

The Eighty-First meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, June 3, 2008, at 7:35 p.m.

Members Present      Mayor Glenn Littlejohn  
                                Deputy Mayor Melvin Walsh  
                                Councillor Clarence G. Mercer  
                                Councillor Gerald Greenland  
                                Councillor Dennis Brown  
                                Councillor Walter Yetman

Member Absent        Councillor Bill Seymour

Also Present            Town Manager Edwin Fradsham  
                                Town Clerk Shirley Hawe  
                                Compass Correspondent Lillian Simmons  
                                Residents

### **Minutes**

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of May 13, 2008, which had been circulated with the agenda.

Discussion and update regarding the following:

- ▶ Town Manager will arrange meeting with Valleyview Subdivision developer.
- ▶ Mandatory garbage boxes will be further looked into by the Green Committee.

### **Motion 2008 - 161 - Walsh/Greenland**

Resolved that minutes of the regular meeting of May 13, 2008, be adopted.

In favour:            Mayor Littlejohn  
                                Deputy Mayor Walsh  
                                Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed:            0

Abstaining:        0

Motion Carried.

### **New Business**

**Item 1 :** Received from the Dept. of Transportation & Works, a copy of a letter to regarding cross cuts and potholes on Route 70, Bay Roberts.

**Motion 2008 - 162 - Mercer/Yetman**

Resolved that the Dept. of Transportation letter be placed on file.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 2 :** Letter received from X regarding water flooding concerns in the area of 7 Butler Drive.

**Motion 2008 - 163 - Walsh/Greenland**

Resolved that X's letter be referred to the Public Works Committee.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 3 :** Correspondence and survey received from X requesting permission to acquire crown land that is adjacent to his property located at C. B. Access Road.

**Motion 2008 - 164 - Walsh/Mercer**

Resolved that X's request be denied and also, advise him of an application already made by the Town for acquisition of the same parcel of crown land as outlined on his survey.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 4 :** Letter and survey received from X requesting water and sewer services be extended approximately two hundred feet on Delaney's Road, Bay Roberts.

**Motion 2008 - 165 - Yetman/Walsh**

Resolved that X's correspondence be referred to the Planning & Development Committee.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 5 :** Letter received from X, as follow up to her correspondence of April 18, providing further information pertaining to her application to operate a museum and playhouse at the former Victoria Orange Lodge, corner of Smith Street Extension and Patterson Street.

**Item 6 :** Letter received from X requesting permission to do minor interior renovations to their tenants portion of 148-150 C. B. Highway.

**Motion 2008 - 166 - Brown/Yetman**

Resolved that approval be given to X for minor renovations, as outlined in their letter of request, to their tenants portion of 148-150 C. B. Highway, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 7 :** Commercial building extension application received from X.

**Motion 2008 - 167 - Mercer/Brown**

Resolved that approval be given to X, as per submitted application, for an extension to their building located at 64A-68A North Road, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 8 :** Commercial building extension application received from X.

**Motion 2008 - 168 - Walsh/Yetman**

Resolved that X application be referred to the Planning and Development Committee.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 9 :** Commercial building extension application received from X.

**Motion 2008 - 169 - Mercer/Greenland**

Resolved that X's application be referred to the Planning and Development Committee.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 10 :** Residential building application received from X.

**Motion 2008 - 170 - Greenland/Yetman**

Resolved that approval be given X, as per submitted application, to construct a dwelling at 41 Love Street, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 11 :** Residential building application received from X.

**Motion 2008 - 171 - Mercer/Brown**

Resolved that approval be given X, as per submitted application, to construct a dwelling at 82A-84A North Road, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments. Also, town services will **not** be provided beyond the main road.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 12 :** Residential building application received from X.

**Motion 2008 - 172 - Greenland/Mercer**

Resolved that approval be given to X, as per submitted application, to construct a dwelling at Parade street, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 13 :** Residential building application received from X.

**Motion 2008 - 173 - Greenland/Mercer**

Resolved that approval be given to X, as per submitted application, to construct a dwelling at 39 Cleary's Road, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 14 :** Residential building application received from X.

**Motion 2008 - 174 - Walsh/Yetman**

Resolved that approval be given to X, as per submitted application, to construct a dwelling at Pit Road, Butlerville, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 15 :** Survey received from MNL regarding transfer of crown lands to municipalities free of charge.

It was decided that the Town Manager will respond to the survey.

**Item 16 :** Letter received from the Royal Canadian Legion requesting council participation in the annual Memorial Day Parade which is set for Tuesday, July 1 at the Centaph at 2:00 p.m.

It was decided that Director Delaney is to ensure that town sponsored activities for Canada Day do not conflict with the Memorial Day Parade.

**Item 17** : Letter received from Trinity Conception District RCMP requesting financial support for the Law Enforcement Torch Run.

**Motion 2008 - 175 - Brown/Greenland**

Resolved that a \$100.00 donation be given to the Law Enforcement Torch Run.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 18** : Letter received from Miss Newfoundland and Labrador, seeking financial support for her preparations to enter the Miss Canada Galaxy Pageant.

**Motion 2008 - 176 - Yetman/Walsh**

Resolved that Miss NL correspondence be placed on file.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 19** : Letter received from Eastern Habitat Joint Ventures inquiring if there is an interest in pursuing a Provincial ATV Symposium sponsored by the Avalon Trailway Corporation.

**Motion 2008 - 177 - Mercer/Yetman**

Resolved that EHJV's correspondence be placed on file. Also, a copy be sent to X of the local ATV Association.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 20 :** Correspondence received from Ocean Net advising that Oceans Day 2008 is being celebrated during the period Friday, June 6 - Tuesday, June 10.

**Motion 2008 - 178 - Yetman/Walsh**

Resolved that Ocean Net's letter be placed on file. Also, a copy be sent to JMC.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 21 :** Correspondence received from NL Alliance for the Control of Tobacco requesting municipalities bring in a smoke free policy for all outdoor recreation and sport areas and events.

**Motion 2008 - 179 - Mercer/Yetman**

Resolved that the ACT correspondence to referred to the Recreation Committee.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 22 :** Correspondence received from the Bed and Breakfast Association of NL outlining economic circumstances of the B&B industry.

**Motion 2008 - 180 - Mercer/Greenland**

Resolved that the B&B information be referred to the Finance Committee regarding the development of business tax rates for B&B's.



In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 23 :** Info Notes and LADR Workshop information received from MNL.

**Motion 2008 - 181 - Mercer/Yetman**

Resolved that the various MNL Info Notes be placed on file.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and w. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Committee Reports**

**Finance**

**Motion 2008 - 182 - Brown/Yetman**

Resolved that Accounts Payable for April 2008 be approved.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Motion 2008 - 183 - Walsh/Mercer**

Resolved that Accounts Payable for May 2008 be tabled.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0  
Abstaining: 0  
Motion Carried.

**Tourism**

**Motion 2008 - 184 - Mercer/Walsh**

Resolved that Pigeon Inlet Committee minutes of May 5, be accepted.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Motion 2008 - 185 - Mercer/Brown**

Resolved that Pigeon Inlet Steering Committee minutes of May 20, be accepted.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Public Works**

**Re:** X's water drainage concerns at 63 Green's Road.

Councillor Brown declared a conflict of interest due to possible involvement in the sale of 63 Green's Road. Councillor Brown left the Chambers.

Committee Recommendation:

Option 1 - Lower existing ditching in front of 63 Green's Road and excavate until positive drainage is provided to the ocean north of the property, which would result in extra deep ditches for a distance of over 300 feet. During winter conditions when the ditches are filled with ice and

snow, it would in all probability result in blockage of drainage pipes. Also, culverting option would result in extraordinary construction costs.

Option 2 - Allow drainage line from 63 Green's Road to connect directly to the existing manhole requiring the installation of a new positive drainage pipe from below the dwelling's foundation footing to the manhole.

**Motion 2008 - 186 - Walsh/Yetman**

Resolved that X's water drainage concerns at 63 Green's Road be referred back to the Public Works Committee for further investigation.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland and W. Yetman

Opposed: 0

Abstaining: Councillor Brown

Motion Carried.

Councillor Brown returned to the Chambers.

Committee is continuing to investigate options to alleviate drainage concerns at Central Street and Sawdust Road.

**Planning & Development**

**Re:** Bay Roberts Library, Crossroads - Green Belt Status

Information requested in November 28, 2007. Correspondence is not received to date. Enforcement Officer is requested to ensure site work does not commence prior to receipt and approval of drawings.

**Re:** Museum & Playhouse Application, Patterson Street

**Motion 2008 - 187 - Greenland/Yetman**

Resolved that approval be given to X, as per submitted application, to operate a museum and playhouse at the former Victoria LOL Orange Lodge, corner of Patterson Street and Smith Street Extension, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn

Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0  
Abstaining: 0  
Motion Carried.

**Re:** Arney's Pond Road "Licence to Occupy"

Recommend consultation with Land Management Division prior to replying to applicant. Town Manager will arrange meeting.

**Re:** X request pertaining to concerns at Delaney's Avenue.

**Motion 2008 - 188 - Greenland/Brown**

Resolved that X be advised that it is not town policy to erect "Children at Play" signage; the Green Committee will supply a refuse container; and, the request to install a "one way traffic" sign is rejected, however, should a petition be received signed by **all** affected residents, the request will be revisited.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0  
Abstaining: 0  
Motion Carried.

**Re:** X application for additional self storage units.

**Motion 2008 - 189 - Greenland/Walsh**

Resolved that approval in principle be given to X, as per their submitted application dated May 5, 2008, to construct additional self storage units at 2 Sawdust Road, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0  
Abstaining: 0  
Motion Carried.

**Re:** Extension of Harding's Lane including water & sewer services and residential building application.

Mayor Littlejohn declared a conflict of interest due to his relationship to the applicants. Mayor Littlejohn left the Chambers and Deputy Mayor Walsh took the Chair.

**Motion 2008 - 190 - Greenland/Yetman**

Resolved that approval be given to X, as per submitted application, to construct a dwelling on land located past the end Harding's Lane, subject to all Municipal Development regulations and all other regulatory departments. Also, **no** town services will be provided beyond the main road..

In favour: Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: Mayor Littlejohn  
Motion Carried.

**Motion 2008 - 191 - Greenland/Mercer**

Resolved that extension of Harding's Lane including water and sewer services does not conform to town regulations. Development of road and water and sewer extensions to the extent requested is the responsibility of developer / land owner. Should the owner consider the necessary work by their own forces, a scope of work must be submitted for review prior to commencing work.

In favour: Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman  
Opposed: 0  
Abstaining: Mayor Littlejohn  
Motion Carried.

Mayor Littlejohn returned to the Chambers and took the Chair at 9:15 p.m.

**Economic Development**

The Business Info Luncheon Series Session 6 - "Supporting your business through tourism and hospitality", will be held Wednesday, June 4<sup>th</sup> at the Klondyke Hotel.

**UMC**

Minutes of February 29 and March 1 were tabled for discussion.

**Municipal Enforcement**

Annual General Meeting for MEO's is taking place from June 4 - 6 at the Search & Rescue bldg.

**Motion 2008 - 192 - Walsh/Mercer**

Resolved that the Noise & Nuisance Regulations and Demolition Application / Permit be deferred until a later date.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0

Abstaining: 0

Motion Carried.

A decision regarding a town credit card will be tabled at the next meeting under Notice of Motion.

**Adjournment**

**Motion 2008 - 193 - Walsh**

Resolved that the meeting do now adjourn at 9:40 p.m.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, D. Brown and W. Yetman

Opposed: 0

Abstaining: 0

Motion Carried.

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Glenn Littlejohn  
Mayor

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Shirley Hawe  
Town Clerk