

The Ninth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, October 28, 2008, at 6:50 p.m.

Members Present Mayor Glenn Littlejohn
 Deputy Mayor Melvin Walsh
 Councillor Gerald Greenland
 Councillor Walter Yetman
 Councillor Bill Seymour

Member Absent Councillor Clarence G. Mercer

Also Present Town Manager Edwin Fradsham
 Town Clerk Shirley Hawe
 Compass Correspondent Lillian Simmons

Minutes

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of October 14, 2008, which had been circulated with the agenda.

Discussion and update regarding the following:

- ▶ The owner of 238-240 Water Street has no objection to vehicles being parked at that location however, further confirmation will be made.
- ▶ Awaiting more info from the Town of Spaniard's Bay regarding their request to share the services of Enforcement Officer Bowering.
- ▶ Town Manager to contact Tri-Pen Frost Major Midget Hockey Club regarding sponsorship of two home and away jerseys.

Motion 2008 - 405 - Seymour/Yetman

Resolved that minutes of the regular meeting of October 14, 2008, be adopted.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Additions to Agenda

Motion 2008 406 - Greenland/Yetman

Resolved that three residential building applications and one commercial occupancy application be added to the agenda.

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

Opposed: 0

Abstaining: 0

Motion Carried.

New Business

Item 1 : Letter received from x advising that he has no immediate plans for property development at Playground Road Extension, however, x is requesting permission to put fill, as it becomes available, on the property for possible future land development.

Motion 2008 - 407 - Walsh/Seymour

Resolved that x's correspondence be referred to the Planning and Development Committee.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Item 2 : Copy of letter issued to x from Minister Denine regarding the former x property at Green's Road.

Motion 2008 - 408 - Walsh/Yetman

Resolved that Minister Denine's letter be placed on file.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Item 3 : Email received from x advising that 41 C. B. Highway is now occupied by Newfoundland and Labrador Centre for Health Information.

Motion 2008 - 409 - Greenland/Yetman

Resolved that approval be given to NL Centre for Health Information for occupancy at 41 Conception Bay Highway, Bay Roberts.

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

Item 4 : Residential building application received from x.

Motion 2008- 410 - Yetman/Seymour

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

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

Item 5 : Residential building application received from x.

Motion 2008 - 411 - Yetman/Greenland

Resolved that approval be given, as per submitted application, to x to construct a dwelling at 16 Bay Shore Estates, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 6 : Building drawings received from x.

Motion 2008 - 412 - Greenland/Seymour

Resolved that approval in principle be given to x to join and incorporate the former x building to their existing building, subject to all Municipal Development Regulations and all other regulatory departments ie. government services, etc. Also, final approval is pending submission of formal building application and receipt of written approval from all government agencies.

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

Item 7 : Letter received Fire and Emergency Services advising that the province will be hosting a Fire and Emergency Services Training School in Marystown, October 25 to November 2.

Motion 2008 - 413 - Walsh/Yetman

Resolved that the Fire and Emergency Services correspondence be placed on file.

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

Item 8 : Email received from x advising that 20 municipalities have adopted the smoke free outdoor recreation and sport policy.

Motion 2008 - 414 - Walsh/Yetman

Resolved that x's correspondence be placed on file.

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

Opposed: 0
Abstaining: 0
Motion Carried.

Item 9 : Correspondence received from Amalgamated Academy requesting financial support for their annual Awards Night.

Motion 2008 - 415 - Walsh/Seymour

Resolved that a \$125.00 donation be given for the Amalgamated Academy Awards Night.

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

Item 10 : Invitation received from Communities Against Violence for their Annual General Meeting on Thursday, October 30, at Avalon West School Board Office, Spaniard's Bay.

Item 11 : Letter received from Knights of Columbus requesting greetings and congratulations be sent to their annual convention in recognition of their 100 years of service to the people of this province.

Mayor Littlejohn will send greetings.

Item 12 : Letter received from Trinity Conception District RCMP advising that the Children's Wish Tree will be displayed at the Bay Roberts detachment, however, they would like to put a tree with Christmas lights, and a sign, wishing everyone a Merry Christmas, on our festival grounds.

Motion 2008 - 416 - Walsh/Yetman

Resolved that the RCMP correspondence be referred to the Special Events Committee for response.

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

Item 13 : Correspondence received from Kids Help Phone requesting financial support.

Motion 2008 - 417 - Seymour/Yetman

Resolved that the Kids Help Phone request be referred to the Finance Committee.

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

Item 14 : Residential building application received from x.

Motion 2008 - 418 - Seymour/Greenland

Resolved that approval be given, as per submitted application, to x to construct a dwelling at 252 Central Street, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 15 : Residential building application received from x.

Motion 2008 - 419 - Greenland/Walsh

Resolved that approval be given, as per submitted application, to x to construct a dwelling at 228-238 Neck Road, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 16 : Residential building application received from x.

Motion 2008 - 420 - Greenland/Seymour

Resolved that approval be given, as per submitted application, to x to construct a dwelling at 40 Badcock Boulevard, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 17 : Commercial occupancy application received from x.

Motion 2008 - 421 - Greenland/Seymour

Resolved that approval be given to x to open and operate x., at 153-159 Conception Bay Highway, Bay Roberts Mall, subject to all Municipal Development Regulations and all other regulatory departments.

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

Committee Reports

Public Works

(1): Injured worker replacement.

Motion 2008 - 422 - Greenland/Yetman

Resolved that the Town Manager check with WHSCC regarding the injured worker's status and rights. Pending results of a medical report, a meeting of council will be convened to initiate the hiring process.

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

(2): Bishop's Road improvements will be carried out this year. Town Manager to order culverts and work will be done by own forces.

(3): Town Manager will have guardrails and tree clearing started October 27.

(4): x.

Motion 2008 - 423 - Greenland/Seymour

Resolved that x be advised that a new sewer line will be installed in their area of Central Street. An easement is required across the Churchill property which the Town Manager is now in the process of acquiring. An effort will be made this year, however, in all likelihood, work will be delayed until next year due to present work commitments and the high water table.

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

(5): x's fence.

Motion 2008 - 424 - Greenland/Yetman

Resolved that x be advised that the fence is within the town's right of way and it is not town policy to consider such claims.

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

(6): Barrack's Lane improvements will be re-tendered in March 2009.

(7): x's water drainage concerns.

Motion 2008 - 425 - Greenland/Walsh

Resolved that x be advised that curb and gutter will be installed to correct their drainage concerns and work will proceed as soon as possible.

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

Opposed: 0

Abstaining: 0

Motion Carried.

(8): Fire hydrant flushing will commence again next week and continue to completion. Fire Chief to provide a list of problem hydrants. Flushing will be performed on an annual basis in accordance with the Dept. of Health Regulations and during spring when water levels are high.

(9): x's fence.

Motion 2008 - 426 - Greenland/Yetman

Resolved that x be advised that the town is not responsible for damage claims within a 45' road right of way, however, snow plow operators will be requested to use extra caution to avoid encroaching fences when possible.

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

Opposed: 0

Abstaining: 0

Motion Carried.

(10): x water flooding at Badcock's Road. Work is completed except asphalt curb at driveway. More effective work and re-paving will be carried out in 2009 as part of the overall road upgrading.

(11): Fuel storage tank replacement.

Motion 2008 - 427 - Greenland/Seymour

Resolved that the Town Manager will acquire more quotes and is authorized to accept the lowest bidder.

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

Opposed: 0

Abstaining: 0

Motion Carried.

(12): x curb and swale are complete.

(13): x road repairs are complete.

(14): Central Street drainage improvements are complete.

(15): x's water drainage concerns cannot be addressed without crossing private property. X be advised that permission to cross said property was not received and therefore, work will be revisited in 2009.

(16): x advised Works Superintendent that town work has addressed her water flooding problem.

(17): Ditching work is required for Pickett's Road.

(18): Town Manager will order culverts for extension along Shearstown Road.

(19): Wording of newspaper article is incorrect regarding work by outside staff.

(20): Vehicle and equipment signage is nearing completion.

Planning & Development

(1): Residential building application for x.

Motion 2008 - 428 - Greenland/Yetman

Resolved that approval in principle be given x, subject to submission of plot plan and house plan. Final approval will be conditional on all town services terminating at Badcock's Road. Also, front boundary must be 22 ½ feet from center of existing road right of way to facilitate future development.

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

(2): Harding's Lane.

Motion 2008 - 429 - Greenland/Yetman

Resolved that proposed development has not met current subdivision regulations mainly because the right of way from Central Street is 16' versus the required 45'. Under current regulations, development would be limited to the two dwellings for which permits have already issued. Committee recommends to allow one additional building application for a total of three mainly because this is a private development and services will terminate at Central Street. Front boundaries of all lots must be 22 ½ feet from center of existing right of way. Further development will be considered when and if current development regulations can be met.

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

(3): Recommendation is deferred pending further discussion regarding x's request to extend Love Street Extension.

(4): Committee is considering a review of current Subdivision Regulations mainly in view of items that have arose from the review of recent applications.

Recreation

The request for a smoke free outdoor recreation and sport policy is referred to Municipal Enforcement, the Special Events and Tourism Committees for comments and suggestions.

Marlene Petten is now the new Chair for the Recreation Committee.

Development of green space at the Valleyview Subdivision is ready to proceed and the area needs to be marked off.

Recreation has received a Community Capital Grant in the amount of \$15,000.00 to assist with installation of poles and lights at the newly constructed five court tennis facility.

Fire Department

Motion 2008 - 430 - Greenland/Yetman

Resolved that Deputy Mayor Walsh be given permission to attend a Fire Department Administration Seminar in Marystown on Saturday, November 1.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Wetlands

Minutes from the fall SAM conference in Stephenville will be tabled at next meeting. Councillor Seymour spoke about the successful weekend conference.

50 Plus Club

Christmas Raffles will be held in late November and thru December.

Special Events

Festival of Lights opening ceremonies will be held December 2.

Executive

Report on Strategic Planning Session Review held Monday, September 22, was tabled for review.

Finance

Mayor Littlejohn gave a report from Accounts Receivable Clerk on collection of delinquent accounts.

Mayor's Report

Mayor Littlejohn tabled the Capital Works Municipal / Civil Progress report covering Cross Roads forcemain replacement, TS Chantal flood damage repairs, Track Road Soccer Pitch, and 2008/2011 MCW.

Adjournment

Motion 2008 - 431 - Walsh/Seymour

Resolved that the meeting do now adjourn at 8:05 p.m.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Glenn Littlejohn
Mayor

Shirley Hawe
Town Clerk