

The Seventy-Sixth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, March 4, 2008, at 7:30 p.m.

Members Present      Mayor Glenn Littlejohn  
                                 Councillor Clarence G. Mercer  
                                 Councillor Gerald Greenland  
                                 Councillor Dennis Brown  
                                 Councillor Walter Yetman  
                                 Councillor Bill Seymour

Members Absent      Deputy Mayor Walsh

Also Present            Town Manager Edwin Fradsham  
                                 Town Clerk Shirley Hawe  
                                 Fire Chief Clarence H. Russell  
                                 Compass Correspondent Lillian Simmons  
                                 Central Street Residents

### **Minutes**

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of February 19, 2008, which had been circulated with the agenda.

Discussion and update regarding the following:

- ▶ Update regarding x at 76-82 Cross Road.
- ▶ Mayor Littlejohn was not able to attend the Eastern School District Roundtable Session at Western Regional Office, Spaniard's Bay, however, he will get an update from Mr. Pike regarding the outcome.
- ▶ Town Manager will arrange a meeting with the Executive of the Bay Arena regarding their financial statement.
- ▶ Municipal Enforcement Officer Bowering will give an update at the next council meeting regarding bussing safety concerns at Coley's Point Primary.
- ▶ A former resident is interested in bringing some of the Water Street ducks to his First Pond Road property.

**Motion 2008 - 59 - Mercer/Greenland**

Resolved that minutes of the regular meeting of February 19, 2008, be adopted.

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

**Additions to Agenda**

**Motion 2008 - 60 - Seymour/Yetman**

Resolved that two residential building applications be included on the agenda.

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

**New Business**

**Item 1 :** Petition received from Central Street residents regarding drainage problems and also, letter from x regarding flooding at Central Street/Duggans Lane.

**Motion 2008 - 61 - Yetman/Mercer**

Resolved that the petition from Central Street residents be referred to the Public Works Committee.

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

**Motion 2008 - 62 - Mercer/Brown**

Resolved that the concerns of x be referred to Public Works Committee.

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

X left the Chambers at 7:45 p.m.

**Item 2 :** Letter received from Harris & Associates regarding Valleyview Subdivision. Letter will be tabled later in the meeting under committee reports.

**Item 3 :** Letter received from x regarding water flooding concerns.

**Motion 2008 - 63 - Mercer/Seymour**

Resolved that x's concerns be referred to the Public Works Committee.

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

**Item 4 :** Letter received from x requesting compensation for vehicle damage resulting from striking a pothole on Water Street.

**Motion 2008 - 64 - Yetman/Seymour**

Resolved that Council will not assume liability for damages sustained to x's vehicle because potholes are considered a normal road hazard.

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

**Item 5 :** Letter received from x requesting information on the legality of invoicing residents of Port de Grave for fire protection services.

**Motion 2008 - 65 - Mercer/Brown**

Resolved that x be given information regarding the Government of NL Mutual Aid Agreement for providing fire protection to Port de Grave.

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

**Item 6 :** Letter received from Provincial Grand Orange Lodge of NL advising that the Victoria L.O.A. Lodge property, situated at Patterson Street, has been sold to x.

**Motion 2008 - 66 - Yetman/Mercer**

Resolved that the correspondence from Provincial Grand Orange Lodge be placed on file.

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

**Item 7 :** Letter received from Hawboldt Industries advising that Hawboldt Newfoundland Ltd., will be closing their Green's Road facility as of March 31, 2008.

**Motion 2008 - 67 - Seymour/Greenland**

Resolved that the Hawboldt Industries letter be placed on file and also, a letter be written acknowledging their generous corporate sponsorship of our Special Events.

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

**Item 8 :** Letter of support received from Roland Butler, M.H.A. regarding the town's request regarding the purchase of a Regional Emergency Rescue Vehicle for the Fire Department.

**Motion 2008 - 68 - Mercer/Seymour**

Resolved that M.H.A. Butler's letter be placed on file.

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

**Item 9 :** Letter received from the Children's Wish Foundation extending appreciation for the town's donation to the annual RCMP Wish Tree.

**Item 10 :** Occupancy application received from x.

**Motion 2008 - 69 - Greenland/Brown**

Resolved that approval be given x to open and operate an hair and nail salon from 114-116 C. B. Highway.

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

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

**Motion 2008 - 70 - Seymour/Mercer**

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

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

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

**Motion 2008 - 71 - Mercer/Brown**

Resolved that approval be given x, as per submitted application, to construct a residence at Lodge Lane, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

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

**Item 13 :** Correspondence received from x requesting part of the remaining portion of Harding's Lane be re-opened and an extension be made to the existing water and sewer system.

**Motion 2008 - 72 - Seymour/Greenland**

Resolved that x's request be referred to the Public Works Committee.

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

**Item 14 :** Info Note received from Municipalities NL highlighting various information & events.

**Item 15 :** Members' Advisory received from FCM regarding Budget 2008.

**Item 16 :** Letter received from Department of Municipal Affairs advising that the Federal/Provincial Management Committee for Canada/NL Municipal Infrastructure Fund has approved additional funding in the amount of \$273,473.00 in order to supplement our existing funding of \$250,000.00 for forcemain replacement on Water Street/Crossroads.

**Motion 2008 - 73 - Greenland/Seymour**

Resolved that approval is given for the acceptance of additional funding on the basis as indicated in the Department of Municipal Affairs letter, dated February 22, 2008.

In favour: Mayor Littlejohn

Councillors: C. Mercer, G. Greenland, D. Brown, W. Yetman and B. Seymour  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 17 :** Residential building application received from x.

**Motion 2008 - 74 - Seymour/Mercer**

Resolved that approval in principle be given to x, as per submitted application, for the construction of a dwelling at Earle's Road, Shearstown, subject to all Municipal Development Regulations and all other regulatory departments. Also, town services ie. garbage collection, snow clearing, road maintenance and street lighting, will not be provided beyond the main road.

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

**Item 18 :** Residential building application received from x.

**Motion 2008 - 75 - Mercer/Brown**

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

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

**Committee Reports**

**Finance**

**Motion 2008 - 76 - Yetman/Mercer**

Resolved that Accounts Payable for January 2008 be approved.

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

**Motion 2008 - 77 - Mercer/Yetman**

Resolved that Accounts Payable for February 2008 be approved.

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

**Motion 2008 - 78 - Mercer/Yetman**

Resolved that the Finance Committee obtain further details regarding a town credit card.

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

**Motion 2008 - 79 - Brown/Greenland**

Resolved the JW Consulting Associates be hired to create job descriptions for administrative positions.

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

**Tourism / Heritage**



**Motion 2008 - 80 - Mercer/Yetman**

Resolved that Pigeon Inlet Steering Committee minutes of January 14 & 21, be accepted.

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

**Motion 2008 - 81 - Mercer/Yetman**

Resolved that Heritage Advisory Board minutes of January 14, be accepted.

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

**Motion 2008 - 82 - Mercer/Brown**

Resolved that Tourism Committee minutes of January 9, be accepted.

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

A Pigeon Inlet Development Plan information session will be held on Wednesday, April 2, 10:30 a.m. to 1:00 p.m., including lunch with traditional food at the SUF Hall, Patterson Street.

Celebrate Outport Culture brochure to promote the official launch of “Ted Russell and His Outport, Pigeon Inlet” and also, to celebrate Ted Russell’s birthday on June 27, is to be distributed by Destination St. John’s and strategically through Hospitality NL and also, B & B’s in this area.

**Planning & Development**

**Motion 2008 - 83 - Greenland/Yetman**

Resolved that x is to publish it's proposal to construct a storage/repair facility for equipment and trailers when needed and necessary, at the back end of the property, 255-257 Shearstown Road.

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

Commercial plan and inquiry received from x regarding building regulations pertaining to the property located at 181 C. B. Highway.

**Motion 2008 - 84 - Yetman/Seymour**

Resolved that Town Manager is to acquire further information regarding x's application.

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

Correspondence received from Harris & Associates regarding issues relating to Valleyview Subdivision.

**Motion 2008 - 85 - Greenland/Brown**

Resolved that Town Manager is to obtain legal advise regarding the Valleyview Subdivision Phase III developer's request to be exempt from the Town's new subdivision regulations.

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

**Special Events**

**Motion 2008 - 86 - Brown/Greenland**

Resolved that Special Events Committee minutes of February 13 & 20, be accepted.

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

Director Ron Delaney entered the Chambers of 9:50 p.m.

### **UMC**

Councillor Brown tabled a report from the Urban Municipalities Committee meeting of February 29 & March 1, at the Town of Portugal Cove - St. Phillips. Items discussed - permanent Gas Tax, Waste Management Regional Service Board for greater Avalon, mandatory winter tires, Dispute Resolution Policy for municipalities and changes to public sector accounting.

### **Director's Report**

Ron noted that funding for 55 summer students is applied for under the federal SWASP program.

### **Recreation**

#### **Motion 2008 - 87 - Yetman/Seymour**

Resolved that Recreation Committee minutes for February 27, be accepted.

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

### **Green**

Councillor Yetman and Director Delaney explained that the Green Committee gave a one-time only donation to the Joint Management Committee for purchasing Estuary signage. This was never intended to be an annual donation. A meeting will be arranged with the JMC regarding this matter.

### **Fire Department**

Fire Chief Russell gave an update regarding some ongoing issues.

**Adjournment**

**Motion 2008 - 88 - Greenland/Yetman**

Resolved that the meeting do now adjourn at 9:10 p.m.

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

Opposed: 0

Abstaining: 0

Motion Carried.

---

Glenn Littlejohn  
Mayor

---

Shirley Hawe  
Town Clerk