

**Town of Bay Roberts
Minutes of Regular Council Meeting
Tuesday, May 31, 2011**

Thirty-Fifth Meeting of the Sixteenth Town Council
Town Hall, 321 Water Street, Bay Roberts, NL

In Attendance:

Council	Mayor Glenn Littlejohn Deputy Mayor Philip Wood Councillor Clarence G. Mercer Councillor Gerald Greenland Councillor Walter Yetman Councillor Melvin Walsh
Staff	Nigel Black, Chief Administrative Officer Shirley Hawe, Town Clerk Ron Delaney, Director of Economic Development & Tourism
Public	Terry Roberts, Compass Correspondent Keith Mercer
Absent	Councillor Bill Seymour

Call to Order

Mayor Littlejohn called the meeting to order at 7:00 p.m.

1.0 Agenda

1.1 Approval of Agenda

Motion 2011 – 837 – Mercer/Walsh

Resolved, that regular meeting agenda for May 31, 2011, be accepted.
Carried unanimously

2.0 Minutes

2.1 Approval of Minutes

Motion 2011 – 838 – Wood/Yetman

Resolved, that regular meeting minutes for May 10, 2011, be adopted as presented.
Carried unanimously

3.0 New Business / Staff Reports

3.1 Tax Collection Policy Draft

Motion 2011 – 839 – Yetman/Walsh

Resolved, that the draft Tax Collection Policy be reviewed and tabled as a notice of motion at next regular meeting.

Carried unanimously

3.2 Commercial Occupancy – 36 Bareneed Road

Motion 2011 – 840 – Greenland/Mercer

Resolved, that approval be given applicant, as per submitted application, to open and operate a custom made draperies home-based business, Hillview Draperies & Home Décor Inc., at 36 Bareneed Road subject to the Town's Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.

Carried unanimously

3.3 Recreation Report – Director Flynn

Motion 2011 – 841 – Yetman/Walsh

Resolved, that the Recreation Department Report to Council, dated May 31st be accepted.

Carried unanimously

3.4 Recreation Storage Facility

Motion 2011 – 842 – Mercer/Greenland

Resolved, that the tender to construction the recreation storage facility be awarded to Oates Construction for the amount of \$66,000.00 (tax included).

Carried unanimously

3.5 Residential Building Application – 337 Shearstown Road

Motion 2011 – 843 – Yetman/Greenland

Resolved, that approval be given applicant, as per submitted application, to construct a dwelling at 337 Shearstown Road, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

3.6 Residential Building Application – Russell's Road, Country Road

Motion 2011 – 844 – Mercer/Walsh

Resolved, that approval be given applicant, as per submitted application, to construct a dwelling at Russell's Road, Country Road, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

4.0 Correspondence for Action

4.1 Bon Fire Debris Cleanup at Neck Road Extension, Coley's Point

Motion 2011 – 845 – Mercer/Yetman

Resolved, that correspondence requesting cleanup of bon fire debris at Neck Road Extension be referred to the Public Works Committee.
Carried unanimously

4.2 Property Flooding – 397-399 Shearstown Road

Motion 2011 – 846 – Wood/Yetman

Resolved, that correspondence regarding a water flooding problem at 397-399 Shearstown Road be referred to the Public Works Committee.
Carried unanimously

4.3 Roadside Cleanup request at 6-16 Shearstown Road

Motion 2011 – 847 – Wood/Walsh

Resolved, that correspondence requesting roadside cleanup at 6-16 Shearstown Road be referred to the Tourism Director.
Carried unanimously

4.4 Valleyview Subdivision Phase 3 – Assume Liability

Motion 2011 – 848 – Walsh/Wood

Resolved, that correspondence requesting the Town to assume liability for Valleyview Subdivision Phase 3 be referred to the Planning & Development Committee.
Carried unanimously

4.5 Rock Barricades – 56-66 Arney's Pond Road

Motion 2011 – 849 – Yetman/Mercer

Resolved, that correspondence requesting removal of rock barricades from Arney's Pond Road be placed on file.
Carried unanimously

4.6 Property Rezoning – French's Cove

Motion 2011 – 850 – Yetman/Mercer

Resolved, that correspondence requesting rezoning of property situated at French's Cove from Rural to Residential be referred to the Planning & Development Committee.
Carried unanimously

4.0 Correspondence for Action

4.7 SAM Conference Reimbursement – JMC Citizen’s Representative

Motion 2011 – 851 – Mercer/Wood

Resolved, that JMC Citizen’s Representative will be offered reimbursement for mileage based on the standard rate.

Carried unanimously

4.8 Tim Horten’s Camp Day - Donation

Motion 2011 – 852 – Wood/Greenland

Resolved, that Tim Horten’s Camp Day donation request be placed on file.

Carried unanimously

4.9 Save Our People Action Committee – Resolution

Motion 2011 – 853 – Mercer/Greenland

Whereas the incidence of moose vehicle collisions reported by the police has risen from 474 in 2008, to 681 in 2009, to 776 in 2010;

And whereas an international scientific consensus supports the use of fencing with or without underpasses/overpasses to prevent moose vehicle collisions;

And whereas Parks Canada is implementing a large reduction in moose densities in the national parks in the Province;

Be it resolved that the government of the Province of Newfoundland and Labrador is called upon to immediately implement a moose vehicle collision reduction strategy, including reduction of moose densities, and construction of moose fencing as supported by cost benefit analysis.

Carried unanimously

4.10 BAE Newplan – Sanitary Sewer Upgrading

Motion 2011 – 854 – Yetman/Mercer

Resolved, that the tender for Route 70 Sanitary Sewer Upgrading CP2 #26647 be awarded to Coady Construction for the amount of \$2,676,507.83.

Carried unanimously

5.0 Correspondence for Information

5.1 Veterans Affairs – Cenotaph Restoration Program

Motion 2011 – 855 – Wood/Mercer

Resolved, that correspondence regarding the application for funding under Veterans Affairs Canada’s Cenotaph/Monument Restoration Program be placed on file.

Carried unanimously

5.0 Correspondence for Information

5.2 The Lung Association – Smokers’ Helpline

Motion 2011 – 856 – Mercer/Walsh

Resolved, that the Lung Association’s correspondence be placed on file.
Carried unanimously

6.0 New Business / Committee Reports

6.1 Tourism Committee

Motion 2011 – 857 – Mercer/Yetman

Resolved, that Tourism Committee minutes for November 15, 2010 and February 7, 2011, be accepted.
Carried unanimously

6.2 Heritage Advisory Committee

Motion 2011 – 858 – Wood/Yetman

Resolved, that the Cable Avenue, with the exception of property at the top end of the avenue, be declared a Municipal Heritage District.
Carried unanimously

6.3 Planning & Development Committee

Motion 2011 – 859 – Yetman/Walsh

Resolved, that the Planning & Development Committee report from May 26th meeting be accepted.
Carried unanimously

Reitman’s Renovations Application

Motion 2011 – 860 – Yetman/Mercer

Resolved, that approval be given applicant, as per submitted application, to renovate the existing Reitman’s store in the Bay Roberts Mall, subject to an inspection by the Bay Roberts Fire Chief and submission of approvals by Government Services, and further subject to all Municipal Development Regulations and those required by all other regulatory departments.
Carried unanimously

6.0 New Business / Committee Reports

Atlantic Grocery Maintenance Garage – Andrew’s Place

Motion 2011 – 861 – Yetman/Wood

Resolved, that approval be given applicant, as per submitted application, to construct a new maintenance garage at Atlantic Grocery Distributors Limited, Andrew’s Place, subject to an inspection by the Bay Roberts Fire Chief and submission of approvals by Government Services, and further subject to all Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

A & W Restaurant – 161 CB Highway

Motion 2011 – 862 – Yetman/Mercer

Resolved, that approval in principle be given applicant, as per submitted site plan, for their proposed development at 161 Conception Bay Highway, subject to receipt of approvals by Government Services and Dept. of Transportation and Works as well as finalization of a lease with the Town of Bay Roberts/Bay Arena for the area required. Also, further subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments. No work will be permitted until such approvals are in place.

Carried unanimously

Residential Building Application – 14A Mosdell’s Lane

Motion 2011 – 863 – Yetman/Greenland

Resolved, that approval be given applicant, as per submitted application, to construct a dwelling at 14A Mosdell’s Lane, subject to submission of legal documentation on the status of the access by right-of-way to said property, and further subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

Residential Building Application – 10 Love Street Extension

Motion 2011 – 864 – Yetman/Walsh

Resolved, that approval be given applicant, as per submitted application, to construct a dwelling at 10 Love Street Extension, subject to an 8 meter setback of any building from the south property line, and further subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

6.0 New Business / Committee Reports

Residential Building Application (Mobile Home Relocation) – Porter’s Lane

Motion 2011 – 865 – Yetman/Mercer

Resolved, that applicant be advised to submit a survey depicting the lot size to be at least 50 feet by 100 feet and further to provide legal documentation on the status of access by right-of-way to the property.

Carried unanimously

Howell Subdivision – Badcock’s Road, Shearstown

Motion 2011 – 866 – Yetman/Greenland

Resolved, that approval in principle be given applicant for the creation of an eight (8) lot subdivision at Badcock’s Road, Shearstown, subject to submission of professional engineered drawings for the development that include upgrades of the existing road allowance to current standards, development of a cul de sac, and inclusion of water, sewer and ditching infrastructure suitable to service the proposed subdivision.

Carried unanimously

Mercer/Adams Subdivision – Green’s Road

Motion 2011 – 867 – Yetman/Greenland

Resolved, that due to receipt of new correspondence from applicants, the recommendation regarding the proposed Green’s Road Subdivision development will be deferred until the next Planning & Development Committee meeting.

Carried unanimously

Jubilee Estates – 177-179 Water Street

Motion 2011 – 868 – Yetman/Walsh

Resolved, that the application for development of six (6) additional single dwelling lots in the Jubilee Estates subdivision be given preliminary approval subject to submission of a professional engineered plan for the proposed development that is to include the requirements of the Town’s Municipal Development Regulations, specifically, the requirements for road including turnaround area, water/sewer, curb/gutter/storm water system (both sides) and sidewalk (one side).

Carried unanimously

6.4 Recreation Committee

Motion 2011 – 869 – Yetman/Walsh

Resolved, that Recreation Committee minutes for May 16th be accepted.

Carried unanimously

6.0 New Business / Committee Reports

6.5 Green Committee

A Community Cleanup was held on Saturday, May 14th with significant cleanup in the Coish area as well as the end of Butlerville.

6.6 Urban Municipalities Committee

Councillor Walsh will attend the next UMC meeting scheduled for June 2011 in Placentia.

7.0 Adjournment

7.1 Motion to Adjourn

Motion 2011 – 870 – Wood/Mercer

Resolved, that Council now adjourn the regular meeting at 9:05 p.m.

Carried unanimously

Glenn Littlejohn, Mayor

Shirley Hawe, Town Clerk