

**Town of Bay Roberts
Minutes of Regular Council Meeting
Thursday, September 13, 2012**

Sixtieth Meeting of the Sixteenth Town Council
Town Hall, 321 Water Street, Bay Roberts, NL

In Attendance:

Council Deputy Mayor Bill Seymour
 Councillor Clarence G. Mercer
 Councillor Gerald Greenland
 Councillor Wade Oates
 Councillor Walter Yetman

Staff Nigel Black, Chief Administrative Officer
 Shirley Hawe, Town Clerk

Absent Mayor Philip Wood
 Councillor Melvin Walsh

Also in Attendance: Fire Chief Clarence Russell
 Compass Correspondent Nicholas Mercer
 Patricia George, JMC Citizen Representative
 Residents

1.0 Call to Order

1.1 Deputy Mayor Seymour called the meeting to order at 7:00 p.m.

2.0 Agenda / Minutes

2.1 Additions to Agenda

Motion 2012 – 398 – Yetman/Oates

Resolved, that agenda for September 13, 2012 be accepted with additions.
Carried unanimously

2.2 Approval of Minutes

Motion 2012 – 399 – Mercer/Yetman

Resolved, that regular meeting minutes for August 21, 2012 be adopted as presented.
Carried unanimously

3.0 New Business / Staff Reports

3.1 Residential Building Application – 27 Earle’s Road

Motion 2012 – 400 – Yetman/Greenland

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 27 Earle’s Road with a front yard setback of 7.6 meters, subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

3.2 Residential Building Application – 6 Love Street Extension

Motion 2012 – 401 – Mercer/Greenland

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 6 Love Street Extension, subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

3.3 Commercial Occupancy Application – 6F Conception Bay Highway

Motion 2012 – 402 – Oates/Yetman

Resolved, that approval is given applicant, as per submitted application, to open and operate a retail clothing / household décor boutique, Melissa’s Boutique Inc., at 6F C. B. Highway, subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

Planning & Development Committee Recommendations - CAO

3.4 Subdivision Application – 226 Neck Road

Motion 2012 – 403 – Greenland/Yetman

Resolved, that *Approval in Principle* is given applicant, as per submitted application, to subdivide 226 Neck Road into three (3) building lots, subject to submission of a professionally prepared survey and a commitment to extend the town water main as required to service the lots, and further subject to the Town’s Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.

Carried unanimously

3.0 New Business / Staff Reports

3.5 Residential Building Application – Off Green’s Road Extension

Motion 2012 – 404 – Yetman/Greenland

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling on land situated past the end of Green’s Road Ext, subject to verification of legal documentation confirming rights for use of right of way easement and, subject to all town services ie. garbage collection, street lighting, snow clearing, road maintenance, etc., terminating at the end of the existing Green’s Road Ext., and further, subject to the Town’s Municipal Development Regulations and those required by other regulatory departments. Carried unanimously

3.6 Proposed Road – Off Green’s Road Extension

Motion 2012 – 405 – Yetman/Greenland

Resolved, that application for construction of a proposed road off Green’s Road Extension is denied due to the minimum road width allowance of thirty (30) feet, cannot be provided at this point in time as required under the Town’s Non-Conforming Roads Policy. Carried unanimously

3.7 Residential Building Application – 217 Neck Road

Motion 2012 – 406 – Mercer/Oates

Resolved, that application to construct a dwelling on property situated at 217 Neck Road must be published due the existing lot does not conform to minimum lot frontage for a Residential 2 zone however would conform within the 10% variance at the building line and the minimum lot coverage of 421 m2 also requires a 10% variance. Carried unanimously

3.8 Residential Building Application – 222 Neck Road

Motion 2012 – 407 – Yetman/Oates

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at 222 Neck Road, subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments. Carried unanimously

3.9 Crown Land Application / Proposed Subdivision – CB Projects Inc

Motion 2012 – 408 – Greenland/Mercer

Resolved, that CB Projects Inc be advised the costs of upgrading the water system for the purposes of supplying appropriate water pressure and flow to their proposed new subdivision is the responsibility of the developer at this time and further, that the Town’s Capital Works Program for the next two years is already fully allocated. Carried unanimously

3.0 New Business / Staff Reports

3.10 Accounts Payables – September 2012

Motion 2012 – 409 – Greenland/Yetman

Resolved, that accounts payable for September 2012 is approved.
Carried unanimously

4.0 Correspondence for Action

4.1 Patricia George, Citizen Representative for JMC – SAM Conference

Motion 2012 – 410 – Yetman/Greenland

Resolved, that Ms. George's request to be appointed voting delegate on behalf of the Town of Bay Roberts at the SAM Conference in Happy Valley-Goose Bay this coming October is referred to the Finance Committee.
Carried unanimously

Patricia George left the Chambers at 7:36 p.m.

4.2 Possible Water Flooding – 6A Neck Road

Motion 2012 – 411 – Yetman/Mercer

Resolved, that correspondence expressing concern with possible future flooding in the area of 6A Neck Road due to development at 18A Neck Road will be placed on file and the area will be monitored as requested by correspondent.
Carried unanimously

4.3 Signage Safety Concern – New Found Lane Extension

Motion 2012 – 412 – Mercer/Oates

Resolved, that the petition from residents of New Found Lane Extension regarding safety signage is referred to Municipal Enforcement Officer Bowering for review and action.
Carried unanimously

4.4 Request to Fill In Ditch – 2 Duncan Road

Motion 2012 – 413 – Greenland/Yetman

Resolved, that correspondence requesting a ditch be filled in on Green's Road bordering 2 Duncan Road is referred to Public Works Committee for review.
Carried unanimously

4.0 Correspondence for Action

4.5 Culvert – 9 Smith Street Extension

Motion 2012 – 414 – Yetman/Mercer

Resolved, that correspondence requesting repairs to the culvert & pavement in front of 9 Smith Street Extension is referred to Public Works Committee.

Carried unanimously

4.6 Annual Donation – CBN Jr. Stars

Motion 2012 – 415 – Yetman/Oates

Resolved, that the annual donation of \$500 be given to the CBN Jr. Stars hockey team.

Carried unanimously

4.7 Annual Donation – TCP Health Foundation

Motion 2012 – 416 – Yetman/Mercer

Resolved, that the annual donation of \$1,500 be given to the TCP Health Foundation.

Carried unanimously

4.8 Subdivision Application – Oceanview Estates

Motion 2012 – 417 – Mercer/Oates

Resolved, that application to develop subdivision, Oceanview Estates, at 102-104 Cross Road is referred to Planning & Development Committee for review.

Carried unanimously

5.0 Correspondence for Information

5.1 Animal Health & Protection Act

Motion 2012 – 418 – Mercer/Yetman

Resolved, that correspondence advising that the provincial government recently passed an Animal Health and Protection Act and Regulations is referred to MEO for review.

Carried unanimously

5.2 Agent White Pesticide Usage

Motion 2012 – 419 – Mercer/Oates

Resolved, that a petition from George Murphy seeking that government halt its use of Tordon 101 (Agent White) as a means of clearing roadside brush from our highways is to be displayed at the front desk for citizen input.

Carried unanimously

5.0 Correspondence for Information

5.3 House of Commons Private Members Motion – Financial Support Programs

Motion 2012 – 420 – Yetman/Mercer

Resolved, that private members motion regarding financial support programs is placed on file.

Carried unanimously

5.4 Position of Avalon Director

Correspondence tabled from Councillor Lucy Stoyles and Councillor Joe Duggan seeking support for their election to the position of Avalon Director for Municipalities Newfoundland & Labrador.

6.0 New Business / Committee Reports

Tourism / Cultural Foundation

6.1 Motion 2012 – 421 – Mercer/Greenland

Resolved, that September 28th to 30th, 2012 is proclamation Culture Days in the Town of Bay Roberts.

Carried unanimously

Councillor Mercer gave an update on upcoming events and free activities during Culture Days including a Geocaching Weekend with prizes to be awarded to all participants. The Tourism Committee has developed a shoulder season tourism package “Fall in Love with Bay Roberts in Autumn” in support of the local business community.

Councillor Mercer noted that the Economic Development Committee has a Business Luncheon Series scheduled for Wednesday, September 19th at the Royal Canadian Legion with special guest speaker, Minister Keith Hutchings, Department of Innovation, Business and Rural Development.

Public Works Committee

6.2 Motion 2012 – 422 – Greenland/Yetman

Resolved, that Public Works Committee report for September 2, 2012 is accepted.

Carried unanimously

6.3 Motion 2012 – 423 – Greenland/Mercer

Resolved, that approval is given to the offer made by owner of land at Jimmy’s Road, Butlerville, for allowing council to remove gravel from this property for an agreed price and that the property will be reinstated at completion of five (5) year quarrying period.

Carried unanimously

6.0 New Business / Staff Reports

6.4 Green Committee

Councillor Yetman tabled a “Why Litter Campaign” which is to be promoted and marketed in conjunction with “Fall in Love with Bay Roberts in Autumn” throughout the region.

Fire Department**6.5 Motion 2012 – 424 – Greenland/Oates**

Resolved, that Fire Chief Russell’s request to purchase a pick-up truck is referred to Finance Committee.
Carried unanimously

7.0 Councillor Concerns / Notice of Motions
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7.1 Improvement to Compost / Shredder Site

Councillor Yetman asked the Public Works Committee to give consideration to paving and installing a gate at the Central Street composting site.

8.0 Adjournment

8.1 Motion to Adjourn**Motion 2012 – 425 – Greenland/Mercer**

Resolved, that Council now adjourned the regular meeting at 8:15 p.m.
Carried unanimously

Bill Seymour, Deputy Mayor

Shirley Hawe, Town Clerk