

**Town of Bay Roberts
Minutes of Regular Council Meeting
Tuesday, September 14, 2010**

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

In Attendance:

Council

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

Staff

Nigel Black, Chief Administrative Officer
Shirley Hawe, Town Clerk
Ron Delaney, Director of Development, Tourism & Recreation

Call to Order

Mayor Littlejohn called the meeting to order at 7:10 p.m.

1.0 Agenda

1.1 Additions to Agenda

Motion 2010 – 494 – Seymour/Yetman

Resolved that the following development applications and correspondence be added to the agenda: 5B New Found Lane, 1-3 Barracks Road, Sweetwater Pond, 209-213 Neck Road, Valleyview Subdivision and Marina Place.

Carried unanimously

Motion 2010 – 495 – Mercer/Seymour

Resolved that the revised agenda for September 14, 2010 be accepted.

Carried unanimously

2.0 Minutes

2.1 Motion 2010 – 496 – Mercer/Walsh

Resolved that regular meeting minutes of August 17, 2010 be adopted as presented.

Carried unanimously

3.0 New Business / Staff Reports

3.1 Subdivision Policy

Motion 2010 – 497 – Yetman/Mercer

Resolved that approval be given to the newly revised Subdivision Policy.

Opposed: Councillors Greenland & Seymour

Motion Carried

3.2 Residential Building Application – 77 Cross Road

Motion 2010 – 498 – Walsh/Yetman

Resolved that approval be given applicant, as per submitted application, to construct a dwelling at 77 Cross Road, Bay Roberts, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

3.3 Residential Building Application – 113 -115 Shearstown Road

Motion 2010 – 499 – Mercer/Walsh

Resolved that approval be given applicant, as per submitted application, to construct a dwelling at 113-115 Shearstown Road, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

3.4 Commercial Occupancy Application – 61-75 C. B. Access Road

Motion 2010 – 500 – Mercer/Yetman

Resolved that approval be given applicant, as per submitted application, to open and operate an auto-body business, CARSTAR Collision Centre, from 61-75 C. B. Access Road.

Carried unanimously

3.5 Commercial Occupancy Application – 276A C. B. Highway

Motion 2010 – 501 – Walsh/Wood

Resolved that approval be given applicant, as per submitted application, to open and operate a medical consulting business, Health Education Services Inc., from 276A Conception Bay Highway.

Carried unanimously

4.0 Correspondence for Action

4.1 Commercial Occupancy Application – 57-59 C. B. Highway

Motion 2010 – 502 – Mercer/Yetman

Resolved that the application to open and operate a café at 57-59 C. B. Highway be deferred pending an inspection by the Fire Department and submission of Government Services approvals.

Carried unanimously

4.2 Zoning Change Request – 236 Water Street

Motion 2010 – 503 – Yetman/Mercer

Resolved that correspondent be requested to submit a written detailed presentation to Town Planner, CBCL Consulting Engineers, prior to public review of the new Town Plan.

Carried unanimously

4.3 Request to Purchase Town Land at Heney’s Pond Road

Motion 2010 – 504 – Greenland/Wood

Resolved that correspondence requesting to purchase Town land at Heney’s Pond Road be referred to the Planning & Development Committee.

Carried unanimously

4.4 Water Flooding – 352 Water Street

Motion 2010 – 505 – Wood/Walsh

Resolved that concerns with water flooding at 352 Water Street be referred to the Public Works Committee.

Carried unanimously

4.5 Confirmation of Paving Schedule – Valleyview Subdivision Phase 3

Motion 2010 – 506 – Wood/Seymour

Resolved that correspondence requesting confirmation of a paving schedule for Valleyview Subdivision, Phase 3, be referred to the Public Works Committee.

Carried unanimously

4.6 Subdivide Land – 88 Green’s Road

Motion 2010 – 507 – Wood/Seymour

Resolved that the Subdivision Application for 88 Green’s Road be referred to the Planning & Development Committee.

Carried unanimously

4.7 Request to Upgrade Sewer Pipe – Atkinson’s Lane off Water Street

Motion 2010 – 508 – Mercer/Wood

Resolved that correspondence requesting sewer pipe upgrades at Atkinson’s Lane be referred to the Public Works Committee.

Carried unanimously

4.0 Correspondence for Action

4.8 MNL – Donation to Eastern Night

Motion 2010 – 509 – Seymour/Greenland

Resolved that a \$100.00 donation be made to the MNL 60th Annual Convention Eastern Night, and also, a request be made for donation of food products from local businesses.
Carried unanimously

4.9 Residential Building Application – 5B New Found Lane

Motion 2010 – 510 – Yetman/Walsh

Resolved that approval be given applicant, as per submitted application, to construct a dwelling at 5B New Found Lane, Bay Roberts, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.
Carried unanimously

4.10 Residential Building Application – 1-3 Barracks Lane

Councillor Yetman declared a Conflict of Interest and left the Chambers

Motion 2010 – 511 – Walsh/Mercer

Resolved that the residential building application for 1-3 Barracks Lane be referred to the Planning & Development Committee.
Carried unanimously

Councillor Yetman returned to the Chambers

4.11 Building Application – Sweetwater Pond, Country Road

Motion 2010 – 512 – Yetman/Wood

Resolved that approval be given applicant, as per submitted application, to construct a summer dwelling/cabin at Sweetwater Pond, Country Road, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.
Carried unanimously

4.12 Tender Closed – Valleyview Subdivision Storm Sewer Upgrade

Motion 2010 – 513 – Greenland/Wood

Resolved that approval be given to award the contract for Project # 723097-10 Valleyview Subdivision Storm Sewer Upgrade to H & B Construction Limited for the amount of \$119,290.71.
Carried unanimously

4.13 Residential Building Application – 209-213 Neck Road

Motion 2010 – 514 – Yetman/Mercer

Resolved that the proposal to construct six (6) adult units at 209-213 Neck Road, Coley's Point, does not meet the criteria required under the Town's Municipal Development Regulations, and therefore, the application is denied.

Carried unanimously

4.14 Subdivision Application – Marina Place, Phase 2

Motion 2010 – 515 – Walsh/Yetman

Resolved that Approval in Principle be given developer, as per submitted application, to develop Marina Place, Phase 2, consisting of six (6) residential lots, subject to the identified conditions and all requirements of the Town's Development Regulations and other Regulations currently in effect with the exception of sidewalks.

Carried unanimously

5.0 Correspondence for Information

5.1 Accounts Payable – August 2010

Motion 2010 – 516 – Yetman/Walsh

Resolved that August 2010 Accounts Payable be approved.

Carried unanimously

5.2 Correctional Service Canada – Restorative Justice Week

Motion 2010 – 517 – Wood/Mercer

Resolved that Correctional Service Canada correspondence be placed on file.

Carried unanimously

5.3 Communities in Bloom – Appreciation Letter

Motion 2010 – 518 – Yetman/Mercer

Resolved that correspondence from Communities in Bloom be placed on file.

Carried unanimously

5.4 Bay Roberts Heritage Society – Appreciation Letter

Motion 2010 – 519 – Wood/Seymour

Resolved that correspondence from the Heritage Society be placed on file.

Carried unanimously

5.5 M-RON – Annual General Meeting

Motion 2010 – 520 – Greenland/Seymour

5.0 Correspondence for Information

Resolved that correspondence from M-RON be placed on file.
Carried unanimously

Motion 2010 – 521 – Greenland/Seymour

Resolved that the Executive Director of M-RON be requested to give consideration to holding future meetings and/or functions in our town.
Carried unanimously

6.0 New Business / Committee Reports

6.1 Bay Roberts Cultural Foundation

Cultural Days will take place from September 24th & 25th featuring Techniques of Pigeon Inlet Quilters Guild, the Labrador Fishery Film Festival and Salt-Water Moon by David French. Also, plans are underway for the Town's 60th Anniversary Celebrations in 2011.

6.2 Public Works Committee

Motion 2010 – 522 – Greenland/Seymour

Resolved that the sewer blockage at 25 Central Street was witnessed on site to be inside the residents' fence, and therefore, Council's original decision to deny the claim will stand.
Carried unanimously

Motion 2010 – 523 – Greenland/Seymour

Resolved that the property owner of 285-287 C. B. Highway be advised the sewer blockage problem will be addressed when the current sewer upgrading contract is complete which unfortunately may not occur until 2011. In the interim, public works staff will be diligent to respond to future blockages.
Carried unanimously

6.3 Green Committee

Council will continue to support Amalgamated Academy's recycling program.

6.4 Municipal Enforcement Committee

Motion 2010 – 524 – Walsh/Yetman

Resolved that the proposed Commercial Vehicle Parking Regulations be tabled as a Notice of Motion at the next regular meeting.
Carried unanimously

The Town's Emergency Management Plan is awaiting final approval by Fire and Emergency Services.

7.0 Councillor Concerns / Notice of Motions
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7.1 Councillor Concerns

Councillor Seymour raised concerns with the dilapidated condition of a dwelling in Country Road. Municipal Enforcement Officer will look into enforcement of repairs.

7.2 Notice of Motion**Motion 2010 – 525 – Walsh/Greenland**

Resolved that the proposed Town of Bay Roberts Sign Regulations be adopted and shall come into effect on October 14, 2010.

Carried unanimously

8.0 Adjournment

8.1 Motion to Adjourn**Motion 2010 – 526 – Seymour**

Resolved that Council adjourn the regular meeting at 8:50 p.m.

Carried unanimously

Glenn Littlejohn, Mayor

Shirley Hawe, Town Clerk