

Public Meeting of Witless Bay Council
October 13, 2015

Attending: Mayor Sebastien Despres, Councillors Kevin Smart, Albert Murphy, Rene Estrada and Ken Brinston

Recording: Geraldine Caul/Barb Harrigan

1. The meeting was opened by Mayor Sebastien Despres at 7:30 p.m.

2. **2015-238** Councillor Kevin Smart/Councillor Rene Estrada
Be it resolved Council adopt the Agenda of October 13, 2015

Amendment: Ken Brinston/Rene Estrada

Be it resolved Council add to the agenda under New Business, item g - Changing the date of November's public meeting.

Amendment carried unanimously.

Amendment: Sebastien Despres/Kevin Smart

Be it resolved Council add to the agenda under New Business item h - Stop Work Order at Ragged Beach.

For the amendment: Mayor Sebastien Despres, Councillor Kevin Smart

Against the amendment: Councillors Albert Murphy, Ken Brinston, Rene Estrada

Amendment failed.

Motion carried unanimously as amended.

3. **2015-239** Councillor Albert Murphy/Councillor Rene Estrada
Be it resolved Council adopt the September 8, 2015 Minutes of Public Meeting as presented.
Motion carried unanimously.

4. **2015-240** Councillor Albert Murphy/Councillor Ken Brinston
Be it resolved Council adopt the September 15, 2015 Minutes of Privileged Meeting as presented.
Motion carried unanimously.

Councillor Albert Murphy noted for the public that there are still some compost bins available at the Town Hall at a cost of \$25.

5. Business Arising from Minutes:

- a. Alleged conflict of interest - Pond Path snow clearing - Mayor Despres reported that there is no progress since the last meeting because the Town's lawyer has been away from his office for a couple of weeks. Council will follow up with him once he returns.
- b. Friendly Hearing - Allegations of conflict of interest pertaining to the vote on the Town Plan in its entirety.

Councillor Kevin Smart left the chamber at 8:45 p.m.

2015-241 Councillor Ken Brinston/Councillor Rene Estrada

Be it resolved that Council schedule a Friendly Hearing for Councillor Kevin Smart for October 22, 2015 at 7:00 p.m. and that a letter be sent to him tomorrow morning, notifying him of this. Be it further resolved that should Councillor Smart not show up for the scheduled Friendly Hearing set for October 22, 2015 at 7:00 p.m., a decision will be made by Council regardless whether Councillor Smart's seat will be vacated or otherwise.

For the motion: Councillors Ken Brinston, Rene Estrada and Albert Murphy.

Against: Mayor Sebastien Despres.

Motion carried.

Councillor Kevin Smart returned to the chamber at 8:48 p.m.

6. New Business:

- a. Pest Control - Mayor Despres explained that Council received complaints from residents and the town worker of a presence of rats in the Emerald Estates subdivision, which could be related to the removal of the finger wharves. A pest control company would take care of this problem at a cost of \$225 a month for a year to monitor the subdivision and other areas of the town as required.

2015-242 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved that Council hire Orkin for a one year program at a cost of \$225 a month.

Motion carried unanimously.

- b. Community Centre update - The Town has finally taken possession of the land that the Community Centre is built on, and now owns the entire property, including 150 metres past our existing dog park, etc. The final government required repairs are being completed, and the building should be ready to open by the end of the month. The Town has to purchase an electronic door, which will be addressed in the finance section of the agenda.
- c. Southside Track Phase 2 – Council received the response from the engineering firm for the reconstruction of Southside Track and Dunn's Lane. A tender will be called during this winter which will invite larger companies, and bring competitive bids.
- d. Proposed Capital Works 2016-2017 - Each year municipalities can apply for 90/10 projects (90% funded by the Province and 10% by the Town). Council will be holding a budget meeting this month, and will also take time prior to this meeting to identify areas in need of work for 2016-2017, which will be discussed at this meeting. The public was invited to notify the Town of any areas they feel Council should consider.
- e-f Requests for support for MNL Vice President and Small Towns Director positions - Council decided to wait for all the requests to be received, and if Council has a preference then, a decision can be made.
- g. Changing date for November's public meeting -

2015-243 Councillor Ken Brinston/Councillor Rene Estrada

Be it resolved that November's public meeting take place on November 17, 2015.

Motion carried unanimously.

7. Finance:

- a. Income statement and payables presented for information purpose.

- b. WSP - Mayor Despres reported that this is a quote from the Town's engineering firm for the reconstruction of Southside Track and Dunn's Lane. The quote includes a major topographic survey (\$3,000), the design of the new road (\$25,910), tendering (\$2,910), and establishing a schedule for the work. The total estimated cost is \$31,810 plus HST.

2015-244 Councillor Albert Murphy/Councillor Rene Estrada

Be it resolved Council approve quote from WSP.

Motion carried unanimously.

- c. O'Brien's Trucking - During the Puffin Festival, heavy rain caused the ground to be extremely muddy so the Kinsmen had O'Brien's Trucking deliver and spread stone to help resolve the problem. The stone currently remains effective.

2015-245 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council pay O'Brien's invoice for \$282.50 for delivery and spreading of stone to recreation ground.

Motion carried unanimously.

- d. Tender cost for salt and sand -

2015-246 Councillor Ken Brinston/Councillor Albert Murphy

Be it resolved Council accept a quote from Avalon Coal Salt and Oil Ltd. for 125 metric tonnes of road salt at a cost of \$114.70 per metric tonne, for a total of \$14,337.50.

Motion carried unanimously.

2015-247 Councillor Albert Murphy/Councillor Rene Estrada

Be it resolved Council accept a quote from Butler's Sand & Stone Co. Ltd. for 500 tons of winter sand at a cost of \$18.25 per ton (delivered), for a total cost of \$9,125.00.

Motion carried unanimously.

- e. Community Centre door and listening device - Purchase of a commercial door system for the Recreation Centre.

2015-248 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council accept option 1 of the quote for delivery and installation of a power operator for door for the Community Centre at a cost of \$2,365.00.

Motion carried unanimously.

8. Community Enhancement Committee - Communities in Bloom. Mayor Despres reported that the Town received the Communities in Bloom evaluations back and, even though the Town did not win this year, we did very well and received 4 blooms. The Town also received a special recognition for its conservation efforts.

9. Public Works & Compliance:

- a. Dunn's Lane - water issues: A resident notified the town that the ditch and culvert system installed years ago on a hill behind his property isn't carrying the rain water effectively, and it's been an ongoing issue.

Councillor Albert Murphy did a site visit and said it would be just a couple hours of work with a small excavator. It was noted the Town had done work on this same area in previous years.

2015-249 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council hire a contractor to do the necessary work required for this area (approximately 2 hours of work).

Motion carried unanimously.

- b. Removal of sods on municipal lawn - Mayor Despres explained the sods around the municipal office will have to go due to the construction of a new driveway from the municipal garage. Council agreed to communicate via email on their suggestions and decision on what to do with the sods.
- c. Correspondence relating to safety concerns -

Concern 1 - Additional signage to identify location of the Town's Tourism Chalet. Mayor Despres explained that the Town is addressing signage in our ACOA application.

Concern 2 - Traffic danger at the Frog Marsh River of Boats location - Council will communicate with the Department of Works, Services & Transportation and suggest they install warning signs.

Concern 3 - Making Dunn's Lane off limits to heavy equipment moving down the hill - Council will review the matter, and will communicate with the Department of Works, Services & Transportation again on this issue. There was a previous request made to them to cut back the hill at the blind point, and this request will be resubmitted to them.

- d. Residential single family dwelling on 48 Gallows Cove Road -

2015-250 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council approve in principle application for residential single family dwelling on 48 Gallows Cove Road, pending approval from Services NL.

Motion carried unanimously.

- e. Residential single family dwelling on 170 Gallows Cove Road - Council noted the proposed development was located in a rural zone, and it exceeded the maximum 100 metre setback for backlot development.

2015-251 Councillor Ken Brinston/Councillor Albert Murphy

Be it resolved Council deny the application for residential single family dwelling because it was not zoned for the proposed development, and it exceeded the maximum setback.

Motion carried unanimously.

- f. Garage on 15 Country Path Drive -

2015-252 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council approve application for garage on 15 Country Path Drive.

Motion carried unanimously.

- g. Garage on 42 Country Path Drive -

2015-253 Councillor Albert Murphy/Councillor Rene Estrada

Be it resolved Council approve application for garage on 42 Country Path Drive.

Motion carried unanimously.

h. Driveway on 219 Southern Shore Highway -

2015-254 Councillor Albert Murphy/Councillor Rene Estrada

Be it resolved Council approve application for driveway on 219 Southern Shore Highway.

Motion carried unanimously.

i. Excavation on Gallows Cove Road -

2015-255 Councillor Albert Murphy/Councillor Kevin Smart

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

Motion carried unanimously.

10. **2015-256** Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council adjourn the public meeting at 8:37 p.m.

Motion carried unanimously.