA April monthly report.  
Motion carried.

z.3. **BBBAA - Request to use playground area for summer program**

**2021-189** Councillor Dale O'Driscoll/Councillor Colleen Hanrahan

Move that Council allow the BBBAA access to the Puffin Centre/playground for the summer program.  
Motion carried.

Heritage

z.4. **Heritage Report and related motions**

**2021-190** Councillor Colleen Hanrahan/Councillor Dale O'Driscoll

Move for the adoption of the Heritage Committee Report

Motion carried.

z.5. **Martine Blue - Interview and shooting of an episode of Sing Me Home in Witless Bay**

Councillor Colleen Hanrahan reported that Martine Blue was a CBC Reporter, who is working with Colleen Power, the singer/songwriter, to come shoot in Witless Bay. Ms. Blue is interested in shooting local sites such as historic homes of Witless Bay. Ms. Power will compose a song about Witless Bay. The Mayor has suggested the use of a recitation prepared by Mr. Harte, who the Mayor noted fits right into what Witless Bay is. Councillor Hanrahan said the crew will be here in the community on May 27<sup>th</sup> and should be filming on May 28<sup>th</sup> and 29th.

Northeast Avalon Joint Council

z.6. **Meeting Notes of NEAJC Meeting of April 14, 2021**

**2021-191** Councillor Colleen Hanrahan/Councillor Dale O'Driscoll  
Move for the adoption of the Northeast Avalon Joint Council Report.  
Motion carried.

8. **Adjournment**

**2021-192** Councillor Vince Swain/Councillor Dale O'Driscoll  
Move that Council adjourn at 9:54 p.m.  
Motion carried.