

The Sixty-Sixth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, September 11th, 2007, at 7:40 p.m.

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

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

Minutes

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of August 20th, 2007, which had been circulated with the agenda.

Discussion and update regarding items from pages of the minutes as follows:

- P. 1 Re-bar left over from gate posts at the property of x, Country Road.

 Approximate start date & details for restoration of old railway station.
- P. 2 Update on repairs/replacement of bridge to Shearstown cemetery.
- P. 8 No response regarding correspondence sent to x.

Motion 2007 - 266 - Yetman/Greenland

Resolved that the minutes of August 20th, 2007, regular meeting of council be adopted.

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

Opposed: 0
Abstaining: 0
Motion Carried.

Addition to Agenda

Motion 2007 - 267 - Greenland/Yetman

Resolved that correspondence from x be added to the agenda.

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

A moment of silence was held in memory of Mr. Herbert Brett, former Councillor and Deputy Mayor of Arnold s Cove. A sympathy card and condolences will be sent to the Brett family.

New Business

Item 1 : Letter received from the Provincial Information & Library Resources Board advising that the public tender to build space to house the Bay Roberts Public Library has been awarded to x.

Motion 2007 - 268 - Mercer/Walsh

Resolved that the Library Resources Board Correspondence be placed on file.
In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, D. Brown, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 2 : Application received from x for the construction of the Bay Roberts Public Library at 82 Cross Roads, Bay Roberts.

Motion 2007 - 269 - Seymour/Walsh

Resolved that x s application be approved in principle subject to all Municipal Development Regulations and all other regulatory departments. Also, x s application is referred to the Planning and Development Committee for further review.

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

Item 3 : Residential building application received from x.

Motion 2007 - 270 - Greenland/Seymour

Resolved that approval be given to x to construct a dwelling at 25 Earle 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, D. Brown, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 4 : Residential building application received from x.

Motion 2007 - 271 - Greenland/Mercer

Resolved that approval be given to x to construct a dwelling at 400 Shearstown Road, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 5 : Residential building application received from x.

Motion 2007 - 272 - Mercer/Walsh

Resolved that approval be given to x to construct a dwelling at 50-54 Arney s Pond Road, 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, D. Brown, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 6 : Residential building application received from x.

Motion 2007 - 273 - Mercer/Seymour

Resolved that approval be given to x to construct a dwelling at 39 Track Road, 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, D. Brown, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 7 : Residential building application received from x.

Motion 2007 - 274 - Yetman/Greenland

Resolved that approval be given to x to construct a dwelling at 52 Long Lane (Heney s Pond Road Ext.), subject to all Municipal Development Regulations and all other regulatory departments. Also, the property front boundary must be a minimum of 22 ½ feet from the center of the public roadway. The cost of the building permit is \$5,200.00 which includes a \$5,000.00 water and sewer connection fee.

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

Item 8 : Commercial building application received from x.

Motion 2007 - 275- Walsh/Seymour

Resolved that Mr. Lane s application be deferred until the Town Manager has consulted with Mr. x regarding entrance and exit requirements for lot # 3 located at 368-416 Conception Bay Highway, Bay Roberts.

Item 9 : Correspondence received from x requesting permission to open an hair salon in her home at 40 Butlerville Road.

Motion 2007 - 276 - Greenland/Seymour

Resolved that Ms. x is to publish in the Compass her intentions to open an hair salon at 40 Butlerville Road.

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

Item 10 : Correspondence received from Newlab Engineering Limited seeking approval for construction of a building addition for x, 1 Hope Avenue, Bay Roberts.

Motion 2007 - 277 - Walsh/Mercer

Resolved that approval in principle be given for the proposed building addition for x, Hope Avenue, subject to all Municipal Development Regulations and all other regulatory departments. Further approval will be required if any plan modifications occur.

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

Items 11 & 12 : Correspondence received from x regarding noise, unsightliness, health and safety concerns with the x property at Water Street.

Motion 2007 - 278 - Greenland/Brown

Resolved that Municipal Enforcement Officer Bowering be provided with a copy of the conditions pertaining to hours of operation for x., and also, their aesthetic impact on neighbouring residential properties. MEO Bowering is to remind the owners of x., that they are to abide by the conditions of their permit.

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

Motion 2007 - 279 - Greenland/Walsh

Resolved that x be advised that Municipal Enforcement Officer Bowering will ensure x abides by the conditions of their permit and also, pending the outcome of the Supreme Court Appeal, further conditions will be imposed before final approval is given to x.

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

Item 13 : Email received from x regarding their land adjacent to French s Park, Coley s Point.

Motion 2007 - 280 - Seymour/Yetman

Resolved that Director Delaney is to provide x with a key to open the gate to French s Park, giving them access to their land. Also, Ron will clarify the town s policy regarding private property clean up.

In favour: Mayor Littlejohn

Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, D. Brown, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Item 14 : Letter received from x regarding flooding concerns.

Motion 2007 - 281 - Yetman/Walsh

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

In favour: Mayor Littlejohn

Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, D. Brown, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Item 15 : Letter received from x regarding noise caused by transport trucks using jake brakes.

Motion 2007 - 282 - Greenland/Brown

Resolved that two (2) signs stating Jake Brake Use is Not Permitted within the Town of Bay Roberts Municipal Boundary be installed on the C. B. Access Road.

In favour: Mayor Littlejohn

Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, D. Brown, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Item 16 : cc of letter to Honourable John Hickey, Minister, Joint Management Committee, regarding a request for a bronze plaque to be installed on the new bridge between Bay Roberts and Spaniard s Bay, depicting the estuary wetland areas.

Motion 2007 - 283 - Mercer/Seymour

Resolved that x s correspondence be placed on file.

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

Item 17 : Letter received from Correctional Service Canada regarding Restorative Justice Week 2007.

Motion 2007 - 284 - Mercer/Yetman

Resolved that the Correctional Service Canada correspondence be placed on file.

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

Item 18 : Letter received from Ducks Unlimited Canada, advising of a Call for Nominations of Wetland Champions.

Motion 2007 - 285 - Greenland/Seymour

Resolved that a copy of the Ducks Unlimited Canada correspondence be given to the Joint Management Committee for their consideration and advising them that Council will support their nomination application.

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

Item 19 : Correspondence received from x regarding loud noise and safety issues pertaining to a neighbour s private boat building activity.

Motion 2007 - 286 - Greenland/Yetman

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

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

Committee Reports

Tourism

Motion 2007 - 287 - Mercer/Brown

Resolved that a legal agreement be drawn up that would permit the use of the Pigeon Inlet / Ted Russell name and allow for the future development of the Pigeon Inlet Project.

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

Motion 2007 - 288 - Mercer/Yetman

Resolved that legal counsel be authorized to instigate title searches for the properties in and around the proposed Pigeon Inlet site in an effort to determine the legal title holders of said property.

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

Motion 2007 - 289 - Mercer/Seymour

Resolved that legal counsel begin work on a draft document that will lead to the development of a non-profit foundation which will further the objections and goals of the Pigeon Inlet Project.

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

Planning & Development

Motion 2007 - 290 - Greenland/Brown

Resolved that , Manager of Crown Lands, Dept. of Environment and Conservation Eastern Regional Lands Office, advised that the Arney s Pond Road crown land identified in x s application, does not exist. Council can not support an application for crown land that is determined to be non-existent. However, if x can provide written confirmation from the Eastern Regional Lands Office, stating that Arney s Pond Road crown land does exist and is not a water reservation, then further consideration may be given.

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

Motion 2007 - 291 - Greenland/Mercer

Resolved that land situated at the end of Farm Road Extension is ideal for future residential development and an overall development plan must be provided by the land owner/prospective developer, before any building permits are issued. Therefore, the request by x to start construction on a residence at the end of Farm Road Extension and requiring a 150 ft. road to be added to the end of Farm Road Extension, is denied.

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

Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2007 - 292 - Greenland/Yetman

Resolved that the application by x., to construct self storage units adjoining to their existing building at 2-4 Sawdust Road, be approved, with the condition that the two (2) end units, identified on the submitted drawing by the size 10' x 16' each, are deleted. Approval is subject to all Municipal Development Regulations and all other regulatory departments.

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

Economic Development

Dept. of Works, Services & Transportation, has been contacted regarding the exit / entrance to the proposed business park. The sign for the proposed business park is being artistically prepared. The Economic Development Association Conference is this coming weekend in Saskatoon.

Recreation

Motion 2007 - 293 - Yetman/Greenland

Resolved that a portion of the roadway leading to Adler Place be closed for safety reasons as it pertains to the expansion of the Wilbur Sparkes Recreation Complex. The new proposed roadway is to be constructed on the west side of the future soccer field and parallel to the properties on west; and pending communication with all residents of Adler Place.

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

Director s Report

Swimming pool is now closed for the season and a financial statement will be provided at the next council meeting.

Update on work being carried out on playground facilities throughout town.

Economic Development Video will be ready for viewing at the next meeting of council.

Motion 2007 - 294 - Walsh/Brown

Resolved that approval be given to proceed with acquiring an engineering design for the new soccer field.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Special Events

Director Delaney requested that a council liaison be selected for the committee.

UMC

Deputy Mayor Walsh tabled minutes of the UMC meeting held on June 8th & 9th at Channel-Port Aux Basques.

It was recommended that BMS Blivet be asked to give a presentation on their all-in-one Package Sewage Treatment Plant and how this particular package would work for the Ascension Collegiate sewer system.

Wetlands

Councillor Seymour attended the Stewardship Association of Municipalities meeting in Labrador City this past weekend. Minutes and other information will be available at the next meeting.

Mayor s Report

Mayor Littlejohn presented Councillor Mercer, Chair of the Pigeon Inlet Committee, with a framed picture of the Kyle and the Ted Russell poem, Smoke Room on the Kyle .

Mayor Littlejohn announced that he will be taking a leave of absence from the Chair until after the provincial election on Tuesday, October 9th.

Councillor Concerns

Councillor Greenland inquired about access being blocked to an ATV trail in Butlerville.

Town Manager will look into this matter.

Councillor Seymour inquired about culverts on Goose Pond Road.

Town Manager advised that the required work will be carried out soon.

Adjournment

Motion 2007 - 295 - Brown/Mercer

Resolved that the meeting do now adjourn at 9:25 p.m.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Glenn Littlejohn
Mayor

Shirley Hawe
Town Clerk