

Public Meeting of Council  
Witless Bay Town Hall  
April 10, 2018

Attending: Mayor Rene Estrada, Councillors Chris Brinston, Neil Stratton, Vince Swain and Lucy Carew

Attending via Remote means: Deputy Mayor Maureen Murphy and Councillor Fraser Paul

Recording: Geraldine Caul

1. The meeting was called to order by Mayor Rene Estrada at 7:30 p.m.
2. **2018-066** Councillor Neil Stratton/Councillor Vince Swain  
Moved to adopt the Agenda of April 10, 2018  
Motion carried unanimously.
3. Adoption of March 6, 2018 Minutes of Public Meeting

**2018-067** Councillor Lucy Carew/Councillor Chris Brinston

Moved to adopt the March 6, 2018 Minutes of public meeting

Discussion: Councillor Vince Swain stated that when he made the motion to approve the Crown Land application on Mallowney's Lane at last month's Public Meeting, he should have identified the application number, which is E150-726.

Councillor Fraser Paul said that Crown Land application #151-285 for Mallowney's Lane had to be added, and Councillor Swain said he would do this when it comes up on the agenda.

Mayor Rene Estrada noted that he had not heard from Deputy Mayor Maureen Murphy.

Councillor Lucy Carew stated that Councillor Murphy is in a conflict.

Deputy Mayor Murphy said she declared a conflict of interest last month when this application came up.

Deputy Mayor Murphy was reminded by the Clerk-Manager that if she has determined that she is in a conflict of interest on this item, she is required to declare the conflict for the public record, as well as her reason for declaring a conflict.

Deputy Mayor Murphy declared a conflict of interest for the reason that her brother owns land in that area.

For: Mayor Rene Estrada, Councillors Fraser Paul, Chris Brinston, Neil Stratton, Vince Swain and Lucy Carew

Abstained: Deputy Mayor Murphy [declared a conflict of interest].

Motion carried.

4. **2018-068** Councillor Lucy Carew/Councillor Neil Stratton  
Moved to adopt the March 21, 2018 Minutes of Special Public meeting  
Motion carried unanimously.

5. Business arising from minutes:

- a. 7 Tamarack Drive – Submission related to personal use sawmill  
Council acknowledged a letter received from a resident who was concerned about noise, air pollution, and hours of operation. The resident expressed that if noise or air pollution is not going to be an issue, he/she would not have an issue with it.

**2018-069** Councillor Vince Swain/Councillor Chris Brinston  
Moved to approve the use of a portable sawmill on 7 Tamarack Drive on the condition that usage is limited to regular day time hours, that it is kept to personal use and not commercial, and if the Town receives complaints of commercial usage, or that it is being used after regular day time hours, the Town will put a stop to it.  
Motion carried unanimously.

- b. Crown Land Referral for Mallowney's Lane

Councillor Vince Swain noted that in last month's meeting there was another application number that he missed that required Council's approval on opening the public Right-of-Way at the end of Mallowney's Lane extension (application # E151-285).

**2018-070** Councillor Vince Swain/Councillor Fraser Paul  
Moved that the Town does not have a problem with opening the public Right-of-Way.  
Discussion: Councillor Lucy Carew reminded Deputy Mayor Maureen Murphy that she should request to step out for this item.  
Deputy Mayor Maureen Murphy stated that she is in a conflict of interest on this item because her brother has property in this vicinity.  
Councillor Brinston asked for the length of the Right-of-Way, and was informed by Councillor Swain that it was a public Right-of-Way so the length didn't matter because it should be accessible for everyone to use.  
Councillor Neil Stratton asked if the Town had any maintenance agreement in place.  
Councillor Swain responded saying that anyone can walk on it, and no one asked for any particular lengths or widths.  
For: Mayor Rene Estrada, Councillors Fraser Paul, Neil Stratton, Vince Swain and Lucy Carew  
Against: Councillor Chris Brinston

Abstained: Deputy Mayor Maureen Murphy [declared a conflict of interest]  
Motion carried.

c. Harbour Road erosion – Councillor Neil Stratton and Christ Brinston reported that the Town engineer has measured the area and that a surveyor is expected within the week to survey it. It was noted that The Town is seeking funding for this repair work, and hoping to get this done as soon as possible.

d. Tenders for Town Truck –

**2018-071** Councillor Lucy Carew/Councillor Neil Stratton

Moved to defer the tender for Town truck pending additional information requested.

Motion carried unanimously.

6. Public Works & Compliance –

a. Residential dwelling on 173 Dean’s Road

**2018-072** Councillor Vince Swain/Councillor Chris Brinston

Moved to approve application for residential dwelling on 173 Dean’s Road [subject to required setback per Town regulations, as well as approval from Services NL and any other government agencies who may have jurisdiction].

Motion carried unanimously.

b. Residential dwelling on New Line Road – Councillor Fraser Paul requested that Council determine if he is in a conflict of interest on this item because he lives near this property.

**2018-073** Councillor Chris Brinston/Councillor Vince Swain

Moved that Councillor Fraser Paul is not in a conflict of interest on this item.

Motion carried.

**2018-074** Councillor Chris Brinston/Councillor Neil Stratton

Moved to defer this application pending an updated survey.

Motion carried unanimously.

c. Residential dwelling on Tamarack Drive

**2018-075** Councillor Vince Swain/Councillor Lucy Carew

Moved to defer this application pending an updated survey.

Motion carried unanimously.

d. Personal garage on 37 Country Path Drive

**2018-076** Councillor Chris Brinston/Councillor Neil Stratton

Moved to approve personal garage on 37 Country Path Drive.

Motion carried unanimously.

- e. Clear land and dispose of overburden on 170 Gallows Cove Road

**2018-077** Councillor Vince Swain/Councillor Chris Brinston

Moved to approve the application to clear land and dispose of overburden on 170 Gallows Cove Road under the following conditions:

- Resolution of existing Stop Work Orders
- Submission of a detailed scope of work for Council to review
- Any work done outside of the scope of work will be stopped.

Motion carried unanimously.

- f. Demolition of structure on 89 Bear's Cove Road

**2018-078** Councillor Chris Brinston/Councillor Lucy Carew

Moved to approve application to demolish structure on 89 Bear's Cove Road with the condition that the structure not to be disposed of by burning, and that the demolition be carried out under proper disposal means as stipulated through the Services NL guidelines.

Motion carried unanimously.

- g. Crown Land referral for the purpose of subdivision on Northside Track – Councillor Fraser Paul asked Council to determine if he is in a conflict of interest on this item.

**2018-079** Councillor Neil Stratton/Councillor Chris Brinston

Moved that Councillor Paul is not in a conflict of interest on this item.

Motion carried.

**2018-080** Councillor Vince Swain/Deputy Mayor Maureen Murphy

Moved that Council has no issues with the Crown Land Referral #151625 Northside Track.

Motion carried unanimously.

- h. Request for speed bump on Fisherman's Road

**2018-081** Councillor Chris Brinston/Councillor Lucy Carew

Moved that councillors will be reviewing the need for speed bumps and Council will determine where the speed bumps are most needed.

Motion carried unanimously.

- i. Tenders for grading

**2018-082** Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Moved that the Town put out a tender for grading and shouldering.

Motion carried unanimously.

7. Finance & Economic Development

- a. Payables – For information purpose.
- b. Request to reduce business tax – Councillor Lucy Carew noted that there will be a review on these types of requests at a future budget meeting for 2019. The budget is already set for this year.
- c. Snow Clearing logs and invoices March 10 to April 7

**2018-083** Councillor Lucy Carew/Councillor Fraser Paul

Moved to pay the snow clearing invoices for the period March 11 to April 8.

Motion carried unanimously.

- d. DMG Consulting Ltd. – No action required.
- e. DMG Consulting Ltd. Project Review of Southside Track & Recommendation for payments to WSP and Dexter

**2018-084** Councillor Lucy Carew/Councillor Vince Swain

Moved to pay WSP invoices for Southside Track for the total amount of \$44,220.68 for work done on Southside Track, and to ask that the interest be forgiven.

For: Mayor Rene Estrada, Deputy Mayor Maureen Murphy, Councillors Chris Brinston, Vince Swain and Lucy Carew

Against: Councillors Fraser Paul and Neil Stratton

Motion carried.

**2018-085** Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Moved to pay Dexter Construction Company a total of \$40,000 of the \$66,601.93 owed, holding back the remainder to use against the existing deficiencies on Southside Track.

Motion carried unanimously.

- f. Water Filtration System for Puffin Centre

**2018-086** Councillor Lucy Carew/Councillor Fraser Paul

Moved to accept the quote from Superior Water & Pump Solutions for purchase and install water filtration system at the Puffin Centre for \$3220.00.

Motion carried unanimously.

- g. Road signs for Recreation Area –

Councillor Lucy Carew/Councillor Fraser Paul

Moved that Council purchase and install directional signage at the intersection of Route 10 and Southside Track to identify the recreation area, i.e. softball fields, Puffin Centre, swimming pool, playground, location of Kinsmen Puffin Festival, etc.).

Motion carried unanimously.

- h. Ordering Additional Speed Bumps – No action required.
- i. BBBAA Auction –

**2018-087** Councillor Chris Swain/Councillor Lucy Carew

Moved that Council purchase a table of 8 for \$960.00 for the BBBAA Annual Auction.

Motion carried unanimously.

8. Other

- a. St. John's Urban Region Regional Plan Amendment RE: Quidi Vidi – Information purpose only.
- b. CBDC information sheet – Information purpose only.
- c. Email relating to FastPitch Championship – Councillor Chris Brinston reported that he will be following up with Eddie McDonald, the President of this association.
- d. Facebook for Recreation – Councillor Chris Brinston reported that the Town's Recreation Committee is starting a Facebook Page, and is inviting volunteers to join the committee.

9. **2018-088** Councilor Lucy Carew/Deputy Mayor Maureen Murphy

Moved to adjourn the public meeting at 8:51.

Motion carried unanimously.