

**Town of Bay Roberts  
Minutes of Regular Council Meeting  
Tuesday, August 30, 2011**

Fortieth Meeting of the Sixteenth Town Council  
Town Hall, 321 Water Street, Bay Roberts, NL

In Attendance:

Council	Deputy Mayor Philip Wood Councillor Clarence G. Mercer Councillor Gerald Greenland Councillor Walter Yetman Councillor Melvin Walsh Councillor Bill Seymour
Staff	Nigel Black, Chief Administrative Officer Shirley Hawe, Town Clerk
Public	Susan Mercer

<b>Call to Order</b>
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Deputy Mayor Wood called the meeting to order at 7:00 p.m.

<b>1.0 Agenda</b>
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**1.1 Additions to Agenda**

**Motion 2011 – 975– Mercer/Walsh**

Resolved, that the Garbage Truck Tender and Executive/Finance Committee recommendations as well as correspondence pertaining to JMC citizen representative and self-storage units at Birch Hills, be added to the agenda.

Carried unanimously

**1.2 Approval of Agenda**

**Motion 2011 – 976 – Yetman/Seymour**

Resolved, that regular meeting agenda for August 30, 2011 be accepted with additions.

Carried unanimously

<b>2.0 New Business</b>
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**2.1 Valleyview Subdivision Street Upgrading – 3 Tenders Received**

**Motion 2011 – 977 – Greenland/Walsh**

Resolved, that the contract for Valleyview street upgrading be awarded to Concord Paving in the amount of \$359,368.25 as per submitted tender.

Carried unanimously

**2.2 Garbage Truck Tender**

**Motion 2011 – 978 – Yetman/Mercer**

Resolved, that the tender for supply of a new garbage truck be awarded to Saunders Equipment, as per submitted tender, in the amount of \$217,362 plus HST.

Carried unanimously

Terry Roberts, Compass Correspondent, entered the Chambers.

**2.3 Planning Committee Report**

**Motion 2011 – 979 – Yetman/Greenland**

Resolved, that the Planning Committee report of August 29, 2011 is accepted.

Carried unanimously

**2.4 775 Water Street – Residential Building Application**

**Motion 2011 – 980 – Yetman/Walsh**

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 775 Water Street, subject to acceptance of an on-site water and sewer system by Government Services and further subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

**2.5 19 Pepper's Road – Residential Building Application**

**Motion 2011 – 981 – Yetman/Seymour**

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 19 Pepper's Road, Bay Roberts, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

## **2.0 New Business / Committee Reports**

### **2.6 10 French's Cove Road – Request for Approval in Principle**

#### **Motion 2011 – 982 – Yetman/Greenland**

Resolved, that the applicant submit a completed building application with an attached plot plan verifying the size of building being considered, the property line setbacks and the proposed method of servicing the property with water and sewer. Further, the submitted application is to be then referred to the Heritage Advisory Committee for review regarding a “Heritage Cemetery” situated on the property.

Carried unanimously

Susan Mercer left the Chambers.

### **2.7 Russell's Lane – Affordable Housing Application**

#### **Motion 2011 – 983 – Yetman/Greenland**

Resolved, that the applicant submit a completed building application with an attached plot plan indicating building size, property line setbacks, as well as available parking spaces.

Carried unanimously

### **2.8 491 Water Street – Traffic Signage**

#### **Motion 2011 – 984 – Yetman/Walsh**

Resolved, that the request for traffic signage at 491 Water Street be denied as it has been determined that additional traffic signs in the area are not warranted at this time.

Carried unanimously

### **2.9 L&B Enterprises – Quarry Permit**

Committee will arrange a meeting with applicant to further discuss quarry application.

### **2.10 Green Committee**

Committee's request for consideration to adding leaves and grass clippings for collection at the shredding site on Central Street is referred to the Public Works Committee.

Councillor Yetman left the Chambers.

## **3.0 Minutes**

### **3.1 Approval of Minutes**

#### **Motion 2011 – 985 – Mercer/Greenland**

Resolved, that regular meeting minutes for August 9, 2011, be adopted with correction to wording of motion #966 – replace ‘consideration’ with ‘recommendation’.

Carried unanimously

## **4.0 New Business / Staff Reports**

### **4.1 2-8 Water Street – Commercial Occupancy Application**

#### **Motion 2011 – 986 – Mercer/Greenland**

Resolved, that approval is given applicant, as per submitted application, to open and operate a fitness centre, Fusion Fitness, at 2-8 Water Street, subject to an inspection by the Fire Chief, and further subject to the Town's Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.

Carried unanimously

### **4.2 21A Kelly's Road – Residential Building Application**

#### **Motion 2011 – 987 – Seymour/Mercer**

Resolved, that approval is given applicant, as per submitted application, to construct a residential dwelling at 21A Kelly's Road, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

### **4.3 19-21 Farm Road – Residential Building Application**

#### **Motion 2011 – 988 – Walsh/Greenland**

Resolved, that approval is given applicant, as per submitted application, to construct a residential dwelling at 19-21 Farm Road, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

## **5.0 Correspondence for Action**

### **5.1 49-51 South Road – Derelict Building**

#### **Motion 2011 – 989 – Walsh/Seymour**

Resolved, that correspondence regarding the condition of the building at 49-51 South Road is referred to the Municipal Enforcement Officer for review and any necessary action.

Carried unanimously

### **5.2 6, 8 & 12 Badcock's Road – Ditch Maintenance**

#### **Motion 2011 – 990 – Mercer/Walsh**

Resolved, that correspondence regarding ditch maintenance at Badcock's Road is referred to the Public Works Committee.

Carried unanimously

<b>5.0 Correspondence for Action</b>
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**5.3 SAM Conference – Attendance Request by Citizen Representative**

**Motion 2011 – 991 – Seymour/Greenland**

Resolved, that the Bay Roberts Citizen’s Representative on JMC is allocated funding for 2 night’s accommodation at the SAM Conference in Port aux Basques.

Carried unanimously

**Motion 2011 – 992 – Seymour/Mercer**

Resolved, that Councillor Seymour, as the Town’s liaison for SAM, will attend the Conference and is allocated funding for one night’s accommodation with SAM covering the second night.

Carried unanimously

**5.4 215-219 CB Highway – Tax Reduction to Cover Loss Profits**

**Motion 2011 – 993 – Walsh/Seymour**

Resolved that the request for a tax reduction to cover loss profits due to sewer upgrades on the CB Highway is denied based on the fact that the Town is not negligent and the upgrades were necessary and needed.

Carried unanimously

**5.5 Country Pond Road – RV Storage & RV Sites**

**Motion 2011 – 994 – Walsh/Greenland**

Resolved, that the applicant must publish their intent to construct an RV storage building and RV camping park at Country Pond Road. Also, request is referred to Planning & Development Committee for review.

Carried unanimously

**5.6 124 Shearstown Road – Residential Building Application**

**Motion 2011 – 995 – Mercer/Walsh**

Resolved, that the application to construct a dwelling at 124 Shearstown Road is referred to the Planning & Development Committee for review.

Carried unanimously

**5.7 11 Sawdust Road – Residential Mobile Home Application**

**Motion 2011 – 996 – Mercer/Greenland**

Resolved, that the application to erect a mobile home at 11 Sawdust Road is referred to the Planning & Development Committee for review.

Carried unanimously

<b>5.0 Correspondence for Action</b>
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**5.8 CBDC – Youth Ventures Sponsorship Program**

**Motion 2011 – 997 – Walsh/Mercer**

Resolved, that CBDC’s correspondence is placed on file.  
Carried unanimously

**5.9 Trinity Conception Crime Prevention – Battle of the Brains**

**Motion 2011 – 998 – Mercer/Walsh**

Resolved, that a \$100.00 donation be given to the Trinity Conception Crime Prevention in support for the Battle of the Brains Competition.  
Carried unanimously

**5.10 Canadian Cancer Society & Epilepsy NL – Donation Requests**

**Motion 2011 – 999 – Walsh/Mercer**

Resolved, that the Canadian Cancer Society and Epilepsy NL correspondence is placed on file.  
Carried unanimously

**5.11 Canada World Youth – Proclamation**

**Motion 2011 – 1000 – Mercer/Seymour**

Resolved, that Canada World Youth’s correspondence is placed on file.  
Carried unanimously

**5.12 Restorative Justice Week – Proclamation**

**Motion 2011 – 1001 – Seymour/Mercer**

Resolved, that Correctional Service’s correspondence is placed on file.  
Carried unanimously

**5.13 368-416 CB Highway – Self Storage Building**

**Motion 2011 – 1002 – Greenland/Walsh**

Resolved, that applicant must publish their intent to construct a self-storage building at 368-416 Conception Bay Highway. Also, request is referred to the Planning & Development Committee for review.  
Carried unanimously

## **6.0 Correspondence for Information**

### **6.1 SARS Sub-Centre – Office of the Prime Minister**

#### **Motion 2011 – 1003 – Greenland/Mercer**

Resolved, that the Prime Minister's correspondence is placed on file.  
Carried unanimously

### **6.2 Disclosure of Personal Information at Public Council Meetings – Municipal Affairs**

#### **Motion 2011 – 1004 – Mercer/Walsh**

Resolved, that Municipal Affairs' correspondence is placed on file.  
Carried unanimously

### **6.3 Support of Nomination as President of Municipalities NL**

#### **Motion 2011 – 1005 – Mercer/Seymour**

Resolved, that Mayor Churence Rogers' correspondence is placed on file.  
Carried unanimously

## **7.0 New Business / Committee Reports**

### **Executive / Finance Committee**

### **7.1 Royal Canadian Legion**

#### **Motion 2011 – 1006 – Walsh/Greenland**

Resolved, that the Municipal Assessment Agency be requested to separate the Marina assessed value from the Royal Canadian Legion assessed value and exempt the Marina from taxation.  
Carried unanimously

### **7.2 BADCC006 – Tax Account**

#### **Motion 2011 – 1007 – Walsh/Mercer**

Resolved, that the taxpayer for account BADCC006 will be provided tax relief in the form of exemption from interest charges on the account balance conditional to the taxpayer agreeing to a monthly repayment plan and as long as monthly payment is received.  
Carried unanimously

### **7.3 SEYMW002 – Tax Account**

#### **Motion 2011 – 1008 – Walsh/Seymour**

Resolved, that the taxpayer for account SEYMW002 will be provided a 5% discount on the outstanding balance conditional to the account being paid in full.  
Carried unanimously

<b>7.0 New Business / Committee Reports</b>
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**7.4 CRANH001 – Tax Account**

**Motion 2011 – 1009 –Walsh/Greenland**

Resolved, that the taxpayer for account CRANH001 will be provided tax relief in the form of exemption from interest charges on the account balance conditional to the taxpayer agreeing to continue to pay \$125 per month on the account.

Carried unanimously

**7.5 Municipal Enforcement Committee**

Councillor Walsh gave a report from Municipal Enforcement Officer Bowering on various ongoing issues.

<b>8.0 Resolutions from Privileged Meetings</b>
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**8.1 Motion 2011 – 1010 – Mercer/Walsh**

Resolved, that the August 9, 2011 privileged meeting motions #'s 2011 – 940; 2011 – 941; and, 2011 – 942, are ratified.

Carried unanimously

<b>9.0 Adjournment</b>
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**9.1 Motion to Adjourn**

**Motion 2011 – 1011 – Greenland/Walsh**

Resolved, that Council now adjourned the regular meeting at 8:20 p.m.

Carried unanimously

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Philip Wood, Deputy Mayor

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Shirley Hawe, Town Clerk