

**Town of Bay Roberts  
Minutes of Regular Council Meeting  
Tuesday, December 13, 2011**

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

In Attendance:

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

<b>1.0 Call to Order</b>
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1.1 Mayor Wood called the meeting to order at 7:00 p.m.

<b>2.0 Presentations</b>
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**2.1 Oath of Office**

Wade Oates was sworn in as elected councillor for the Town of Bay Roberts. Councillor Oates was appointed liaison on the Recreation Committee and also the Special Events Committee.

<b>3.0 Approvals / Adoptions</b>
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**3.1 Approval of Agenda**

**Motion 2011 – 1136 – Yetman/Mercer**

Resolved, that regular meeting agenda for December 13, 2011 be accepted.  
Carried unanimously

Deputy Mayor Seymour took Chair while Mayor Wood presented the 2012 Budget.

**3.2 2012 Budget Adoption**

**Motion 2011 – 1137 – Wood/Walsh**

Resolved, that the budget as presented for 2012 be adopted.  
Carried unanimously

### **3.0 Approvals / Adoptions**

#### **3.3 2012 Municipal Tax Structure**

##### **Motion 2011 – 1138 – Mercer/Greenland**

Resolved, that the Tax Structure as presented for 2012 be adopted.  
Carried unanimously

Mayor Wood resumed Chair.

#### **3.4 Approval of Minutes**

##### **Motion 2011 – 1139 – Walsh/Seymour**

Resolved, that regular meeting minutes for November 22, 2011 be adopted as presented.  
Carried unanimously

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

#### **4.1 26 Fitzgerald Place – Home-Based Business**

##### **Motion 2011 – 1140 – Seymour/Walsh**

Resolved, that the applicant must publish in the Compass the intention to open and operate a home-based civic address signage business, ER Signage, at 26 Fitzgerald Place.  
Carried unanimously

#### **4.2 38-40 Conception Bay Highway – Commercial Occupancy Application**

##### **Motion 2011 – 1141 – Yetman/Mercer**

Resolved, that approval is given applicant, as per submitted application, to open and operate a financial services office, Janes & Noseworthy Limited, at 38-40 Conception Bay Highway, subject to the Town's Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.  
Carried unanimously

#### **4.3 304 Conception Bay Highway – Commercial Occupancy Application**

##### **Motion 2011 – 1142 – Mercer/Greenland**

Resolved, that approval is given applicant, as per submitted application, to open and operate an insurance office, Munn Insurance Limited, at 304 Conception Bay Highway, subject to the Town's Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.  
Carried unanimously

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

### **4.4 250 Central Street – Residential Building Application**

#### **Motion 2011 – 1143 – Yetman/Walsh**

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 250 Central Street, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

### **4.5 8 Captain's Place – Residential Building Application**

#### **Motion 2011 – 1144 – Seymour/Oates**

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 8 Captain's Place, Bay Roberts, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

### **4.6 25 Trenchard's Lane – Planning Committee Recommendation**

#### **Motion 2011 – 1145 – Yetman/Greenland**

Resolved, that the application to install a trailer home at 25 Trenchard's Lane be denied due to the fact that correspondence was received from an immediate neighbor to the property expressing objection to the development and that the applicant could not provide the required minimum 10% setback variance on 3 of the 4 boundary lines.

Carried unanimously

### **4.7 328 Central Street – Planning Committee Recommendation**

#### **Motion 2011 – 1146 – Yetman/Walsh**

Resolved, that approval is given applicant, as per submitted application and no response to the public notice regarding the setback variance, to construct a dwelling at 328 Central Street, Bay Roberts, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

### **4.8 Development off Badcock's Road – Planning Committee Recommendation**

#### **Motion 2011 – 1147 – Greenland/Mercer**

Resolved that the developer be requested to submit a subdivision application as required under the Town's Subdivision Regulations and also, advise the developer of the following specific requirements: (1) the road allowance must meet the Town Development Regulation minimum width out to the Town maintained road, Badcock's Road; (2) a turnaround area at the end of the proposed road that conforms to the Town Development Regulations; and, (3) specifics regarding water, sewer and drainage.

Carried unanimously

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

### **4.9 Subdivision of Rear Lots at Kelly's Road – Planning Committee Recommendation**

#### **Motion 2011 – 1148 – Yetman/Walsh**

Resolved, that the proposal to develop two (2) building lots behind 7 Kelly's Road, Coley's Point, is not permitted under the Town's current Municipal Development Regulations, however, Council is giving direction for the Planning Committee to create back/rear lot development guidelines in the new year.

Carried unanimously

### **4.10 8 Bowering's Lane – Planning Committee Recommendation**

#### **Motion 2011 – 1149 – Yetman/Oates**

Resolved, that the application to build a dwelling at 8 Bowering's Lane, be denied due to the fact that the proposed development does not have the required front and rear yard setbacks as required under the Town's Municipal Development Regulations and further that the proposed development is not within the allowable 10% variance.

Carried unanimously

## **5.0 Correspondence for Action**

### **5.1 Bay Arena – Election of Officers & Financial Statement**

#### **Motion 2011 – 1150 – Walsh/Mercer**

Resolved, that approval is given to the Board of Directors to operate the Bay Arena for the new year and further, that the financial statement for the fiscal year ending August 31, 2011 is accepted.

Carried unanimously

### **5.2 33 Bareneed Road – Water & Sewer Extension**

#### **Motion 2011 – 1151 – Seymour/Yetman**

Resolved, that the request for extension of water and sewer services to 33 Bareneed Road is referred to the Public Works Committee.

Carried unanimously

### **5.3 Ascension Collegiate – Diplomas & Awards Night**

#### **Motion 2011 – 1152 – Mercer/Oates**

Resolved, that a donation be made for the Ascension Collegiate Annual Scholarship in the amount of \$225.00.

Carried unanimously

<b>5.0 Correspondence for Action</b>
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**5.4 Ronald McDonald House – Donation**

**Motion 2011 – 1153 – Mercer/Walsh**

Resolved, that Ronald McDonald House correspondence be placed on file.  
Carried unanimously

Ron Delaney entered the Chambers at 7:40 p.m.

<b>6.0 Correspondence for Information</b>
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**6.1 Accounts Payable – November 2011**

**Motion 2011 – 1154 – Greenland/Oates**

Resolved, that accounts payable for November 2011 be approved.  
Carried unanimously

**6.2 Glenn Littlejohn, M.H.A. – Follow Up Items**

**Motion 2011 – 1155 – Mercer/Seymour**

Resolved, that MHA Littlejohn's correspondence is placed on file.  
Carried unanimously

**6.3 MNL – Tidy Towns**

**Motion 2011 – 1156 – Mercer/Yetman**

Resolved, that correspondence from MNL congratulating the Town on winning the Tidy Towns award is placed on file.  
Carried unanimously

**6.4 M-RON – Annual General Meeting**

**Motion 2011 – 1157 – Yetman/Mercer**

Resolved, that M-RON's correspondence is placed on file.  
Carried unanimously

**6.5 Dept. of Environment – Forest Management Plan**

**Motion 2011 – 1158 – Yetman/Walsh**

Resolved, that the Forest Management Plan be placed on file for future reference.  
Carried unanimously

## **6.0 Correspondence for Information**

### **6.6 Dept. for Status of Women – Purple Ribbon Campaign**

#### **Motion 2011 – 1159 – Mercer/Oates**

Resolved, that 2011 Purple Ribbon Campaign information be placed on file.  
Carried unanimously

### **6.7 Atlantic Institute for Market Studies – Atlantic Canadian High Schools Report Card**

#### **Motion 2011 – 1160 – Seymour/Mercer**

Resolved, that the AIMS report be placed on file.  
Carried unanimously

### **6.8 Immigration Canada – Paul Yuzyk Award**

#### **Motion 2011 – 1161 – Mercer/Walsh**

Resolved, that correspondence regarding the Paul Yuzyk Award is placed on file.  
Carried unanimously

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

### **7.1 Public Works Committee**

Tabled report regarding the following action items: Kelly's Landing – parking lot; 5 Duggan's Lane – water runoff; 62 Cross Roads – water runoff; and, 82-86 Shearstown Road – water runoff.

### **7.2 Heritage Advisory Committee**

#### **Motion 2011 – 1162 – Yetman/Walsh**

Resolved, that Heritage Advisory minutes for October 6<sup>th</sup> be accepted.  
Carried unanimously

### **7.3 Motion 2011 – 1163 – Greenland/Mercer**

Resolved, that Mayor Wood will bring season's greeting on behalf of the Town, on KIXX Radio Merry Christmas Channel.  
Carried unanimously

### **7.4 Municipal Enforcement Committee**

#### **Motion 2011 – 1164 – Walsh/Yetman**

Resolved, that the Municipal Enforcement report for November 28<sup>th</sup> be accepted.  
Carried unanimously

**7.0 New Business / Committee Reports**

**7.5 Fire Department**

**Motion 2011 – 1165 – Seymour/Yetman**

Resolved, that the Bay Roberts Volunteer Fire Department Regulations/Constitution be adopted as presented.

Carried unanimously

**8.0 Adjournment**

**8.1 Motion to Adjourn**

**Motion 2011 – 1166 – Greenland/Walsh**

Resolved, that Council now adjourned the regular meeting at 8:45 p.m.

Carried unanimously

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Philip Wood, Mayor

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Shirley Hawe, Town Clerk