

The Sixth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall with the following in attendance:

Deputy Mayor Melvin Walsh
Councillor Clarence G. Mercer
Councillor Bill Seymour
Councillor Gerald Greenland
Councillor Dennis Brown
Councillor Walter Yetman
Town Manager Edwin Fradsham
Town Clerk Shirley Hawe
Director Ron Delaney

Also present, Ms. Lillian Simmons (the Compass), Ms. Susan Mercer, Mr. Maxwell D. Mercer, Mr. James D. Mercer, Mr. Philip Clarke and Mr. Albert Wilson.

Mayor Glenn Littlejohn was absence due to work commitments.

Meeting commenced at 7:35 p.m.

Deputy Mayor Walsh called the meeting to order.

Adoption of Minutes

Deputy Mayor Walsh asked if there were any errors or omissions to the minutes of December 13th, 2005, which has been circulated with the agenda.

Page 1. Councillor Mercer asked if the Fire Commission has inspected the sprinkler system at Atlantic Grocery Distributors Limited.

Town Manager advised that no correspondence has been received from the Fire Commissioner's office regarding this matter.

Page 4. Councillor Greenland requested that the Town Manager set up a meeting with the developer of Valleyview Subdivision regarding formally having ownership of the proposed green space transferred to the Town, and also, to determine the size and actual location of said green space.

Page 5. Deputy Mayor Walsh noted that Messers Mercer were asked to attend this meeting so as to further discuss their concerns regarding Arney's Pond Road.

Councillor Greenland on behalf of the Planning and Development Committee, explained that an independent survey was carried out on the property of Mr. Wayne Parsons and it was determined by the surveyor that the presently existing road is located inside Mr. Parsons boundary. Also, due to the non existence of any homes in this area, the former public right of way/road was never grandfathered into regular road maintenance by the Town Council beyond the water and sewer outfall. Over the years, gradual land erosion by the sea, has claimed the old road way, as outlined in old land surveys and land grants. One recommendation, depending on private land owners giving up a portion of their frontage, is to extend the road from Green's Road Extension to connect to Arney's Pond Road. Also, new signage depicting Arney's Pond Road as the rightful name, will be installed in the near future.

Comments were made by members of the delegation regarding verifying the existence of the original public road at Arney's Pond. Much discussion ensued.

It was moved by Councillor Yetman and seconded by Councillor Seymour that a meeting to seek a resolution, be arranged between all parties, including Mr. Wayne Parsons and Mr. Gus Fitzpatrick. The Planning and Development Committee will arrange a date for said meeting. Motion Carried.

Page 6. Councillor Mercer inquired about the status of the Memorandum of Understanding agreement between the RCMP and the Town.

Deputy Mayor Walsh advised that the MOU is revised and draft #3 has been sent to Sgt. Simmons for assessment and report.

Councillor Mercer presented a list of identified properties needing clean up. Progress has been made on some of the identified properties.

It was moved by Councillor Seymour and seconded by Councillor Mercer that the minutes of December 13th, 2005, be adopted. Motion Carried.

General Business

It was moved by Councillor Greenland and seconded by Councillor Mercer that three new items of business be added to the agenda - Mr. Ray Butt, Mr. Lloyd Drover, and 2005 Financial Report. Motion Carried.

Letter received from Mr. Loyola Sullivan, Minister of Finance, extending appreciation for Mayor Littlejohn's participation in the 2006 pre-budget consultation process.

Letter received from Mr. Trevor Taylor, Minister of Transportation and Works, inviting Council to meet with him to discuss a transfer of ownership of Route 70 within the town boundaries, from his department, to the Town of Bay Roberts.

It was noted that Mayor Littlejohn is following up on this and arranging a meeting with Minister Taylor.

Letter received from Mr. Jack Byrne, Minister of Municipal and Provincial Affairs, regarding the acquisition of land by the Town for a fire safety training facility. Minister Byrne confirms the land in question is zoned Commercial 1 and advises that under discretionary use class, Council is obligated to advertise the proposal in the local newspaper and consider any submissions before deciding whether or not to issue a development permit for a fire safety training facility.

It was moved by Councillor Greenland and seconded by Councillor Seymour that the proposal for a fire safety training facility at the French property (racetrack) on Delaney's Road, be published in the local newspaper.
Motion Carried.

Letter received from Mr. Frederick Hollett, Fire Commissioner, regarding fire protection services for Clarke's Beach, North River, South River and Makinsons.

Town Manager presented minutes of the December 22nd, 2005, meeting which took place at the Bay Roberts Fire Hall and attended by Mr. Hollett and members from all concerned parties. It was decided by the Town of Cupids that they will provide fire protection to the four above noted towns to the end of February 2006. After February, a decision will be made on whether fire protection will continue to be provided, and if not, alternate arrangements will be made.

Letter received from Mayor Betty Moore, Town of Clarke's Beach, regarding fire protection services.

Letter to be placed on file.

Letter received from Mr. Jim Meaney, Cansolair Inc., seeking permission to operate his current business, the production of solar panels, in the former V.I.P. Distributors building, 176 Water Street.

It was moved by Councillor Brown and seconded by Councillor Yetman that Mr. Meaney's request be referred to the Planning and Development Committee, for further review and a site visit of his present location.
Motion Carried.

Received from Mr. David Andrews, Moores Andrews Collins Law Office, a copy of a letter which had been issued to Mr. Jay Forbes, President of Aliant Inc., regarding the change in the calling pattern from Carbonear to Bay Roberts.

It was moved by Councillor Seymour and seconded by Councillor Mercer that a letter supporting Mr. Andrews' letter be sent to Aliant Inc.
Motion Carried.

News Release received from Mr. Sean Martin, Municipal Assessment Agency, advising that Councillor Deborah Quilty of Paradise is the new Avalon Director and Councillor Barry Oake of Grand Falls-Windsor is the new Central Director.

Email received from the Federation of Canadian Municipalities requesting all members of Council make local issues matter in the upcoming federal election campaign.

Letter received from Mr. Ray Butt, Klondyke Hotel, seeking permission for an expansion of the existing building to add another fourteen (14) rooms for a total of twenty-five (25) rooms, and also, requesting a tax break on the new extension as an help for this project to get up and running.

It was moved by Councillor Greenland and seconded by Councillor Brown that Mr. Butt's request be referred to the Planning & Development Committee, and also, the Finance Committee for further review.

Letter received from Mr. Lloyd Drover requesting that the drain on the side of Cleary's Lane be cleared of brush and widened, and also, the lane be used for one way traffic as it is only approximately 10 feet wide.

It was moved by Councillor Brown and seconded by Councillor Seymour that Mr. Drover's requests be referred to the Public Works Committee.
Motion Carried.

Committee Reports

Finance

Town Manager tabled a report of revenues and expenses for January 2th, 2005 - December 31th, 2005, for review. Discussion will be deferred til next meeting.

Councillor Mercer presented the 2005 year end report on behalf of the Bay Roberts Heritage Society Inc. Some highlighted items:

- ? The untimely passing of member Ms. Florence Wood. Ms. Wood's camera collection and a monetary donation were presented to the Society from her estate.
- ? In 2005, visitations were up numbering over 3,000 for the museum, gallery and trail.
- ? The gallery featured an exhibit of works by non-resident Newfoundland artists, and also, in November, an exhibit of local artists.
- ? With assistance from Mary Ellen Wright, two grants totaling \$3,140.00 were obtained to help set up archives.
- ? Improvements have been made in the Christopher Pratt room. Also, a new sign has been installed on the Veterans Memorial Highway.
- ? The Bay Roberts Branch of the Royal Canadian Legion has agreed to help with the cost of a new display cabinet to house the additional donations of military items.
- ? Wade Greeley is helping with the design and implementation of a display area where the rock wall is located near the sales counter.
- ? Two students were hired under a SEED grant and one student was hired under a SWASP grant for summer employment..
- ? In honour of Christopher Pratt's 70th birthday, the National Art Gallery in Ottawa, has set up an exhibit of Mr. Pratt's paintings entitled, "All My Own Work". Also displayed, is a plaque stating Mr. Pratt's connection with our Town and that our art gallery is named in his honour. A reduced version of this exhibit is coming to The Rooms in St. John's and some of the smaller items will be displayed in our gallery from late May to early August 2006.

It was moved by Councillor Greenland and seconded by Councillor Brown that a letter of appreciation be sent to the Bay Roberts Heritage Society for all their hard work in making the museum, gallery and walking trail a great success.
Motion Carried.

Councillor Mercer gave a report from the Heritage Advisory Board. The Board has lost two members, Councillor Dennis Brown and Ms. Catherine Legge. Two new members, Ms. Jennifer Loder and Mr. David Dawe, have offered to set on the Board.

It was moved by Councillor Mercer and seconded by Councillor Greenland that Ms. Loder and Mr. Dawe be appointed to the Heritage Advisory Board.
Motion Carried.

It was decided that Ms. Loder and Mr. Dawe be written congratulations on their appointment and Councillor Brown and Ms. Legge be written letters of appreciation for their time and dedication.

Planning & Development

Councillor Greenland presented a report from the Planning & Development Committee.

- ? Re: update on the subdivision of lots at Delaney's Avenue. The property can be serviced and an estimate of water and sewer installation will be provided at the next meeting.
- ? Re: request of Isaac and Jeremy Jacobs to open and operate a carpentry business at Eric's Place, Shearstown. This is not a permitted use under present zoning regulations, however, it is a discretionary use, and therefore, must be published.

It was moved by Councillor Greenland and seconded by Councillor Seymour that Messrs Jacobs must publish over a 2 week period, their intentions in the local paper. Also, they must submit proper drawings and site plan for their proposal, after which, a site inspection will be made.
Motion Carried.

- ? Re: subdivision development for Love Street Extension. Some concerns have been identified and a meeting will be arranged with the developers to discuss same.
- ? Re: William Power request for plowing of his road. The committee advises that Mr. Power's road does not meet the present road regulations and also, Mr. Power's road was not a registered road that was taken over when Butlerville was annexed with the Town of Bay Roberts. The roads Mr. Power identified with only one dwelling, are roads that were in the Town's maintenance inventory in the past 30 plus years. It was suggested that Mr. Power be advised of same.
- ? The committee is in the process of drafting new regulations.

Councillor Brown took the Chair.

Municipal Enforcement

Deputy Mayor Walsh presented the minutes of the January 5th Municipal Enforcement Committee meeting.

- ? Re: review of existing ATV regulations. The committee in conjunction with the RCMP, recommends that signage, "No ATV's Beyond This Point", be erected at three specific areas identified as such: (1) at old rail way track by Valleyview Subdivision, (2) at top of French's Road, Country Road; (3) at intersection of Shearstown Road and C. B. Highway.

It was moved by Deputy Mayor Walsh and seconded by Councillor Greenland that signage "No ATV's Beyond This Point", be erected in the three identified areas.
Motion Carried.

? Re: Animal Control & Impounding. The committee recommends a dog tag system be considered and suggests the following options : (1) \$5.00 fee for tag purchase, (2) free tag, however, \$25.00 retrieval fee if animal is not tagged, (3) free tag with no impounding fee.

It was moved by Deputy Mayor Walsh and seconded by Councillor Yetman that tags be provided free to residents and a \$25.00 retrieval fee if dog is impounded without wearing the tag.

It was moved by Councillor Mercer and seconded by Councillor Seymour that the motion be amended. The new motion is dog tags will be provided free to residents with one free retrieval and all subsequent retrievals will cost \$25.00.

Motion Carried.

? Re: the following regulations are to be reviewed: bicycle, anti-litter, anti-noise, mobile vendors, snow clearing, clean up of untidy properties, demolition permits and quarry regulations.

Deputy Mayor Walsh resumed the Chair.

Director's Report

Director Delaney advised that the beautification of Arney's Pond project should start in two weeks. Minutes of the Planning and Development Committee meeting will be presented at the next meeting of Council. Also, work is progressing on scenarios and options for the 2006 Klondyke Concert.

It was moved by Councillor Brown and seconded by Councillor Seymour that the meeting be adjourned at 9:40 p.m.

Motion Carried.

Melvin Walsh
Deputy Mayor

Shirley Hawe
Town Clerk