

The One Hundredth and Third meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, May 26, 2009, at 7:05 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            Town Manager Edwin Fradsham  
                                 Town Clerk Shirley Hawe  
                                 Fire Chief Clarence H. Russell  
                                 Compass Correspondent Lillian Simmons  
                                 Coley's Point Residents

**Minutes**

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of May 12, 2009, and the special meeting of May 19, 2009, which had been circulated with the agenda.

- ▶ Proposed Sign Regulations will be deferred pending Municipal Plan review and update.

**Motion 2009 - 324 - Yetman/Walsh**

Resolved that minutes of the regular meeting of May 12, 2009, be adopted.

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

Opposed:            0  
Abstaining:        0  
Motion Carried.

**Motion 2009 - 325 - Greenland/Mercer**

Resolved that minutes of the special meeting of May 19, 2009, be adopted.

In favour:            Mayor Littlejohn  
                                 Deputy Mayor Walsh

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Councillors: Mercer, Greenland, Wood, Yetman and Seymour  
Opposed:            0  
Abstaining:        0  
Motion Carried.

**Additions to Agenda**

**Motion 2009 - 326 - Greenland/Wood**

Resolved that correspondence from x be added to the agenda.

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

**Motion 2009 - 327 - Seymour/Yetman**

Resolved that Public Works Superintendent report and Green Committee report 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** Correspondence received from Eastern Newfoundland Regional Appeal Board regarding a decision to remove fencing erected by x at 88 Water Street.

**Motion 2009 - 328 - Walsh/Wood**

Resolved that Eastern Nfld Regional Appeal Board correspondence be referred to the Executive Committee.

In favour: Mayor Littlejohn

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

**Items 2, 3 & 4 :** Correspondence received from Dept. of Transportation & Works regarding traffic flow at the new Wescal Department Store location, upgrading to culvert at Badcock Boulevard, and parking lot access at intersection of Routes 70 & 72.

**Motion 2009 - 329 - Mercer/Wood**

Resolved that the Town Manager initiate a meeting between owner of Wescal Dept. Store, property owner, x and a representative from Dept. of Transportation regarding uncontrolled access to the parking lot at 139-141 C. B. Highway.

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

**Item 5 :** Letter received from the Royal Canadian Legion requesting any excess fill from town projects to be dumped on the eastern side of the Marina.

**Motion 2009 - 330 - Greenland/Seymour**

Resolved that the Royal Canadian Legion request 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 6 :** Letter and drawing received from x regarding commercial building extension and improvements at 8-18 Bishop's Road.

**Motion 2009 - 331 - Yetman/Walsh**

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Resolved that the x request 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 :** Letter received from x requesting permission to use 21 Cleary's Place as a Bed & Breakfast establishment.

**Motion 2009 - 332 - Greenland/Wood**

Resolved that x must publish in the Compass her intention to operate a Bed & Breakfast business at 21 Cleary's Place.

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

**Item 8 :** Commercial occupancy application received from x.

**Motion 2009 - 333 - Greenland/Yetman**

Resolved that x's application to operate a home-based landscaping business at 33 Goose Pond Road 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 :** Correspondence received from x requesting that her future development plans be taken into consideration prior to any water and sewer extensions to Neck Road, Coley's Point.

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**Motion 2009 - 334 - Mercer/Seymour**

Resolved that x's request 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 10 :** Letter received from x requesting the municipal water line be extended to the end of Neck Road, Coley's Point, for service of their building lot as well as future developments.

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

**Motion 2009 - 335 - Seymour/Mercer**

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

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

Councillor Yetman returned to the Chambers.

Mayor Littlejohn left the Chambers and Deputy Mayor Walsh took the Chair.

**Item 11 (a) :** Residential building application received from x.

**Motion 2009 - 336 - Seymour/Mercer**

Resolved that approval be given to x, as per submitted application, to construct a dwelling at Lot # 1, 1-9 Cleary's Place, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Deputy Mayor Walsh

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Councillors: Mercer, Greenland, Wood, Yetman and Seymour  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 11 (b) :** Residential building application received from x.

**Motion 2009 - 337 - Greenland/Seymour**

Resolved that approval be given to x, as per submitted application, to construct a dwelling at Lot # 3, 1-9 Cleary's Place, 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 road, Cleary's Place.

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

**Item 11 (c) :** Residential building application received from x.

**Motion 2009 - 338 - Greenland/Yetman**

Resolved that approval be given to x, as per submitted application, to construct a dwelling at Lot # 2, 1-9 Cleary's Place, subject to all Municipal Development Regulations and all other regulatory departments.

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

**Item 12 :** Crown Land application received from x.

**Motion 2009 - 339 - Mercer/Seymour**

Resolved that x's application to obtain Crown Land at Central Street, Bay Roberts, be referred to the Planning & Development Committee.

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

**Item 13 :** Crown Land application received from x.

**Motion 2009 - 340 - Seymour/Mercer**

Resolved that x's application to obtain Crown Land at Central Street, Bay Roberts, be referred to the Planning & Development Committee.

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

**Item 14 :** Email received from x advising that the next meeting of the Joint Councils is May 28.

**Motion 2009 - 341 - Mercer/Wood**

Resolved that x's email be placed on file.

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

**Item 15 :** Letter received from Service Canada Centres for Youth regarding their grand opening at Harbour Grace on May 29.

**Motion 2009 - 342 - Mercer/Wood**

Resolved that Service Canada Centres for Youth grand opening invitation be referred to Program Officer, Ian Flynn.

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

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Abstaining: 0  
Motion Carried.

**Item 16 :** Correspondence received from the Heart & Stroke Foundation of NL regarding the

Mayor's March on Heart Disease and Stroke on June 15-21.

**Motion 2009 - 343 - Greenland/Yetman'**

Resolved that a \$100.00 donation be given to the Heart & Stroke Foundation of NL and that Council participation will be under the guidance of Councillor Seymour.

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

**Item 17 :** Call for Nominations notice received from Mariner Resource Opportunities Network for the position of Municipal Representative on their Board of Directors.

**Motion 2009 - 344 - Yetman/Mercer**

Resolved that the M-RON correspondence be placed on file.

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

**Item 18 :** Letter received from the Town of Gander seeking support in their efforts to improve military search and rescue capabilities throughout the province and the surrounding region.

**Motion 2009 - 345 - Mercer/Seymour**

Resolved that the Town of Gander correspondence be placed on file.

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

**Bay Roberts Cultural Foundation**

**Motion 2009 - 346 - Mercer/Yetman**

Resolved that Cultural Foundation minutes of April 20 be accepted.

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

Motion Carried.

### **Special Events Committee**

#### **Motion 2009 - 347 - Wood/Yetman**

Resolved that Special Events minutes of May 6 be accepted.

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

### **Heritage Advisory Committee**

#### **Motion 2009 - 348 - Wood/Mercer**

Resolved that Heritage Advisory minutes of March 19 be accepted.

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

Mayor Littlejohn resumed Chair.

#### **Motion 2009 - 349 - Wood/Yetman**

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Resolved that the draft copy of Heritage Regulations be accepted.

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

### **Public Works Superintendent Report**

#### **Motion 2009 - 350 - Greenland/Walsh**

Resolved that Works Superintendent's log of completed work from April 27 to May 25 be tabled.

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



Abstaining: 0  
Motion Carried.

### **Planning & Development Committee**

#### **Motion 2009 - 351 - Greenland/Wood**

Resolved that x be given approval in principle to allow for their application to regulatory departments. Should a favourable response for in-filling be received, Council will set conditions of developments including the type and width of the Buffer when the development application is considered.

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

### **Green Committee**

Community Composting seminar report was tabled for review.  
Household Hazardous Waste collection results and statistics were tabled for review.  
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### **Fire Department**

Fire Chief Russell gave a verbal update and report on emergency calls responded to since December 4, 2008. Chief Russell recommended lifting the current fire ban.

#### **Motion 2009 - 352 - Walsh/Seymour**

Resolved that the Fire Ban be lifted.

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

### **Councillor Concerns**

Councillor Seymour requested that repairs be done to the Front Road wharf at Bay Roberts East. Mayor Littlejohn will contact Dept. of Fisheries & Oceans. The Public Works Committee will also look into this concern.

### **Adjournment**

#### **Motion 2009 - 353 - Mercer/**

Resolved that the meeting do now adjourn at 8:50 p.m.

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

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Glenn Littlejohn  
Mayor

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Shirley Hawe  
Town Clerk