

**Town of Bay Roberts
Minutes of Regular Council Meeting
Tuesday, May 11, 2010**

Fourteenth 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 Walter Yetman
 Councillor Melvin Walsh
 Councillor Bill Seymour

Staff Nigel Black, Chief Administrative Officer
 Shirley Hawe, Town Clerk

Absent: Councillor Gerald Greenland
 Councillor Clarence G. Mercer

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| Call to Order |
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Mayor Littlejohn called the meeting to order at 5:30 p.m.

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| 1.0 Agenda |
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1.1 Additions to Agenda

Motion 2010 – 268 – Walsh/Yetman

Resolved that Municipal Enforcement Committee property clean up request be added to the agenda.

Carried unanimously

Motion 2010 – 269 – Yetman/Walsh

Resolved that request of Bay de Grave Fire Department financial assistance request be added to the agenda.

Carried unanimously

1.2 Agenda for May 11, 2010

Motion 2010 – 270 – Walsh/Wood

Resolved that agenda for May 11, 2010 be accepted.

Carried unanimously

2.0 Minutes

2.1 Minutes of Regular Meeting for April 27, 2010

Motion 2010 – 271 – Walsh/Wood

Resolved that regular meeting minutes of April 27, 2010 be adopted as presented.

Carried unanimously

3.0 New Business / Staff Reports

3.1 Commercial Occupancy Application – 340 Water Street

Motion 2010 – 272 – Wood/Walsh

Resolved that approval be given applicant, as per submitted occupancy application, to open and operate an home based aesthetics business, Oceancrest Spa, at 340 Water Street, subject to the Town's Municipal Development Regulations and all other required regulatory departments.

Carried unanimously

3.2 Commercial Occupancy Application – 82-86 Green's Road

Motion 2010 – 273 – Yetman/Wood

Resolved that approval be given applicant, as per submitted occupancy application, to operate an assembly of water treatment systems business, Capital Water Technologies NL Corp., at 82-86 Green's Road, subject to all Municipal Development Regulations and all other required regulatory departments.

Carried unanimously

3.3 Residential Building Application – 31 Earle's Road

Motion 2010 – 274 – Yetman/Walsh

Resolved that the application to build a residence at 31 Earle's Road be denied. The property is currently not accessible as there is no developed road and no access to water and sewer services. The proposed development does not meet the criteria required under the Town's Municipal Development Regulations.

Carried unanimously

3.4 Residential Building Application – Lot 9 Bay Shore Estates

Motion 2010 – 275 – Yetman/Wood

Resolved that approval be given applicant, as per submitted building application, to construct a dwelling at Lot 9 Bay Shore Estates, subject to the Town's Municipal Development Regulations and all other required regulatory departments.

Carried unanimously

3.0 New Business / Staff Reports

3.5 Residential Building Application – Track Road West of Barracks Lane

Councillor Yetman declared a conflict of interest and left the Chambers.

Motion 2010 – 276 – Seymour/Wood

Resolved that the residential building application for Track Road west of Barracks Lane be referred to the Public Works Committee for further review of possible servicing alternatives.

Carried unanimously

Councillor Yetman returned to the Chambers.

3.6 Building Application for Seven Unit Apartment Complex – 209-213 Neck Rd

Motion 2010 – 277 – Yetman/Wood

Resolved that the application to construct a seven (7) unit apartment complex at 209-213 Neck Road be denied. The property is too small to adequately accommodate the proposed development and does not meet the criteria required under the Town's Municipal Development Regulations.

Carried unanimously

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| 4.0 Correspondence for Action |
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4.1 Civic Address Change – 33 Barracks Lane

Motion 2010 – 278 – Wood/Seymour

Resolved that the request for a civic address change at 33 Barracks Lane be referred to the CAO & MEO for consideration.

Carried unanimously

4.2 Request for Town Services – Side Road off Earle's Road

Motion 2010 – 279 – Walsh/Yetman

Resolved that the request for town services for a side road off Earle's Road be referred to the Public Works and Planning & Development Committees.

Carried unanimously

4.2 Request for Permission to Ditch Road in Country Road

Motion 2010 – 280 – Seymour/Wood

Resolved that Canadian Training Institute's request to ditch a portion of Country Road from Veteran's Memorial Highway to their pit be referred to the CAO & MEO for further review and recommendation.

Carried unanimously

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| 4.0 Correspondence for Action |
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4.3 Request for Town to Grade Country Road

Motion 2010 – 281 – Seymour/Yetman

Resolved that the request for the town to grade Country Road west from Veteran’s Memorial Highway be referred to the Public Works Committee.
Carried unanimously

4.4 Request for Relocation of Rock at Juggler’s Cove Road

Motion 2010 – 282 – Walsh/Yetman

Resolved that the request for relocation of a boulder at Juggler’s Cove Road be referred to the Planning & Development Committee for further review.
Carried unanimously

4.5 Crown Lands Applications – Juggler’s Cove Road

Motion 2010 – 283 – Yetman/Wood

Resolved that the Crown Lands applications for Juggler’s Cove Road area be referred to the Planning & Development Committee for consideration.
Carried unanimously

4.6 Extension to existing Building for Lounge Facilities – 161 C. B. Highway

Motion 2010 – 284 – Yetman/Wood

Resolved that the request for permission to operate a lounge and build an extension to the existing building at 161 Conception Bay Highway be referred to the Planning & Development Committee for further review.
Carried unanimously

4.7 Commercial Occupancy Application – 400 C. B. Highway

Motion 2010 – 285 – Wood/Walsh

Resolved that approval be given applicant, as per submitted occupancy application, to open and operate a sports nutrition retail business, Power’s Supplements, at 400 Conception Bay Highway, subject to the Town’s Municipal Development Regulations and all other required regulatory departments.
Carried unanimously

4.8 Subdivision Application – 101-105 Crossroads

Motion 2010 – 286 – Wood /Yetman

Resolved that the application to subdivide land at 101-105 Crossroads be referred to the Planning & Development Committee for further review.
Carried unanimously

4.0 Correspondence for Action

4.9 Request for Permission to Excavate & Remove Gravel on Privately Owned Property at Country Road near Country Pond

Motion 2010 – 287 – Wood/Seymour

Resolved that the request by Anthony Developments Limited to excavate and remove gravel on it's property at Country Road near Country Pond be referred to the Planning & Development Committee for further review.

Carried unanimously

4.10 Residential Building Application – 67 Shearstown Road

Motion 2010 – 288 – Seymour/Yetman

Resolved that approval be given applicant, as per submitted building application, to construct an extension on existing building at 67 Shearstown Road, subject to the Town's Municipal Development Regulations and all other required regulatory departments.

Carried unanimously

4.11 Heart & Stroke Foundation – Donation

Motion 2010 – 289 – Wood/Yetman

Resolved that Heart & Stroke Foundation's correspondence be placed on file.

Carried unanimously

4.12 Crohn's & Colitis Foundation – Donation

Motion 2010 – 290 – Wood/Seymour

Resolved that a \$100.00 donation be given to the Trinity Conception Chapter of the Crohn's & Colitis Foundation.

Carried unanimously

4.13 RCMP & District Crime Prevention – Donation

Motion 2010 – 291 – Wood/Walsh

Resolved that a \$100.00 donation be given to the RCMP and District Crime Prevention's "Battle of the Brains" fund-raising project.

Carried unanimously

4.14 Princess Sheila NaGeira Theatre – Letter of Support

Motion 2010 – 292 – Wood/Yetman

Resolved that correspondence requesting a letter of support for funding for the Princess Sheila NaGeira Theatre be placed on file.

Carried unanimously

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| 4.0 Correspondence for Action |
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4.15 Property Clean Up at 36-38 Whitney Street

Motion 2010 – 293 – Walsh/Yetman

Resolved that the owner of 36-38 Whitney Street be given fourteen (14) days to clean up and remove litter and debris from the above noted property. Failure to comply with this order will result in Council taking the necessary action to carry out this order and any cost, expenses and charges incurred as a debt owned to Council.

Carried unanimously

4.16 Bay de Grave Regional Service Corporation

Motion 2010 – 294 – Wood/Yetman

Resolved that \$7,900.00 (approximately half the quarterly fire protection fee) be reimbursed to the Bay de Grave Regional Service Corporation to assist in the purchase of equipment for the Bay de Grave Fire Department.

Carried unanimously

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| 5.0 Correspondence for Information |
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5.1 Accounts Payable for March 2010

Motion 2010 – 295 – Walsh/Seymour

Resolved that Accounts Payable for March 2010 be approved.

Carried unanimously

5.2 Accounts Payable for April 2010

Motion 2010 – 296 – Seymour/Wood

Resolved that Accounts Payable for April 2010 be approved.

Carried unanimously

5.3 Stewardship Association of Municipalities Spring 2010 Weekend

Motion 2010 – 297 – Walsh/Wood

Resolved that Councillor Seymour will attend the SAM Spring 2010 meeting.

Carried unanimously

5.4 Professional Engineers and Geoscientists of NL – Compliance Checklist

Motion 2010 – 298 – Wood/Walsh

Resolved that PEG information and compliance checklist be reviewed by CAO and placed on file.

Carried unanimously

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| 5.0 Correspondence for Information |
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5.5 HRLE Job Skills Development Initiative

Motion 2010 – 299 – Wood/Yetman

Resolved that HRLE information be reviewed by CAO and placed on file.

Carried unanimously

6.0 New Business / Committee Reports

6.1 Heritage Advisory Committee

Motion 2010 – 300 – Wood/Yetman

Resolved that Heritage Advisory Committee minutes of March 18 be accepted.

Carried unanimously

6.2 50+ Club – Parking

Motion 2010 – 301 – Walsh/Wood

Resolved that 50+ Club parking requirements be referred to the Planning & Development Committee for consideration.

Carried unanimously

7.0 Resolutions from Privileged Meetings

7.1 Regarding Fire Ban (April 27, 2010 – Motion #266)

Motion 2010 – 302 – Seymour/Wood

Resolved that privileged meeting motion # 266 stating “CAO and Fire Chief develop an appropriate fire ban to be put into effect” be adopted.

Carried unanimously

8.0 Adjournment

8.1 Call for Motion to Adjourn

Motion 2010 – 303 – Walsh/Wood

Resolved that Council adjourn the regular meeting at 7:00 p.m.

Carried unanimously

Glenn Littlejohn, Mayor

Shirley Hawe, Town Clerk