

The Seventieth 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 Dennis Brown  
Councillor Melvin Walsh  
Councillor Bill Seymour  
Town Manager Edwin Fradsham  
Town Clerk Shirley Hawe

Also present, Fire Chief Clarence Russell and Mr. Arthur Dominix.

Meeting commenced at 7:35 p.m.

Mayor Sparkes asked if there were any errors or omissions to the minutes of July 26<sup>th</sup>, 2005, which has been circulated with the agenda.

#### Business Arising from Minutes

Councillor Greenland inquired about the sprinkler system for Andrews Wholesale.

Town Manager advised that Andrews Wholesale and Atlantic Grocery Distributors are both working on completing installation of their sprinkler systems.

Councillor Greenland asked if the drawings have been received regarding the Atlantic Grocery Distributors parking lot.

Town Manager informed that Mr. Max Mercer, Newlab Engineering, will be submitting the detailed drawings by next week.

Councillor Greenland inquired about the Community Enhancement Program and the Crab Workers Support Program.

Town Manager advised that applications have been submitted for both programs and are currently awaiting approval by government.

Councillor Walsh asked if any information was obtained regarding the use of jake brakes.

Town Manager contacted Mr. Steve Abbott, who advised that the Dept. of Works, Services & Transportation do not have any regulations regarding the use of jake brakes.

It was decided that the Town Manager will seek information regarding the use of jake brakes in other towns through the NLFM Municipal Focus News Letter.

### General Business

A copy of the Public Consultation Notice regarding the display of a draft copy of the Town of Bay Roberts Municipal Plan Amendment No. 1, 2005 and Development Regulations Amendment No. 1, 2005, was presented.

A copy of the Shaw Ventures Co. Ltd. invoice pertaining to the clean up and removal of the building at property, 9 Parsons Road, was presented.

Letter received from Mr. Paul M. Bradbury regarding his request to place a trailer on the property, 312-314 Central Street, and also, requesting that a culvert be installed to gain access to the said property.

It was moved by Councillor Greenland and seconded by Councillor Seymour that permission be given for the temporary placement of a mobile trailer on the property, 312-314 Central Street.  
Motion Carried.

Copy of letter issued to Mr. Thomas Noseworthy from Mr. Gary Gosse, Director of Highway Design/Construction, Dept. of Works, Services and Transportation, regarding Mr. Noseworthy's request for tractor trailer access along a right of way via Shearstown Road.

It was decided that Mr. Noseworthy be asked to submit a formal application and detailed plan outlining the type of activity his wishes to carry out there.

Letter received from Mr. Cal Mercer requesting permission to sell used cars from 88 Country Road.

It was decided that Mr. Mercer be asked to give further details as to whether this is to be a temporary location and if so, he is to publish his request to sell used cars from 88 Country Road.

Letter received from Ms. Stacey Sharpe, AIDS Walk Coordinator for Conception Bay North, requesting financial support for the annual Canadian AIDS Walk.

It was moved by Deputy Mayor Littlejohn and seconded by Councillor Walsh that Ms. Sharpe's request be referred to the Finance Committee for further review.

Motion Carried.

Letter received from Ms. Beverley Hiscock, Chapter Manager, Kids Help Phone, requesting financial support for the Canadian Kids Help Phone.

It was moved by Deputy Mayor Littlejohn and seconded by Councillor Seymour that Ms. Hiscock's request be referred to the Finance Committee for further review.

Motion Carried.

Copy of a letter from Canada Revenue Agency to Mr. Frank Evely, Chairman of Conception Bay North Joint Councils Association, advising that the CRA is currently unable to collect municipal tax arrears through income tax refunds in NL.

Letter from NLAMA regarding the adoption of an Harassment Policy.

It was moved by Councillor Greenland and seconded by Councillor Brown that the Harassment Policy developed by NLAMA be adopted.

Motion Carried.

Letter received from Ms. Connie Fillier, Sales Supervisor, Air Labrador, advising that they are the official carrier of the NLFM and a major sponsor of the annual NLFM Conference.

Information booklet received regarding the NLFM 55<sup>th</sup> Annual Convention and Trade Show.

It was decided that seven rooms are to be booked at the Mamateek, Corner Brook. Also, Shirley is to contact MAPA regarding long term service awards for Mayor Sparkes - 30 years; Councillor Brown - 20 years; Councillors Greenland and Seymour - 12 years.

Residential Building Application received from Vince Power.

It was moved by Deputy Mayor Littlejohn and seconded by Councillor Seymour that approval be given for Mr. Power to build a residence at 400 Shearstown Road, with the stipulation that no town services will be provided beyond the main road, and also, subject to all Municipal Development Regulations and all other regulatory departments.

Motion Carried.

Residential Building Application received from Noble Homes Limited.

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It was moved by Councillor Greenland and seconded by Deputy Mayor Littlejohn that approval be given for Noble Homes Limited to build a residence at 27 Badcock Boulevard, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

Motion Carried.

Residential Building Application received from Mr. Clayton Roberts.

It was moved by Councillor Walsh and seconded by Councillor Seymour that approval be given for Mr. Roberts to build a residence at 43 South Road, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

Motion Carried.

Residential Building Application received from Kencor Limited.

It was moved by Councillor Walsh and seconded by Councillor Greenland that approval be given for Kencor Limited to build a residence at 11 Porter's Lane, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

Motion Carried.

Application received from Mr. Randy Dawe, Maple Leaf Oil Distributors Limited seeking permission to build a convenience store with concrete block basement and to install a small canopy over their gas pumps and island.

It was moved by Councillor Seymour and seconded by Councillor Walsh that approval in principle be given for Mr. Dawe to build a convenience store and to install a small canopy over his gas pumps and island, subject to all Municipal Development Regulations and all other regulatory departments. Also, applications must be submitted to Government Services for permits for fire safety and accessibility approvals.

Motion Carried.

Letter received from Mr. Arthur Dominix, Canadian Training Institute, requesting permission to do some clearing and remove bog on land adjacent to 38-48 C. B. Access Road.

It was moved by Councillor Brown and seconded by Councillor Walsh that approval be given to Mr.

Dominix's request, subject to the conditions outlined in his letter of request, dated, August 18<sup>th</sup>, 2005.  
Motion Carried.

Letter received from Mr. Darrell Yetman advising that the Yetman family may be adversely affected if approval is given to the Canadian Training Institute for a quarry and training facility in Country Road.  
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It was moved by Deputy Mayor Littlejohn and seconded Councillor Seymour that Mr. Yetman's letter be deferred until more information is available from the Canadian Training Institute.  
Motion Carried.

InfoNote advising that NLFM supports a petition for the Gander Weather Centre.

It was decided that the petition will be displayed at the front counter for the public to sign.

Letter received from Ms. Kathi Stacey, Development Officer for the Baccalieu Trail Tourism Association, expressing their support to the Town of Bay Roberts Tourism Committee for its efforts in enhancing and protecting the natural environment and wildlife of the Shearstown Estuary.

Letter received from Mr. Ron Delaney, Director of Economic Development, Tourism & Recreation, requesting that Councillor Brown and the Town Manager be permitted to accompany him to the Economic Development Association Canada Conference in Edmonton from September 29<sup>th</sup> to October 1<sup>st</sup>.

It was moved by Councillor Greenland and seconded by Deputy Mayor Littlejohn that approval be given for Councillor Brown to accompany Ron to the EDAC Conference in Edmonton.  
Motion Carried.

It was decided that the Town Manager is to use his own discretion as to whether he should attend the EDAC Conference in Edmonton.

Petition received from residents of 35A, 35B, 35C & 35D Goose Pond Road, Shearstown, requesting paving for their lane and that the lane be assigned the name, Mercer's Lane.

It was moved by Deputy Mayor Littlejohn and seconded by Councillor Walsh that the petition be referred to the Public Works Committee for further review.  
Motion Carried.

Councillor Brown presented a resolution requesting the enacting of legislation providing municipal governments with the authority to implement a pension scheme for elected officials, and that eligibility for such pension shall be retroactive to any elected official holding office during the 2001 -2005 term.

It was moved by Deputy Mayor Littlejohn and seconded by Councillor Seymour that the resolution be submitted to NLFM for consideration during the 2005 Annual NLFM Convention in Corner Brook.  
Motion Carried.

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Media Release received from Ms. Sandy Woolfrey-Fahey of the Heritage Foundation of NL, advising that they are currently accepting applications for the Fisheries Heritage Preservation Program.

It was decided that a copy of Ms. Woolfrey-Fahey's media release be forwarded to the Bay Roberts Heritage Society.

It was moved by Deputy Mayor Littlejohn and seconded by Councillor Brown that Ms. Christine Bradbury be appointed as Alternating Returning Officer.  
Motion Carried.

#### Committee Reports

Deputy Mayor Littlejohn tabled a report of Accounts Payable for June & July 2005.

It was moved by Deputy Mayor Littlejohn and seconded by Councillor Brown that Accounts Payable for June & July 2005 be approved.  
Motion Carried.

Councillor Greenland gave a report on behalf of the Tourism Committee.

Re: the Committee expressed their appreciation for the letter of commendation from Council.  
Re: the Cleaner & Greener zone winners have been awarded.  
Re: there has been a noticeable increase in visitors to the Visitor's Pavilion since it's official opening.  
Re: the Committee requests the missing railing and broken boards be repaired on the parking lot near Kelly's Landing.

Councillor Greenland gave a report on behalf of the Public Works Committee.

Re: a survey was done on the town land at Delaney's Avenue, Shearstown, showing the potential for four (4) serviced building lots including a green space for recreation.

It was moved by Deputy Mayor Littlejohn and seconded by Councillor Walsh that the development of building lots on the town's land at Delaney's Avenue be referred to the Public Works Committee for further study and a cost evaluation for moving this forward.

Motion Carried.

Re: request from Mr. Allan Mercer, Shearstown, for three lengths of pipe.

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It was decided that Mr. Mercer will be given used pipe if any becomes available and is determined by the Works Superintendent, to be no longer useful for our needs.

Re: since cutting off the water across the harbour to Avalon Coal, Salt & Oil Co., Ltd., there has been a significant decrease in the amount of recorded water usage.

Re: paving of Earle's Road Extension.

Town Manager advised against paving Earle's Road Extension.

It was moved by Councillor Seymour and seconded by Councillor Greenland that Earle's Road Extension be paved.

Motion Carried.

It was moved by Councillor Greenland and seconded by Councillor Seymour that approval be given for the paving of the purposed Mercer's Lane off Goose Pond Road.

Councillor Brown noted that the motion was out of order due to the previous motion not being rescinded.

Motion Defeated.

Re: Application of Northwind Holdings Incorporated for a Professional Collision Repairs Center.

It was moved by Councillor Greenland and Councillor Seymour approval in principle be given Northwind Holdings Inc. for their development on the C. B. Access Road, subject to submission of proper detailed drawings and a plot plan and also, subject to all Municipal Development Regulations and all other regulatory departments. Also, this development request must be published in the local newspaper (the Compass).

Motion Carried.

Councillor Walsh gave a report on behalf of the Fire Department.

Re: interviews will take place next week for new recruits.

Re: twelve damaged fire hydrants need to be repaired.

Re: purchased new 5 inch apparatus to increase water flow.

Re: need to set up a schedule with Town Manager for the flushing fire hydrants for September.

Fire Chief Russell advised that they have a plow for their pick up which will be used to clear their own driveways this winter. The truck was given by Mercer's Cycle Shop and the plow was given by Bob Badcock, Hawboldt Newfoundland Limited.

Fire Chief Russell noted his concerns regarding the sprinkler system for Andrews Wholesale.

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Application received for phase 2 of the Valleyview Subdivision, consisting of twenty units.

It was moved by Councillor Greenland and seconded by Councillor Brown that approval be given for phase 2 of the Valleyview Subdivision with the stipulation that a green space for recreation must be identified before work commences. Also, subject to the submission of plans by Harris & Associates for water and sewer installation and subject to all Municipal Development Regulations and all other regulatory departments.

Motion Carried.

Council, each in turn, thanked Mayor Sparkes for his many years of dedicated service to our town and the support he has given to each of them during that time.

Mayor Sparkes thanked Council for their kind remarks and expressed his appreciation for the privilege to have served this town along with them. He also wished them all the best of luck in the upcoming election.

It was moved by Councillor Greenland and seconded by Councillor Seymour that the meeting be adjourned at 10:10 p.m.

Motion Carried.

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Wilbur Sparkes  
Mayor

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Shirley Hawe  
Town Clerk