

The One Hundredth and Second meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, May 12, 2009, at 7:00 p.m.

Members Present Mayor Glenn Littlejohn
 Deputy Mayor Melvin Walsh
 Councillor Clarence G. Mercer
 Councillor Gerald Greenland
 Councillor Philip Wood
 Councillor Walter Yetman
 Councillor Bill Seymour

Also Present Shirley Hawe, Town Clerk
 Lillian Simmons, Compass Correspondent
 Avalon Coal, Salt & Oil Ltd.

Minutes

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of April 28, 2009, which had been circulated with the agenda.

- ▶ MEO will inform Barracks Road residents that road improvements are ready to proceed.
- ▶ Planning & Development Committee will meet with x on Thursday and a recommendation regarding Avalon Coal, Salt & Oil Ltd's application to in-fill will be tabled Tuesday, May 19th.
- ▶ Mayor Littlejohn assisted grade 3 classes at Coley's Point Primary and All Hallows Elementary in a Municipal Awareness Day mock election.

Motion 2009 - 263 - Wood/Seymour

Resolved that minutes of the regular meeting of April 28, 2009, be adopted.

In favour: Mayor Littlejohn
 Deputy Mayor Walsh
 Councillors: Mercer, Greenland, Wood, Yetman and Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Additions to Agenda

Motion 2009 - 264 - Greenland/Seymour

Resolved that correspondence from x, x and residential building application for x be added to the agenda.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 265 - Seymour/Walsh

Resolved that Recreation, Public Works, Finance and Executive Committee reports be added to the agenda.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

New Business

Item 1 : Letter received from x regarding x Limited operating outside their building at 8-18 Bishop's Road.

Motion 2009 - 266 - Mercer/Walsh

Resolved that x correspondence be referred to the Planning & Development Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 2 : No public response to the public notice regarding a commercial building application by x.

Motion 20098 - 267 - Mercer/Yetman

Resolved that approval be given to x, as per submitted application, to construct and operate a self storage facility consisting of five (5) separate buildings at 238 Country Road, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 3 : Copy of letter to Curtis Dawe Law Office, from Morrow & Morrow Law Office, regarding x land issues.

Motion 2009 - 268 - Mercer/Seymour

Resolved that x's letter be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 4 : Letter received from Moores Andrews Collins Law Office, on behalf of x, regarding disputing issues with vehicular traffic entering and exiting at 139-141 C. B. Highway.

Motion 2009 - 269 - Mercer/Yetman

Resolved that x correspondence be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 5 : Correspondence received from x regarding flow of water and ditching in the area of 26 South Road, Coley's Point.

Motion 2009 - 270 - Greenland/Mercer

Resolved that x's letter be referred to the Pubic Works Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 6 : Letter received from x, 145-147 Country Road, concerning operation of a repair shop at 149 Country Road.

Motion 2009 - 271 - Greenland/Yetman

Resolved that x letter be referred to the Planning & Development Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 7 : Correspondence received from x, Babb Law Office, on behalf of x, regarding an application by x to build a fence at 38 Butlerville Road.

Motion 2009 - 272 - Yetman/Mercer

Resolved that x be advised an application for fencing has not been submitted by x and a permit has not been issued to date, however, Council advises that it will not become involved in land ownership issues.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 8 : Letter received from x requesting permission to extend water and sewer service approximately 200 feet on Delaney's Road Extension.

Motion 2009 - 273- Walsh/Wood

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

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 9 : Residential building application received from x.

Motion 2009 - 274 - Greenland/Seymour

Resolved that approval be given to x, as per submitted application, to construct a dwelling at 24-26 Water Street, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried

Item 10 : Residential building application received from x.

Motion 2009 - 275 - Mercer/Wood

Resolved that approval be given x, as per submitted application, to construct a dwelling at 59-61 Farm Road, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 11 : Residential building application received from x.

Motion 2009 - 276 - Seymour/Mercer

Resolved that approval be given x., as per submitted application, to construct a dwelling at 21A Neck Road, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments. Also, town services ie. garbage collection, street lighting, snow clearing, road maintenance, etc, will not be provided beyond the main Neck Road.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 12 : Commercial building application received from x.

Motion 2009 - 277 - Yetman/Seymour

Resolved that x's application be referred to Planning & Development Committee and also, x must publish her intent to construct a building at 39 Shearstown Road to be used for the purpose of operating an Hair, Nail and Tanning Salon.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 13 : Commercial building application received from x.

Motion 2009 - 278 - Yetman/Mercer

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

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 14 : Letter received from Minister Clyde Jackman, Dept. of Tourism, Culture and Recreation, advising that unapproved/non-compliant private promotional signs along all provincially-maintained highways will be removed this spring.

Motion 2009 - 279 - Mercer/Walsh

Resolved that Minister Jackman's correspondence be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 15 : Email received from Cathy Kleinwort advising that the 4th National Stewardship & Conservation Conference will be held on July 8 to 11, 2009, in Calgary, Alberta.

Motion 2009 - 280 - Seymour/Walsh

Resolved that Cathy Kleinwort's email be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 16 : Email received from Norma Bonnell, CBN Joint Councils, seeking expressions of interest to host the annual spring dinner on June 4. Also, the Joint Councils minutes of April 30 were tabled.

Motion 2009 - 281 - Seymour/Mercer

Resolved that the Town of Bay Roberts will offer to host the Joint Councils spring dinner on June 4 at the Royal Canadian Legion at a cost of \$10.00 per plate.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0

Abstaining: 0
Motion Carried.

Motion 2009 - 282 - Mercer/Seymour

Resolved that CBN Joint Councils minutes of April 30 be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 17 : Invitation received from CBDC Trinity Conception to their 6th Annual CBDC Day in conjunction with their Youth Ventures Kick Off for Summer 2009.

Item 18 : Letter received from the Canadian Breast Cancer Foundation seeking help to spread the word about the Tour for the Cure which will be at the Beaver Plaza on June 20 at 11:00 a.m. to 7:00 p.m.

Motion 2009 - 283 - Wood/Greenland

Resolved that the Tour for the Cure letter be placed on file and also, promoted on the Town website and the Klondyke Gazette.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 19 : Letter received from the Crohn's and Colitis Foundation of Canada seeking financial support for the 13th Annual Heel 'n' Wheel -a- Thon being held on June 14.

Motion 2009 - 284 - Seymour/Greenland

Resolved that a \$100.00 donation be given to the Crohn's and Colitis Foundation of Canada.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour

Opposed: 0
Abstaining: 0
Motion Carried.

Item 20 : Correspondence received from the Children's Wish Foundation and the crew of H.M.C.S. St. John's seeking support for the Run the Rock 2009 fund-raising event.

Motion 2009 - 285 - Seymour/Mercer

Resolved that a \$100.00 donation be given for the Run the Rock event and council will offer to host a reception and cheque presentation should any runners wish to detour off the main route to the Visitor's Pavilion on June 5.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 21 : Correspondence received from Nestle Waters Canada regarding bottled water and health and the environment.

Motion 2009 - 286 - Yetman/Wood

Resolved that Nestle Waters Canada correspondence be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 22 : Information package received from Human Resources and Skills Development Canada regarding the 2009 Therese Casgrain Volunteer Award.

Motion 2009 - 287 - Mercer/Walsh

Resolved that the information package on nominating volunteers for the 2009 Therese Casgrain Volunteer Award be referred to the Special Events, Recreation and Tourism Committees.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 23 : Letter received from x, Green's Road, requesting information on how far a privacy fence could be extended along the north side of their property towards the road and what other type of fence and height would be acceptable.

Motion 2009 - 288 - Yetman/Mercer

Resolved that x letter be referred to the Planning and Development Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 24 : Letter received from x requesting a street light be installed at the end of Love Street Extension and also, a couple loads of crushed stone/gravel to alleviate the build up of water from heavy rain.

Motion 2009 - 289 - Yetman/Walsh

Resolved that x letter be referred to the Public Works Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 25 : Residential building application received from x.

Motion 2009 - 290 - Seymour/Greenland

Resolved that approval be given to x, as per submitted application, to construct a dwelling at 223 Butlerville Road, subject to all Municipal Development Regulations and all other regulatory departments. Also, town services ie. garbage collection, snow clearing, street lighting, road maintenance, water and sewer, etc, will **not** be provided beyond the main Butlerville Road.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Committee Reports

Finance Committee

Motion 2009 - 291 - Wood/Walsh

Resolved that April 2009 Accounts Payable be approved.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 292 - Walsh/Yetman

Resolved that the Brigade Council of the C.L.B. request for financial support for their youth mission team to Belize does not comply with the town's donation policy.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 293 - Walsh/Greenland

Resolved that the Town of Harbour Grace's request for conveyance of the Town of Bay Roberts' interest in the former CBN Incinerator Site for the nominal amount of \$1.00 be denied, however, consideration will be given to conveyance at fair market value.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 294 - Walsh/Wood

Resolved that a \$250.00 donation be given to the Avalon North Wolverines Ground Search & Rescue for their trip to Ireland for the SAR Scene Games.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 295 - Walsh/Greenland

Resolved that x Limited be granted a thirty (30) day extension to their partial payment on accounts arrangement.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Executive Committee

Motion 2009 - 296 - Walsh/Seymour

Resolved that the Town of Spaniard's Bay be advised their request to share our Municipal Enforcement Officer's services is denied due to there being sufficient work in our town to necessitate a full time MEO.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 297 - Walsh/Seymour

Resolved that x Law Office, be advised that an endeavour will be made to distribute legal work required by Council more equitably between law firms within the town.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 298 - Mercer/Wood

Resolved that a committee be established, consisting of Deputy Mayor Walsh and Councillor Greenland, to research the Town Manager position.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Tourism Committee

Motion 2009 - 299 - Mercer/Wood

Resolved that Tourism minutes of March 23, be accepted.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0

Abstaining: 0
Motion Carried.

Motion 2009 - 300 - Mercer/Yetman

Resolved that Tourism minutes of April 20, be accepted.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 301 - Mercer/Walsh

Resolved that the Town of Bay Roberts Sign Regulations be tabled for review and comparison with any existing sign regulations contained in the Municipal Plan.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Public Works Committee

Motion 2009 - 302 - Greenland/Seymour

Resolved that approval be given to extending the street lighting on the C. B. Access Road to the overpass and the Town Manager will contact Newfoundland Power regarding same.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 303 - Greenland/Walsh

Resolved that x be advised the town will contribute two (2) culverts in an effort to remedy an existing problem with ice and snow build up in a town drainage system through his property. X will be responsible for the cost of the remaining culverts, labour, and equipment used to install all culverts and also, replacement of the undersized culvert to the west.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 304 - Greenland/Mercer

Resolved that x be advised that as a result of a site visit at the former CNR rail bed adjacent to C. B. Access Road, removal of landfill causing the blockage of drainage ditches appears minor maintenance work, and therefore, town forces will correct the problem.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 305 - Greenland/Yetman

Resolved that the Public Works Committee be given permission to look into cost, exploration and clear title of a parcel of land owned jointly by x and x, situated at Country Road, and to make an offer to purchase the land which will be used as a town quarry for sand and stone.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Special Events Committee

Motion 2009 - 306 - Wood/Mercer

Resolved that Special Events minutes of April 28, be accepted.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 307 - Wood/Mercer

Resolved that Bay Roberts Special Events Committee By-Laws, be adopted.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Heritage Advisory Committee

Motion 2009 - 308 - Wood/Mercer

Resolved that Friends of the Museum minutes of March 5, be accepted.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 309 - Greenland/Walsh

Resolved that approval be given Mayor Littlejohn and the Town Manager in consultation with the Bay Roberts Heritage Society to initiate repairs to the Cable Building prior to the National Historic Site designation.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour

Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 310 - Wood/Walsh

Resolved that Councillor Wood's report on the Atlantic Conference on Disaster Management, be accepted.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Recreation Committee

Motion 2009 - 311 - Yetman/Greenland

Resolved that Recreation minutes of March 23, April 8 and May 4, be accepted.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 312 - Yetman/Seymour

Resolved that approval be given to remove the Community Gardens' wooden train from site, to be sold for a cost of \$800.00 including delivery in the municipality of Bay Roberts.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Green Committee

Household Hazardous Waste Day held on Saturday, May 9, was very successful with 121 vehicles dropping off a variety of hazardous materials.

Councillor Yetman, Kevin Critch and Fraser A. Mercer attended a community composting seminar at the MUN Botanical Gardens on May 6 & 7.

Councillor Concerns

Councillor Seymour requested funding be provided for continuation of the Goose Pond walking trail.

Motion 2009 - 313 - Greenland/Mercer

Resolved that the Town Manager will initiate proceedings for the necessary legal work to secure clear title for property purchase at Country Road from Rodney and Roberta Snow.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Adjournment

Motion 2009 - 314 - Walsh/

Resolved that the meeting do now adjourn at 9:00 pm.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Glenn Littlejohn
Mayor

Shirley Hawe
Town Clerk