

Public Meeting of Witless Bay Council
Town Hall
April 26, 2016

Attending: Deputy Mayor Dena Wiseman, Councillors Ralph Carey, Albert Murphy, Kevin Smart and Ken Brinston
Absent: Mayor Sebastien Despres
Reporting: Geraldine Caul

1. The meeting was called to order by Deputy Mayor Dena Wiseman at 7:30 p.m.
2. **2016-057** Councillor Kevin Smart/Ralph Carey
Be it resolved Council approve the Agenda of April 12, 2016.
Motion carried unanimously.
3. **2016-058** Councillor Ralph Carey/Councillor Albert Murphy
Be it resolved Council approve the March 8, 2016 Minutes of Public Meeting as presented.
Motion carried unanimously.
4. **2016-059** Councillor Albert Murphy/Councillor Ralph Carey
Be it resolved Council approve the March 24, 2016 Minutes of Privileged meeting as presented.
Motion carried unanimously.

Councillor Murphy inquired about the meeting with the Fire Department and the architects. Deputy Mayor Wiseman explained that because this was not a formal meeting, no minutes were required. Council agreed to Deputy Mayor Wiseman's suggestion that a brief update be given at the May public meeting.

5. Business arising from Minutes:
 - a. FFAW Letter – Deputy Mayor Dena Wiseman explained that this was a letter sent to Council for information purpose. [No action is required from Council].
 - b. Projects identified for Gas Tax funding, and c. Brand Standards Manual

It was noted that Mayor Despres placed these two items (b & c) on the agenda, so Council would defer them to the next public meeting.

2016-060 Councillor Ken Brinston/Councillor Kevin Smart
Be it resolved Council defer items b. (Projects identified for Gas Tax Funding) and c. (Brand Standards Manual).

Motion carried unanimously.

- c. Gazebo, Ragged Beach – Discretionary Use.

2016-061 Councillor Albert Murphy/Ken Brinston

Be it resolved Council defer this item due to applicant's email request to view the submissions.

Discussion: Councillor Carey expressed his concern that a practice of releasing submissions might cause people who have concerns with proposed developments to avoid writing their oppositions. Councillor Carey also expressed his concern with the privacy aspect of doing this. He said his interpretation of the discretionary use policy is to inform Council of people's issues with a development, and not to inform the applicant.

The Town Clerk noted that her understanding of the request is that the applicant wishes to know what people's concerns are so he could address these issues during his presentation to Council once it's back for discussion. She suggested this could be possible without any privacy breach, by providing a summary of concerns raised, rather than providing a copy of the actual submission.

Motion carried unanimously.

6. New Business:

- a. Department of Environment and Conservation RE: Burning Prohibition & Demolition materials – Deputy Mayor Wiseman explained that this was an information sheet sent to Council, and if anyone wishes to have a copy, to let the office staff know.

Deputy Mayor Wiseman read a section that stated:

"A person shall not burn or permit the burning of any material listed in Schedule E in a fire. This list included tires, plastics, treated lumber, asphalt and asphalt products, drywall, demolition waste, hazardous waste, biomedical waste, domestic waste, trash, garbage, or other waste from commercial, industrial or municipal operations, manure, rubber, tar paper, railway ties, paint and paint products, fuel and lubricant containers, used oil, animal cadavers, hazardous substances, and materials disposed of as part of the removal or decontamination of equipment, buildings, or other structures."

Deputy Mayor Wiseman further read that, "If an individual wishes to demolish a structure, the Department will not approve the burning of the structure as a means of demolition. Similarly an approval will not be issued for the burning of demolition waste if a structure was demolished using normal practices. However, if, for example, a structure is falling off the edge of a cliff and it is unsafe to demolish the structure using normal demolition practices, the Department may consider issuing a permit to an individual to burn the structure as a means of demolition subject to other conditions being met."

At this time Council realized there were other relevant items that should be added to the agenda.

2016-062 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council amend the agenda previously adopted to add the following items:

6 c – By Election

6 d – Office Door

6 e – BBBAA Auction

Motion carried unanimously.

- b. Outside Worker –

2016-063 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council defer item relating to Outside Worker to the May public meeting.

Motion carried unanimously.

- c. By-Election – Deputy Mayor Wiseman announced that Council held a by-election, and that there was one person nominated, Tommy Crocker, but he was unable to accept the position due to work commitments.

2016-064 Councillor Ralph Carey/Councillor Kevin Smart

Be it resolved Council discuss the by-election at the May Public Meeting.

Motion carried unanimously.

- d. Office door – Deputy Mayor Wiseman explained there were some issues with the door catching during strong winds. This is a safety concern that needs to be addressed as soon as possible.

2016-065 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council seek quotes for door repairs.

Motion carried unanimously.

- e. BBBAA Auction – Deputy Mayor Wiseman explained that this was the annual BBBAA auction and dinner and dance. Council has in the past sponsored a table. The listing of costs are as follows:

- ‡ Corporate table of 8 is \$800

- ‡ Auction Booklet Ad (half page) is \$200

- ‡ Auction Booklet Ad (full page) is 300

- ‡ Auction Booklet Ad (front inside, back or centre page) is \$500

- ‡ Auction items and financial donations

2016-066 Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council purchase a half page ad (\$200) with the BBBAA for the annual Auction Dinner & Dance.

Motion carried unanimously.

7. Finance:

- a. Income Statement & Payables – For Council's information purpose.
- b. Harbour Construction snow clearing invoices.

2016-067 Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council pay the contractor for snow clearing invoices for the period February 28 to March 26, 2016.

Motion carried unanimously.

8. Public Works & Compliance:

- a. Standing offer quotes for May 1, 2016 to May 1, 2017 – For Council's information.

- b. Call for quotes – dredging

2016-068 Councillor Ralph Carey/Councillor Kevin Smart

Be it resolved Council defer calling of quotes for dredging until the May public meeting.

Motion carried unanimously.

Call for quotes – Tourism signage

2016-069 Councillor Ken Brinston/Councillor Kevin Smart

Be it resolved Council defer calling of quotes for Tourism signage until the May public meeting.

Motion carried unanimously.

- c. Garage & Porch – Lundrigan’s Road. Deputy Mayor Wiseman announced she would have to leave the chamber for this item. Councillor Ralph Carey noted his name was on this survey for an adjacent property. Deputy Mayor Wiseman and Councillor Carey left the chamber at 7:50 p.m. asking that Council make a decision on whether they were in a conflict on this application.

Councillor Ken Brinston took the Chair and announced that with two councillors out of the chamber, there is no quorum to vote on the application, or to make a decision on whether there might be a conflict of interest, therefore, the application has to be deferred to the May public meeting. Deputy Mayor Wiseman and Councillor Carey returned to the Chamber at 7:53.

- d. **2016-070** Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council approve application to build garage, and for driveway repairs on 54 Gallows Cove Road.

Motion carried unanimously.

- e. **2016-071** Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council approve application to build a garage on 1 Dean’s Road.

Motion carried unanimously.

- f. **2016-072** Councillor Albert Murphy/Councillor Ralph Carey

Be it resolved Council approve application for garage on 5 Aspen Place. Approval is for 4 meters in height unless applicant can get 6 meters under the Town’s development standards. Permit will be subject to site visit from public works.

Motion carried unanimously.

- g. Councillor Ken Brinston left the Chamber at 7:56 p.m. for discussions on 3 Gallows Cove Road.

2016-073 Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council approve application for garage on 3 Gallows Cove Road.

For the motion: Deputy Mayor Dena Wiseman, Councillors Ralph Carey, Kevin Smart, and Albert Murphy.

Abstained: Councillor Ken Brinston [relative of Councillor Brinston has adjacent property].

Motion carried.

Councillor Brinston returned to the Chamber at 7:58 p.m.

- h. **2016-074** Councillor Albert Murphy/Councillor Ken Brinston
Be it resolved Council approve application for shed on 7:11 Tuff's Road.
Motion carried unanimously.
- i. Residential single family dwelling on 20-22 Hillsway Drive – Councillor Ralph Carey explained that this application will require a variance, and that the property was owned by someone other than the owner. He said that this individual was looking for a conditional approval to determine whether he could build on this property before he made the purchase. The office will contact the applicant and communicate with him the policies related to this application.
- 2016-075** Councillor Albert Murphy/Councillor Ralph Carey
Be it resolved Council defer this application until the May public meeting.
Motion carried unanimously.
- j. **2016-076** Councillor Ralph Carey/Councillor Albert Murphy
Be it resolved Council approve in principle application for residential single family dwelling on 57 Country Path Drive, subject to approval from Services NL and any other departments having jurisdiction.
Motion carried unanimously.
- k. **2016-077** Councillor Ralph Carey/Councillor Albert Murphy
Be it resolved Council approve in principle application for residential single family dwelling on 45 Country Path Drive, subject to approval from Services NL and any other departments having jurisdiction.
Motion carried unanimously.
9. **2016-078** Councillor Albert Murphy/Councillor Ralph Carey
Be it resolved Council adjourn at 8:01 p.m.
Motion carried unanimously.