

Public Meeting of Council  
Witless Bay Town Hall  
February 13, 2018

Attending: Deputy Mayor Maureen Murphy, Councillors Neil Stratton, Fraser Paul, Chris Brinston, Vince Swain and Lucy Carew

Absent: Mayor Rene Estrada

Recording: Geraldine Caul & Barb Harrigan

1. Deputy Mayor Maureen Murphy called the meeting to order at 7:30 p.m.
2. **2018-022** Councillor Fraser Paul/Councillor Chris Brinston  
Be it resolved that Council adopt the Agenda of February 13, 2018 with the following changes:
  - Remove 5 g) Quote from Harbour Construction for property repairs to 21-23 Andrew's Lane [this item has already been addressed];
  - Add under Other Business, 6 c) Legal Advice;
  - Add under Other Business, 6 d) Business Taxes
  - Add under Public Works & Compliance, 4 h) Quotes for filtration system at Puffin Centre  
Motion carried unanimously, as amended.
3. **2018-023** Councillor Neil Stratton/Councillor Fraser Paul  
Be it resolved that Council adopt the Minutes of Meeting of January 13, 2018.  
Correction: Motion #2018-013 was made by Councillor Neil Stratton.  
Motion carried unanimously, as amended.
4. *Public Works & Compliance:*
  - a. *Single family home on 48-54 Gallows -*  
  
**2018-024** Councillor Vince Swain/Councillor Chris Brinston  
Be it resolved that Council approve an application for new home construction on 48-54 Gallows Cove Road, subject to approvals from Services NL, and on the condition the development not interfere with the existing Right-of-Way.  
Motion carried unanimously.
  - b. *Operate a tire service on 25 Southern Shore Highway –*  
  
**2018-025** Councillor Fraser Paul/Councillor Lucy Carew  
Be it resolved that Council approve an application to operate a tire service on 25 Southern Shore Highway and to release permit upon payment of business tax.

Motion carried unanimously.

- c. *Operate a home based office on 4 Island View Place* – Councillor Chris Brinston declared a conflict of interest due to him being the applicant, and left the Council Chamber at 7:35 p.m.

**2018-026** Councillor Neil Stratton/Councillor Vince Swain

Be it resolved that Council approve an application to operate a home based office on 4 Island View Place.

For: Deputy Mayor Maureen Murphy, Councillors Neil Stratton, Fraser Paul, Vince Swain and Lucy Carew.

Against: 0

Abstained: Chris Brinston [abstained due to declaration of conflict of interest].

Motion carried.

Councillor Brinston returned to the Council Chamber at 7:36 p.m.

- d. *Permission to cut wood on 80 Dean's Road* –

**2018-027** Councillor Fraser Paul/Councillor Neil Stratton

Be it resolved that Council reject this request for cutting wood because it does not coincide with the Town Plan.

Motion carried unanimously.

- e. *Change land from rural zoning to residential on 109-123 Gull Pond Road* –

**2018-028** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council proceed with the rural zone change to residential as per Town Regulations.

Motion carried unanimously.

- f. *Crown Land Referral application to extend boundaries of existing private property on 486A Southern Shore Highway* –

**2018-029** Councillor Vince Swain/Councillor Fraser Paul

Be it resolved that Council approve referral for Crown Land on 486A Southern Shore Highway.

Motion carried unanimously.

- g. *Armourstone quotes for Harbour Road* –

**2018-030** Councillor Fraser Paul/Councillor Chris Brinston

Be it resolved that Council defer this item until the next meeting, pending the engineer's recommendation.

Motion carried unanimously.

h. *Quotes for filtration system for Puffin Centre –*

**2018-031** Councillor Vince Swain/Councillor Chris Brinston

Be it resolved that Council get 3 quotes for a filtration system to be installed for the Puffin Centre.

Motion carried unanimously.

5. *Finance & Economic Development –*

a. *Payables – Information only*

b. *BBBAA – 1<sup>st</sup> quarter Director's Grant (\$18,500)*

**2018-032** Councillor Neil Stratton/Councillor Lucy Carew

Be it resolved that Council pay the 1<sup>st</sup> quarter Director's Grant.

Motion carried unanimously.

c. *Accepting quote for well on 161-167 Southside Track –* It was noted that a motion was made in 2016 to dig a new well for the residents, and an amendment was made at a later date to work with the property owners to try to resolve the problem through other means. This did not work, and Services NL recommended a new well be dug. The Town provides water to the residents in the meantime.

**2018-033** Councillor Fraser Paul/Councillor Chris Brinston

Be it resolved that Council accept the quote from O'Brien's Drilling at 200 ft. to put in new well, to be started sometime in May.

Motion carried unanimously.

d. *Town truck –*

**2018-034** Councillor Fraser Paul/Councillor Chris Brinston

Be it resolved that Public Works move forward and get quotes as budgeted for a truck, and that it be at least a 250 or 350.

Motion carried unanimously.

e. *Capital Works funding for washrooms at Playground and Pool area –*

(i) *Accepting funding*

**2018-035** Councillor Neil Stratton/Councillor Fraser Paul

Be it resolved that Council accept funding for the project.

Motion carried unanimously.

(ii) *Mayor and Town Clerk-Manager to sign Prime Consultant Agreement*

**2018-036** Councillor Neil Stratton/Councillor Fraser Paul

Be it resolved that the Mayor and Town Clerk-Manager sign the Prime Consultant Agreement.

Motion carried unanimously.

(iii) *Borrow Town's share of project (if deemed necessary)*

**2018-037** Councillor Neil Stratton/Councillor Vince Swain

Be it resolved that the Town borrow funds if deemed necessary.

Motion carried unanimously.

- f. *Invoices & Logs from O'Brien's Trucking Ltd. – Snow clearing for the period January 1 to February 4, 2018 (total amount of \$58,641.56) -*

**2018-038** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council pay snow clearing invoices from O'Brien's Trucking.

Motion carried unanimously.

- g. *Quote from Harbour Construction for property Repairs to 21-23 Andrew's Lane – This item was removed from the agenda.*

- h. *Invoice from Steward McKelvey for Discontinuance filing related to property dispute on John C's Grove Road –*

**2018-039** Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council pay Steward McKelvey for Discontinuance filing for the amount of \$535.20.

Motion carried unanimously.

- i. *Invoice from steward McKelvey for property issue on Irishtown Road –*

**2018-040** Councillor Lucy Carew/Councillor Neil Stratton

Be it resolved that Council pay Steward McKelvey for property issues on Irishtown Road for \$299.00.

Motion carried unanimously.

- j. *20-22 Hillsway Drive – Reimbursement of appeal fee. Councillor Fraser Paul stated he was stepping out of the Chamber because he had left before on discussion on this property. He left the Chamber at 7:40 p.m. [Councillor Paul declared a conflict of interest in a previous meeting due to being a potential developer on this property at that time].*

**2018-041** Councillor Lucy Carew/Councillor Vince Swain

Be it resolved that Council rescind motion #2017-200 Removal Order as the property owner has complied to the Town's Removal Order, and for the Town to pay the appellant \$215 appeal fee in accordance with the Urban & Rural Planning Act 2000.

For: Deputy Mayor Maureen Murphy, Councillors Neil Stratton, Chris Brinston, Vince Swain and Lucy Carew

Against: 0

Abstained: Councillor Fraser Paul.

Motion carried.

Councillor Fraser Paul returned to the Chamber at 7:41 p.m.

- k. *Financial Support for Senior's Outreach Luncheon* – It was noted that the Town supported the Outreach Program in 2017 for \$1500.00.

**2018-042** Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council continue with the financial support for the Senior's Outreach Program with a contribution of \$1500.00.

Motion carried unanimously.

6. *Other Business:*

a. *Terms of Conditions – Staff*

**2018-043** Councillor Lucy Carew/

Be it resolved that council adopt the Terms & Conditions for office policy and that said policy be incorporated into the Town's By-Laws, Policies and Procedures when it is revised.

The Town Clerk-Manager informed that in order to adopt a new policy, it is required that that a Notice of Motion be first introduced.

[Motion 2018-043 could not proceed because no Notice of Motion was on the agenda to amend the existing Town By-Laws, Policies and Procedures.]

**2018-044** Councillor Lucy Carew/Councillor Vince Swain

Be it resolved that Council have a Notice of Motion at the next meeting for the Terms and Conditions for Office Policy.

Motion carried unanimously.

b. *Irish Loop Post* –

**2018-045** Councillor Lucy Carew/Councillor Vince Swain

Be it resolved that Council utilize the Irish Loop Post as primary source of advertising, barring instances where there is time sensitive material and because of The Post's schedule, we will need to go to The Telegram.

Motion carried unanimously.

c. *Legal Advice –*

**2018-046** Councillor Neil Stratton/Council Chris Brinston

Be it resolved that Council retain an independent criminal lawyer to review recent social media accusations against current town council or councillors to empower the Finance Committee to take disciplinary actions.

Motion carried unanimously.

d. *Business Taxes-*

**2018-047** Councillor Fraser Paul/Councillor Vince Swain

Be it resolved that Council a total overhaul of business taxes within the community, existing business and new businesses, and to get the new businesses up to date because there are businesses operating in the community that are not paying business taxes.

Motion carried unanimously.

**NOTE: The Town's next public meeting will take place on March 6, instead of March 13.**

7. **2018-048** Councillor Lucy Carew/Councillor Fraser Paul

Be it resolved that Council adjourn the public meeting at 7:52 p.m.

Motion carried unanimously.