

**Town of Bay Roberts  
Minutes of Regular Council Meeting  
Tuesday, June 12, 2012**

Fifty 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 Wade Oates Councillor Walter Yetman Councillor Melvin Walsh
Staff	Shirley Hawe, Town Clerk

Absent:

Council	Councillor Gerald Greenland
Staff	Nigel Black, Chief Administrative Officer

Also Present:

Clarence H. Russell, Fire Chief  
Nicholas Mercer, Compass Correspondent  
Country Road Resident

<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</b>
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**2.1 Country Road Delegation – Traffic Concerns**

Resident of Country Road tabled correspondence including pictures that show traffic using Country Road and also, the narrow road shoulder for pedestrian use.

**Motion 2012 – 252 – Seymour/Walsh**

Resolved, that Country Road traffic and safety concerns be referred to Municipal Enforcement Committee, Public Works Committee and Planning and Development Committee.

Carried unanimously

Country Road resident left Chambers at 7:25 p.m.

### **3.0 Agenda / Minutes**

#### **3.1 Additions to Agenda**

##### **Motion 2012 – 253 – Mercer/Walsh**

Resolved, that a four (4) items be added and the agenda be accepted.  
Carried unanimously

#### **3.2 Approval of Minutes**

##### **Motion 2012 – 254 – Seymour/Oates**

Resolved, that regular meeting minutes for May 22, 2012 be adopted as presented.  
Carried unanimously

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

#### **4.1 Home Occupations Application – 491 Water Street**

##### **Motion 2012 – 255 – Walsh/Mercer**

Resolved, that approval is given applicant, as per submitted application, to open and operate a tourism, crafts and gallery business, Seacliff House Productions, at Water Street, subject to the Town's Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.  
Carried unanimously

#### **4.2 Home Occupations Application – 6B Conception Bay Highway**

##### **Motion 2012 – 256 – Yetman/Oates**

Resolved, that approval is given applicant, as per submitted application, to open and operate a wholesale beauty supplies store, Professional Beauty Supplies, at 6B 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 Home Occupations Application – 13 Track Road**

##### **Motion 2012 – 257 – Yetman/Walsh**

Resolved, that approval is given applicant, as per submitted application, to open and operate a birthday party supplies rental, Twinklets Party Rentals, at 13 Track Road, 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 Home Occupations Application – 140 Conception Bay Highway**

#### **Motion 2012 – 258 – Yetman/Mercer**

Resolved, that approval is given applicant, as per submitted application, to open and operate a beauty and tanning salon and nail studio, Keeping Faith – Beauty & Beyond, at 140 Conception Bay Highway, subject to the Town’s Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.

Carried unanimously

### **4.5 Residential Building Application – 12 Captain’s Place**

#### **Motion 2012 – 259 – Walsh/Yetman**

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 12 Captain’s Place, subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

### **4.6 Residential Building Application – 18A Neck Road**

#### **Motion 2012 – 260 – Walsh/Mercer**

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 18A Neck Road, subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments and further subject to compliance with the following three (3) conditions prior to construction commencement:

1. All town services terminate at the main Neck Road;
2. Removal of the existing garage situated at 18 Neck Road; and,
3. Submission of a legal easement to the back lot property, 18A Neck Road.

Carried unanimously

### **4.7 Residential Building Application – Badcock’s Road (branch road)**

#### **Motion 2012 – 261 – Yetman/Oates**

Resolved, that application for development off Badcock’s Road is referred to the Planning and Development Committee for review.

Carried unanimously

### **4.8 Residential Building Application – 689-691 Water Street**

#### **Motion 2012 – 262 – Yetman/Seymour**

Resolved, that application for development at 689-691 Water Street is referred to the Planning and Development Committee for review.

Carried unanimously

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

### **4.9 Accounts Payable – May 2012**

#### **Motion 2012 – 263 – Seymour/Walsh**

Resolved, that accounts payable for May 2012 be approved.

Carried unanimously

### **4.10 Home Occupations Application – 40 Goose Pond Road**

#### **Motion 2012 – 264 – Yetman/Seymour**

Resolved, that approval is given applicant, as per submitted application, to open and operate a dog grooming salon, Laura's Klassy Klips, at 40 Goose Pond Road, subject to the Town's Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.

Carried unanimously

### **4.11 Residential Building Application – 5 Rumboldt's Lane**

#### **Motion 2012 – 265 – Oates/Yetman**

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 5 Rumboldt's Lane, 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 Site Improvements – 154-164 Water Street**

#### **Motion 2012 – 266 – Yetman/Mercer**

Resolved, that correspondence seeking permission to carry out site improvements at 154-164 Water Street is referred to the Planning and Development Committee.

Carried unanimously

### **5.2 Foundation Damage – 29 North Road**

#### **Motion 2012 – 267 – Yetman/Seymour**

Resolved, that correspondence seeking compensation for foundation damage is placed on file.

Carried unanimously

### **5.3 Road Upgrades – 228-238 Neck Road**

#### **Motion 2012 – 268 – Mercer/Seymour**

Resolved, that correspondence seeking road upgrades at Neck Road Extension is referred to Public Works and Planning and Development Committees for review.

Carried unanimously

## **5.0 Correspondence for Action**

### **5.4 Remove Trees/Upgrade Road – Green’s Road Extension/Pepper’s Road**

#### **Motion 2012 – 269 – Seymour/Oates**

Resolved, that correspondence requesting permission to remove trees and upgrade right of way at Green’s Road Extension is placed on file.

Carried unanimously

### **5.5 Donation – Memorial to Sealers**

#### **Motion 2012 – 270 – Yetman/Oates**

Resolved, that correspondence seeking a \$1,000 donation in support of a Memorial to Sealers located at Elliston, Trinity Bay, is referred to the Finance Committee for review.

Carried unanimously

### **5.6 Proclamation – M-RON**

#### **Motion 2012 – 271 – Mercer/Yetman**

Resolved, that the month of June is proclaimed as Supported Employment Awareness Month.

Carried unanimously

### **5.7 Queen’s Diamond Jubilee Medal Program**

#### **Motion 2012 – 272 – Yetman/Walsh**

Resolved, that correspondence regarding the Queen’s Diamond Jubilee Medal Program is placed on file.

Carried unanimously

## **6.0 Correspondence for Information**

### **6.1 Business Tax – 236 Country Road**

#### **Motion 2012 – 273 – Walsh/Oates**

Resolved, that correspondence objecting to Council’s decision regarding business taxes charged to seniors retirement centre is placed on file.

Carried unanimously

### **6.2 Letter of Congratulations – Rev. Etta Snow**

#### **Motion 2012 – 274 – Walsh/Mercer**

Resolved, that a letter of congratulations is sent to Rev. Etta Snow in honour of her milestones in ministry and correspondence is placed on file.

Carried unanimously

## **6.0 Correspondence for Information**

### **6.3 Newcomer Portal Website – M-RON**

#### **Motion 2012 – 275 – Walsh/Oates**

Resolved, that correspondence regarding M-RON's Newcomer Portal Website is referred to the Economic Development Officer for review.

Carried unanimously

### **6.4 HST – Eastern Waste Management**

#### **Motion 2012 – 276 – Mercer/Oates**

Resolved, that Eastern Waste Management correspondence is placed on file.

Carried unanimously

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

### **Executive / Finance**

### **7.1 Fire Protection Fees – Bareneed & Port de Grave**

#### **Motion 2012 – 277 – Walsh/Oates**

Resolved, that no further fire protection fee notices will be issued in 2012 to property and/or boat owners of Bareneed/Port de Grave. Also, notice will be advertised in the Compass advising property and/or boat owners of Bareneed/Port de Grave that all fire protection fees are past due and provision of fire protection services for 2013 will be based on the overall collection rate for 2012.

Carried unanimously

### **Tourism / Cultural Foundation**

### **7.2 Motion 2012 – 278 – Mercer/Yetman**

Resolved, that Tourism Advisory Committee minutes of April 2, 2012 be accepted.

Carried unanimously

### **7.3 Motion 2012 – 279 – Mercer/Yetman**

Resolved, that Tourism Advisory Committee minutes of April 30, 2012 be accepted.

Carried unanimously

### **7.4 Motion 2012 – 280 – Mercer/Oates**

Resolved, that the Chair's Message from Cultural Foundation Annual General Meeting of May 29, 2012 and the Foundation's Financial Statement for 2011 be accepted.

Carried unanimously

<b>7.0 New Business / Staff Reports</b>
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**Public Works**

**7.5 Motion 2012 – 281 – Walsh/Seymour**

Resolved, that Public Works Committee recommendations of June 5, 2012 be accepted.  
Carried unanimously

**7.6 Concerns with Open Ditch & Lack of Catch Basin – 45-47 Whitney Street**

**Motion 2012 – 282 – Walsh/Seymour**

Resolved, that property owner of 45-47 Whitney Street is advised the present water runoff situation did not exist prior to the property owner filling in and installing culverts in an existing drain across their property and therefore, the matter is considered a private property issue and the property owner's responsibility to correct.  
Carried unanimously

**7.7 Compensation for Foundation Damage – 29 North Road**

**Motion 2012 – 283 – Walsh/Seymour**

Resolved, that compensation for foundation damage at 29 North Road is denied based on the fact that damages could have been caused by any number of factors, including but not limited to the construction methods, compaction of the site, foundation preparation or the long period that the property was left open initially meaning considerable time elapsed allowing the drain to flow around the foundation before any action was taken by the property owners to fill in the site and complete the necessary work on their end so that the problem could be addressed by diverting around their structure.  
Carried unanimously

**7.8 Vehicular Safety Concerns – 16 Front Road**

**Motion 2012 – 284 – Walsh/Yetman**

Resolved, that Municipal Enforcement will initiate installation on an appropriate sign at entrance to Front Road off French's Cove Road advising that Front Road is not maintained to town standards and motorists should use extra caution while driving in the area.  
Carried unanimously

**Recreation / Special Events**

**7.9 Motion 2012 – 285 – Oates/Walsh**

Resolved, that Recreation Department update is accepted.  
Carried unanimously

**7.10 Motion 2012 – 286 – Oates/Yetman**

Resolved, that Special Events Committee minutes of April 11, 2012 be accepted.  
Carried unanimously

## **7.0 New Business / Staff Reports**

### **Planning & Development / Green**

#### **7.11 Motion 2012 – 287 – Yetman/Oates**

Resolved, that application for a Motocross Track Development at First Pond Road is referred back to the Planning & Development Committee for further review and a stop work order is issued and a meeting be arranged with the developer for additional information.

Carried unanimously

### **Green Committee**

Councillor Yetman noted that Hazardous Waste Day held Saturday, June 9<sup>th</sup> was very successful and expressed appreciation to the Fire Department for their participation.

### **50+ Club / FCM**

#### **7.12 Motion 2012 – 288 – Walsh/Yetman**

Resolved, that the 50+ Club report submitted by Councillor Walsh is accepted.

Carried unanimously

#### **7.13 Motion 2012 – 289 – Walsh/Yetman**

Resolved, that Councillor Walsh's report on the 75<sup>th</sup> Annual FCM Conference is accepted.

Carried unanimously

### **Fire Department / Wetlands**

Deputy Mayor Seymour noted that the Fire Department raised \$5,500 for the Janeway Telethon. Also noted, the SAM Conference in Grand Falls-Windsor held on May 25<sup>th</sup> & 26<sup>th</sup> was well attended and very informative including a tour of the wet land area and the Salmonid Interpretation Centre.

## **8.0 Councillor Concerns / Notice of Motions**

### **8.1 Civic Addresses**

Councillor Mercer expressed concern that a significant number of houses throughout the municipality do not display their civic address numbers and requests that summer student staff, when time permits, deliver information letters to those residents highlighting "Don't delay! Post your number today and help save a life tonight! (It could be your own!)".



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

**Motion 2012 – 290 – Walsh/Oates**

Resolved, that Council now adjourned the regular meeting at 9:55 p.m.

Carried unanimously

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Philip Wood, Mayor

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Shirley Hawe, Town Clerk