

The Ninety-Ninth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, March 24, 2009, at 7:00 p.m.

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

Members Absent Deputy Mayor Melvin Walsh
 Councillor Philip Wood

Also Present Town Manager Edwin Fradsham
 Town Clerk Shirley Hawe
 Director Ron Delaney
 Compass Correspondent Lillian Simmons
 Residents -

Minutes

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting and special meeting of March 10, 2009, which had been circulated with the agenda.

Discussion and update regarding the following:

1. Mayor Littlejohn advised that town engineers will assist with formatting an overlay for the business park.
2. Town Manager to contact x regarding a written response to Motion 2009 -93.
3. Town Manager to contact x regarding a written response to Motion 2009 - 136.
4. Meeting with Bay Arena Board of Directors is scheduled for Tuesday, April 7 at 6 p.m.
5. Ocean Net Green Fair is scheduled for Saturday, March 28 at Ascension Collegiate.
6. Provincial Waste Management Survey is nearing completion.
7. Mayor Littlejohn presented a copy of the back cover of the 2009 Don Johnson Cup booklet, sponsored by the Town.
8. Published notice for x's application closes April 3rd.
9. Councillor Yetman advised that a written agreement is ready to be signed by x regarding the Rocky Pond Road turning circle. Councillor Greenland left his seat as councillor to speak as a resident to clarify his position regarding encroachment of the road on his property. Councillor Yetman noted that the new drawings address this matter. Councillor Greenland return to his seat as councillor.

10. Mayor Littlejohn, Town Manager, Councillor Greenland and town engineers attended a meeting with Municipal Affairs Minister Diane Whalen and her staff to discuss town infrastructure concerns, upgrades to Route 60 and ice resurfacer for Bay Arena.

Motion 2009 - 166 - Seymour/Mercer

Resolved that minutes of the regular and special meeting of March 10, 2009, be approved.

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

Additions and Deletions to Agenda

Motion 2009 - 167 - Mercer/Seymour

Resolved that Councillor Concerns be deleted from the agenda.

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

Motion 2009 - 168 - Yetman/Greenland

Resolved that a motion be permitted regarding smoke free outdoor sport and recreation areas.

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

New Business

Item 1 : Letter received from x regarding Arney's Pond Road / Pepper's Road / Green's Road Extension.

Motion 2009 - 169 - Greenland/Seymour

Resolved to advise x that due to an identified fire fighting impediment, a boulder situated at Green's Road Extension will be removed along with rocks situated at the corner of Arney's Pond Road and the right of way known as Pepper's Road. Permission to cross x's property is requested to carry out said work.

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

Item 2 : Email received from x regarding a long term federal - provincial housing policy.

Motion 2009 - 170 - Mercer/Yetman

Resolved that x's email be placed on file.

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

Item 3 : Invitation received from Carbonear - Harbour Grace District Progressive Conservative Association regarding a fund-raising dinner on Friday, April 24th.

Motion 2009 - 171 - Mercer/Yetman

Resolved that the PC Association invitation be placed on file.

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

Item 4 : Correspondence received from Brigade Council of the C.L.B. requesting financial support for their humanitarian mission to Belize.

Motion 2009 - 172 - Seymour/Mercer

Resolved that the Brigade Council request be referred to the Finance Committee.

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

Item 5 : Residential building application received from x.

Motion 2009 - 173 - Greenland/Yetman

Resolved that approval be given x, as per submitted application, to construct a dwelling at Lot 5, Bay Shore Estates, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 6 : Letter received from Coley's Point Primary School requesting assistance in expanding their compost area.

Motion 2009 - 174 - Yetman/Mercer

Resolved that Coley's Point Primary School correspondence be placed on file.

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

Item 7 : Letter received from Trinity United Church Board of Management thanking Council for clarifying information regarding the TS Chantal flood damage repair program.

Motion 2009 - 175 - Yetman/Seymour

Resolved that the Trinity United Church Board of Management letter be placed on file.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Item 8 : Email received from Kevin Coady, NL Alliance for the Control of Tobacco.

Motion 2009 - 176 - Yetman/Seymour

Resolved that Town of Bay Roberts' outdoor sport and recreation areas will be smoke free.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Item 9 : Letter received from Newfoundland Broadcasting Company thanking Council for their letter of support.

Motion 2009 - 177 - Seymour/Mercer

Resolved that Newfoundland Broadcasting Company's letter be placed on file.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Item 10 : Correspondence received from Community Services Council NL advising that Volunteer Week 2009 is April 19 - 25.

Motion 2009 - 178 - Mercer/Greenland

Resolved that Mayor Littlejohn sign the Volunteer Week Proclamation and an ad be placed in the Compass expressing appreciation for volunteers.

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

Item 11 : Residential building application received from x.

Motion 2009 - 179 - Seymour/Mercer

Resolved that approval be given x, as per submitted application, to construct a dwelling at 28A Butlerville Road, subject to all Municipal Development Regulations and all other regulatory departments. Also, municipal services will **not** be provided beyond the main road known as Butlerville Road.

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

Item 12 : Residential building application received from x.

Motion 2009 - 180 - Mercer/Yetman

Resolved that approval be given x, as per submitted application, to construct a dwelling at 20 Duncan Road, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 13 : Residential building application received from x.

Motion 2009 - 181 - Yetman/Seymour

Resolved that approval be given x, as per submitted application, to construct a dwelling at 8 Fitzgerald's Place, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 14 : Letter received from MNL regarding Cougar Helicopters Flight 491.

A moment of silence was observed.

Motion 2009 - 182 - Mercer/Yetman

Resolved that the MNL letter be placed on file.

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

Item 15 : Letter received from the Royal Canadian Legion advising that the Annual District #2 Battle of the Atlantic Commemorative Parade and Ceremonies event will take place Sunday, May 3 in Brigus.

Motion 2009 - 183 - Mercer/Seymour

Resolved that the Royal Canadian Legion letter be placed on file.

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

Item 16 : Survey, as requested by Council, received from x for property situated at Badcock's Road, Shearstown.

Motion 2009 - 184 - Greenland/Seymour

Resolved that x's survey be accepted and placed on file.

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

Item 17 : Residential building application received from x.

Motion 2009 - 185 - Greenland/Yetman

Resolved that x's application be referred to the Planning & Development Committee.

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

Item 18 : Received from William Morrow, a copy of a letter issued to x regarding the Agreement of Purchase and Sale for 197 Shearstown Road.

Motion 2009 - 186 - Mercer/Greenland

Resolved that approval is given to terminate the Agreement of Purchase and Sale between the Town and x for the property, 197 Shearstown Road.

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

Motion 2009 - 187 - Greenland/Mercer

Resolved that the Agreement of Purchase and Sale between the Town and x for the property, 197 Shearstown Road, be accepted.

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

Committee Reports

Tourism Committee

Councillor Mercer advised his acceptance of an invitation to participate in a NL Federal Council Regional Workshop pertaining to implementation of the federal government's action plan to reform the administration of grants and contributions.

Heritage Advisory Committee

Motion 2009 - 188 - Yetman/Mercer

Resolved that Heritage Advisory minutes of February 12, be tabled for discussion and any questions arising will be addressed at the next meeting of Council.

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

Director's Report

Director Delaney advised that, pending written confirmation, 100% funding will be received from Services Canada to hire 24 students to staff the summer programs and work is proceeding on acquiring provincial funding, as well.

Mayor's Report

Mayor Littlejohn reported on various events he attended on behalf of Council including the 100th anniversary service at Grace United Church and the Annual Fireman's Ball. He also reported on various meetings including the following: x - Municipal Affairs Minister Diane Whalen - Senior Management.

Motion 2009 - 189 - Greenland/Seymour

Resolved that a committee be appointed to review the position of Town Manager.

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

Motion 2009 - 190 - Greenland/Seymour

Resolved that Valleyview Subdivision Phase III Development be approved in principle and conditional to the following:

- The Developer will install curb, gutter, catch basins and storm and sanitary sewer and water services, throughout the Development. Sidewalks will be installed on one side of all streets.
- An exception to the storm sewer is granted for Whiffen Place because grade restrictions in this area would make storm sewer prohibitively expensive. Storm sewer elevations in all other locations must permit weeping tile connections. Street drainage in this area would be accommodated by catch basins located at the low points and discharging to a nearby stream as suggested.
- Storm drainage on Badcock Boulevard would be the responsibility of the Town of Bay Roberts, however, the Developer is responsible to extend and tie-in Phase III services at the appropriate elevation and location to be determined.
- The roadway must have Class "A" surface graded, compacted and ready for asphalt.
- Water runoff and drainage patterns from existing properties appear to flow towards Phase III Development which is a concern that must be addressed in the Development design.
- A Development Permit is subject to submission of design drawings for review and acceptance. Also, the engineer must verify and confirm all installations are in accordance with the design before the Town will assume responsibility for the Development.

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

Motion 2009 - 191 - Greenland/Seymour

Resolved that the Town Manager be given permission to attend the 2009 NLAMA convention in Corner Brook.

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

Adjournment

Motion 2009 - 192 - Greenland

Resolved that the meeting do now adjourn at 8:05 p.m.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Glenn Littlejohn
Mayor

Shirley Hawe
Town Clerk