

The Eighty-Ninth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, October 14, 2008, at 6:55 p.m.

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

Also Present            Town Manager Edwin Fradsham  
                                Town Clerk Shirley Hawe

### **Minutes**

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of September 23, 2008, which had been circulated with the agenda.

Discussion and update regarding the following:

- ▶ Mayor Littlejohn will confirm after October 14<sup>th</sup> that the owner of 238-240 Water Street has no objection to vehicles being parked at that location.
- ▶ Town Manager provided amount owing x for 2008.
- ▶ Executive Committee will contact the Town of Spaniard's Bay for more details regarding their request to share the services of Enforcement Officer Perry Bowering.
- ▶ Executive Committee met with x and provided him with contact information regarding the aquaculture facility property.
- ▶ Heritage Advisory Board have been advised of the special one day cemetery workshop.
- ▶ x recommends that work not start on the Barracks Lane until spring 2009.
- ▶ Town Manager is looking into 2 specific businesses operating without permit.
- ▶ Development of policy and guidelines for providing Class "A" material to residents.
- ▶ Continuation of fire hydrant flushing.
- ▶ x asked that all further correspondence regarding land issues be made through his lawyer. Town Manager will acquire two quotes for completion of the property appraisal.
- ▶ Seven candidates have been nominated for the upcoming by-election.
- ▶ x provided a picture of their possible future seniors home.
- ▶ dma Planning and Management Services survey regarding the Multi-Purpose Facility Feasibility Study is available on our website.

**Motion 2008 - 380 - Seymour/Mercer**

Resolved that minutes of the regular meeting of September 23, 2008, be adopted.

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

Opposed: 0

Abstaining: 0

Motion Carried.

**Business Arising from Correspondence**

**Motion 2008 - 381 - Mercer/Walsh**

Resolved that x be advised that the C. B. Highway, including manhole covers and catch basins located on the Highway, are the responsibility of the Department of Transportation and Works and therefore, it is not town policy to provide compensation for vehicle damages sustained on the C. B. Highway. X be advised to contact the Dept. of Transportation and Works regarding same.

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

Opposed: 0

Abstaining: 0

Motion Carried.

**Motion 2008 - 382 - Greenland/Seymour**

Resolved that the Dept. of Transportation and Works be advised that council has concerns with the condition of the C. B. Highway, specifically damages to manhole covers and catch basins caused by snow clearing equipment over the past number years. Council workers were called to the scene of a problem by a resident but were advised by Transportation personnel that it was not the town's responsibility to do any corrective work on manhole covers and that the Dept. of Transportation had a worker called in to carry out the necessary repairs.

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

Opposed: 0

Abstaining: 0

Motion Carried.

**New Business**

**Item 1 :** Correspondence received from x, requesting that he be permitted to extend the storm water drain coming from across the street out approximately 40 feet in the water and also, seeking permission to erect a portable storage shelter.

**Motion 2008 - 383 - Mercer/Walsh**

Resolved that x be advised the area he proposes to in-fill is crown land, and therefore, his request is denied. Also, at this time, Council wishes to advise that permission will not be given to x to acquire said crown land because it currently provides a natural buffer between his commercial property and a neighbouring residential property.

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

Opposed: 0

Abstaining: 0

Motion Carried.

**Item 2 :** Correspondence received from the Department of Transportation and Works giving permission for the Tourism Committee to utilize a portion of the right of way along Route 70 for the purpose of the proposed beautification project.

**Motion 2008 - 384 - Walsh/Yetman**

Resolved that the Dept. of Transportation & Works correspondence be referred to the Tourism Committee.

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

Opposed: 0

Abstaining: 0

Motion Carried.

**Item 3 :** Correspondence received from x regarding a shed being built by x on property that may not to him.

**Motion 2008 - 385 - Yetman/Mercer**

Resolved that x be advised it is not town policy to become involved in personal property disputes.

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

**Item 4 :** Correspondence received from Sgt. Rick Robinson, RCMP Trinity Conception District, requesting a meeting between Inspector Roland Wells and the Executive Committee of Council regarding client satisfaction.

**Motion 2008 - 386 - Mercer/Seymour**

Resolved that a meeting did take place and the RCMP correspondence to be placed on file.

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

**Item 5 :** Letter received from Cst. Vicki Chalker, RCMP Community Policing Officer, regarding the “Battle of the Brains” fund-raising event for the Special Olympics.

**Motion 2008 - 387 - Mercer/Yetman**

Resolved that the “Battle of the Brains” event be referred to Director Delaney to arrange a prize donation.

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

**Item 6 :** Letter received from Tri-Pen Frost Major Midget Hockey Club requesting sponsorship for the annual team profile book.

**Motion 2008 - 388 - Mercer/Yetman**

Resolved that a \$500.00 donation will be made for the sponsorship of two home and away jerseys and the Town Manager to contact the team to see if this is acceptable.

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

**Item 7 :** Residential building application received from x.

**Motion 2008 - 389 - Seymour/Mercer**

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

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

**Item 8 :** Residential building application received from x.

**Motion 2008 - 390 - Greenland/Seymour**

Resolved that approval be given x, as per submitted application, to construct a dwelling at 11 Badcock's Road, Shearstown, subject to all Municipal Development Regulations and all other regulatory departments.

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

Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 9 :** Residential building application received from x.

**Motion 2008 - 391 - Mercer/Walsh**

Resolved that approval be given x, as per submitted application, to construct a dwelling at 2 Playground Road Extension, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

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

**Item 10 :** Residential building application received from x.

**Motion 2008 - 392 - Mercer/Yetman**

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

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

**Item 11 :** Spring 2008 SAM Conference Report received from Joint Management Committee.

**Item 12 :** CBN Joint Councils minutes of September 25 were tabled for review.

**Motion 2008 - 393 - Seymour/Greenland**

Resolved that Chairman Frank Evely be advised that the Town of Bay Roberts requests the

opportunity to host this years CBN Joint Councils' Christmas Dinner.

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

### **Committee Reports**

#### **Finance**

Deputy Mayor Walsh gave a report on collection of tax arrears to date and revenue and expenses to September 30. Budget submissions are requested by October 31.

#### **Motion 2008 - 394 - Walsh/Yetman**

Resolved that a donation of \$2,750.00 be given to the Daffodil Place Campaign through the Urban Municipalities Committee.

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

#### **Motion 2008 - 395 - Walsh/Mercer**

Resolved that a request by the x, for financial assistance to cover the cost of the band used for Shopping Days during Klondyke Days, be denied because this event was considered to be sponsored.

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

**Motion 2008 - 396 - Greenland/Seymour**

Resolved that Accounts Payable for September 2008, be approved.

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

Opposed: 0

Abstaining: 0

Motion Carried.

**Tourism**

**Motion 2008 - 397 - Mercer/Greenland**

Resolved that Pigeon Inlet Steering Committee minutes of July 29, be accepted.

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

Opposed: 0

Abstaining: 0

Motion Carried.

**Planning & Development**

**Motion 2008 - 398 - Greenland/Walsh**

Resolved that approval be given to x, as per submitted occupancy application, to operate B & B Welding & Fabrication Inc. at 82 Green's Road, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments, and the following conditions:

- Sandblasting is not to be carried on outside existing building.
- Working hours will be from 7:00 a.m. to 11:00 p.m. A written request must be made to council for the extension of working hours and only if emergency work arises.
- No outside work after 7:00 p.m.
- Outside activities to be confined within the fenced area.
- Depending on type of outside activities, a privacy fence may be required.
- Outside storage must be self-contained in storage racks and kept in a neat and tidy condition at all times.
- Council reserves the right to restrict outside storage.
- Shipments and deliveries must be carried out during normal business hours between 7:00 a.m. and 7:00 p.m.



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

### **Recreation**

#### **Motion 2008 - 399 - Yetman/Seymour**

Resolved that Recreation Committee minutes of September 18, be accepted.

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

The Town of Bay Roberts received two criteria awards from Tidy Towns for Landscaped Areas and Tree/Urban Forest Management.

### **UMC**

#### **Motion 2008 - 400 - Walsh/Greenland**

Resolved that UMC minutes of September 5 & 6, be accepted.

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

### **Wetlands**

#### **Motion 2008 - 401 - Seymour/Mercer**

Resolved that SAM minutes of June 28, be accepted.

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

**Councillor Concerns**

Councillor Yetman tabled pictures showing in-filling, including dumping of garbage, at Playground Road Extension. Also, Councillor Yetman spoke about quarrying operations without a permit behind x in Shearstown and other areas of the town.

**Motion 2008 - 402 - Mercer/Yetman**

Resolved that x be advised that he must cease in-filling operations on Playground Road Extension and immediately remove all debris ie. garbage. Before any proposed future development is considered, Council will require that the existing in-filling material be removed and test pits dug to determine soil suitability for road development and proper water drainage.

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

Two tenders for the Municipal Plan were received and opened.

CBCL Limited - Total cost proposal to prepare Municipal Plan and Development Regulations is \$25,429.00 including fees, expenses & HST and an additional \$536.00 for Public Hearing.

Plan-Tech Environment Limited - Total project cost is \$30,221.60 plus 13% HST.

**Motion 2008 - 403 - Greenland/Mercer**

Resolved that the Town Manager contact x to confirm that CBCL Limited's tender includes maps and other requirements to complete the Municipal Plan and Development Regulations. Pending confirmation of the tendered cost, approval is given to CBCL Limited for the preparation of the Bay Roberts Municipal Plan and Development Regulations.

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

**Adjournment**

**Motion 2008 - 404 - Greenland/Seymour**

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

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

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Glenn Littlejohn  
Mayor

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Shirley Hawe  
Town Clerk