

August 26, 2003

The Thirty First meeting of the Fourteenth Town Council was held in the Town Hall with the following in attendance:

Mayor Wilbur Sparkes  
Deputy Mayor Glenn Littlejohn  
Councillor Gerald Greenland  
Councillor Perry Bowering  
Councillor Dennis Brown  
Councillor Melvin Walsh  
Councillor Bill Seymour

Privileged meeting commenced at 6 p.m.

Meeting with Staff Sgt. Bishop and Sgt. Kelloway be confirmed for Sept. 11<sup>th</sup>.

Discussion regarding a long term solution to the present low water crisis.

Councillor Greenland reported on the present garbage situation.

D.M. Littlejohn gave report on office salary scales. Town Manager and Acting Town Clerk were asked to leave chambers before report was given.

Regular meeting commenced at 7:30 p.m.

Fire Chief Clarence Russell gave report from Fire Department regarding the new 2003 fire truck. Apparently the truck was not manufactured according to specifications. Requested sliding glass window was not installed, door length is 4 inches less than specified and portable pump does not fit into locker.

It was moved by Councillor Littlejohn and seconded by Councillor Walsh that Fire Chief Russell draft letter to Fitzpatrick's Emergency Repairs regarding same. Letter to be typed on Town letterhead and signed by Mayor.

Motion Carried.

Fire Chief Russell advised Council of its intention to purchase new gear such as harnesses in light of the recent high angle rescue at Mad Rock.

Also, a request was made for financial assistance in constructing an extension on fire hall to house the 1942 fire truck. Fire Chief Russell was asked to write the Finance Committee regarding same.

2.

Concerns arising from minutes of July 22, 2003.

Councillor Greenland advised that the excessive noise from the Royal Canadian Legion was looked into and the necessary steps were taken to resolve the situation.

Letter received from Mr. Tony Noseworthy and Mrs. Maire Noseworthy requesting specifics with respect to the Towns purchase of land behind the municipal garage and the storage of dumpsters and heavy equipment.

Mr. and Mrs. Noseworthy were in attendance.

It was moved by D.M. Littlejohn and seconded by Councillor Seymour that this request be turned over to Works Committee.

Motion Carried.

Letter was received from Mr. Dave Neville requesting permission to research all possibilities concerning development of an RV park in the area of 83 and 89-91 Water Street.

The Town Manager informed Council that this request has been withdrawn.

Letter received from Mr. Brian Crane regarding the drainage system in his area at Country Road.

It was moved by D.M. Littlejohn and seconded by Councillor Bowering that this letter be turned over to the Works Committee.

Motion Carried.

Letter received from Ms. Jean Ploughman with regard to accessing private residences during the staging of the Klondyke Concert.

This letter to be turned over to Special Events Committee.

Letter received from Mr. Todd S. Newhook of Curtis, Dawe Law Office with regard to the cutting of grass, removal of garbage and the filling in of settled areas on the property east of Klondyke, claimed by Mr. Donald Belbin.

Council workers have already prepared said property for Klondyke Days.

3.

Letter received from Mr. Erroll Peddle, Director of Operations with Harbour International Limited advising that the water hose has been removed from their wharf.

It was moved by Councillor Greenland and seconded by Councillor Seymour that another letter be sent to specific businesses informing them that the mandatory installation of water meters is extended to Sept. 15<sup>th</sup>. Mr. Foley is to carry out an inspection of these installations on Sept. 16<sup>th</sup> and if the meters are not installed water will be shut off.

Motion Carried.

Application received from Chester Dawe Limited requesting permission for the change of use of the existing Powell's Supermarket site.

It was moved by Councillor Greenland and seconded by Councillor Bowering that approval be granted as requested.

Letter received from Mr. George Mercer and Mrs. Phyllis Mercer requesting that a 6 foot privacy fence be installed between the Chester Dawe/Powell's Supermarket Building and their property.

It was decided that the Town Manager contact Mr. Gordon Kennedy of Chester Dawe Limited with regard to the construction of a fenced storage area.

Preliminary cost estimate received from Mr. Paul Whittle of the Dept. of Works, Services & Transportation with regard to the new traffic lights at Route 70 and Water Street.

It was moved by D.M. Littlejohn and seconded by Councillor Brown that the estimated proposal of \$52,567.00 for the Towns share be accepted.

Motion Carried.

Some discussion took place regarding right hand exists for Country Road and McDonalds Restaurant.

It was decided that the Works Committee would look into this.

Letter received from Ms. Glenda Spencer, Public Service Credit Union Ltd. regarding financial services for municipal employees.

Letter to be placed on file.

4.

Letter received from Mr. Gary Carville, Real Estate Advisor, Public Works and Government Services, regarding an opportunity for the Town to purchase surplus property on Water Street presently leased by VIP Distributors.

It was decided that Council is not interested in acquiring the subject property.

Letter received from Mr. Bas Cleary, Director, Dept. of Environment, regarding the Saltwater Ponds infilling and wharf construction at Coley's Point by Avalon Coal, Salt & Oil Ltd.

Council's conditional approval is on hold pending result of appeal by Ms. Charlene Dawe Roach.

Letter received from Mr. Boyd Caravan regarding removal of asphalt from his property at Central Street without his knowledge or consent.

It was moved by Councillor Greenland and seconded by D.M. Littlejohn that Mr. Caravan be written regarding same. Also, replacement asphalt will be made available to him.

Motion Carried.

Councillor Seymour suggested that it was time to remove all stored asphalt from the Central Street area.

Letter received from Mr. Frank Dawson and Mrs. Danette Dawson requesting a street light be installed close to their residence on Badcock Boulevard.

Letter received from Mr. Geoff Seymour and Mrs. Cathy Seymour requesting a street light be installed near their residence on Goose Pond Road.

It was moved by Councillor Greenland and seconded by Councillor Bowering that both these requests be turned over to the Works Committee.

Motion Carried.

General information notes received from the Federation of Municipalities and the Association of Municipal Administrators.

These to be placed on file.

News advisory by the Dept. of Fisheries and Oceans Canada regarding the reopening of Canadian ports to the Faroese Fishing Vessels.

This to be placed on file.

5.

Minutes of July 15, 2003 of the Conception Bay North Incinerator Association were presented.

Minutes placed on file.

Application received from Mr. Clinton Munden and Mrs. Tansy Munden seeking permission to build residence at 1-3 Rocky Pond Road.

It was moved by Councillor Greenland and seconded by Councillor Bowering that permission be given, subject to all regulatory departments.

Motion Carried.

Application received from Mr. William Donald Drover requesting permission to construct dwelling at 318 Shearstown Road.

It was moved by Councillor Seymour and seconded by Councillor Walsh that approval be given, subject to all regulatory departments.

Motion Carried.

Application received from Mr. Mark Dawson and Ms. Wanda Bradbury seeking permission to build residence at 99 Cross Road.

It was moved by Councillor Bowering and seconded by D.M. Littlejohn that permission be given, subject to all regulatory departments.

Motion Carried.

Application received from Mr. Herb Deering requesting permission to construct residential dwelling at 403 Shearstown Road.

It was moved by Councillor Walsh and seconded by Councillor Seymour that permission be given, subject to all regulatory departments.

Motion Carried.

Application received from Mr. Herb Deering seeking permission to renovate a former storage garage into a residential dwelling at 403 Shearstown Road.

It was moved by Councillor Walsh and seconded by Councillor Seymour that permission be given, subject to all regulatory departments.  
Motion Carried.

6.

Application received from Mr. Alfred Porter requesting permission to build a storage garage at 33 Bareneed Road.

It was moved by Councillor Greenland and seconded by Councillor Seymour that approval be given, subject to all regulatory departments and with the stipulation that this building be used for residential storage only. No outside or commercial storage is permitted.  
Motion Carried.

Application received from Mr. Scott S. Butler seeking permission to construct dwelling at 92A Butlerville Road.

It was moved by Councillor Bowering and seconded by Councillor Brown that approval be given, subject to all regulatory departments and that no services will be provided by the Town beyond the main road.  
Motion Carried.

Application received from Mr. Jamie Russell requesting permission to build residence at 6 Russell Place.

It was moved by Councillor Bowering and seconded by Councillor Walsh that approval be given, subject to all regulatory departments.  
Motion Carried.

### Committee Reports

Councillor Greenland gave a report from the Works Committee.

Tender has been awarded to Concord Paving for landscaping, curbing and paving of the Visitors Pavilion grounds in the amount of \$38,000.00 plus H.S.T.

It was moved by Councillor Greenland and seconded by Councillor Bowering that curbing of the parking lot across from the Bay Roberts 50+ Club be awarded to Mr. Clayton Roberts. This job will be carried out at a cost of \$50.00 per meter.

Motion Carried.

Drainage problem on Lodge Lane will be looked into at a later date and some maintenance work and upgrading will be done on Mission Lane.

Regarding the use of lawn sprinklers during the water ban - Mr. Max Mercer is to monitor the situation after normal working hours and if anyone is caught disregarding the water ban, the Works Superintendent is to shut off their access to the Town's water supply.

7.

Avalon Coal, Salt & Oil Ltd. will be hooking up to the main water line on Coley's Point and the water line across the harbour is to be condemned.

Mr. Foley will be given a list of businesses which are to install water meters.

It was moved by Councillor Greenland and seconded by D.M. Littlejohn that Mr. John Bartlett be given approval in principle to proceed with his proposal to develop an ocean outfall to discharge septic effluent into the sea for his Green's Road Ext. residential development project. Mr. Bartlett is to provide more detailed plans before a permit is issued.

Motion Carried.

Mr. Kevin Rose be notified that the road in question is not up to Council standards and a minimum 30 foot width and a turning radius at the end be provided before Council can adhere to this request.

Harbour International Ltd. has informed Council that they intend to fill in the bank along their property which would allow room for the present guard rail to be moved back.

Town Manager is to write and inform Mr. Gordon Snow that the Town is not responsible for any flooding damage incurred during a severe weather storm due to the fact that at that time Mr. Snow's weeping tile was tied into the Town's sewer line which is against Town regulations. Also, Mr. Snow removed a Town pump from a manhole on Snows Lane and put in his basement which could have led to legal implications against Mr. Snow.

It was moved by Councillor Greenland and seconded by Councillor Seymour that the recommendation of the Works Committee to approach contractors regarding a 12 month contract for garbage removal from Bay Roberts depot to St. John's be approved. Also, obtain an enclosed compactable container to be placed on site for holding garbage.

Motion Carried.

Councillor Brown suggested that due to the late hour he would table his report on Economic Development at the next meeting of Council.

8.

Councillor Walsh gave a report on the Urban and Rural Municipalities meeting he attended in Gander.

1. Towns are not liable for injuries to volunteer workers who use fitness equipment placed on the work site without the authorization of Council.

2. Seek regulations to control yard sales and flea markets.

3. Proposal for a restructuring of NLFM Membership Fee which would see an increase of 30% of our present fee. Benefits from this increase are savings on insurance, lawyer consultation, long distance telephone, NFLM's approach to broader issues such as education, fishery, ATV's, etc., and mediate with politicians.

4. Discussion on the Certificate of Recognition Program (COR). It was suggested that Towns accept tenders only from COR Certified companies and that municipal employees become COR Certified. Our employees are safety trained.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that the Town borrow up to \$300,000.00 from the Bank of Montreal to cover the cost of the new fire truck. The Mayor and Town Manager are to sign all necessary documents.  
Motion Carried.

Councillor Bowering gave a report from the Special Events Committee.

The Klondyke Concert was a resounding success. More information regarding the financial aspect will be provided at a later date.

All Council members are invited to attend the Special Events Committee BBQ at the Search and Rescue building on Friday, Aug. 29<sup>th</sup>.

The Towns web site has been voted as a Newfoundland and Labrador Port of Call in the Downhomer.com Port of Call. We were chosen for our overall quality, including visual and editorial content, and popularity with the Web public. The web site is also in the running for the second annual Top Newfoundland and Labrador Web sites special feature in the Downhomer magazine.



Congratulations to all involved.

9.

Councillor Concerns

Councillor Seymour - condition of roads due to water & sewer project in Butlerville

- mowing of grass & general maintenance of playground in Butlerville
- hazardous catch basin on parking lot of Bay Roberts Post Office near handicap parking space

Councillor Walsh - request Municipal Assessment Agency to provide residents of Duggan's Lane with civic addresses for Duggan's Lane and not Central Street as is presently recorded.

Councillor Brown - regular Council meeting schedule is to resume on Sept. 23<sup>rd</sup>

Councillor Bowering - solid curbing in front of Avalon Ford Sales Ltd. does not allow access at each end for bicycles or handicap vehicles to stay on curb and off of main highway.

- suggested that all Councillors should go with Works Superintendent to the Towns water supply and see the situation first hand.

It was moved by D.M. Littlejohn and seconded by Councillor Bowering that the meeting be adjourned 9:30 p.m.

Motion Carried.

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Wilbur Sparkes  
Mayor

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Shirley Hawe  
Acting Town Clerk

